



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2016-03-24

NOTICE OF THE 39TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY WEDNESDAY, 2016-03-30 AT 15:00

TO	The Speaker, Alderman CP Jooste [Chairperson] The Executive Mayor, Alderman CJ Sidego The Deputy Executive Mayor, Cllr MG Smuts	
ALDERMAN	DC Botha	
COUNCILLORS	F Adams DS Arends NM August HC Bergstedt (Ms) PW Biscoombe A Crombie (Ms) JA Davids R du Toit (Ms) V Fernandez (Ms) JSA Fourie AR Frazenburg E Groenewald (Ms) DA Hendrickse JK Hendriks N Jindela MC Johnson DD Joubert S Jooste (Ms) SJ Louw (Ms) N Mananga-Gugushe (Ms)	C Manuel EL Maree (Ms) NE McOmbring (Ms) XL Mdemka (Ms) C Moses (Ms) P Mntumni (Ms) RS Nalumango (Ms) MM Ngcofe N Ntsunguzi (Ms) WC Petersen (Ms) PJ Retief L Ronoti JP Serdyn (Ms) P Sitshoti (Ms) LN Siwakamisa (Ms) Q Smit LL Stander AT van der Walt M Wanana

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 a Special meeting of the Council of Stellenbosch Municipality will be held in the Council Chamber, Town House, Plein Street, Stellenbosch on **Wednesday, 2016-03-30 at 15:00.**

VOL. 1-2

**ALDERMAN CP JOOSTE
SPEAKER**

A G E N D A
39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2016-03-30

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1. APPLICATION FOR LEAVE OF ABSENCE (3/4/2/3)
- 2.1 DECLARATION OF INTEREST (3/6/2/2)
- 2.2 PRESENTATION (8/1/4/2/6)
NONE
- 2.3 COMMUNICATIONS (3/4/1/6)
- 2.3.1 COMMUNICATION BY THE SPEAKER (3/4/1/6)
- 2.3.2 COMMUNICATION BY THE EXECUTIVE MAYOR (3/4/1/6)
- 2.3.3 COMMUNICATION BY THE MUNICIPAL MANAGER (3/4/1/6)
3. CONFIRMATION OF THE MINUTES (3/4/1/5)
- 3.1 CONFIRMATION OF THE MINUTES OF THE 38TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2016-02-24 (3/4/1/5)
- The minutes of the 38th Meeting of the Council of Stellenbosch Municipality held on 2016-02-24 were previously distributed.
- FOR CONFIRMATION**
4. INTERVIEWS WITH DEPUTATIONS (3/4/1/7)
NONE
5. STATUTORY BUSINESS (3/4/1/7)
NONE
6. REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MEETINGS OF COUNCIL (3/4/1/5)

The report by the Acting Municipal Manager re outstanding resolutions taken at previous meetings of Council is attached as **APPENDIX 1**.

FOR INFORMATION

APPENDIX 1

OUTSTANDING COUNCIL RESOLUTIONS MARCH 2016

Council Meeting		Resolution	Resolution Date	Date Closed	Task Status	Allocated To	% Feedback	Feedback Comment
321657	EMERGENCY HOUSING POLICY	<p>4TH COUNCIL MEETING: 2011-10-27: ITEM 7.9</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council recognizes the need for the adoption and implementation of an Emergency Housing Policy;</p> <p>(b) that Council notes the draft Emergency Housing Policy presented to it;</p> <p>(c) that Council is advised that the aforesaid Policy is based on the directions given by the Supreme Court of appeal in the case of Johannesburg Metropolitan Municipality v Blue Moonlight Properties 39 (Pty) Ltd. Council is furthermore advised that this case is currently on appeal to the Constitutional Court and that this judgment may alter the directions given by the Supreme Court of Appeal; and</p> <p>(d) that in view of the aforesaid, Council deems it to be prudent to let this matter stand over until the judgment of the Constitutional Court has been handed down and the current draft policy can be considered by Council having due regard to this judgment.</p> <p>(Dir: Planning, IHS & Prop Man)</p>	2011-10-27		IN PROGRESS	DUPREL	50.00	Item recently submitted by DIHS&P - subsequent to decision the functions were split and it is now with Director Tabiso Mfeya. Manager: SPH&E will prepare and submit relevant report to directors for discussion in consultation with IHS&P by November 2015.
330468	POLICY ON HOME OCCUPATIONAL PRACTICE WITHIN THE STELLENBOSCH MUNICIPALITY (WC024):	<p>7.4 POLICY ON HOME OCCUPATIONAL PRACTICE WITHIN THE STELLENBOSCH MUNICIPALITY (WC024)</p> <p>12TH MEETING OF COUNCIL: 2013-02-28: ITEM 7.4</p> <p>RESOLVED (nem con)</p> <p>that the Draft Home Occupational Practice Policy dated December 2012, as amended, be recommended to Council for consideration/comments prior to it being advertised for public participation.</p> <p>(D: PED)</p>	2013-02-28		IN PROGRESS	DUPREL	30.00	Forms part of the IZS in terms of SPLUMA / LUPA. Becomes bylaw which can be enforced with SM Law Enforcement and Municipal Court. Due June 2016.
352092	ELECTRICITY SUPPLY TO THE MUNICIPAL AREAS OF STELLENBOSCH	<p>25TH COUNCIL MEETING: 2014-11-26: ITEM 7.5</p> <p>RESOLVED (nem con)</p> <p>(a)that a preliminary investigation be conducted by the Directorate: Engineering Services (Electrical Services) into the possibility and feasibility of taking over the electricity supply from Drakenstein Municipality;</p> <p>(b)that billing cooperation be implemented between Drakenstein and Stellenbosch Municipality to implement more effective debt collection; and</p>	2014-11-26		IN PROGRESS	JOHANNESC	90.00	<p>(c)that SALGA be requested to expedite the Eskom process through political intervention.</p> <p>SALGA was approached. The report tabled were not feasible. Rather initiate agreements between various municipalities and Eskom.</p>

OUTSTANDING COUNCIL RESOLUTIONS MARCH 2016

		(c)that SALGA be requested to expedite the Eskom process through political intervention. (DIRECTOR: ENGINEERING SERVICES TO ACTION)						Negotiations with Eskom in process.
367230	Application for approval of Jonkershoek SDF	7.2 APPLICATION FOR APPROVAL OF JONKERSHOEK SPATIAL DEVELOPMENT FRAMEWORK 29TH COUNCIL MEETING: 2015-04-30: ITEM 7.2 RESOLVED (majority vote with 11 abstentions) that Council approve the Draft Jonkershoek Spatial Development Framework in terms of the Land Use Planning Ordinance, 15 of 1985 and the Municipal Systems Act, 32 of 2000 as Draft Policy for public participation, before the Policy is finally approved. The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; DA Hendrickse; AT van der Walt and M Wanana. (DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)	2015-04-30		IN PROGRESS	DUPREL	95.00	Input received discussed with consultant on 19 February 2016 and the way forward agreed on. Final report to be submitted to Council in May 2016
367234	WRITING-OFF OF IRRECOVERABLE DEBT: MERITORIOUS CASE	7.3 WRITING-OFF OF IRRECOVERABLE DEBT: MERITORIOUS CASE 29TH COUNCIL MEETING: 2015-04-30: ITEM 7.3 RESOLVED (nem con) that this matter be referred back to the Administration for further investigation. (CHIEF FINANCIAL OFFICER TO ACTION)	2015-04-30		IN PROGRESS	ANDRET	88.00	For this case: Kylemore Liefdadigheidsgenootskap Treasury Office is trying to source certain information requested by Legal to finalise the Item which is difficult to obtain (for a case where the application for subdivision was approved by Council on 17 May 1993 and The Kylemore Liefdadigheidsgenootskap has been defunct since around 1986), including: "- When did the eight families finalise the

								<p>construction of their houses and since when are they occupying the various properties;</p> <p>-Copies of the sale agreements entered into between the Kylemore Liefdadigheidsgenootskap and the respective eight families/purchasers as well as the dates of same”;</p>
367122	<p>APPLICATION TO EXTEND THE TERM OF THE LEASE AGREEMENT BETWEEN THE MUNICIPALITY AND STELLENBOSCH VLIEGVELD MAATSKAPPY</p>	<p>8.5 APPLICATION TO EXTEND THE TERM OF THE LEASE AGREEMENT BETWEEN THE MUNICIPALITY AND STELLENBOSCH VLIEGVELD MAATSKAPPY</p> <p>29TH COUNCIL MEETING: 2015-04-30: ITEM 8.5</p> <p>During debate on the matter, the DA requested a caucus which the Speaker allowed.</p> <p>After the meeting resumed, it was</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council confirm in terms of Section 14 of the MFMA that the land, unregistered Portion L of Stellenbosch Farm 502, is required for the provision of essential services (the on-going operation of an airport) and that the extension of the long term lease of the land be actively pursued for airport operational purposes;</p> <p>(b) that the Municipal Manager be authorised to conduct the required public participation and other processes for the disposal of unregistered Portion L of Stellenbosch Farm 502 for airport operational purposes through a long term lease;</p> <p>(c) that Council confirms the market related rental value of unregistered Portion L of Stellenbosch Farm 502, is R70 988,59 (2015) per annum plus all costs incidental and annual increases; and</p> <p>(d) that the Directors: Planning and Economic Development and Settlements and Property Management be jointly tasked with the management of the project and that quarterly feedback on progress be given to Council.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors F Adams; AT van der WALT and M Wanana.</p>	2015-04-30		IN PROGRESS	DUPREL	55.00	<p>Legal advisor has not given any legal support / input to ensure a legally compliant and useful item since September 2015. Due date for item for clarification was February 2015. Repeated meeting requests, a meeting and e-mail reminders have led to nothing. Matter has been reported to the new director for action.</p> <p>Response by the Senior Legal Advisor: A new item was drafted by the Director: Planning and Development which will require the rescission of the initial Council resolution. The new proposal relates to approval for <i>inter alia</i> a municipal airport. Municipal Airport is a function of a Municipality and if the services are required to be outsourced a section 78 investigation is required. Furthermore, licences needs to be applied for to operate a municipal airport and the</p>

OUTSTANDING COUNCIL RESOLUTIONS MARCH 2016

		(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT + DIRECTOR: HUMAN SETTLEMENTS TO ACTION)						possibility exist to investigate a Public Private Partnership relationship between the respective parties.
373715	FRAUD AND CORRUPTION POLICY AND THE FRAUD RESPONSE COMMITTEE (FRC) TERMS OF REFERENCE	<p>8.3 FRAUD AND CORRUPTION POLICY AND THE FRAUD RESPONSE COMMITTEE (FRC) TERMS OF REFERENCE</p> <p>31ST COUNCIL MEETING: 2015-06-24: ITEM 8.3</p> <p>RESOLVED (nem con)</p> <p>(a) that Council in principle approve the Fraud and Corruption Policy and that same be advertised for public comment. Should any comments be received same should be considered by Council prior to final approval;</p> <p>(b) that Council in principle approve the Fraud Response Committee (FRC) Terms of Reference and that same be advertised for public input. Should any comments be received same should be considered before final approval by Council; and</p> <p>(c) that the Chief Risk Officer be mandated to conduct the necessary stakeholder engagement and communication in relation to the Policy.</p> <p>(MUNICIPAL MANAGER TO ACTION)</p>	2015-06-24		IN PROGRESS	FAIZH	60.00	Chief Risk Officer to amend and circulate to members of the Fraud Risk Committee and to be discussed at the quarterly meeting in March 2016. Policy and TOR will be distributed for input to next Audit Committee meeting
373748	MONTHLY FINANCIAL STATUTORY REPORTING	<p>7.6 MONTHLY FINANCIAL STATUTORY REPORTING</p> <p>31ST COUNCIL MEETING: 2015-06-24: ITEM 7.6</p> <p>RESOLVED (nem con)</p> <p>(a) that the monthly financial statutory reporting, be noted;</p> <p>(b) that the CFO be tasked to submit an executive report to Council during the September 2015 cycle of Council making recommendations on, inter alia:</p> <p>(i) increasing revenue from alternative and existing sources, which include social housing rental stock, historical properties as well as all other land holdings of the municipality;</p> <p>(ii) recommending financial savings through the effective use of office accommodation; and</p> <p>(iii) any other recommendations that the Administration deems fit to increase</p>	2015-06-24		IN PROGRESS	MARIUSW	100.00	Report was submitted to the standing committee of 8 March 2016

		<p>revenue and to improve financial efficiencies to ensure the financial viability of the organization.</p> <p>(CHIEF FINANCIAL OFFICER TO ACTION)</p>						
373806	<p>9.3 MOTION BY COUNCILLOR PW BISCOMBE: AUDIT REPORT ABOUT LEGAL STANDING FLAT DWELLINGS AT RHODE/LANG STREET AND KLOOF/LANG STREET FLATS</p>	<p>9.3 MOTION BY COUNCILLOR PW BISCOMBE: AUDIT REPORT ABOUT LEGAL STANDING FLAT DWELLINGS AT RHODE/LANG STREET AND KLOOF/LANG STREET FLATS</p> <p>31ST COUNCIL MEETING: 2015-06-24: ITEM 9.3</p> <p>The Speaker allowed Councillor PW Biscombe to put his 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 23 votes for and 8 votes against.</p> <p>RESOLVED (majority vote)</p> <p>that Council mandate the Municipal Manager to in turn request the relevant department to report to Council within two months from date of this Council meeting dated 2015-06-24:</p> <p>(i) a survey on every dwelling to establish whether the original legal occupants are still living there;</p> <p>(ii) how many persons are currently occupying each unit and are they legally there. What steps will be put in place to rectify any illegality?; and</p> <p>(iii) due to complaints lodged what is currently being done between Housing Administration and Legal Department to attend to anti-social behaviour patterns with the view of removing these elements from Council properties.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors JA Davids; C Moses (Ms); N Mananga-Gugushe (Ms); P Mntumni (Ms); N Ntsunguzi (Ms); L Ronoti; P Sitshoti (Ms); LN Siwakamisa (Ms).</p> <p>(MUNICIPAL MANAGER TO ACTION)</p>	2015-06-24		IN PROGRESS	CHARLOTTEL	98.00	<p>Interim report served at the previous Council meeting. Completed Interviews with Cloetesville and Stellenbosch areas, busy with last remaining interviews of Kayamandi where after a final report will be tabled.</p>
383839	<p>9.1 MOTION BY COUNCILLOR N AUGUST: IMPLEMENTATION OF CARD SYSTEM</p>	<p>9.1 MOTION BY COUNCILLOR N AUGUST: IMPLEMENTATION OF CARD SYSTEM FOR FRANSCHHOEK AND PNIEL</p> <p>33RD COUNCIL MEETING: 2015-08-25: ITEM 9.1</p> <p>The Speaker allowed Councillor NM August to put his Motion, duly seconded.</p>	2015-08-25		IN PROGRESS	ANDRET	50.00	<p>Easypay terminals will not be feasible as the kind of terminal that is available will not add value or meet the needs of the</p>

	FOR FRANSCHHOEK AND PNIEL	<p>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>(a) that the Administration be tasked to investigate the possibility to install a card payment system for Franschhoek and Pniel pay points; and</p> <p>(b) that feedback in this regard be submitted at the Council meeting in November 2015.</p> <p>(ACTING MUNICIPAL MANAGER TO ACTION)</p>						community at Pniel. This administration has not yet been able to meet with Absa with regards to the possibilities of installing debit card facilities.
383875	MOTION BY CLLR F ADAMS: PROCESS FOR THE RENAMING OF STREETNAMES:	<p>7.2 PROCESS FOR THE RENAMING OF STREETNAMES</p> <p>33RD COUNCIL MEETING: 2015-08-25: ITEM 7.2</p> <p>RESOLVED (majority vote with 7 abstentions)</p> <p>(a) that the Director: Planning & Economic Development be commissioned to place an advert in the local community newspapers and to place notices at public places to invite written submissions for the renaming of streets over a 60 day window period;</p> <p>(b) that the Director: Planning & Economic Development be commissioned to place an advert in the local community newspapers and to place notices at public places to invite nominees for the establishment of a Panel of Experts to advise Council on proposal for the renaming of streets.</p> <p>(c) that the terms of reference for the panel of experts as summarized in the report, be approved.</p> <p>(DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT TO ACTION)</p>	2015-08-25		IN PROGRESS	DUPREL	35.00	Still in commenting period
383887	PROGRESS REPORT – POLICY FOR SELF GENERATION OF ELECTRICITY	<p>7.9 PROGRESS REPORT : POLICY FOR SELF- GENERATION OF ELECTRICITY</p> <p>33RD COUNCIL MEETING: 2015-08-25: ITEM 7.9</p> <p>RESOLVED (nem con)</p> <p>that this matter be referred back to allow the Administration to submit a Progress Report to Council as mentioned in the item.</p>	2015-08-25		IN PROGRESS	JOHANNESC	30.00	The department are still working on the guidelines and tariffs. It will be submitted with the yearly 2016 tariff proposal to council.

		(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)						
388210	COMMITMENT TO POSSIBLE ACQUISITION OF LAND FOR HOUSING PROJECT: KLAPMUTS	<p>7.1 COMMITMENT TO POSSIBLE ACQUISITION OF LAND FOR HOUSING PROJECT: KLAPMUTS</p> <p>34TH COUNCIL MEETING: 2015-09-23: ITEM 7.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council confirm its commitment to buy remainder portion of Farm 744/2, measuring ±11ha in extent at a cost of ±R7.7m, subject to budget provisions, which will be included in the IDP Budget Process of 2016/17 to 2018/19; and</p> <p>(b) that Council explore possibilities of further acquisition of land in WC024 to relieve the housing need.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors JA Davids; S Jooste (Ms); DA Hendrickse; C Moses (Ms); N Mananga-Gugushe (Ms); P Mntumni (Ms); RS Nalumango (Ms); MM Ngcofe; N Ntsunguzi (Ms); L Ronoti; LN Siwakamisa (Ms); AT van der Walt and MM Wanana.</p> <p>(DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT TO ACTION)</p>	2015-09-23		IN PROGRESS	PSMIT	80.00	A consultant has been appointed to apply for funding to PHB.
394113	Stellenbosch River Stewardship	<p>7.5 RIVER STEWARDSHIP ACTION</p> <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 7.5</p> <p>RESOLVED (majority vote)</p> <p>that Council acknowledge the Stellenbosch River Stewardship Action initiative described above as well as the Position Paper attached and express support for the initiative before the private sector is formally approached to take up stewardship in terms of the initiative.</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)</p>	2015-10-28		IN PROGRESS	BERNABYB	100.00	Stewardship program kicked off with a formal meeting amongst all identified and interested Stewards, officials and Councillors. First joint formal meeting was held on 10 February 2016 in the Council Chambers. Program is ongoing.
394114	Investigation with regards to the various	7.6 INVESTIGATION WITH REGARD TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE	2015-10-28		IN PROGRESS	DUPREL	40.00	Appointment of service provider to assist with the

	<p>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>						<p>investigation and preparation of report finalized</p>
<p>394117</p>	<p>MUNICIPAL REGULATIONS ON FINANCIAL MISCONDUCT PROCEDURES AND CRIMINAL PROCEEDINGS</p>	<p>8.7 MUNICIPAL REGULATIONS ON FINANCIAL MISCONDUCT PROCEDURES AND CRIMINAL PROCEEDINGS</p> <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 8.7</p> <p>During deliberations on the matter, the DA requested a caucus, which the Speaker allowed.</p> <p>After the meeting resumed, it was</p> <p>RESOLVED (majority vote with 10 abstentions)</p> <p>(a) that Council review and rescind its resolution taken in this regard on 2014-11-26;</p> <p>(b) that Council take note of the progress made by Stellenbosch Municipality with regard to the implementation of the Municipal Regulation on Financial</p>	<p>2015-10-28</p>		<p>IN PROGRESS</p>	<p>FAIZH</p>	<p>50.00</p>	<p>Appointment of Board to be formalized March 2016 Council meeting.</p>

		<p>Misconduct Procedures and Criminal Proceedings;</p> <p>(c) that Council establish the Disciplinary Board pending the direction SALGA and/or National Treasury in line with these regulations;</p> <p>(d) that the Disciplinary Board has as its members the following: (i) The Chief Audit Executive (ii) A member of the Audit Committee as elected by the Audit Committee (iii) A senior manager from the legal division as determined by the Director: Corporate and Strategic Services (iv) A representative from Provincial Treasury as nominated by Province; (v) A retired senior legal expert, e.g. judge or advocate resident in the area with knowledge of the related field. (e) that Council designate the Chief Audit Executive as the designated official to whom reports on alleged financial offences against Councillors should go.</p> <p>(ACTING MUNICIPAL MANAGER TO ACTION)</p>						
391355	UNDEVELOPED ERVEN IN KAYAMANDI 1: WAY FORWARD	<p>7.2 UNDEVELOPED ERVEN IN KAYAMANDI: WAY FORWARD</p> <p>34TH COUNCIL MEETING: 2015-09-23: ITEM 7.2</p> <p>RESOLVED (majority vote with 1 abstention)</p> <p>(a) that the properties are not required to provide the minimum level of basic municipal services;</p> <p>(b) that the Municipal Manager be authorised to act with the various categories of properties, as set out in paragraph 3.3 (supra);</p> <p>(c) that, following the notice periods referred to in paragraph 3.3 (supra), a progress report be submitted to Council, whereafter the tender process can be attended to;</p> <p>(d) that in the meantime, valuations be obtained from two independent valuers, with the view of determining a market value for the various properties (weighted average);</p> <p>(e) that public participation processes be followed which should include local newspapers, ward committees, libraries, notice boards and public platforms; and</p> <p>(f) that a feedback report be submitted to Council in February 2016.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p>	2015-09-23		IN PROGRESS	PSMIT	80.00	At the closing date for submissions, a total of 10 submissions were received. In the process of working through submissions and to investigate claims. A report will be tabled at the April Standing Committee meeting if Legal and Financial comments are received in time.

		DA Hendrickse; AT van der Walt and MM Wanana. (DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT TO ACTION)						
395788	PROPOSED DISPOSAL OF 68 SERVICED SITES IN MOOIWATER	7.9 PROPOSED DISPOSAL OF 68 SERVICED SITES IN MOOIWATER 35TH COUNCIL MEETING: 2015-10-28: ITEM 7.9 RESOLVED (majority vote) (a) that the erven listed in paragraph 3.1 be identified as land not needed to provide the minimum level of basic municipal services; (b) that the fair market value of the sites be determined as the weighted average of two independent valuations; (c) that the values so determined be set as a reserve/floor price; (d) that the (Acting) Municipal Manager be authorised to determine the evaluation criteria with the view of giving preference to qualifying local residents who falls within the description of a previously disadvantaged individual; (e) that the (Acting) Municipal Manager be authorised to dispose of the erven listed in paragraph 3.1 by way of a public tender process subjected to the criteria depicted in paragraph 3.5; (f) that the proceeds be dealt with in terms of Part 3 of the National Housing Code of 2009; as set out in paragraph 4.3 of the report; (g) that a tenderer other than a resident from ward 1 or 2 from previously disadvantage group must indicate the beneficiaries in the tender documents. (DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT TO ACTION)	2015-10-28		IN PROGRESS	PSMIT	90.00	Tender notice was published. Tenders will close on 15 April 2016.
394287	Stellenbosch Municipal Disability Policy	7.2 STELLENBOSCH MUNICIPAL DISABILITY POLICY 35TH COUNCIL MEETING: 2015-10-28: ITEM 7.2 RESOLVED (nem con) (a) that the draft Disability Policy, be approved, in principle;	2015-10-28		IN PROGRESS	DUPREL	100.00	Submitted via Collaborator for Council Attention

		<p>(b) that the draft Disability Policy be advertised for public comment whereafter same be resubmitted to Council for final consideration and subsequent approval; and</p> <p>(c) that Council agree that all Directors be held accountable through their KPI's to employ more people with disability in line with the Employee Equity Policy and Plan.</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)</p>						
401581	7.3 PROPOSED DISPOSAL OF CHURCH AND CRECHE SITES IN WATERGANG, KAYAMANDI	<p>7.3 PROPOSED DISPOSAL OF CHURCH AND CRECHE SITES IN WATERGANG, KAYAMANDI</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 7.3</p> <p>RESOLVED (majority vote)</p> <p>(a) that erven 3739 and 3740, Kayamandi be identified as property not needed to provide the minimum level of basic municipal services, i.e surplus properties;</p> <p>(b) that Council, in principle, approve the disposal of erven 3739 and 3740, Kayamandi;</p> <p>(c) that the minimum prices be determined by two (2) independent valuations (20% of weighted average of fair market value)</p> <p>(d) that the (Acting) Municipal Manager be authorised to approve the evaluation criteria and place the necessary notices, calling for tenders for the properties; and</p> <p>(e) that, following the conditional awarding of tenders, a report be submitted to Council to decide on the final disposal of the properties in question, taking into account that tenders may well be below market value.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms); RS Nalumango (Ms); MM Ngcofe; N Ntsunguzi (Ms); L Ronoti; P Sitshoti (Ms); LN Siwakamisa (Ms) and AT van der Walt.</p> <p>(DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT TO ACTION)</p>	2015-11-25		IN PROGRESS	PSMIT	50.00	Tender document have been submitted to SCM for publication during March 2016
401582	7.4 RECOMMENDATIONS AND FINDING	7.4 RECOMMENDATIONS AND FINDING REGARDING THE APPOINTMENT OF EXTERNAL MUNICIPAL PLANNING TRIBUNAL MEMBERS AS DETERMINED BY THE SPATIAL PLANNING AND LAND USE	2015-11-25		IN PROGRESS	HEDRED	80.00	All steps in process. New members to meet early February 2016.

	<p>REGARDING THE APPOINTMENT OF EXTERNAL MUNICIPAL PLANNING TRIBUNAL MEMBERS AS DETERMINED BY THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) AND ITS REGULATIONS</p>	<p>MANAGEMENT ACT, 2013 (ACT 16 OF 2013) AND ITS REGULATIONS</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 7.4</p> <p>RESOLVED (nem con)</p> <p>(a) that the nominations made by the evaluation panel for the commencement of appointment for the following external Municipal Planning Tribunal Members be accepted by Council as:</p> <ul style="list-style-type: none"> • Adv. Mandla Mdludu • Ms Cornelia Smart • Mr Thumakele Gosa • Mr JFD Muller • Dr Ruida Pool-Stanvliet • Mr Jeffrey Phil de Wet • Mr Christiaan Rabie <p>(b) that Council take cognisance that the following Internal Municipal Planning Tribunal Members will be appointed as per Council resolution (Item 8.6), dated 2015-05-27:</p> <ul style="list-style-type: none"> - Manager: Development Services, Directorate Engineering Services - Manager: Spatial Planning, Heritage and Environment, Directorate Planning and Economic Development - Senior Legal Advisor, Directorate: Strategic and Corporate Services <p>(c) that Item 8.6 (j) be replaced with the Appeal Authority be the Executive Mayor. The Executive Mayor is authorised as appeal authority ex lege/in terms of legislation and not in terms of a delegation; and</p> <p>(d) that in terms of SPLUMA Section 36(4a & b), Council support and approve the recommendation for the appointment of the Chairperson, (Advocate Mandla Mdlulu) and Deputy Chairperson, (Ms Cornelia Smart).</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)</p>						
<p>401721</p>	<p>9.2 QUESTION BY CLLR DA HENDRICKSE: MINIMUM COMPETENCY QUALIFICATIONS: SENIOR MANAGERS</p>	<p>9.2 QUESTION BY CLLR DA HENDRICKSE: MINIMUM COMPETENCY QUALIFICATIONS: SENIOR MANAGERS</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 9.2</p> <p>RESOLVED (nem con)</p> <p>that it be noted that in view of the fact that the Acting MM only responded with regard to the 3 Senior Managers, Councillor DA Hendrickse was not satisfied with the response provided and posed a follow-up question, namely:</p>	<p>2015-11-25</p>		<p>IN PROGRESS</p>	<p>ANDRER</p>	<p>80.00</p>	<p>Item to follow process to go to Mayco and then Council (March).</p>

		<p>"What about the rest of the staff, because they are linked with minimum competency in Supply Chain and in Finance?"</p> <p>The Acting Municipal Manager responded that a detailed report with regard to Supply Chain & Finance Officials will serve at the next Strategic and Corporate Services Committee meeting.</p> <p>(ACTING MUNICIPAL MANAGER TO ACTION)</p>						
401722	<p>9.4 QUESTION BY CLLR DA HENDRICKSE: FAILURE OF THE ADMINISTRATION TO, FOR THE PAST 4 YEARS, BRING REPORTS BEFORE COUNCIL IN TERMS OF SECTION 116(2)(d) OF THE MFMA</p>	<p>9.4 QUESTION BY CLLR DA HENDRICKSE: FAILURE OF THE ADMINISTRATION TO, FOR THE PAST 4 YEARS, BRING REPORTS BEFORE COUNCIL IN TERMS OF SECTION 116(2)(d) OF THE MFMA</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 9.4</p> <p>RESOLVED (nem con)</p> <p>that it be noted that Councillor DA Hendrickse was not satisfied with the response provided in respect of the question posed, and posed a follow-up question, namely:</p> <p>"Why did the Auditor-General not pick up that for four years no statutory report served before Council."</p> <p>The Acting Municipal Manager responded that this will be rectified and a report will be submitted to Council regularly.</p> <p>(ACTING MUNICIPAL MANAGER TO ACTION)</p>	2015-11-25		IN PROGRESS	MARIUSW	30.00	<p>The position for Contracts and Compliance has been advertised and the recruitment is under way. This position will then compile the required report.</p>
401723	<p>9.14 MOTION BY COUNCILLOR R DU TOIT (MS): ADJUSTMENT OF SASSA BENEFICIARIES AND SENIOR CITIZENS' RENT OF MUNICIPAL PROPERTY</p>	<p>9.14 MOTION BY COUNCILLOR R DU TOIT (MS): ADJUSTMENT OF SASSA BENEFICIARIES AND SENIOR CITIZENS' RENT OF MUNICIPAL PROPERTY</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 9.14</p> <p>The Speaker allowed Councillor R du Toit (Ms) to 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 26 votes for and 9 against.</p> <p>RESOLVED (majority vote)</p> <p>that the rent of SASSA beneficiaries and senior citizens be calculated on a sliding scale according to their income.</p>	2015-11-25		IN PROGRESS	CHARLOTTEL	95.00	<p>Draft item to Council requesting the review of the Tariff structure sent to Finance Dept. for comment.</p>

		(CHIEF FINANCIAL OFFICER TO ACTION)						
402103	RECONSTITUTION OF DISCIPLINARY COMMITTEE IN RELATION TO DISCIPLINARY HEARING OF CLLR JOOSTE	<p>13.2.1 RECONSTITUTION OF DISCIPLINARY COMMITTEE IN RELATION TO DISCIPLINARY HEARING OF COUNCILLOR CP JOOSTE</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 13.2.1</p> <p>Because the Speaker is implicated in the matter, he requested nominations for an Acting Speaker for the duration of this item. Councillor Q Smit was elected as Acting Speaker. Councillor CP Jooste recused himself and left the Chamber and Councillor Q Smit took the Chair as Acting Speaker.</p> <p>The Acting Speaker RULED that, after an amendment is put on the screen, he will allow debate. At this juncture, Councillors Hendrickse and van der Walt both raised a point of order with reference to the procedure that an amendment can only be put after a matter has been discussed and/or debated. Councillor F Davids requested a point of clarity on whether debate on a matter should not in fact precede the amendment. The Acting Speaker upheld his earlier ruling that he will allow debate only after the amendment is displayed on the screen. Councillor AT van der Walt did not submit to the Acting Speaker's ruling, and was ordered by the Acting Speaker to leave the Chamber at 21.45. Councillors F Adams and DA Hendrickse also left the Chamber at 21.45.</p> <p>The ANC requested a caucus, which the Acting Speaker allowed. When the meeting resumed, the ANC reported that they will also leave the Chamber. The ANC left the Chamber at 21:55). The ANC's objection relates to procedural aspects of electing the Acting Speaker.</p> <p>RESOLVED (majority vote with 1 abstention)</p> <p>that Council do not support the recommendations depicted above, but request the MEC for Local Government to do an investigation in terms of Section 14.4 of the Code of Conduct for Councillors.</p> <p>(ACTING DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2015-11-25		IN PROGRESS	RAYMONDE	20.00	Matter is with the Minister for Local Government; who will further investigate the matter and report back to the executive mayor.
402101	INVESTIGATION INTO ALEGATION OF BREACH OF THE CODE OF CONDUCT FOR COUNCILORS: COUNCILOR F ADAMS	<p>13.1.1 INVESTIGATION INTO ALLEGATION OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS: COUNCILLOR F ADAMS</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 13.1.1</p> <p>Before debate on the matter, the Speaker requested Councillor F Adams to recuse himself for the duration of the matter, as he is implicated in the matter. Councillor F Adams then left the Chamber during discussion on the matter.</p>	2015-11-25		IN PROGRESS	VERNONB	80.00	Disciplinary hearing scheduled for 16 March 2016 according to Adrian Stone

		<p>The Senior Legal Advisor, Ms Elizabeth Williams raised her concern that the item was not distributed to her for legal input. The Speaker responded that, according to legislation, the issue of disciplinary hearings resort under him. When a matter is brought to his attention he must consider whether or not there is reasonable suspicion to proceed with an investigation.</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council take note of the advice from Ald A Coetsee: and</p> <p>(b) that this matter be referred to the Disciplinary Committee to be dealt with.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms); RS Nalumango (Ms); MM Ngcofe; N Ntsunguzi (Ms); L Ronoti; P Sitshoti (Ms); LN Siwakamisa (Ms) and AT van der Walt.</p> <p>(OFFICE OF THE SPEAKER TO ACTION)</p>						
406874	TRAFFIC CALMING POLICY	<p>7.8 TRAFFIC CALMING POLICY</p> <p>37TH COUNCIL MEETING: 2016-01-27: ITEM 7.8</p> <p>RESOLVED (nem con)</p> <p>(a) that the revised Traffic Calming Policy, as amended and attached as APPENDIX 1, be accepted as a Draft Policy;</p> <p>(b) that the Draft Policy be advertised for public input;</p> <p>(c) that the Acting Director: Engineering Services be requested to incorporate the public input; and</p> <p>(d) that the Draft Policy, with public input, be workshopped, whereafter same be submitted to Council for final approval by April 2016.</p> <p>(ACTING DIRECTOR: ENGINEERING SERVICE TO ACTION)</p>	2016-01-27		IN PROGRESS	EJWENTZEL	100.00	Die konsep verkeerskalmeringsbeleid is geadverteer vir publieke deelname op Donderdag 18 Februarie 2016 in die koerant "Eikestadnuus", asook op die munisipale webblad. Die document is ook beskikbaar by alle biblioteke binne die WC024 en sluit op die 11 Maart 2016
406924	7.1 TABLING OF THE 2014/15 ANNUAL REPORT FOR THE STELLENBOSCH MUNICIPALITY IN ACCORDANCE WITH SECTION 121 OF THE MUNICIPAL FINANCE	<p>7.1 TABLING OF THE 2014/15 ANNUAL REPORT FOR THE STELLENBOSCH MUNICIPALITY IN ACCORDANCE WITH SECTION 121 OF THE MUNICIPAL FINANCE MANAGEMENT ACT (MFMA), ACT 56 OF 2003, READ TOGETHER WITH SECTION 46 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, ACT 32 OF 2000</p> <p>37TH COUNCIL MEETING: 2016-01-27: ITEM 7.1</p> <p>As per the Council Agenda of 2016-01-27, the recommendations of the Mayco</p>	2016-01-27		IN PROGRESS	ANNELIER	40.00	MPAC Committee established, 2 members co-opted and first two meetings held.

	<p>MANAGEMENT ACT (MFMA), ACT 56 OF 2003, READ TOGETHER WITH SECTION 46 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, ACT 32</p>	<p>meeting that was held earlier on 2016-01-27 was distributed during the Council meeting. The Speaker allowed for a 5 minute break to allow Councillors to familiarize themselves with the Mayco recommendations.</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council take cognizance of the 2014/15 Draft Annual Report for the Stellenbosch Municipality;</p> <p>(b) that the Draft Annual Report be made public for comment on the official website of the Stellenbosch Municipality and local print media for a period of 21 days;</p> <p>(c) that the Municipal Public Accounts Committee (MPAC) be appointed as the Oversight Committee in terms of Sections 33 and 79 of the Municipal Structures Act, Act 117 of 1998, to assist the Council with its statutory role to consider and evaluate the content of the Draft Annual Report and make recommendations to Council;</p> <p>(d) that the Oversight Committee abide by the following schedule of meetings and provide the Council with an Oversight Report to be considered together with the Draft Annual Report, not later than 30th March 2016; and</p> <p>Date Agenda Venue Time</p> <p>01 February 2016 Orientation re Annual Report Stellenbosch Council Chamber 14:00</p> <p>08 February 2016 Chapters 1 and 2 Stellenbosch Council Chamber 14:00</p> <p>22 February 2016 Chapter 3 Stellenbosch Council Chamber 14:00</p> <p>29 February 2016 Chapters 4, 5 and 6 Stellenbosch Council Chamber 14:00</p> <p>07 March 2016 -Public Hearing -Preparation for Discussions with and feedback from Directors and MM Stellenbosch Council Chamber 09:00- 14:00</p> <p>11 March 2016 Feedback and discussions: Municipal Manager, Executive Mayor and Directors Stellenbosch Council Chambers 09:00 (45 min sessions with 15 min breaks)</p> <p>14 March 2016 Finalizing Oversight Report Stellenbosch Council Chamber To be confirmed</p> <p>(e) that, should the Municipal Public Accounts Committee (MPAC) elect to co-opt members of the public with expertise in specific fields to assist and advise the Committee when deliberating before it, the following recommendation in terms of tariff and number of co-opted members shall apply:</p> <p>Tariff Number of co-opted members Not exceeding no of hours Remuneration Per hour tariff for attendance of meeting</p> <p>Once-off Tariff for duties performed in preparation 2</p> <p>2 40 hours</p>						
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		<p>4 hours R400.00</p> <p>R1500 (for four hours)</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; DA Hendrickse; AT van der Walt and M Wanana.</p> <p>(ACTING DIRECTOR STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>						
413617	CLOSURE OF SCHOOL STREET JAMESTOWN	<p>7.4 CLOSURE OF SCHOOL STREET, JAMESTOWN</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 7.4</p> <p>RESOLVED (nem con)</p> <p>(a) that the closure of the access road off the R44 to the Jamestown Cemetery on Farm No 527, Stellenbosch, not be supported from a Land Use Management perspective;</p> <p>(b) that the principle of alternative access to Jamestown other than the Webbers Valley Street access be supported; and</p> <p>(c) that the Provincial Roads Department be requested to reconsider their decision to close School Street, Jamestown.</p> <p>(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>	2016-02-24		IN PROGRESS	EJWENTZEL	95.00	<p>(b) that the principle of alternative access to Jamestown other than the Webbers Valley Street access be supported; and</p> <p>Alternative options presented. Political delegation visited PGWC without success.</p> <p>(c) that the Provincial Roads Department be requested to reconsider their decision to close School Street, Jamestown.</p> <p>Mayor to consult with Donald Grant re any possibilities not to close School Street.</p>
413621	2015/16 Grant in Aid Allocations	<p>2015/16 GRANT-IN-AID ALLOCATIONS</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 7.1</p> <p>The Speaker RULED that the Acting Municipal Manager provide clarity on the linkage and alignment of the grants to IDP priorities.</p>	2016-02-24		IN PROGRESS	DUPREL	100.00	Creditors made payments

		<p>RESOLVED (nem con)</p> <p>(a) that Council approve donations as listed in APPENDIX 2 for the 2015/2016 financial year; and</p> <p>(b) that the Department ensure compliance with the Policy by ensuring the signing of the MOA, confirmation of receipt of feedback reports and completion of the financial management workshop prior to effecting payments.</p> <p>(DIRECTOR: PLANNING, ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE TO ACTION)</p>						
413623	Grant in Aid Policy	<p>7.2 GRANT-IN-AID POLICY</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 7.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council adopt the amendments of the Draft Grant-In-Aid Policy, in principle; and</p> <p>(b) that the said Policy be advertised for public comment, whereafter same be resubmitted for final adoption.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; JA Davids; S Jooste (Ms); C Moses (Ms); P Mntumni (Ms); MM Ngcofe; L Ronoti; P Sitshoti (Ms) and LN Siwakamisa (Ms).</p> <p>(DIRECTOR: PLANNING, ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE TO ACTION)</p>	2016-02-24		IN PROGRESS	DUPREL	100.00	Policy to be advertised along with Financial Policies in Budget
413627	7.3 PROGRESS REPORT : ELECTRICAL SERVICES MASTER PLAN	<p>7.3 PROGRESS REPORT: ELECTRICAL SERVICES MASTER PLAN</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 7.3</p> <p>The Speaker RULED</p> <p>(a) that this matter be referred back to allow the Administration to arrange a workshop for Councillors before the end of March to discuss the item; and</p> <p>(b) that the Administration provide the appendix in readable print whereafter same be resubmitted at the next meeting of Council scheduled for 2016-03-03.</p> <p>(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>	2016-02-24		IN PROGRESS	ENGSUPPORT	90.00	Consultant to be invited to workshop awaiting date- Appendix to be submitted to next PC meeting

413637	8.2 STELLENBOSCH MUNICIPAL DISABILITY POLICY	<p>8.2 STELLENBOSCH MUNICIPAL DISABILITY POLICY</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 8.2</p> <p>RESOLVED (nem con)</p> <p>(a) that Council approve the draft Universal Access Policy Framework as per APPENDIX 4 with incorporation of the comments submitted by the public in principle; and</p> <p>(b) that the draft Universal Access Policy Framework be advertised for public comment whereafter same be resubmitted to Council for final consideration and subsequent approval.</p> <p>(DIRECTOR: PLANNING, ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE TO ACTION)</p>	2016-02-24		IN PROGRESS	DUPREL	50.00	Policy distributed for comment via libraries, website, disability network, and local news papers. Closing date for comment: 31 March 2016
413638	8.1 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR CP JOOSTE	<p>8.1 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR CP JOOSTE</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 8.1</p> <p>Although the Speaker was implicated in this matter, Council agreed that the Speaker remain as Chairperson for this item.</p> <p>RESOLVED (majority vote)</p> <p>(a) that, in terms of Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law promulgated in Provincial Gazette 5859 of 19 April 2002, Aldermanship be conferred upon Councillor CP Jooste; and</p> <p>(b) that, following the approval of Council, the Executive Mayor, as patron of the Stellenbosch Municipal Honours, confer the honour on Councillor CP Jooste in an appropriate manner.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors DA Hendrickse; AT van der Walt and MM Wanana. (DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2016-02-24		IN PROGRESS	VERNONB		Arrangements are in process for the Executive Mayor, as patron of the Stellenbosch Municipal Honours, to confer the honour on Councillor CP Jooste in an appropriate manner. Date will be set in consultation with speaker and Mayor
413640	9.1 MOTION BY COUNCILLOR JK HENDRIKS: SUPPORT FOR	<p>9.1 MOTION BY COUNCILLOR JK HENDRIKS: SUPPORT FOR INDIGENT PEOPLE IN RURAL AREAS</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 9.1</p>	2016-02-24		IN PROGRESS	ANNELIER		1. Meeting occurred on 7 March 2016 with Cape Winelands District Municipality and

	<p>INDIGENT PEOPLE IN RURAL AREAS</p>	<p>The Speaker allowed Councillor JK Hendriks 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 all in favour. RESOLVED (nem con) (a) that the Administration be tasked to investigate to what extent rural indigent residents, especially those residing on farms, can be assisted with electricity, health and social services by the local-, provincial- and national spheres of government; (b) that any further recommendations and findings that could improve the quality of life of indigent residents be considered for implementation and support to rural indigent residents; (c) that a report with recommendations for implementation pertaining to the above be tabled for consideration at the next Council meeting scheduled for 2016-03-30; and (d) that Council nominate a multi-party delegation to engage organised agriculture to investigate what the municipality can do to address the situation of the farm workers, in co-operation with the farmers; (e) that the multi-party delegation comprise of the following Councillors:</p> <p>DA = Cllr JP Serdyn (Ms) ANC = Cllr JA Davids SCA = Cllr DA Hendrickse SPA = Cllr F Adams SCA = Cllr DA Hendrickse ACDP = Cllr DS Arends COPE = Cllr HC Bergstedt (Ms); and NPP = Cllr LL Stander</p> <p>(DIRECTOR: STRAT & CORP TO ACTION)</p>						<p>Stellenbosch to facilitate assistance to rural indigents; 2. Matter was discussed at DCF ON 4 March 2016 with Cape Winelands extension of their policy to provide assistance to rural communities; 3. Cape Winelands is currently conducting a study on assistance to farm workers with regards to housing and associated services. 4. Once study is completed the information will be shared with municipalities; 5. Engagement was held on 15 March 2016 with the Department of Agriculture who informed us that they will make available to us a full census report that was conducted about farm workers socio economic conditions; 6. It is therefore recommended that the full report requested stand-over for April as it will be more credible once reports referred to above are available.</p>
<p>413674</p>	<p>10.1 MOTION OF EXIGENCY BY COUNCILLOR DA HENDRICKSE: INVESTIGATION WHY THE ADMINISTRATION OBTAINED A COURT</p>	<p>10.1 MOTION OF EXIGENCY BY COUNCILLOR DA HENDRICKSE: INVESTIGATION WHY THE ADMINISTRATION OBTAINED A COURT ORDER FOR THE SALE OF EXECUTION OF ERF 3291, 17 LUCKHOFF STREET, IDAS VALLEY, STELLENBOSCH</p> <p>Councillor DA Hendrickse provided a brief background on the urgency of the matter relating to request an investigation on why the Administration obtained a court order for the sale of execution of Erf 3291 situated at 17 Luckhoff Street,</p>	<p>2016-02-24</p>		<p>IN PROGRESS</p>	<p>MERVINW</p>		<p>Report to be submitted at the next council meeting.</p>

	<p>ORDER FOR THE SALE OF EXECUTION OF ERF 3291, 17 LUCKHOFF STREET, IDAS VALLEY, STELLENBOSCH</p>	<p>Idas Valley, Stellenbosch (see APPENDIX 1).</p> <p>The required majority vote was obtained for the Motion to serve and it was duly seconded. The Speaker then allowed Councillor DA Hendrickse to motivate the Motion.</p> <p>During deliberations on the matter, the DA requested a caucus which the Speaker allowed.</p> <p>In discussion, some amendments were made to this Motion.</p> <p>RESOLVED (majority vote)</p> <p>that the Administration be tasked to investigate the case of the sale of Execution of the Respondent Roman JF Slade and to report back at the Council meeting scheduled for 2016-03-30.</p> <p>(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>						
<p>406719</p>	<p>DRAFT POLICY FOR THE MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND</p>	<p>37TH COUNCIL MEETING: 2016-01-27: ITEM 7.9</p> <p>During deliberations on the matter, the Speaker undertook to allow more time for debate on the Policy in the next Council meeting. On a request by Councillor AT van der Walt to rectify mistakes in the Policy, the Speaker reiterated that he will not allow further debate on the Policy, but urged the Councillor to submit his inputs to the Acting Municipal Manager for inclusion in Mayco and for further debate in the Council meeting at the end of February 2016.</p> <p>RESOLVED (nem con)</p> <p>(a) that the Draft Agricultural Land Reform Policy be adopted, in principle;</p> <p>(b) that the legal inputs be obtained before this Policy go for public comment; and</p> <p>(c) that the said Policy be advertised for public comment, whereafter same be re-submitted via Mayco to Council by end February 2016 for consideration and conclusion.</p> <p>(DIRECTOR: PLANNING, ECONOMIC AND COMMUNITY DEVELOPMENT TO ACTION)</p>	<p>2016-01-27</p>		<p>IN PROGRESS</p>	<p>DUPREL</p>	<p>60.00</p>	<p>The draft policy is current at legal services for their inputs and comments where after it will be published for public comments</p>

7. CONSIDERATIONS OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED BY THE MUNICIPAL MANAGER**7.1 DRAFT 2016/17 (REVISED) INTEGRATED DEVELOPMENT PLAN, REVISION 4**

File number : 9/1/2/1
Reported by : Municipal Manager
Compiled by : Director: Strategic & Corporate Services
Delegated authority : Council

Strategic intent of item

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

1. PURPOSE OF REPORT

To submit to Council the Draft 2016/17 Integrated Development Plan (IDP), Revision 4, for consideration.

2. BACKGROUND

Section 34 of the Local Government: Municipal Systems Act, No 32 of 2000, prescribe amongst others, the following:

“Annual review and amendment of integrated development plan

A municipal council-

- (a) must review its integrated development plan-
 - (i) annually in accordance with an assessment of its performance measurements in terms of Section 41; and
 - (ii) to the extent that changing circumstances so demand; and
- (b) may amend its integrated development plan in accordance with a prescribed process.”

The Council of Stellenbosch Municipality adopted the 3rd Generation Integrated Development Plan for 2012/17 on 31 May 2012.

Section 16 (1) (a) (i) provides that a municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance and must for this purpose:-

“Encourage and create the conditions for the local community to participate in the affairs of the municipality in terms of inclusion in the preparation, implementation and review of its IDP in terms of Chapter 5 of the Municipal Systems Act of 2000”.

3. DISCUSSION

A process plan was approved by Council in August 2015 for the compilation of the draft Third Generation IDP (Revision 4). The following processes were followed in the revised IDP:

DATE	ACTION(S)
September 2015	<ul style="list-style-type: none"> • Various meetings (needs analysis) were held in all 22 wards to determine a baseline for all needs. • Mayco agreement was obtained to engage with citizens and interest groups through ward committee meetings and a sector engagement on issues and needs to be addressed in the third Generation IDP. • Citizens were also allowed to identify their key priorities within their respective areas.
October / November 2015	<ul style="list-style-type: none"> • Mayco and top management engagements were held on the broad focus of the IDP. Engagements focused on establishing a shared understanding, and agreement on the purpose, focus and public participation process to be followed in revising the third Generation IDP. • Cluster meetings were held in all 22 wards, focusing on the feedback and prioritization of Needs.
November / December 2015	<ul style="list-style-type: none"> • Extensive administrative engagements were held to obtain inputs and refine goals, focus areas, and objectives. Each Directorate conduct strategic workshops in preparation of IDP/Budget revision and SDBIP inputs. • IDP Prioritization exercise was conducted with the Mayoral Committee, Municipal Manager, Directors, Managers and external stakeholders at a strategic session held at Vredenheim. • Performance Analysis; Financial Analysis; and Organizational (Gap) Analysis were conducted. • The various ward plans were updated during November.
January /early February 2016	<ul style="list-style-type: none"> • Mayco and top management confirmed goals and focus areas and provided direction on predetermined objectives. Several strategic planning sessions were held in each Directorate • Provincial IDP Indaba was held to agree on intergovernmental agreements to support municipal IDP.
March 2016	<ul style="list-style-type: none"> • Mayco and Council to consider the draft IDP and Budget.
April 2016	<ul style="list-style-type: none"> • Public consultation on the draft IDP and Budget in the form of Cluster meetings

The following actions will contribute to the finalisation of the 2016/2017 IDP (Revision 4).

DATE	ACTION(S)
May 2016	<ul style="list-style-type: none"> • Submission of final IDP to MAYCO and Council for adoption. • Budget Steering Committee to consider Public Participation Input and budgetary
June 2016	<ul style="list-style-type: none"> • Submit final IDP to Provincial Government • Approval of SDBIP by the Executive Mayor within 28 days after adoption of the IDP and Budget

After approval of the Draft 2016/17 Integrated Development Plan (IDP), Revision 4, by MAYCO and Council, the draft IDP will be published for public comment and submissions. The final document will be submitted to Council for approval, by the end of May 2016 in line with the regulatory prescripts.

4. COMMENTS BY RELEVANT DEPARTMENTS

All Departments have been involved and have been consulted in the finalising of the Draft 2016/17 Integrated Development Plan (IDP), Revision 4.

RECOMMENDED

that the Draft 2016/17 Integrated Development Plan (IDP), Revision 4, **(DISTRIBUTED UNDER SEPARATE COVER)** be considered and approved as a draft, after which a further consultation and refinement process will follow.

**(DIRECTOR: STRATEGIC AND CORPORATE
SERVICES TO ACTION)**

7.2 MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) FOR THE FINANCIAL PERIODS 2016/2017 – 2018/2019

File number : 5/1/1/2016/2017
Compiled by : Chief Financial Officer
Report by : Municipal Manager
Delegated Authority : Council

Strategic intent of item

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

1. PURPOSE OF REPORT

The purpose of this report is as follows:

- (a) The Executive Mayor to table the draft budget (inclusive of property rates charges and taxes, tariffs and service charges), annexures and proposed amendments to the budget related policies and other policies to Council for approval in terms of Section 16(2) of the Municipal Finance Management Act, (Act 56 of 2003);
- (b) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the tune of R 270 million of which over the MTREF R161 million will be required in year 1, R 36 million in year 2 and R73 million in year 3 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms draft approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

2. LEGISLATIVE FRAMEWORK

Section 16 of the MFMA states that:

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

Furthermore, section 17 of the MFMA states that:

- (1) *An annual budget of a municipality must be a schedule in the prescribed format-*

-
- (a) *setting out realistically anticipated revenue for the budget year from each revenue source;*
 - (b) *appropriating expenditure for the budget year under the different votes of the municipality;*
 - (c) *setting out indicative revenue per revenue source and projected expenditure by vote for the two financial years following the budget year;*
 - (d) *setting out-*
 - (i) *estimated revenue and expenditure by vote for the current year;*
 - (ii) *actual revenue and expenditure by vote for the financial year preceding the current year.*

3. DISCUSSION

The 2015 Medium Term Budget Policy Statement by the Minister of Finance highlighted the reduction in South Africa's growth rate and weakening economy, which will likely persist for the next few years. The deteriorating state of the economy has an adverse and ripple effect on the public sector at large.

The growth rate projection was revised from 2.4% in 2016 to 1.7%. Electricity supply constraints, falling commodity prices and lower confidence levels have resulted in our growth forecasts being revised lower. Government proposed the following measures to be carried out in local government, among others:

- Prioritizing the roll-out of basic services to historically disadvantaged areas;
- Eradication of infrastructure backlogs;
- Institutional capacity-building; and
- Reviewing of municipal infrastructure funding arrangements, with a view to promote better management and maintenance of assets.

Key priorities outlined in the Medium Term Budget Policy Statement directly align to the National Development Plan, which is the cornerstone for South Africa's economic development.

- **Infrastructure development** plays a pivotal role in improving the economy. Municipalities are encouraged to invest in upgrading of municipal roads, building waste water treatment works, installation of electricity networks, upgrading of sewer systems, building water reservoirs, etc. With the population growth that Stellenbosch municipality has, especially in informal settlements, infrastructure needs to be upgraded to meet the demands of the communities. This also has a linkage in reduction of unemployment. Similar to 2015/16 financial year, the municipality's capital budget is relatively large.
- One of the biggest challenges South Africa is confronted with is lack of job creation, which remains a national and provincial priority. With the low scaling economy, it is a challenge for jobs to be created as the two have a direct relationship. Thus, it is paramount for municipalities to continue to undertake joint planning with their communities and respective business sectors that drive the local economy. Municipalities should explore

opportunities to mainstream labour intensive approaches to delivering services. As a means to combat unemployment, the municipality would employ the following measures:

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

During the 2016 Budget Speech, the Minister highlighted government’s initiatives in an effort to support growth and development, as follows:

- Building on the success of Renewable Energy initiatives;
- Measures to strengthen tourism, agriculture and agro-processing;
- Investment in transport and communication; and
- Creation of opportunities in participation of developers and other partners in housing, infrastructure and commercial development.

Again curtailing the non-core expenditure was emphasized. In order to maintain a funded budget, municipalities need not only focus on tariff increases, but also need to eliminate expenditure that is unnecessary. Additional to the cost containment measures introduced by National Treasury, the following would also be implemented:

- Restrictions on filling managerial and administrative vacancies, subject to review of human resource plans and elimination of unnecessary positions;
- Reduced transfers for operating budgets of public entities;
- Capital budgeting reforms to align plans with budget allocations while strengthening maintenance procedures;
- Mandatory use of the new e-tender portal, thereby enforcing procurement transparency and accessible reference prices for a wide range of goods and services;
- A national travel and accommodation policy and instructions on conference costs;
- New guidelines to limit the value of vehicle purchases for political office-bearers;
- Renegotiation of government leasing contracts; and

- New centrally negotiated contracts for banking services, ICT infrastructure and services, health technology, school building and learner support materials.

The emphasis of the National Budget is placed on ensuring that expenditure is allocated in an efficient manner, that management is enhanced and that cutting of waste occur. The 2016 Budget allocates resources to core social and economic priorities while containing aggregate expenditure growth. Spending plans give effect to priorities of the National Development Plan and the Medium Term Strategic Framework.

The weaker outlook is as a result of lower commodity prices, higher borrowing costs, drought and diminished business and consumer confidence. Constrained electricity supply continues to limit growth and deter fixed investment. Exchange rate depreciation is contributing to a higher inflation outlook during 2016.

These factors are expected to ease over the medium term. An upturn in global trade and investment, improved policy certainty, recovering consumer and business confidence, and greater availability and reliability of electricity in the outer years should support stronger growth.

Job creation remains one of the most pressing concerns for the economy. Headline employment grew by 3.7 per cent in the first three quarters of 2015. According to Statistics South Africa, 19 000 jobs were created in the formal sector and 273 000 in the informal sector in the first three quarters of 2015. The unemployment rate stood at 25.5 per cent in the third quarter of 2015, with the number of South Africans categorised as long-term unemployed 5.7 per cent higher than in 2014.

Higher inflation and weaker employment growth will impact on the ability of all municipalities to generate and collect revenue on services, to keep expenditures within budgeted allocations, and to borrow to fund capital expenditure programmes at affordable rates. Therefore it is critical for municipalities to review how they conduct their business to ensure value for money is obtained in all their expenditures, that revenue administration systems are operating effectively, that borrowing programmes are realistic, and that creditors (including bulk service providers) continue to be paid timeously and in full.

Fiscal constraints mean that transfers to municipalities will grow more slowly in the period ahead than they have in the past. This in effect means local government must re-direct their focus on core service delivery functions and reduce costs without adversely affecting basic services.

The application of sound financial management principles for the compilation of the Stellenbosch's financial plan is essential and critical to ensure that the municipality remains financially viable and that municipal services are provided sustainably, economically and equitably to all communities.

The municipality's business and service delivery priorities were reviewed as part of this year's planning, through the Integrated Development Plan, and the budget process. Funds were transferred from low- to high-priority programmes so as to maintain sound financial stewardship. A critical review was also undertaken of expenditures on non core and 'nice to have' items.

The municipality has embarked on developing a revenue enhancement strategy to optimize revenue, including the collection of debt owed by consumers.

Furthermore, the municipality has undertaken various customer care initiatives to ensure the municipality truly involves all citizens in the process of ensuring a people lead government.

The main challenges experienced during the compilation of the 2016/17 MTREF can be summarised as follows:

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

The following budget principles and guidelines directly informed the compilation of the 2016/17 MTREF:

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

The total budget quantum for the 2016/2017 year is R1 841 722 565, of which R 1 374 606 601 (75%), is allocated to the operating budget and R467 115 964 (25%) to capital investment.

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

DRAFT CAPITAL BUDGET 2016/2017 – 2018/2019

The draft capital budget is infrastructure orientated and addresses the huge backlog and urgent need to upgrade/refurbish Council's infrastructure as addressed by the different master plans. It is directed by the IDP (Integrated Development Plan) and the needs of the community. It's also aligned to the strategic priority in the State of the Nation Address of Infrastructure investment and the "back to basics" approach. Council's attention is however drawn to the

fact that not all needs identified by the community can realistically be funded by the municipality.

The main capital projects that the municipality will be investing in, which constitute more than 70% of the capital budget, include:

- Extension of waste water treatment works in Stellenbosch and Klupmuts;
- New Plankenburg Main Outfall Sewer
- Bulk Sewer Outfall: Jamestown
- Upgrade Stormwater
- Upgrade Of Sport Facilities
- Major Drop-Offs : Construction – Franschhoek
- Upgrade Bulk Water Supply Pipeline & Reservoir – Jamestown
- Gravel Roads- Jamestown
- Bulk Water Supply Pipe Reservoir: Johannesdal / Kylemore / Pniel
- Idas Valley (440) IRDP / FLISP (Housing Project)
- Kayamandi: Watergang/Zone O (Housing Project)
- New Community Hall Klupmuts
- Upgrade and Expansion of IT Infrastructure Platforms
- Energy Efficiency And Demand Side Management (Electrical)
- Integrated National Electrification Programme (Informal areas such as Enkanini, Kayamandi and Franschhoek) and electrification of subsidy housing projects.

The detailed draft capital budgets for 2016/2017, 2017/2018 and 2018/2019 are attached as **APPENDIX 1**.

DRAFT OPERATING BUDGET 2016/2017 – 2018/2019

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

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

Taking all of these issues into consideration and to ensure the sustainability of our operations from realistically anticipated income flows, the following tariff and property tax increases are proposed for 2016/2017:

Electricity	7.64%
Sanitation	8.00%
Refuse removal	6.20%
Water	7.00%
Rates	6.00%

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

HIGH LEVEL CAPITAL AND OPERATING BUDGET FOR 2016/2017 – 2018/2019

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

TARIFFS

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

BUDGET RELATED POLICIES & BY-LAWS

The following budget related policies were developed:

Inventory Management Policy (**Appendix 4**)
Preferential Procurement Policy (**Appendix 5**)

The following budget related policies were revised:

Property Rates Policy (**Appendix 6**)
Supply Chain Management Policy (**Appendix 7**)
Travel and Subsistency Policy (**Appendix 8**)
Indigent Policy (**Appendix 9**)
Credit Control and Debt Collection Policy (**Appendix 10**)
Irrecoverable Debt Policy (**Appendix 11**)
Accounting Policy (**Appendix 12**)
Cash Management and Investment Policy (**Appendix 13**)
Tariff Policy (**Appendix 14**)
Grants-In-Aid Policy (**Appendix 15**)
Virement Policy (**Appendix 16**)
Budget Implementation and Monitoring Policy (**Appendix 17**)
Petty Cash Policy (**Appendix 18**)
Performance Management Policy (**Appendix 19**)
Development Charges Policy (**Appendix 20**)

Changes includes the following:

Policy	Summarized Nature of change
Virement	The content changes were the inclusion of relevant sections of applicable legislations. Principle changes include: - Restrictions on items that funds can not be transferred to/from; and
Budget Implementation & Monitoring	Only principle change was changing the budgeting principle from "incremental" to "zero-based" for the 2017/2018 financial year. The cosmetic changes were inclusion of relevant sections of applicable legislations.
Policy	Summarized Nature of change
Supply Chain Management	4.10.1 (c) categories and instances where its difficult to obtain more than 1 quote were expanded to include EG. Medical Experts. 4.18.1 (d) allow evaluator to request documents from the highest ranked bidder

	4.36.2 Deviations to be reported to Council was included. Chapter 5 was replaced with the SCM Regulations. Disposal of property should be handled by Asset Transfer Regulations and a property disposal policy.
Accounting	Definition of "Unauthorized Expenditure" was aligned to MFMA section 1.
Travel & Subsistence	The policy was aligned to the SARS rates instead of annually updating the rates on the policy.
Property Rates	The content changes in the policy are to update the Rates Policy to be in alignment with the Municipal Property Rates Act and amendments and to make the document more comprehensible.
Indigent	The principle change is to make provision for a lessee of Government owned housing units and to make the document more comprehensible.
Credit control & Debt collection	The policy has been changed to allow the debtor to make an arrangement which is affordable and not to restrict an arrangement period to 36 months. The other principle changes are to make provision for modern communication technologies
Irrecoverable Debt	The policy has been restructured to make it more practical for administrative processes and use.
Cash Management & Investment	The procedures and principles of "Returned cheques and Debit orders" were included.
Grants in Aid	Council now has the prerogative and authority of donating more than the R40 000 limit per organisation. Alignment of IDP and policy has been made more specific by adding the ward priorities as a measure to indicate alignment with the strategic objectives of the IDP.
Tariff Policy	The cosmetic changes in the policy are to describe the different tariffs and to refer to the approved Tariff Schedule of Council regarding the structure of a tariff and to ensure contradictions between tariffs do not occur.
Petty Cash	Authority for the CFO to determine and approve the maximum amount to be held in any individual petty cash float was documented.

Unchanged Policies and By-Laws

Tariff By-law (**Appendix 21**)

Property Rates By-law (**Appendix 22**)

Special Ratings By-law (**Appendix 23**)

Special Ratings Area Policy (**Appendix 24**)

Borrowing, Funds and Reserves Policy (**Appendix 25**)

Financing of External Bodies performing municipal functions Policy (**Appendix 26**)

Liquidity Policy (**Appendix 27**)

Asset Management Policy (**Appendix 28**)

OTHER SUPPORTING DOCUMENTATION

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

4. LEGAL IMPLICATION

None solicited/not required.

5. FINANCIAL IMPLICATION

Financial impact already discussed above.

6. COMMENTS FROM OTHER RELEVANT DEPARTMENTS

Relevant input is already incorporated into budget document.

RECOMMENDED

- (a) that the Draft High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved for public release;
- (b) that the Draft Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved for public release;
- (c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved for public release;
- (d) that the three year Draft Capital Budget for 2016/2017, 2017/2018 and 2018/2019, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved for public release;
- (e) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3** , be approved for public release;
- (f) that the proposed newly developed budget related policies as set out in **APPENDICES 4–5**, be approved for public release.
- (g) that the proposed amendments to existing budget related policies and other policies as set out in **APPENDICES 6 - 27**, be approved for public release.
- (h) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the tune of **R270 million of which R161 million will be required in year 1, R 36 million in year 2 and R73 million in year 3 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms draft approval of same; and**
- (i) that Council specifically take note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially.

(CHIEF FINANCIAL OFFICER TO ACTION)

7.3 MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE ANNUAL REPORT 2014/15

File number : 3/5/3/5/Oversight
Report by : MPAC Oversight Committee
Compiled by : Chairperson of the Municipal Public Accounts Committee
Delegated Authority : Council

Strategic intent of item

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

1. PURPOSE OF REPORT

The purpose of the report is:

- (i) to enable the Committee to discharge its oversight responsibility in considering the Stellenbosch Municipality’s Annual Report for 2014/2015 as required in terms of Section 129(1) of the MFMA, Act 56 of 2003; and
- (ii) to recommend to Council to approve the Annual Report 2014/15 **(distributed under separate cover as APPENDIX 1)**.

2. BACKGROUND

Council, at a meeting held on 2016-01-27, considered the Draft Annual Report and resolved, amongst others:

- “(a) that Council take cognizance of the Draft Annual Report 2014/15 for the Stellenbosch Municipality;
- (b) that the Draft Annual Report be made public for comment on the official website of the Stellenbosch Municipality and local print media for a period of 21 days;
- (c) that the Municipal Public Accounts Committee (MPAC) be appointed as the Oversight Committee in terms of Sections 33 and 79 of the Municipal Structures Act, Act 117 of 1998, to assist the Council with its statutory role to consider and evaluate the content of the Draft Annual Report and make recommendations to Council;
- (d) that the Oversight Committee abide by the schedule of meetings and provide the Council with an Oversight Report to be considered together with the Draft Annual Report, not later than 30th March 2016; and
- (e) that, should the Municipal Public Accounts Committee (MPAC) elect to co-opt members of the public with expertise in specific fields to assist and advise the Committee when deliberating before it, the recommendation in terms of tariff and number of co-opted members shall apply.

Subsequent to the Council resolution as depicted above, two members from the public i.e. Mr. L Cloete and Dr. NL Mortimer were co-opted, and they assisted throughout the Oversight Process.

3. LEGISLATIVE MANDATE

Section 129(1) of the MFMA determines that:

“The Council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality’s sole or shared control, and by no later than two months from the date on which the annual report was tabled in the Council in terms of Section 127, adopt an oversight report containing the Council’s comments on the annual report, which must include a statement whether the Council –

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

In terms of the MFMA (No 56 of 2003), Circular 32, the MPAC Oversight Committee can only make one of the following recommendations to Council, namely:

- (a) that Council approves the Annual Report without reservations;
- (b) that Council approves the Annual Report with reservations as indicated;
- (c) that Council refers the Annual Report back for revisions as indicated, or
- (d) that Council rejects the Annual Report for the reasons as summarised.

4. DISCUSSION

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

The written representations submitted by the public are attached as **APPENDIX 3**.

The MPAC Oversight Report, inclusive of the recommended remedial actions, is attached as **APPENDIX 4**.

RECOMMENDED

- (a) that Council, having fully considered the Annual Report of the Municipality and representations thereon, adopts the Oversight Report;
- (b) that Council approves the Annual Report 2014/15 without reservations;
- (c) that Council requests the Executive Mayor to report to Council on a quarterly basis on the implementation of the recommended actions in addressing the findings in the Oversight Report.

(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)

APPENDIX 2



MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

INTERVIEW QUESTIONS FOR EXECUTIVE MAYOR, MUNICIPAL MANAGER AND DIRECTORS IN RESPECT OF THE 2014/15 ANNUAL REPORT

MUNICIPAL MANAGER	Responses by the service department
<p><i>Pg.23: "There is no sense in speaking about poverty to those who struggle. We need to change the conversation and rather speak about entrepreneurship..."</i></p> <p>Whom did Council and Top Management engage as a target audience for this enabling conversation?</p>	<p><i>Part of the foreword of the Mayor. This is only a figure of speech. We should speak to the disadvantage people about job opportunities and not about them being poor. To show that there should be a shift in thinking. A small working group has been established which include various internal and external stakeholders. Meetings have commenced in February 2016.</i></p>
<p><i>Pg. 83: Table 58: Monitoring fraud and corruption</i></p> <p>How effective is the Fraud Response Committee if it only met 4 times for the year under review?</p> <p>Can reports and statistics regarding the outcomes of the fraud hotline be made available?</p>	<p><i>Quarterly meetings are held with the Fraud Response Committee. A pre-meeting was also held in March 2015. The permanent employee was appointed in February 2015.</i></p> <p><i>Statistics regarding the outcomes can be made available. This information must be requested from the Service Provider. Confidential personnel information will however not be made available.</i></p>
<p><i>Pg. 83: What is the outcome of the matter pertaining to a performance bonus that was paid to a Director after only 4 months after appointment and without a signed contract at the time?</i></p>	<p><i>No performance bonus was paid for 2014/2015.</i></p>
<p><i>Pg. 84: Have the quarterly formal reports been tabled to Council as indicated in the Annual Report?</i></p>	<p><i>This was tabled to Council.</i></p>
<p><i>Pg. 86/87: Table 61: Three Year Strategic Internal Audit Plan</i></p> <p>Why is the audit activity not performed on each listed item during the course of a financial year?</p>	<p><i>All audit activities are attended to as far as possible. Resource capacity sometimes warrants items to stand over.</i></p>
<p><i>p107: TL 2: Approve an Audit Action Plan to address the issues raised in the Audit Report by 31 December 2015. I do not understand the table and requires clarity on the table.</i></p> <p>Clarity is required on the columns and also when the Audit Action plan was approved since she cannot</p>	<p><i>Audit Action Plan was approved 23 September 2015 by Mayco.</i></p>



<p>remember when it served before Council?</p> <p>Is this in the domain of the Municipal Manager when it “states all wards”?</p> <p>Answer: Ulrich Cupido: The word “All refers” to the effect of the Audit Action plan to all the wards within the WCO24 therefore “all wards”</p> <p>Clarity will be sourced on the Approval delegation.</p> <p>Confirmation answer Ulrich Cupido: Audit Action plan was tabled in February 2015 to MPAC and Mayco.</p> <p>Response: Richard Bosman: Although the target is met in the third quarter the KPI indicates 31 December which should be quarter 2. An audit action report is normally due in November. A more realistic target is required with the compilation of the KPI.</p>	
<p><i>p138. “TBWA Hunt Lascaris (Cape Town) (Pty) Ltd. Provision of professional services: communication and marketing support until 30 June 2015.”</i></p> <p>Could we have more information on the service?</p>	<p><i>TBWA Hunt Lascaris was appointed by the Municipality through the SCM processes to help with the communication and marketing needs of the Municipality. Their work including designing of advertisements, banners, newsletters etc.</i></p>
<p><i>p158. I want to ask the same programme to our MM.</i></p> <p><i>How are these people truck drivers and those behind the trucks be incorporated into the TASK programme</i></p> <p>We all knew there is a fall-out on the collection of waste. I do not see that addressed here.</p> <p>What are the plans? It should have been in place on the 1st of July 2015 and is not in place.</p>	<p><i>All posts have Job Descriptions and all posts were part of the TASK process.</i></p>
<p>MM if we can look at encroachments. I am going to use it slightly as a matter that did not come up. Encroachments. You can use it as an income stream for the Municipality. It appears that a lot of businesses are conducted on municipal pavements and I do not know if they are paying their dues. I believe it needs to be regulated. We cannot allow people to walk in the streets because the pavements are used for business</p>	<p><i>Noted. Meetings with the Directorate Integrated Human Settlements and Property management are being held to deal with the matter of encroachments.</i></p>



<p>p284. Restatement of corresponding figures. I read that “The municipality is allowed in terms of GRAP 3, to restate corresponding figures in the event of any misstatements being identified. The municipality however is putting controls in place to identify the errors within the year they occur.”</p> <p><i>What the role of the internal auditor and the audit committee was in this regard? How did it come about that they did not pick up the misstatements?</i></p>	<p><i>Internal Audit and Audit Committee assess key controls on a quarterly basis. This in conjunction with the Auditor Generals aim to ensure that regular reconciliation of key financial business processes are executed. Misstatements were picked up when the unaudited statements were reviewed. These were reported on to management level.</i></p>
<p>Page 47 Delegations. When will council get revised System of delegations seeing Council were told that there is illegal delegations on which are acted.</p>	<p><i>In process. Director Strategic and Corporate services is project champion. Note that the acting MM stressed that the delegations are not illegal but vague and ambiguous.</i></p>
<p>Page 82 When will council get a report on the work done by the Fraud committee indicating the work they do and outcome of cases brought to the fraud committee.</p>	<p><i>When same is requested by Council.</i></p>
<p>Page 85 No indicators given as to how any quarterly reports the Audit committee submitted to Council for the year under review and as to the dated these reports were submitted to Council.</p>	<p><i>Reports are submitted on a quarterly basis.</i></p>
<p>Page 87 Annual Risk Based Audit Plan No Actual hours listed against what was budgeted. Why?</p>	<p><i>This is an oversight and will be done in future.</i></p>
<p>On pages 80 and 81 the Remuneration levels of both the Directors Human Settlements and Planning are calculated at around R996 000 per year. Why are both of the paid above what the law prescribes. In this regard both these directors did not have the minimum competency qualifications and met the criteria as set out in legislation to qualify for this remuneration levels. <i>How will Council rectify this illegality and recover these excess payments. Even the Statement of results issued by the LGSETA confirm that both directors did have the minimum competency qualifications at the date of their employment at the Stellenbosch municipality in 2014.</i></p>	<p><i>Report will be submitted to the MEC by the acting MM.</i></p>
<p>I question as to why mention is made in the AFS of the MM Ms C Liebenberg resignation. I however notice that mention is also made that she got paid two months’ salary as part of her resignation. Please note that the documents presented to Council indicate that the MM Ms C Liebenberg resigned with immediate effect. Council never resolved to pay her any additional two</p>	<p><i>MEC was informed by the Office of the Mayor on 14 October 2015.</i></p>



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<p>months' salary. I also beg to ask if the administration informed the MEC A Bredell that Ms C Liebenberg resigned from the Stellenbosch municipality at the time that she was suspended due to a disciplinary process that has commenced against her. Please note that legislation obliges that this be reported to the MEC A Bredell.</p>	
<p><i>Pg.35: Capital Expenditure – Engineering Services</i> Why is the Engineering Directorate without a Director for months on end?</p>	<p><i>The appointment of the Director is not a function of the directorate itself but that of MM and Mayco</i></p>



STRATEGIC & CORPORATE SERVICES	Responses by the service department
<p>Pg 7. We talked about the gravel roads in Francshhoek. I do see it is mentioned in the document.</p> <p>We talked about the library and it is not mentioned.</p> <p><i>Refer for answers in signed needs of the Councillor for 2014/15 in this regard.</i></p>	<p><i>The Five highest priority needs were signed off by the Ward Councillor. Proof available at the IDP office.</i></p> <p><i>The proof was presented to the Councillors in electronic format during the oversight process</i></p>
<p>I was a councillor 2007/08 in Kayamandi. What disappoint me is that about the Thusong centre was in the budget. A great need existed for it. No facilities are present. Now it is mentioned for in 2017/18. It will take a long time to materialise. The hostels need to be upgrade. Some of the hostel foundations are good but others needs repair. The taxi rank is on the list for more than a decade. Crime in the area is a concern. We talk now more than a decade about the taxi rank.</p>	<p><i>The comments are noted</i></p>
<p>I want to know about ward 19 about a farm called Kanonkop which resides in ward 19.</p> <p>According to me the farms ending at Warrick to the farms Kanonkop are part of ward 19 then all the information about the farms in ward 19 in incorrect?</p>	<p><i>Kanonkop farm resides under ward 6</i></p>
<p>P 16: Chairperson I want to know :</p> <p>If the development needs are wards based?</p> <p>The upgrading of trading area at Sonneblom Street, Idas Valley, Informal traders of Idas Valley. The facilities in Idas valley must be at ward 6 and not ward 5 and what is concerning that it appear as a replacement of the multi-purpose hall and need to be read with page 17.</p>	<p><i>If 2 wards form a neighbourhood, an informal trading area built in the ward, needs to be accessible to the people in the neighbouring ward. Imagine if the sewage works can only accommodate sewerage of the ward it is built in</i></p>
<p>p17. It states the establishment of a flea market at Sonneblom Street opposite the Brent garage. The multi–purpose hall at Idas Valley Sports grounds is part of ward 6 where it appears to replace for</p>	<p><i>The IDP department relies on the confirmation of the ward councillors for the identification of the highest priorities needs in the ward.</i></p> <p><i>The Five highest priority needs were signed off by</i></p>



<p>the multi-purpose hall in the previous item.</p> <p>How is the items verified per ward? Is the items monitored by the Administration while the information are found to be again incorrect.</p> <p>How is the items verified in the different wards?</p> <p>Has the items been verified by the administration?</p> <p>How is it possible that the item does not occur in the specific boundaries of a ward but is appears as a need at a specific ward? This item was referred previously for correction but still appears incorrectly.</p>	<p><i>the Ward Councillor. Proof available at the IDP office.</i></p> <p><i>The proof was presented to the Councillors in electronic format during the oversight process</i></p>
<p>Pg.24: “Ward Committees worked toward improved public participation...”.</p> <ol style="list-style-type: none"> 1. How was the effectiveness, the level of improvement, in public participation tested? 2. How does the department approach the public participation process in order to cater for the demographics and all the different communities in WC024? 	<p><i>Every ward was divided into 8 areas with 6 people from each area of different age groups. They consisted male and female participants</i></p>
<p>Pg.24: “The top ten risks facing the Municipality are ... Information Technology (IT) business continuity, and insufficient human resources”</p> <ol style="list-style-type: none"> 1. How were these two risks addressed during the year under review 2. What is the situation with regard to the level of skilled human resources? 	<p><u>ICT Manager:</u></p> <p><i>A Disaster Recovery Plan and a Business Continuity Plan were approved by Council in June 2015. ICT will implement the DRP & BCP in 2016 subject to availability of funds. In addressing the shortage of human resources, ICT makes use of interns whiles awaiting approval of unfunded posts to be funded.</i></p> <p><i>ICT employees are skilled to address day-to-day issues but sufficient specialised skill training is highly required. However, funding for skills training and upliftment is limited. Attracting highly skilled a resource to local government comes at a cost hence most resources is adamant to leave the private sector.</i></p> <p><u>Manager: HR:</u></p> <p><i>In terms of 2, I am of the opinion that the purpose of the recruitment and selection process is to appoint suitable, capable and skilled employees. The process of restructuring will ensure that Council will budget for sufficient posts/human resources.</i></p>
<p>The next question is about service delivery; and Collaborator.</p> <p>If complaints are submitted about streetlights that does not work your complaints is to be sorted within 30 days. Months after the complaint it is not</p>	<p><i>Relating to the question the following is possible;</i></p> <ol style="list-style-type: none"> 1. <i>The official who captured the complaint selected the wrong department or official to deal with the complaint,</i> 2. <i>The official that were supposed to handle the</i>



<p>solved. After three months the response is received that I just received it. We are the 2nd best municipality in the country .The citizens pay our salaries. We are no giving the service of a second best municipality in the country.</p> <p>Why must they wait for a service?</p>	<p><i>complaint did not activate the inbox notification or did not request that it should be activated so that he/she would have immediate knowledge of a complaint,</i></p> <p><u>Recommendation,</u></p> <p><i>a) That all staff peruse the collaborator reports accessible to them to filter their department/Division's complaints</i></p> <p><i>b) That all staff regularly check their collaborator inboxes for any outstanding matters</i></p> <p><i>c) That the Municipality only operate on the Approved Microstructure and not on an Interim Micro Structure that have not completed the full cycle of a micro structure to be approved, as it has a direct effect on the manner in how complaints are directed by the collaborator system.</i></p>
<p>Chairperson with all respect. All that we asked that is part of our oversight. We requested the top 4 priorities according to the Circular 63 and give us progress that was made if there were any. Employees think that councillors do not read.</p> <p>I see at ward 15 two times where area cleaning appears twice. It is mentions CDB tender to be done. The responses do not make sense. It could have been more simplified by indicating of it has been done or not.</p> <p>Answer: The one section to be removed because it is a duplicate.</p>	<p><i>Noted.</i></p> <p><i>The duplication of ward 15 will be removed</i></p>
<p>Pg.32: Tables 5 & 6: Socio-Economic Indicators and Population</p> <p>Is the student population included in these statistics?</p>	<p><i>The population includes the student total. The projections of Provincial Government estimates the total populations at 48 008</i></p>
<p>Pg.35: The Internal Newletters description is indicated as Client Service, Employment Equity, Gender Equality, and Communication System.</p> <p>What does this description entail?</p>	<p><i>The line department did not submit the description. The description should rather read as follows:</i></p> <p><i>Promoting internal communication with staff</i></p>
<p>Pg.35: Staff Awards</p> <p>What were the criteria for these awards, and why were these achievements not widely publicized and communicated to the public?</p>	<p><i>Staff awards were an internal process where staff were nominated via directors. This process was driven from the Mayor's office to motivate staff.</i></p>



<p>Pg.38: TASK implementation process</p> <p>What were the process and the criteria used for the evaluation, upgrading and promotion of posts?</p>	<p><i>Management assess the results and recommendations were made to the Acting MM to sign of the recommendations. The following were taken into account:</i></p> <ul style="list-style-type: none"> • <i>Were the post interchangeable or generic;</i> • <i>The skill of the post; and</i> • <i>The complexity, knowledge, pressure and influence of the post/s</i>
<p>Pg.38: TASK implementation process: “the TASK appeal process must be reviewed to ensure parity...”</p> <p>How come those payouts were made while the TASK appeal process does not appear to be finalized?</p>	<p><i>TASK was implemented as results were signed off by the MM/Acting MM, where after employees were afford an opportunity to dispute a grading of a post.</i></p> <p><i>This is a continue process and are followed by other municipalities.</i></p>
<p>Pg.38: Low staff morale</p> <p>What is meaningfully being done to address this challenge?</p>	<p><i>This is still a challenge.</i></p> <p><i>The Valley of Character was introduced to the Staff. A follow-up is soon to be arranged.</i></p>
<p>Pg.39: Accurate demographic data: “continuously updated”</p> <p>Where, how and by whom is this data captured?</p>	<p><i>The demographic data are updated via StatsSA as completed in 2011.</i></p>
<p>Pg.47: Biometric Implementation: “tender was advertised”</p> <p>In light of the fact that this tender was advertised in the previous financial year already, what is the current situation with the awarding of the tender?</p>	<p><i>The tender was only awarded in May 2015. Funding as allocated for the next two financial years for implementation. A project Implementation plan was compiled with the Service Provider and agreed with Previous director SCS. The ICT Manager comment on progress with project implementation since July 2015.</i></p>
<p>Pg.63: Is a list kept of all the outstanding Council Resolutions?</p>	<p><i>Yes, The resolutions are captured by Committee Services and the updates are done by the service department.</i></p>
<p>Pg.63: How does the Municipality provide the community with information concerning municipal governance, management and development?</p>	<p><i>Municipalities are supposed to disseminate information concerning governance through its ward committee system. Ward Committees reside with the Office of the Speaker. Communication assists the Secretariat to ensure that the municipal website is updated with agendas and minutes of council meetings.</i></p>
<p>Pgs.69-77: Several of the Ward Committee details and numbers are not correct. Who takes responsibility</p>	<p><i>The updated detail are received from the Speaker representative, Adrian Stone. We will request an</i></p>



<p>for the accuracy of these figures, and how will accuracy be ensured?</p>	<p>update of the required data.</p>
<p><i>Pg.78:</i> What is the budget allocation amount for Ward Administrators? What are the criteria and job description for Ward Administrators? How does the IDP Dept. link with Council and the Councillors? Who does the Ward Administrator report to administratively? (There is a need to revisit and report on the operations of the Ward Administrator function).</p>	<p><i>Salaries Vote: 1/1111/0001 – R4084462-00: This include salaries for Liaison services, Support Staff, Ward Administrators etc.</i></p> <p><i>no job descriptions drawn up</i></p> <p><i>Adrian Stone is currently standing in as administrative head while a vacant unfunded post of Head: Council Support exists.</i></p> <p><i>Supporting documents on the Annexure A pages22 - 23</i></p>
<p><i>Pg. 81: Incomplete and out-dated IT Strategy</i> What has been done to address this risk?</p>	<p><i>The ICT Strategy was reviewed and completed by SITA in June 2015.</i></p>
<p><i>Pg. 81: Insufficient human resources: TASK evaluation is completed and in final implementation stage.</i> Is this statement factually correct, given the comment on page 38 that “the TASK appeal process must be reviewed to ensure parity”.</p>	<p><i>At the time of finalising the Annual report TASK was in the implementation phase, however I believe that the process will be finalised this financial year, where after a new process will start again. TASK is a continues process and will never be “finalised”.</i></p>
<p><i>Pg. 93:</i> How soon will the Website be upgraded to a First World class website?</p>	<p><i>One would need to define what is meant by world class in order to answer the question. This standard should then be taken into consideration when setting performance targets. The website is fully functional and was revamped in July 2015. Line departments have been reminded to ensure that they content is updated. Officials from each directorate have been trained to update the website.</i></p>
<p><i>Pg. 94:</i> What steps and strategy are contemplated for improving the poor telephone system and delayed response time?</p>	<p><i>The current servers procured in 2013 have limited capacity and currently run at near full load. Any additional resource load added in terms of CLI and PIN management will in all likelihood result in the servers failing and causing service interruption on the telephone system. Billing is currently available for reporting on handset usage but is unable to follow a user when using their PIN on different handsets. The ICT department is currently drawing up a Variation to have the current servers replaced with a larger system to be sent to SCM for processing.</i></p>



<p>Pg. 94: When will the problem with the general telephone number (808 8111) be fixed in order for calls to be traced and return calls to be made?</p>	<p><i>Once the above Variation has been approved, the staff extensions will be made available on all outgoing calls.</i></p>
<p>Request for employment contracts of appointment: All Senior Managers employed during 2014/15 financial year.</p>	<p><i>The access to information process needs to be followed to obtain the information.</i></p>

Pg. 99 We requested documented and Mr Cupido replied to us all by sending us an annexure of a workshop a two day workshop that was held in September of 2014 where the strategic objectives of the Municipality were discussed. I opened the document and I was surprised to who were invited since I was not invited. Everything I needed as a ward councillor. All the information regarding of the objectives of the municipality was there. I was taken aback when looked at the signed attendance register and develop a stomach bug. I looked at the attendance register and found some of the councillors on the Mayco. Some of them as Cllr Dicktomeng and do not know in what capacity she attended.

The performance overview of the 2012/13 and this one is word by word the same.

I want to know chairperson how would I be able to compare the truth with the truth?

How would I as MPAC member able to compare the Annual report with the Municipality and what really happened.

The point is that after read the 61 pages I could have done that. I was not given the opportunity to do that some of us were.

What *strategic objectives* did this municipality foresee for the next budget objective?

<u>Safest Valley</u>	<u>Greenest Municipality</u>	<u>Safest Valley</u>	<u>Preferred Investment Destination</u>	<u>Dignified living</u>
<ol style="list-style-type: none"> 1. Wi-Fi hotspots: CCTV cameras connected through the Wi-Fi network. 2. Facilitate and co-ordinate social development. 3. Working relationships with the University of Stellenbosch Campus Security & the 	<ol style="list-style-type: none"> 1. Explore waste to energy initiatives. 2. Bokhasi – Recycling of food waste. 3. Re-designing the six primary entrances into Stellenbosch. 4. Greening informal settlements. 5. Sustainability through food 	<ol style="list-style-type: none"> 1. Wi-Fi hotspots: CCTV cameras connected through the Wi-Fi network. 2. Facilitate and co-ordinate social development. 3. Working relationships with the University of Stellenbosch Campus Security & the South African 	<ol style="list-style-type: none"> 1. A non-motorised transport plan for a safe and green environment 2. Upgrading of dams and the construction of a reservoir 3. Corporate Head Quarters - Techno Park, Mixit, Capitec, Nedbank, Distell, BAT, 	<ol style="list-style-type: none"> 1. Free Wi-Fi Internet Access 2. The upgrading of housing rental stock 3. Upgrading Youth and retirement centers. 4. The municipality repairs water pipes and provides a sanitation and refuse removal service 5. We supply electricity & manage electricity demand 6. We create housing opportunities 7. Food gardens



<p>South African Police Services.</p> <p>4. Engagement of traffic services and the ongoing implementation of road safety.</p> <p>5. Continually upgrading fire-fighting equipment.</p> <p>6. Biometrics security system for access control to municipal buildings.</p> <p>7. Character Leadership projects to be rolled out to communities.</p>	<p>security projects.</p> <p>6. The only B-Municipality that has an impressive 4 nature reserves.</p> <p>7. Million Trees Project</p>	<p>Police Services.</p> <p>4. Engagement of traffic services and the ongoing implementation of road safety.</p> <p>5. Continually upgrading fire-fighting equipment.</p> <p>6. Biometrics security system for access control to municipal buildings.</p> <p>7. Character Leadership projects to be rolled out to communities.</p>	<p>Parmalat, Mediclinic, etc.</p> <p>4. At the forefront of satellite technology through the aerospace innovation of Sunspace</p> <p>5. Supports assistance to emerging farmers.</p> <p>6. Creating an environment that is conducive to business development & job creation.</p>	<p>8. Manage an unemployment database used for EPWP projects</p> <p>9. Indigent applications</p> <p>10. Disaster coordination</p> <p>11. Grants-in-aid funding</p> <p>12. In-situ upgrading eg: Langrug</p> <p>13. I-shack</p> <p>14. Mobile toilets</p>
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<p>p99: “The IDP has as its primary aim the reflection of Council’s vision for long-term development by focusing on the critical development and transformation needs”</p> <p>Where the IDP did get this information from as its critical and transformation needs as it stands here?</p>	<p><i>The Organisational Vision and Mission are set to address the development and transformation needs. The strategic objectives are linked to the Provincial and National policies and drive the delivery of services. Further guidance is provided from the National Development Plan.</i></p>
<p>P99: “I want to show my disgust and slot in with Cllr Groenewald and I needs to attend a workshop to see what is happening and it is only the dates that change.”</p> <p>Why do we have the identical description of both year reports?</p>	<p><i>National Treasury provides a guideline on how the annual report needs to be compiled. The reason for doing so to create a system of unity and when the report has been table at Parliament. There are matters that will be differs from here to there. If you look at page 99 you will find the exact date when it was tabled.</i></p>
<p>Chairperson again the IDP and the budget as you mentioned earlier. As mentioned by the previous speakers”</p> <p>What were the conditions for the people of the sub-committees that the official and the ward administrator</p>	<p><i>Noted.</i></p> <p><i>The other bodies will be accommodated in future.</i></p> <p><i>The taxi bodies were incorporated in the Transport working group workshop earlier in the financial</i></p>



<p><i>have identified from the community? The sport and the taxi bodies as big role players were excluded and a one sided project.</i></p>	<p><i>year.</i></p>
<p>The comments that was collected given at the evenings :</p> <p><i>How will these be reflected against the budget because the items are reflected year by year the same and the needs of the IDP are not addressed</i></p>	<p><i>The identification of needs are identified per ward committee activity and the needs within the ward itself. Engagements with the community and the service departments needs to be strengthen to identification of needs as well as the obstacles present to address needs.</i></p>
<p>For the past five year four or five priorities remains the same and maybe it is switched. You can see that the requests are unreasonable and the administration should have back to inform the public about the realistic needs such as AF Louw school where you cannot plant trees due to infrastructure under the ground.</p>	<p><i>The identification of needs are identified per ward committee activity and the needs within the ward itself. Engagements with the community and the service departments needs to be strengthen to identification of needs as well as the obstacles present to address needs.</i></p>
<p>p101: The municipal scorecard tells us that the top layer SDBIP give us the performance of the Municipality regarding the strategic priorities. I just want to confirm that I did not have the strategic priorities at hand before today.</p> <p>How can we as a committee evaluate the annual report?</p>	<p>Request answered on page 12 of this document</p>
<p>p101 "Top Layer KPI's were prepared based on the following:</p> <p>KPI's identified during the IDP and KPI's that need to be reported to key municipal stakeholders. "</p> <p>I would like the director to enlighten me on that?</p> <p>Where is the KPI to address the ordinary taxpayer's needs?</p> <p>The idea was that during IDP process. The voice of the people is heard throw the IDP process.</p> <p>Chairperson: It is our responsibility to inform our neighbouring municipalities where our budget and or how our Budget will affect them and us.</p>	
<p>The following is seen as important for the Community namely: National KPI's addressing basic services</p>	
<p>TL13</p>	<p><i>Provide free basic electricity to registered indigent account holders connected to the municipal electrical infrastructure network</i></p>
<p>TL14</p>	<p><i>Provide electricity to formal residential properties connected to the municipal electrical infrastructure network for both credit and prepaid electrical metering</i></p>



TL15	<i>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)</i>
TL16	<i>Provide sanitation services to residential properties which are connected to the municipal waste water (sanitation/sewerage) network</i>
TL17	<i>Provide free basic water in terms of the equitable share requirements to indigent account holders</i>
TL18	<i>Provide clean piped water to registered indigent account holders which are connected to the municipal water infrastructure network</i>
TL19	<i>Provide clean piped water to formal residential properties which are connected to the municipal water infrastructure network</i>
TL20	<i>Provide free basic refuse removal, refuse dumps and solid waste disposal to registered indigent account holders</i>
TL21	<i>Provision of refuse removal, refuse dumps and solid waste disposal to all residential account holders</i>
TL22	<i>The % of the Municipality's capital budget spent on capital projects identified in the IDP</i>
TL31	<i>Number of temporary jobs created through the municipality's local economic development EPWP projects, measured by the number of people temporarily employed in the EPWP programs for the period</i>
TL5	<i>The percentage of a municipality's budget actually spent on implementing its workplace skills plan ((Total Actual Training Expenditure/ Total annual payroll Budget)x100)</i>
TL27	<i>50% Weighted Average effluent quality achieved in terms of requirements as regulated by the water use license for all Waste Water Treatment Works</i>
TL28	<i>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</i>
TL29	<i>Limit unaccounted for water to less than 25%</i>
<p>p101: Appraisal of directors: I see the appraisal was done by an evaluation panel.</p> <p>What is the role of public participation within this evaluation panel?</p>	<i>The public participation presence was to allow transparency to the evaluation process</i>
<p>p101. In the last paragraph, I see the Municipalities, task levels and the process.</p> <p>I have asked the HR manager on the task process?</p>	



<p>p100: Task is a whole is an item on the MPAC agenda and Mr. Van Rooyen was requested to provide information in this regard. I have tried to analyse the two sentences</p> <p><i>“Can someone just explain the two sentences at the bottom of page 100 w.r.t other municipal personnel”</i></p>	<p>It reflects the issue of individual performance management for employees on task levels 14-19. The municipality is in the process of hosting an introduction session with the relevant staff.</p>
<p><i>Who is responsible for the completion of the draft annual report and of is not a true reflection of the truth?</i></p> <p><i>How is it seen when the councillors indicate that:</i></p> <p>Answer: are compared against one another.</p> <p>Chairperson: page 101: It is presumed that if the item is for a twelve months then it maybe a typing error referring to the date.</p> <p>Chairperson: The chairperson needs to obtain clarity of a date and wants to determine if the date is in 2014 or 2015.</p>	<p><i>We are bound with information up until the 30th of June 2015 and indicated by National Treasury. In the next Annual report it will be a duplication of the same information. I compiled the Annual report since and took out information outside the twelve month period. They compare apples with apples and all the municipalities in the province. A scanned document has been prepared to confirm that the 19th of June 2014 was in preparation of the 2014/15 financial year</i></p>
<p>p108: When we talk about the employment equity - The following is also a concern as indicated by Cllr Groenewald pertaining to employment equity. “The number of people from employment equity target groups employed in the three highest levels of management in compliance with the municipality's approved employment equity plan”</p> <p>What is the meaning of the extremely well met? Maybe there went something wrong with the colour?</p> <p>Answer: Chairperson, The way I see it, The target were 1 and they made 4 appointments so they met the target by a large margin therefore it is blue.</p> <p>Answer: Ulrich Cupido: Yes Chairperson 4 people were appointed</p> <p><i>Can we receive a communication on the four appointees who falls within this category?</i></p> <p><i>Further Question from the Councillor: The MM is correct with the appointment. The question is the appointment date. Therefore I requested the</i></p>	<p><i>Tabiso Mfeya – Director: Human Settlement and Property - 01/12/2014</i></p> <p><i>Hedre Dednum- Manager: Land Use Management - 12/01/2015</i></p> <p><i>Brian Mkaza- Manager: ICT - 01/01/2015</i></p> <p><i>Annelie Rossouw- Manager: IDP/PMS- 01/01/2015</i></p>



<p><i>employment contracts of the directors.</i></p>	
<p>p119. Skills. The percentage of a municipality's budget actually spent on implementing its workplace skills plan measured as Total Actual Training Expenditure/ Total Operational Budget”</p> <p>I am concerned that we are running at a 100th of which we are allowed spent. It can be responded by the HR Manager. We need to look at the target and how we can address the KPI.</p> <p>Response: Raymond Esau: Chairperson. This is a National KPI and we cannot change it and that is a challenge we can have.</p>	<p><i>The measure should actually be “Total Actual Training Expenditure/ 1% of Total Annual Payroll”</i></p> <p><i>This is a National KPI therefore it cannot be changed. 100% is not a reasonable target as the cost of courses differs per skills area.</i></p>
<p>p123. I was wondering why will there be a performance comment and corrective measure if all says not applicable. Under the provider, “Legal Panel: Various bidders”. Apart from the fact that we read satisfactory we need to give an indication how the municipality regarded the service.</p> <p>Why would say right through only “not applicable?”</p> <p>When the service provider has not comment on the service of the service provider they will indicate “not applicable” There is no comment for the service provider.</p> <p>Chairperson is that applicable or is it sufficient for Stellenbosch and its tax payers</p>	<p><i>Richard Bosman: The fourth column says satisfactory. The comment should have been transferred also to the next column to indicate that the progress should be should be satisfactory. We need to look at it.</i></p>
<p>p123/4. We would like to know at some of the service providers that it indicated “not commenced” with the compilation of the report. It is a concern since the MPAC had a discussion for a few months on contract management and we requested a contract management report where copiers stood in store rooms and not used.</p> <p>Is this bad planning or was it appointments in the last week of the financial year. We want to know more why the project did not start?</p>	<p><i>The service was not rendered as at year end</i></p>
<p>P123. Chairperson, the fourth column. Would it be against the legislation to be given the amount? We</p>	<p><i>Yes we can have it included in the future</i></p>



<p>only get the first three columns. Satisfactory is a terrible word and does not saying anything. I am worried about the lists. The word satisfactory in education makes you worry about your child.</p> <p>Can we have it included in future?</p>	
<p><i>p130 What is meant by SILL and it only mention. Enkanini.</i></p>	<p><i>Response has been given to the Councillor in this regard</i></p>
<p>P140. TL 6. Provide clean piped water to registered indigent account holders which are connected to the municipal water infrastructure network as at 30 June 2016.</p> <p>Is the year correct since we still need to get to the date?</p>	<p><i>These are the set targets in the 2015/16 financial year.</i></p>
<p>p200. Planning Strategies. I can confirm that I received the planning strategies that I was not allowed to by attending the workshop of September 2014.</p>	<p><i>answered on page 10 of this document</i></p>
<p>p204. "Remove the municipal bottleneck to establish free WI-FI. "</p> <p>I fail to understand. Would someone please explain that to me?</p>	<p><i>I think this statement implies that sufficient budget must be made available to ensure the feasibility of rolling out free WIFI to the entire WC24.</i></p>
<p>p236. Human Resource Service. This department is not working. The two pages that I see, I would never say yes two. The Human Resource department does not functioning as it should. Apart from the fact, the low morale of staff and the dissatisfaction of staff with the implementation of the task. Human Resources wants to go an d put it in our Annual report</p> <p>" I can confirm it is in a critical condition" The vision of the Human Resources Department is to care, Develop and provide.</p> <p>I would like to put the question and prove to us how does he care develop and provide. Can he also explain what he means by innovative department?</p>	<p><i>It is very difficult to answer this question. I believe that the HR Department must care about its employees and the employees in the organisation; it must develop its employees through training interventions and provide User Departments with the advice, guidance and the appointment of suitable qualified employees.</i></p> <p><i>I am in agreement that HR is not performing optimally due to capacity problems within the department</i></p> <p><i>The dissatisfaction of employees with TASK is understandable but the main reason for the dissatisfaction is due to expectation that were created by the employer and employees.</i></p>



<p>p238. I note with concern the staffing levels of the Municipality wrt ICT. “Staffing levels are too low for efficient service of the Municipality”</p> <p>I believe the new director will pay attention to this challenge and hopefully it will change for next year.</p> <p>The next page of the expenditure is a concern. 700 000 plus spent raises a concern.</p>	<p>I think this statement implies that sufficient budget must be made available to ensure the feasibility of rolling out free WIFI to the entire WC24.</p>
<p><i>p238. I would like to know the skills levels of senior management of this department (ICT)</i></p>	<p><i>Brian Mkaza: Manager ICT has honour degree in Information & Communication Technology. Worked for the State Information Technology Agency (SITA) for 6 years as Senior Specialist Business Analyst / Architect. Trained on PROJECT MANAGEMENT, COBIT, ITIL, TOGAF, CMMI, MMCL, and CGICT.</i></p>
<p>p240. If you look at legal services. I can confirm that the two legal advisors have a challenge to handle. In 2011 there were already challenges and nothing was done. Today in 2014 nothing has been done.</p> <p><i>What is the plan? How will we accommodate these people?</i></p>	<p>The request for administrative assistance is long outstanding and due since 2011. Notwithstanding various request for same and requests made by the Oversight Committee, this organisation have done nothing to assist the Legal Department.</p> <p>Notwithstanding same, there is an urgent need for two additional legal advisors who will report to the two senior legal advisors, including two professional administrative assistance (experienced legal secretaries) to both senior legal advisors as well as a messenger to attend to various issues like <i>inter alia</i> filing, delivering of correspondence, the collection of files, ext. Furthermore, we require one appointment on a contractual basis (at least two years) to assist with the backlog transfers of various properties in the municipal areas. Currently we have a contractual appointment, who is assisting with all administrative functions, resulting in the transfers being processed slowly. In eviction matters we requested with the Directorate: Human Settlements for the appointment of a project manager to assist with all eviction matters including the mediations to be held and reports to be drafted. This appointment have until date not been finalised.</p>
<p>When a legal department asks for a well maintained legal library in 2016. I wonder. All legal resources are available on Juta stats with the press of a button.</p> <p><i>I believe that the legal department asks how it looks into itself to be reconstructed to render an effective</i></p>	<p><i>A comprehensive legal library is required including Jutastats. will provide the electronic version of inter alia court judgments and legislation. It will not provide access to inter alia handbooks. As a result a legal library is still required.</i></p>



<p>service.</p>	
<p>p 240 We requested the appointment of a contract manager. Last year the process was started to appoint a person. Christelle De Villiers and Oom Jaap were appointed to address the matter of contract management. When the question was asked about contract management Christelle de Villiers was busy at the Municipal Court. And want to request that the process continue to appoint an employee. Till today no report was tabled to the Council and MPAC.</p> <p>Why do we appoint people? There are evergreen contracts that renew itself. We requested a report on contract management and the contracts?</p> <p>Response: Cllr Groenewaldt. I want to support my chair (MPCA) next to me. I cannot support what stands here because it is a selective few. The eyebrows need to be lifted on what is not stated here.</p> <p>Can we have all the contracts for properties of Stellenbosch?</p> <p>Response: Cllr. Bergstedt. I see the challenging tasks to gather the contracts I will provide the contract numbers of those that needs to be provided.</p> <p>Cllr. Groenewaldt: we talk about renewed Lease Contracts and the value of it.</p> <p>Request: Raymond Esau: Are we talking about that renewed lease contracts for the year under review?</p> <p>Cllr. Groenewaldt: “That is the information that we need to approve”</p>	<p>The HR process is still busy</p>
<p>p245/6. I have noticed that some departments show a discrepancy between male and female employees.</p> <p><i>What plans are in place to put this position right?</i></p>	<p><i>The appointments of females are a problem. The EAP (Economic Active Population figures for the Western Cape is; Male=49.9% and Females 50.1%).</i></p> <p><i>Currently (28 Feb 2016) the staff consist of, 740 (68%) males and 335 females (32%).</i></p> <p><i>Historically, the organisation was dominantly an</i></p>



	<p><i>male environment due to the nature of work</i></p> <p><i>The gender issue will be a priority in our recruitment and selection strategy.</i></p>
<p>p246. I see there are 43 people allocated to the office of the Mayor. The Mayor is there for a certain amount of years.</p> <p><i>How permanent are these staff members employed?</i></p>	<p><i>The 43 people are not employees but refer to the Councillors in the office of the Mayor.</i></p>
<p>p246 I see the current employees of the Municipality is 1092 and it excludes non-permanent positions.</p> <p><i>How many are the non- permanent positions?</i></p> <p><i>What categories kind of workers are they?</i></p> <p>If you look at the occupation levels they give you different categories.</p>	<p><i>HR reports on Occupational Levels (Employment Equity – Department of Labour) and Occupational Categories (Workplace Skills Plan – Department of Higher Education).</i></p> <p><i>These Levels and Categories are guided by these two departments</i></p>
<p>p245. I see they put the Council with the top officials and once you put them there it appears so rosy.</p> <p><i>I would love to see the top management separate in terms of officials since it says their officials.</i></p> <p>Our concerns every year remain the same many, your African population remains the same. At chapter 6 the budget specifically. It says that all the money was used for skills. Mainly 99% for skills.</p> <p><i>Why do we find the majority of employees especially black at the lower level of employees?</i></p>	<p><i>Whites do not apply for lower level positions</i></p>
<p>p247. Injury on duty. I can understand that engineering can have injuries. Law enforcement has 42.</p> <p><i>What type on injuries do these people have?</i></p> <p><i>Specific law Enforcement needs to be clarified.</i></p> <p>Answer: There is no mentioning of Law Enforcement in this regard but Community & Protection as a directorate. The question is not</p>	<p><i>There is existing personnel protective clothing in terms of which staff is issued with the required clothing depending on the nature their work. This policy must however be reviewed.</i></p> <p><i>With reference to the weapons carried by Law Enforcement Officers, it must be noted that certain Law Enforcement Officers excluding learner law enforcement officer do wear fire arms in line with the Fire Arms Control. There is a excessive amount of matters that must be complied with in terms of</i></p>



<p>clear.</p>	<p><i>the Fire Arms Control Act including training that must be adhered to prior to any law enforcement officer being issued with a fire arm.</i></p> <p><i>The user department must thus ensure that those officers carrying fire arms are compliant in terms of the applicable legislation.</i></p>
<p>p246. I am still interested in this vacancy rate.</p> <p><i>I would like to know what ratio is followed by the Municipality?</i></p>	<p><i>The aim is to maintain the vacancy rate under 10%</i></p> <p><i>Calculation:</i></p> <p><i>Total vacancies / Total employees x 100 = %</i></p>
<p>p246. In the table below it indicates that total amount of injuries. In the Community Protection directorate there were 42 for the year 2014/15 and engineering it was 63.</p> <p><i>What type of injuries are you referring too?</i></p>	<p><i>See response on page 16 in the last row.</i></p>
<p>p245. Employment equity. It happens in the Council and our Caucus there is great differences. What is concerning. When you look at the targets and the actual of the Africans. The target is Africans 34 short, Indians, 26 short , Whites, 47 short but with the coloured we are 127 over. Someone needs to explain to me how this employment equity works.</p> <p><i>When will the targets be reached?</i></p> <p>Chairperson: It will request that HR must besides the factual information provide a workshop to clarify employment equity.</p>	<p><i>After the Review the current Employment Equity Plan July 2013 – 30 June 2018 must be reviewed.</i></p> <p><i>Ms Zoleka Ntshoza: Specialist: Employment Standards (IES) will do a presentation</i></p>
<p>I know that the Chairperson has sent out invitations to councillors too present themselves here next Monday. I will be brief and will provide a written submission. For the whole term that I am a councillor. Not one report has served before this Council about Employment Equity. Now MPAC chairperson and some members here are part of the committee. Cllr Joubert is the chairperson of the committee and there were an issue about the employer/union representatives. I attended it twice. That meeting was abandoned. I find are mentioned in the annual report while Council has</p>	<p><i>See Annexure A page 17 – 21</i></p>



<p>asked for reports</p> <p><i>I think that the administration needs to explain that?</i></p> <p><i>Then something that Cllr Nolumango eluded to:</i></p> <p>The statistics that have been given.</p> <p><i>I want the administration to give a breakdown of all the temporary staff?</i></p> <p><i>How long they have been here, their ages and the positions?</i></p> <p><i>I tell you why I ask this I have known people that been on a three month, six month continuous basis contracts. In our archives departments for years. The people are being exploited to and they do not get the benefits.</i></p> <p>You can go through this municipality and see how many retired people are working here on a contract basis and they are from Overstrand where they have retired. There is National Treasury circulars out that we are required to appoint young people.</p> <p><i>I would ask the administration to come back to report on the missing stuff.</i></p>	
<p>I just want to understand Cllr Hendrickse “ You will submit a written submission”</p>	<p>Yes</p>
<p>One of my colleagues was concerned about the gender appointments.</p> <p><i>Why there are so many men employed?</i></p> <p>When you look at the male you can see that the men are 208 over their target and the female are 208 female under. So where they were required to employ female they employed men.</p> <p><i>I just want clarity on that.</i></p>	<p><i>The appointments of females are a problem. The EAP (Economic Active Population figures for the Western Cape is; Male=49.9% and Females 50.1%).</i></p> <p><i>Currently (28 Feb 2016) the staff consist of, 740 (68%) males and 335 females (32%).</i></p> <p><i>Historically, the organisation was dominantly an male environment due to the nature of work</i></p> <p><i>The gender issue will be a priority in our recruitment and selection strategy as well as in the new EE plan.</i></p>
<p>p245. Disability. When we look at the actual in</p>	<p><i>The footnote in all advertisements request people</i></p>



<p>June.</p> <p><i>What is in place to address it?</i></p>	<p><i>with disability to apply for vacancies.</i></p> <p><i>Applicants rarely or never indicate whether they have a disability.</i></p>
<p>p247. Injury on duty. Community Protection Services 47 injuries</p> <p><i>I there special clothing for the people who renders the service in problems areas and for people with bad intentions. The batons and the spray that they use are not suitable?</i></p>	<p><i>See response on page 16 of this document</i></p>
<p>p248. Sick leave days. It is very disturbing. When we look at Engineering and Community Safety.</p> <p><i>What is the National Average for days sick leave for people staying sick?</i></p> <p><i>What means are in place for people standing for people who are sick?</i></p>	<p><i>Put stringent steps in place to control and prevent sick leave “abuse” in the organisation.</i></p> <ol style="list-style-type: none"> <i>1. Review the sick leave policy</i> <i>2. Monitor your employees sick leave more closely with monthly/quarterly reports to management</i> <i>3. Take pro-active steps to prevent employees from taking too much sick leave e.g. offer flu injections to employees shortly before winter, offer regular basic screening test such as blood pressure and sugar level tests, offer incentives to employees who don't takes sick leave, e.g. a bonus you pay if an employee goes for a stipulated period without taking sick leave</i>
<p>p248. Absenteeism. When we look at the statistics there are questions about people who need to be trained and then there are people who do not get the training. I believe there is a direct correlation between injuries and absenteeism and training?</p> <p><i>I just wrote here supervision and training and a question mark(?)</i></p>	<p><i>Absenteeism is voluntary non-attendance at work without a valid reason. It does not include involuntary or occasional absence due to valid causes, such as accidents, sickness or training. Therefore, there are no correlation between training and absenteeism.</i></p>
<p>p248. Absenteeism. I agree with Mr Cloete. The other concern is Management style in Community and Protection Services. People can easily enter a doctor's room to request an off sick letter.</p> <p><i>Is it not the management style that promotes absenteeism?</i></p> <p>Chairperson: We have to include the councillors</p>	<p><i>Management style is a minor contribution towards absenteeism. However, the major factors contributing towards absenteeism is alcohol and drug dependency, financial problems and marital problems which triggers medical conditions such as stress and depression</i></p>



<p>as well. There is a whisper that people do not want to work with certain councillor's maybe. So if there is a problem working with senior managers there is a problem to work with councillors as well.</p> <p>Mr. Cloete: The issue of absenteeism is unbelievable and I cannot believe it.</p>	
<p>p248. Sick leave. What we are failing to say it is a re – occurrence. Every year it is declining. Meaning it is the management style. These two departments. It remains Engineering and Community Protection Services and not the other departments. Community Protection Services doubled in absenteeism.</p> <p>Why sick leave in his department doubled? Who are the stand-ins? How much are we paying the stand-ins?</p>	<p><i>Put stringent steps in place to control and prevent sick leave “abuse” in the organisation.</i></p> <ol style="list-style-type: none"> 1. <i>Review the sick leave policy</i> 2. <i>Monitor your employees sick leave more closely with monthly/quarterly reports to management</i> 3. <i>Take pro-active steps to prevent employees from taking too much sick leave e.g. offer flu injections to employees shortly before winter, offer regular basic screening test such as blood pressure and sugar level tests, offer incentives to employees who don't takes sick leave, e.g. a bonus you pay if an employee goes for a stipulated period without taking sick leave</i>
<p>p249. There is a nepotism policy. It was never approved by Council if my memory serves me right. There was a bone of contention pertaining to the policy and it was referred back.</p> <p><i>Why does it says it was approved on the 25th of February 2015 if it was not pushed through Council</i></p>	<p><i>According to the minutes of the 25th Council dated 25 February 2015 item 360456, minutes on Collaborator. Annexure 11 refers to the Nepotism policy. The resolution indicates that the policy was approved as indicated in the draft Annual Report 2014/15.</i></p>
<p>p250. Now we do understand why our people have so many injuries. It says uniform and protective clothing policy. We do not have a policy to protect our workers.</p> <p><i>It is important that we have such policy.</i></p> <p>So when these people get injured they have a leg to stand on. It cannot be that there is not policy. We need to get our house in order.</p>	<p><i>A policy is in place (2003). However it has not been reviewed.</i></p> <p><i>The lack of a policy will not be an excuse for injuries on duty.</i></p> <p><i>Supervisors/superiors should take responsibility</i></p>
<p>p249. There are a few policies since 2008 that was</p>	<p><i>Oversight from HR's side: The Skills Development</i></p>



<p>not approved. The skills development policy is an important policy. After 8 years these policies were not reviewed and we are in 2016.</p> <p><i>Why do we not look at the policy and make it better. Why do we need to wait 8 years to update a policy?</i></p>	<p><i>Policy has been approved in 2015</i></p>
<p>p254. .Relieve and temporary employment. I want to correlate this total with that of sick leave. I wonder what the relationship is.</p> <p><i>Is it additional people that are employed at the two departments (Community Protection/Engineering)? What is the cost implication in the matter of sick leave versus relief employment?</i></p>	<p><i>Temp staff is being appointed due to current staff being under pressure. A need for temp staff at a certain period is identified. This need is usually a small %.</i></p>
<p>p254. Performance bonus. There is no indication given if staff receive performance bonus. If we look at the last column “other benefits and allowances” we see an amount of 2,8 million.</p> <p><i>Can we see if performance bonuses are built into it or from what benefits are we talking about? Other benefits and allowances needs to be explained in full?</i></p>	<p><i>Answer: Richard Bosman: No one in the municipality receives a performance bonus. None of the Section 56 employees were paid a performance bonus last year.</i></p>
<p>p251/2. I see under skills matrix and skills development. I am not sure if these columns are aligned with each other.</p> <p><i>Is the training aligned with the employee’s job description? It just says the “employees got training”. What kind of training? On page 252 it is explained that who got training under legislation. Could I just get an explanation on what type of training?</i></p>	<p><i>All training is aligned to the KPA’s of employees’ job descriptions and the IDP which is the core document for skills development.</i></p>
<p>This is an arm of government. They get 36 days over a period of three year of which 12 days per year.</p> <p><i>Do they receive more leave? Workers were previously selling leave. A lot of</i></p>	<p>In terms of the collective agreement you can take 80 leave. There is additional 40 days leave if you had a major operation of heart attack.</p> <p>You cannot accrue more than 48 days of leave. The leave is capped at 48. You either take the leave or lose it. Exactly for the problem that Cllr</p>



<p><i>productivity gets lost.</i></p>	<p>Ngcofe is mentioning.</p>
<p>p248. Employment Equity Plan which says June 2013. This plan needs to be served to the Minister every year in October.</p> <p><i>Why are we sitting with a June 2013 plan?</i></p> <p><i>Where is the latest one?</i></p>	<p>There is an Employment Equity Plan for the period 1 July 2013 to 30 June 2018. An annual Employment Equity Report is submitted based on the period 1 October to 30 September. Stellenbosch Municipality was under review in 2015. We need to submit a new Employment Equity Plan</p> <p>Manual Submission of the Annual Employment Equity Report is before 1 October.</p> <p>Electronically/online submission is in January</p>
<p>p248. Sick Leave. Community Service/ Engineering Service. At the City of Cape Town when people apply for work they are tested.</p> <p><i>Is this also done at Stellenbosch Municipality?</i></p>	<p>With reference to the EE Act Stellenbosch Municipality did away with medical testing. If it is an inherent requirement of a position we will request testing, example appointment of Electrician. It is important to know whether he/she is colour blind.</p>
<p>p250. Policies that needs to be developed. Employee Study aid and Leave policy.</p> <p><i>When will it addressed.</i></p> <p>I am aware of students who complete the 18 months for the practical studies. The policy is not in place.</p> <p><i>How was payment amount determined to pay interns?</i></p>	<p>Both policies are approved.</p> <p>Leave Policy: should be revised in terms of the latest Collective Agreement.</p> <p>Interns (Practical Studies): No policy is needed. They are accommodated as per Department of Higher Education</p>
<p>p251. Capacitating the human resources. This is an important matter of training.” states that a municipality must develop its human resource capacity to a level that enables it to perform its functions and exercise its powers in an economical, effective, efficient and accountable way.”</p> <p>p252 “Section 55(1)(f) states that as head of administration the Municipal Manager is responsible for the management, utilization and training of staff.”</p>	<p>Statement noted</p>



<p>That is where the bucks stops.</p>	
<p>p254 Overtime Spending.</p> <p><i>Why are we spending so much overtime. Night shift, Standby which is close to 16 million.</i></p> <p>Response: Richard Bosman:</p> <p>Does Stellenbosch meet the norm wrt overtime?</p>	<p><i>When you look at overtime. It is very deceiving. Working on a Saturday is overtime. Sunday is double time. We do not have an option. A company with 1000 people the amount of overtime is not excessive. We need to pay night shift for people who work overtime. We got no choice. We need to pay for staff working shifts. Overtime covers holiday time. You do not have discretion not to pay overtime. The BCEA is very descriptive.</i></p>
<p>p252. Skills Development service providers – Budget Allocation’ The table below indicates that a total amount of R 2 743 370.00 allocated to the workplace skills plan and that 99% of the total amount was spent in the 2014/15 financial year”</p> <p>There are serious discrepancy with the skills target and the actual target met. The budget says they met the target.</p> <p>Did they plan need not to meet the target?</p> <p>Response: Richard Bosman: Every year a skills development plan is completed. Every staff member is required to draw up an assessment form. Indicating the training you feel that needs to be done. The one kind of training is what you need to do your job as referred to earlier by Cllr Groenewaldt to capacitate new staff. Then there is discretionary training.</p> <p>We will get back to you.</p>	<p>The Workplace Skills Plan (WSP) is a planning document where the skills needs and targets (as received from the various directorates) are inserted. With the implementation of the WSP, most of the courses are rolled out but can change due to unforeseen factors such as the availability of employees, change in priority skills areas, legislative and occupational demands.</p>
<p>p254. Relieve and temporary employment. The budget is sky rocketing. The labour cost is at almost 28,3% at last year while the maximum of 34%. So many temporary and relieve employment. Which are costing us last year 16 million.</p> <p><i>Is it a mechanism to deny people permanent work by temporary and denying them benefits?</i></p>	<p><i>A number of EPWP’s were appointed permanently.</i></p>
<p>The Employment Equity information in the Annual Report is suspect. Can these be verified before publication?</p>	<p><i>Employment Equity stats is based on the info as on the Payday system. Currently the Payday system operates on the “Van der Merwe” and “Task” levels.</i></p>



	<i>A system clean-up is on its way (mSCOA).</i>
The Annual Report fails to reflect the “Citizen Satisfaction” survey outcomes per demographics and/or per wards; this presents a skewed view of the degree of Citizen Satisfaction.	This is our first “Citizen Satisfaction” survey and the need will be addressed
Task implementation process. In the 2013/2014 Annual report admin said that TASK would be complete in Nov 2014. Now a year later its still not completed and Council does not know as to what cost implications are of TASK.	TASK is an ongoing process
Low staff morale. What is the cause of this?	<i>Low staff morale can be attributed to:</i> <ul style="list-style-type: none"> - <i>Implementation of Task</i> - <i>Management style</i> - <i>The removal of the Annual Sport day, Wellness week/day, Christmas Recess and Leave encashment</i>
Poor Human Resource and Labour Relations support. Why?	Please explain what is meant by this?
Pg 96 What will municipality do with info regarding public surveys done.	<i>The information will be incorporated in the strategies of the municipality to improve services</i>
Pg100 Council does no oversight over SDBIP as its only brought before Council for notification.	<i>The reporting to Council is legislated to exercise it oversight role. The Directors performance agreements contain all the Top Layer KPI's in order to secure the measuring of successes.</i>
Pg122 Why are no monitory values included in schedules and what % of work done against targets	<i>The addition of monitory values will be investigated.</i>
Pg 244 Employment Equity. Council has appointed a Employment equity Committee. I see no indication as to how many meetings this committee has had. In this regard I attended two scheduled EE meeting which was cancelled due to chairperson ruled that Labour representatives to properly elected. Is there minutes available of the EE meetings and items the EE brought to Council fir year under review.	It has been a challenge for several years to get the EE Committee in place and operating. The meetings that was scheduled where not official EE Committee meetings. It was an attempt to get all the relevant councillors' concerns on the table and to find a way forward.
p123. Chairperson. The Tourism and Business Institute. I have never heard of them. They were given a contract of two years six months. They	<i>The service provider has been appointed to facilitate customer care training. Training has not started as the funds were allocated for other prioritised training. Training will commence in July</i>



<p>were given a contract on customer care training. I really need some explanation on that. I would like to know comments on that.</p> <p>They did not commence. I would like to have some comments on that.</p>	<p>2016 and all employees will be invited to attend the training.</p>
<p>p284. Procurement and Contract Management The previous years the AG Picked up that we do not have a system in place. Last year a post was advertised to address this matter. Christelle De Villiers and Jaap van Staden worked on the contract management. It was never reported on contract management.</p> <p><i>Why is it not reported in the annual report?</i></p> <p><i>I would like an answer from the officials. Why we do not get the reports?</i></p>	<p><i>The HR process is still in process</i></p>

FINANCE	Responses by the service department
<p>Pg.24: “The Municipality is maintaining a healthy payment rate. To maintain this situation it is important to keep services not only affordable, but to deliver same in the most efficient and economical manner”. “The capital investment has... been increased with 31,5%”.</p> <p>Taking into account the R37m profit in electricity sales during the previous year, could the capital investment money not be used to make basic services cheaper for the consumers?</p>	<p>The money is being used for service delivery. Service delivery becomes more expensive and therefore it will be difficult to make services cheaper</p>
<p>Pg.44: Table 16: Financial Overview</p> <p>How will the nett surplus/profit of R 25,668,378 be used to benefit the community?</p>	<p>The money is being used for service delivery. Service delivery becomes more expensive and therefore it will be difficult to make services cheaper</p>
<p>Pg.45: Table 17: “Repairs & Maintenance is 5% below the norm which indicates that expenditure on repairs and maintenance has to be increased to properly maintain Council’s assets”.</p> <p>What is being done to improve this ratio?</p>	<p>The norm is unrealistic. The Municipality does require an asset management plan including proactive maintenance schedules. Current capacity is challenging.</p>
<p>Pg. 90: Table 68: Awards (Legal Panel & Security</p>	<p>The BAC approved rates and the user department</p>



<p>Services) What was the value of the bids awarded for Legal Panel as well as Security Services?</p>	<p>must manage appointments within budget.</p>
<p><i>Pg. 90: Objections lodged by aggrieved bidders</i> Have the two outstanding matters been resolved?</p>	<p>15 Objections were lodged. One was uphold. BSM91/15 Traffic Management – revised tender issued BSM68/15 (valuer) withdraw Other objections dismissed</p>
<p>p104: Free water to indigents. It states 6 kilolitres of water and we are required to report on it?</p>	<p>Answer: Ulrich Cupido We are required to report on it as part of basic services components for electricity, refuse removal and we are audited on it like that. It is the monthly provision for water</p>
<p>Just to be clear I assume that all certain ratios needs to be compiled in a certain way are done in terms of Section 71 of the MFMA.</p>	<p>Answer: Ulrich Cupido: Yes, Chairperson it has been done and has been done audited by the Auditor General as such.</p>
<p>p120. TL128. The % of the Municipality's capital budget spent on capital projects identified in the IDP" The actuals is 92,97% and it is concerning as mentioned that at IDP repetition occurs of IDP needs and items are not considered with the spending of the budget and capital in certain wards are not spent.</p>	<p>Question is unclear</p>
<p>p146. The indigent under R3000. How do we work get the totals if we look at the StatsSA totals. Why did it got down from 11378 to 5757?</p>	<p>The municipality report on the number of households that registered for the indigent subsidy. Changes to follow</p>
<p>p254. Allowances: Sundry. Can we have examples of it?</p>	<p><i>Chairperson: With the implementation of SCOA. It will make sure that sundry will be clearer. Examples were given by the Chairperson</i></p>
<p>p255. Transfers recognised - capital What are the hindrances preventing that transfers cannot be outsourced</p>	<p>Transfers recognised – capital refers to capital grants that are recognised as revenue in the statement of financial performance</p>
<p>p272. Grants CDW support</p>	<p>The purpose of the grant to provide financial assistance to municipalities to cover the operational and capital expenses iro the functions of the</p>



<p><i>How are these grants transferred to the CDW's?</i></p> <p><i>They are squatting in the offices of the ward councillors.</i></p>	<p>community development workers including the supervisors and regional organisers.</p> <p>The grant is spent in line with the above.</p>
<p>p276. Capital - Sports fields& stadia. In the last column. Nothing is in the column. Will programmes take place in the 2016/17 financial year?</p>	<p>Yes, but at the time of the Annual Report the budget was not available yet.</p>
<p>Chairperson: I consider that the columns are already rounded of and not in thousands. Just make sure that the figures are in 1000's</p>	<p>The tables in Chapter 5 with Rand values are rounded to the nearest thousand</p>
<p>p282. Gross outstanding debtors. This council are using Geodebt since 2007. No service provider can be appointed beyond three years. Last year they were appointed via a piggy bagging from Witzenburg. Legislation says that no service provider can be appointed beyond three years without coming before Council.</p> <p>Up to date from 2007 no report came before council about the work Geodebt. For the past 8 years it has not happened.</p> <p>I got a grave concern because last week an item was served before court and people were taken to court and have their properties sold through sale of execution for not paying their debt. In the same token their rich people in cell case 203 have hundreds of thousands written off by officials.</p> <p><i>Now when will this council report gets a report on the detail written in this annual report?</i></p>	<p>Debtors are reported in the required format. Heading change required in Table 234</p>
<p>p284. Procurement and Contract Management Construction projects were not always registered with the Construction Industry Development Board (CIDB), as required by section 22 of the CIDB Act, 2000 (Act no. 38 of 2000) and CIDB regulation 18. Management has made contact with the CIDB and requested them to assist in training on aspects of CIDB practices and requirements.”</p> <p><i>What is the status quo?</i></p> <p><i>Where contact made with the CIDB?</i></p>	<p>This has been done. Further CIDB practice training could be rolled out.</p>



<p><i>And how will it improve this year?</i></p>	
<p>p284. I checked under the grant funding and saw it was it was 95million then I check under the MIG funding and it is not stipulated under the MIG funding. What I can gather is that not all funding was spent. Grant funding is funding that we get on a silver platter. So that we spent all the funding so that we can get more in the next financial year and not less. We need to take Cognicase about the grant funding not spent</p>	<p>Note 31 of AFS report on grants. WC024 spent 100% of MIG</p> <p>The amount of R95 million is the total grant funding for operational expenditure for the financial year.</p> <p>The MIG grant is spent on capital programmes. The capital programmes and expenditure are listed on page 280, table 231.</p>
<p>p284. When we look at Material Non-Compliance. “Reasonable steps were not taken to prevent irregular and fruitless and wasteful expenditure as required by section 62(1)(d) of the MFMA.”</p> <p>As MPAC we struggled to address and solve this problem. There were promised that it was solved when the officials says it has been solved.</p> <p>Then the AG comes and says there are more.</p>	<p>This was a material noncompliance finding in the 2013/2014 audit report and was addressed in the following year. Therefor no material noncompliance finding was raised in the 2014/2015 audit report.</p>
<p>p285. With reference to note 50 to the financial statements, the municipality is at risk regarding the payment of claims relating to contractual disputes from third parties. The amounts in this regard were uncertain at year-end and no provision for any liability that may result has been made in the financial statements.”</p> <p>There must be amounts that are claimed against the municipality. Why is it not available?</p>	<p>This refers to contingent liabilities listed in note 50. In terms of accounting standard GRAP 19, the municipality must disclose contingent liabilities in its annual financial statements.</p> <p>In terms of GRAP 19, Contingent liabilities are defined as</p> <p><i>A contingent liability is:</i></p> <p><i>(a) a possible obligation that arises from past events, and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity; or</i></p> <p><i>(b) a present obligation that arises from past events but is not recognised because:</i></p> <p><i>(i) it is not probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; or</i></p> <p><i>(ii) the amount of the obligation cannot be measured with sufficient reliability.</i></p> <p>Because the contingent liability</p>



	<p>cannot be reliably measured the amounts cannot be quantified.</p>
<p>p282. Gross outstanding debtors. I would like to understand if they are all households or businesses</p> <p>Can we have a breakdown of all the households and businesses the debtors</p>	<p>To follow</p>
<p>p282. Material losses. The accounting standard IGRAP 1 became effective for the year ended 30 June 2014 and the impact was that the municipality had to account for all fines issued as revenue. As the payment rate of fines for the period was only 20%, the debt impairment for fines amounted to R 66 521 940.</p> <p>Are the losses through traffic fines?</p>	<p>Chairperson: It could be mostly fines. Meaning that we lost R 66 521 940</p> <p>I was writing a story while in the service of the Eikestadtnuus about fines and traffic fines and it also ad this figure of millions outstanding. In the response I was assured that they are working on upgrading the system and in a few years the problem will be solved. I see the problem still exist.</p> <p>Response: Richard Bosman: That is a problem country wide. In the metro the recovery rate is only 25%. The reality is that if I write you a fine and stick it on your window you do not need to pay if until the very last moment, 18 months to two years down the line. The poor economic conditions and magistrates and prosecutors withdraw fines very easily. Especially of no serious offences. You can write down a registration number but he owner moved. There is new legislation out from next year that requires you to FICA your registration details</p>



	<p>before you can renew your license.</p> <p>With AARTO you get a discount if you pay within 30 days. Within 60 days you pay the full amount and later you must go to court. The value of the fine is still on the books.</p> <p>I will bring an advert from the newspaper on AARTO to give clarity on the matter</p>
<p>p285. With reference to note 50 to the financial statements, the municipality is at risk regarding the payment of claims relating to contractual disputes from third parties.</p> <p><i>Can we have clarity to what the AG is talking about</i></p>	<p>The details of the contingent liabilities are listed in note 50 of the financial statements.</p>
<p>p102. Multi-employer retirement benefit information. It is stated that all councillors belongs to the pension fund. An adjustment needs to be made because not all councillors belong to the retirement fund. Is it not referring to Mayco members?</p> <p><i>Clarity is required if the to the statement?</i></p>	<p>The disclosure refers to councillors that are on a pension fund.</p>
<p>p99. (AFS) Resignation of Municipal Manager. We are dealing with the financial year ending June 2015.</p> <p><i>What is this doing in this financial statement? It is mentioned October 2015. Should this not be part of 2016/17. Why is it in here? If I knew it I would have mentioned a lot of other issues. This is misleading us.</i></p>	<p>The resignation of the Municipal Manager is disclosed in line with accounting standard GRAP 14, Events after reporting date.</p> <p>Definition: Events after reporting date</p> <p><i>Events after the reporting date are those events, both favourable and unfavourable, that occur between the reporting date and the date when the financial statements are authorised for issue. Two types of events can be identified:</i></p> <p><i>(a) those that provide evidence of conditions that existed at the reporting date (adjusting events after the reporting date); and</i></p> <p><i>(b) those that are indicative of conditions that arose after the reporting date (non-adjusting events after the reporting date).</i></p>
<p>p108. (AFS) Unspent conditional grants and receipts. Donations received in prior years were not correctly classified with GRAP 23 implementation.</p>	<p>This has been rectified in the 2014/15 financial statements. Therefor the comparative year (2013/14) was restated.</p>



<p>What is the status now?</p>	
<p>Our municipality and council pride ourselves for growing the budget from under a billion to 1,7 billion. Previously we only spent 90% on our budget. 90% of a billion is a 100 million. If you underspend on 1,7 billion it is 190 million. Somebody pays for that budget. Here our capital reserves grow, we underspend and the ratepayers paying for the surplus through the underspending.</p> <p><i>The administration needs to explain where the reserves come from?</i></p>	<p>Reserves come from accumulated surpluses.</p>
<p>p99. (AFS) The severance package of the person who has resigned.</p> <p><i>How do you pay a severance package to someone who has resigned and how much?</i></p>	<p>To follow</p>
<p>p101. (AFS) Monies owed by Councillors.</p> <p><i>Are they aware of these matters?</i></p> <p><i>What corrective measures are in place?</i></p>	<p>Councillors are informed regularly</p>
<p>With reference to my input on Annual report herewith LGSETA RoS for Mr D Lombaard and Mr T Mfeya which confirms that both of them did not have the minimum competency qualifications at the date of employment in 2014.</p>	<p>Question is unclear</p>
<p>MPCA oversight meeting regarding the Unauthorised expenditure indicated on page 99 of the AFS of R49 806 155 for year under review and R 58 193 244 for the previous year. Why was this note dealt with by MPAC and Council in terms of Section 32 so to investigate this. Likewise the Irregular expenditure of R 462 542 has also note been deal with as it appears on the AFS. Can the CFO please explain as to why the irregular appointment of Werner Zybrands has not been reported to MPAC.</p>	<p>The deviation was classified as Irregular by the AG during the audit which was completed on November 2015. No MPACs took place from December to February and it will serve at the next MPAC of 7 April.</p> <p>Below was the Municipality's comment on the AG's finding which was not accepted by the AG:</p> <p>Management disagree with the audit finding based on the following:</p> <p>DSM07/15 was handled as a deviation as per SCM Regulation 36 which allows: "the Accounting Officer to dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process."</p>



It is not necessary for a deviation to obtain three different quotes or whose names appear on the list of accredited prospective service providers as per SCM regulation 17 (a). Deviation is reported monthly to CFO, Accounting Officer and Council and it's not necessary to adhere to SCM regulation 17 (c). Deviation was approved based on the following classification (v) "in any other exceptional case where it is impractical or impossible to follow the official procurement processes".

The request to deviate was based upon the discussion which alluded to the following:

- Current System of Delegations (SOD) and policies did not comply with all legislative requirements and refers to some Ordinances/Acts that was either repealed or amended
- Various versions of (SOD) were in circulation causing confusion
- Policies are not incorporated in the document

The above made it critical that the System of Delegations be updated immediately as the out-dated document created more risk and shortfalls whereby officials could authorise requests which didn't fall in their statutory requirement. Impending SPLUMA for Planning were also critical to implement as quick as possible.

An FQ process could easily consume at least 3 weeks in terms of compiling the specifications; advertising; compiling the technical evaluation and then approval of the FQ.

As it turned out the work done was way in excess what was quoted for. In fact probably double which would have taken the scope of works into a bidding procurement process which would have taken longer than 3 months which could be ill afforded.



	<p>Two other experts were also approach, but were not available or more expensive. The actual work at the end entailed about 20 workshops with various stakeholders by a technical expert and a leader in the field of municipal governance. These workshops included at least 2 sessions per directorate plus 3 sessions with the political leadership including 3 sessions with the (Mayor and Speaker); Mayco and also the Council to promote the required Council approval of the delegations.</p> <p>The Municipality obtained excellent value for money given the time spent by an expert workshopping the delegations with various parties including various political engagements to promote Council approval all in an effort to address critical service delivery governance shortcomings and impending new legislation implementation like SPLUMA successfully which have put the Municipality at great risk.</p> <p>Deviations don't need comparison quotes to evaluate based on the SCM regulation: "the Accounting Officer to dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process."</p> <p>This initial discovery of SOD shortfalls is in relation to historic inadequacies/shortfalls and needed to be corrected sooner than later.</p> <p>The unauthorised expenditure relates to non-cash items namely Depreciation, Debt Impairment and Contributions to Provisions contributed.</p>
<p>On page 117 of AFS various deviations listed under Engineering services. Is this correct allocation? Is the costs available as to what Cliffe Dekker charges against their rates on the deviations listed .</p>	<p>Heading to be corrected</p>
<p>Page 43 Long Term Financial Plan was updated during the financial year. Did this update serve before Council ?</p>	<p>A workshop for councillors was held.</p>
<p>Page 44. Debt collection. Why is Debt collection a challenge</p>	<p>Debt is a problem, because some debtors do not</p>



<p>seeing that “ Geodebt “ has been appointed to do debt collection since at least 2007.</p> <p>When will Council get a report on the work Geodebt is doing on debt recovery?</p>	<p>pay.</p>
<p>Identify new revenue streams. Why appoint task team when this is listed in Financial plan adopted by Council in 2014?</p>	<p>The task team will unpack the details to implement improvements.</p>
<p>Nett Surplus of more the R25 Million rand. I question the credibility of the budgeting preparation as originally on around R9 million budgeted for.</p>	<p>Variances will occur.</p>
<p>Page 45 Actual Capital expenditure is 22% less then Original budget . Thus R64 Million less spend then original budgeted for and public told.</p>	<p>The budget will change over a 14 month period from November (starting to compile budget) to January during the adjustment budget.</p>
<p>Pg 50 and 51 MFMA COMPETENCIES . Do these comments only apply to MFMA competencies and not the Minimum Competency qualifications prescribed by legislation.</p>	<p>Both</p>
<p>Pg 81 Why is MSCOA identified as a Critical risk seeing that National treasury indicated that the will guide the municipalities through this implementation process.</p>	<p>National Treasury does not implement this business reform in the municipality. The municipality is responsible for this reform.</p>
<p>Pg 93 Municipal Website I do not agree that all documents are placed on the municipal wed site as required by law. i.e The R100 million rand long term loan entered into with DBSA is not there , Nor the service level agreements of multi-year service providers like Geodedt ect.</p>	
<p>Pg 283 The Municipal investments grew with around R102 Million rand in one year. What is the source of this growth.</p>	<p>Accumulated surpluses and additional working capital and provisions.</p>
<p>Can an account be given of why the matter of employment contracts and over-payment of salaries over several years for the Director: Housing and the Director: Planning has not been brought to MPAC or Council?</p>	
<p>The Annual Report is not frank about the recruitment process of the mSCOA incumbent. Can the information be corrected to indicate the process which was followed to appoint a retiree on a contract basis to manage the mSCOA function?</p>	
<p>p253. Cell phone allowance.</p>	



<p><i>What is the percentage that is paid over for tax purposes?</i></p>	
<p><i>p285. In the annual financial statements. On page 99. Note 53. Here is listed Unauthorised expenditure. A total of 49 806 155 is noted for engineering services. This is something in our annual financial statements. My understanding is that this was not brought before council to regulate the matter.</i></p> <p>The same applies if you go down. Noted 54. Fruitless and wasteful expenditure. None</p> <p>Non-compliance with SCM Regulation S36(1)(a)(i) of 278 224, Less: Amounts written off in terms of the MFMA S32(2)(b)</p> <p>If you look at 36(1), that has to do with deviations. The CFO indicated that the AG has not picked up anything in a previous council meeting.</p> <p>The management report given to me by the MM indicated that there we three deviations. That did not comply in terms with legislation. I would have expected that these items came to our MPAC at least 7 months after the end of the financial year.</p> <p><i>Why is it told in the public meeting of council that there are no deviations while we are dealing now with it in the annual report?</i></p>	



ENGINEERING	Responses by the service department
<p><i>Pg.35: Capital Expenditure – Engineering Services</i></p> <p>Why is the Engineering Directorate without a Director for months on end?</p>	
<p><i>Pg.36: Electricity Demand Side Management (Geyser Control)</i></p> <p>How was it evaluated as being successful??</p>	<p>The expected outcome was met. Was installed by Eskom. Eskom can now lower the peak load when required. The municipality has the advantage of saving about R1million in the first year. This is expected to increase in future with rising costs.</p>
<p><i>Pg.37: Compressed Earth Block Project</i></p> <p>Why was this accomplishment not communicated?</p>	<p>Project only commenced in March 2015. Broadcasted on SABC3 Afternoon Express on 18 August 2015. It received coverage in Die Burger on 2 occasions, covered in Eikestad Nuus, Award for the project was communicated in the Eikestad Nuus as well. Communicated to Informal Mayco and Director’s meetings Staff were also informed via the Stell Teta and general emails were sent</p>
<p><i>Pg.37: MIG Projects</i></p> <p>Where was the bulk of the MIG funding spent? (Provide a detailed breakdown)</p>	<p>The following projects were implemented with MIG funding in 2014/15:</p> <p><u>NOTE: ALL AMOUNTS ARE INCL VAT</u></p> <p>i. <u>Kayamandi New Reservoir and Bulk Water Supply Line:</u> Actual MIG expenditure for year: R 11 773 256. 27</p> <p>ii. <u>Plankenburg New Main Sewer Outfall:</u> Actual MIG expenditure for year: R 1 399 920. 00</p> <p>iii. <u>Klapmuts: Upgrade WWTP</u> Actual MIG expenditure for year: R 1 125 123. 39</p> <p>iv. <u>Stellenbosch Rehabilitate Solid Waste Disposal Site</u> Actual MIG expenditure for year: R 2 924 542. 79</p> <p>v. <u>Franschhoek New Bulk Water Supply Line, Pump station and Reservoir</u> Actual MIG expenditure for year:</p>



	<p style="text-align: right;">R 5 590 727. 44</p> <p>vi. <u>Kayamandi Sports Grounds: High Mast Lighting (Sports project: P-Component)</u> Actual MIG expenditure for year: R 446 823. 66</p> <p>vii. <u>Jamestown Sports Grounds: High Mast Lighting (Sports project: P-Component)</u> Actual MIG expenditure for year: R 558 470. 70</p> <p>viii. <u>La Motte High Mast Lighting (Sports project: P-Component)</u> Actual MIG expenditure for year: R 806 301. 12</p> <p>ix. <u>Lanquedoc High Mast Lighting (Sports project: P-Component)</u> Actual MIG expenditure for year: R 806 301. 12</p> <p>x. <u>Wemmershoek High Mast Lighting (Sports project: P-Component)</u> Actual MIG expenditure for year: R 1 035 354. 97</p> <p>xi. <u>Upgrade of Gravel Roads: Mooiwater</u> Actual MIG expenditure for year: R 4 589 903. 51</p>
<p>Chairperson: we got 40 000 plus households and we got and we reported that we have 20 000 plus consumers.</p> <p>Later on the document the figures gets fuzzy. At this point in time it is clear that we obtain 20. It is clear that we want to provide water to 24 000 plus households with water.</p> <p>Answer:</p>	<p>The figure of 23 000 consumers refer to the number of formal residential erven that are serviced with a metered water connection, whereas households refer to the number of dwellings regardless of whether more than one dwelling/household is located on one erf and use the same water meter (e.g. at residential complexes, private blocks of flats and backyard dwellers, private estates for example de Zalze). Therefore more than one household but only one official metered “consumer” connections reflect on our billing system.</p>
<p>p111 “Unaccounted for water at the bottom for water” TL29. Indicated 22,6% against an indicated against at a much lower percent that 22%</p> <p><i>Can we have that figure verified at a later stage with the figure that is stated at a later stage in the report.</i></p> <p>Answer: Ulrich Cupido: Confirmation is given that</p>	<p>Water Services response:</p> <p>The figure has been verified as indicated by Ulrich. The correct percentage is 22.6%. For all practical purposes 22% and 22.6% are the same. In the one instance the figures used to do the calculations could be rounded off before calculation.</p>



<p>the KPI has been audited by the AG and found as the final figure in the 2014/15</p>	
<p>p114: Electricity losses. This is a perfect indicator if looking at 8% which is well below the benchmark</p>	<p>Answer: Ulrich Cupido: Confirmation was given on the correctness of the figures as audited by the AG</p>
<p>p122. TL 22 Spent the maintenance budget for Electricity infrastructure. The maintenance budget shows it first problem.</p> <p>The fact that we only spent 83, 82% is a problem.</p> <p>We are under budgeting for this item and then we go and underspent on it. That is two problems in a row. We need to focus on maintenance spent as a comment.</p>	<p>TL22 is not correct should be TL 19 and refers to the 2013/14 budget.</p> <p>The 2014/15 maintenance expenditure amounted to 94.46%</p> <p>REFER TO ATTACHED</p>
<p>p136. "JB's Trucks (Pty) Ltd. Supply and delivery of 2 new 4x2 light delivery vehicles, 1 ton. Two years and six months"</p> <p>Did we use the trucks for two months and six months?</p> <p>Answer: Richard Bosman: The tender is valid for a period as mentioned and for that period we can buy trucks at that rate. You can buy vehicles in year 1 or 2.</p>	<p>Support the MM's answer</p>
<p>If we look at JB trucks. There is no competition and they do not need to worry.</p> <p>Response: Richard Bosman: The prices are determined in the contract for years two and three when you go out on tender. We cannot move away from the tender amounts with a 9% average increase up until the end of the tender.</p>	<p>Support the MM's answer</p>
<p>p140. TL 10. Provide free basic refuse removal, refuse dumps and solid waste disposal to registered indigent account holders as at 30 June 2016 for all wards."</p> <p>It cannot be and should be far more.</p>	<p>Answer: Ulrich Cupido: It refers to the SDBIP 2015/16 financial year. These are the targets that were set in accordance with the targets with the 2014/15 financial year. Targets that are in our books as registered indigent citizens and can increase depending to the people who registered and is our baseline.</p>



<p>p149. The numbers add up to 43 000 and if you look at the previous figures and I just want to know how.</p> <p>Why the 23 000 consumers and in this case the number of 43 000 households?</p>	<p>Water Services response:</p> <p>The figure of 23 000 consumers refer to number of formal residential erven that are serviced with a metered water connection, whereas households refer to number of dwellings regardless of whether more than one dwelling/household is located on one erf and use the same water meter (e.g. at residential complexes, private blocks of flats and backyard dwellers, private estates for example de Zalze). Therefore more than one household but only one official metered “consumer” connections reflect on our billing system.</p>
<p>p150. Capital services: Water services. The reservoir Kayamandi. The actual expenditure was almost 10 million. There is a -45, 20 % variance. If we look at our indigent numbers.</p> <p><i>Are we still relying on StatsSA’ using for stats and did we started to realise that we need to work on our own stats to address to situation in Kayamandi?</i></p>	<p>Water Services” response:</p> <p>These amounts are not correct. Adjusted budget = R 10,827,417</p> <p>The project is finance out of two votes: 5/6650/1811 = R 4,000,000 and 5/6650/1801 = R 6,827,417</p> <p>Only the one vote was taken into consideration for the calculation of the total adjusted budget.</p>
<p>p151. “One of the major challenges facing the municipality is the need for replacement/ upgrading of existing assets which have aged and deteriorated to the point where 54.5% of the value of the sewer infrastructure has been “consumed”. About 43.4% of sanitation infrastructure has been assessed as to being in in a “poor to very poor” condition, and the condition backlog is estimated in the order of R283.4 million. The bulk of the backlog is made up of the sewer reticulation assets and the SWWTW.”</p> <p>I want to know if this figure will reflect next year again. Why I am asking is because if you read last year’s report you see same figure and why it is identical?</p> <p>Chairperson: If you look at the budget with the increase of a few million it means that they must be addressing backlogs within the infrastructure. If the total is the same then will be a huge problem.</p> <p>Answer: Richard Bosman: A lot of projects are in process and by the end of March there will be clarity on the projects that needs to be addressed. The capital budget is over 500 million and next</p>	<p>Water Services response:</p> <p>Backlogs consist of two types of backlogs:</p> <ol style="list-style-type: none"> 1) Conditional Backlog 2) Capacity Backlogs <p>Conditional backlog is where the current service has enough capacity but as a result of ageing the service has deteriorated to such an extent that it should be replaced.</p> <p>Capacity Backlogs is where the condition of the service is good to very good but as a result of growth there is not sufficient capacity.</p> <p>The figures mentioned refer to conditional backlogs.</p> <p>At the time of completion of this report the projects identified to address backlogs had started implementation stage and was not included in the total backlog.</p> <p>Refer to the acting MM’s (Richard Bosman) comment answer adjacent.</p>



<p>year it is above 400 million to bring it into the affordability margins.</p>	
<p>I am aback at the strategic session that I was not allowed to attend. There were strategic issues to the electricity challenges during September 2014. There are two issues to be identified. People are asking how I can generate my own electricity. If electricity was strategized last year. In the Metro it is seen as an innovation.</p> <p>Where are going to be towards this innovation of electrical generation at the delivery of the next annual report?</p>	<p>Answer: Richard Bosman: We have met with a student at Stellenbosch University who is doing his master's degree on alternative electricity and we will be working with him to work on a strategy to address this matter.</p> <p>Chairperson: Councillors please note the long term financial plan for the next 20 years. To address income. Electricity forms part of more than 40% percent income.</p> <p>Response: Ulrich Cupido: The invitations to the sector engagement were directed at the Chief whips due to limited space. Pardon for not inviting the councillor.</p> <p>Chairperson: The strategic session with councillors needs to be done by management with all councillors to be on the same page pertaining to the strategy. The councillors are not well informed about strategy.</p>
<p><i>p154 On electricity.</i></p> <p><i>Why is the electricity numbers not adding up to 43 000 households?</i></p>	<p>Rural areas are supplied by Eskom. Pniel area by Drakenstein. Nkanini and Langrug are not provided with Electricity.</p>
<p><i>p156. 3.8.4 The electricity department indicates a 100% vacancy rate for 1 person.</i></p> <p><i>Why does a department not budget for that because I know because these jobs are vacant for very long?</i></p> <p><i>What is influence does it have on our semi-skilled people regarding TASK?</i></p> <p><i>How are they being incorporated in getting a promotion and lifted up?</i></p>	<p>All vacancy posts are in the advertisement process. Because of the scarcity of some of the skilled people, it is difficult to fill these posts with effectively qualified people</p>
<p><i>p158. Solid waste. I believe an efficiency survey was done because some trucks work hard and others not so hard.</i></p>	<p>Collection vehicles were fitted with lift loggers to log routes and volume of refuse collected. What cannot be measured however is the skips as the liftlogger must be uncoupled in order to accommodate the lift for the skips. S78 report indicated that the fleet system is not recommended but full maintenance lease must be considered. Some of the vehicle are so aged that the repairs exceeds the value of the vehicles.</p>



<p>p155. During the 2014/15 financial year the Electrical Department concentrated on the renewal and or upgrading of old equipment. In some areas old overhead networks were replaced by underground cables.</p> <p>Why are certain people required to contribute towards the replacement of cables since they are not the cause for the replacement of cables?</p>	<p>This work is funded from the budget</p>
<p>p165 I read with great gladness and joy about the compressed earth block pilot project because it is wonderful</p> <p><i>Why do we read about this in the annual report?</i></p> <p><i>Why it was not advertised in the WCO24 and in the newsletter?</i></p>	<p>Project only commenced in March 2015. Broadcasted on SABC3</p> <p>Afternoon Express on 18 August 2015. It received coverage in Die Burger on 2 occasions, covered in Eikestad Nuus, Award for the project was communicated in the Eikestad Nuus as well. Communicated to Informal Mayco and Director's meetings. Staff were also informed via the Stell Teta and general emails were sent</p>
<p>p168. Chairperson: In the vacancies of p168 I could not pick up on the vacancies that were seen as a challenge but it is not reflected in the vacancies. Obviously there is no budget. The major challenge as reflected needs to be raised with management</p>	<p>Noted</p>
<p>p179. Chairperson. I presume that the 46 003 is the official totals and it will be used through the section?</p> <p><i>Does this figure of 2014/15 include the university units?</i></p>	<p>Water Services' response:</p> <p>This figure corresponds with the Census data for the whole WC024 Stellenbosch area, regardless of whether the area is being serviced by the municipality and includes formal, informal and rural areas</p> <p>Whether university units were regarded as households will have to be clarified with Census data capturers' definitions</p>
<p>P193. We have focussed a lot on indigent and now I see that streets in my ward of Brandwacht and die Boord were tarred as per the budget. When we mention street it needs to be make sense as a unit. If I can mention ones street where I work. Streets were tarred and one street was left out. There is no sense and sensibility used to tar the streets.</p> <p><i>What was used to plan the tarring of the streets?</i></p>	<p>Roads reseal priorities gets determined by visual assessments of all the roads. This data is compiled in a Pavement Management system. Budgets are allocated per suburb and not necessarily according to the highest needs of the Pavement Management system</p>
<p>p192. Resealing of Streets Marais Street. Was done but if you look now at the same street, with its potholes.</p>	<p>The Marais street project was delayed due to a bulk water main that had to be replaced. The replacement of the pipe was dependant on the availability of raw water. Roads reseal project</p>



<p><i>What kind of tar us used to tar the street? Streets with heavy traffic get preference.</i></p>	<p>will be completed in the 2015/16 financial year</p>
<p>p247. The Engineering department with 50 people. It is important directorate for service delivery for the community.</p> <p><i>How many of the 50 were filled and what was the race classification for all the races?</i></p> <p><i>Is this department is in line with the equity of our policy?</i></p>	<p>Question unclear. Employment equity figures are met on most levels within the directorate. However to get the anticipated targets on management level remains a huge challenge due to the lack of qualified engineers that fit the correct EE level</p>
<p>p260. Repairs and maintenance we have a big under expenditure</p> <p><i>Can we have the following clarified</i></p> <p><i>p260 Sanitation Services – (-94%)?</i></p> <p><i>p261 Waste management – (-22%)</i></p> <p><i>p262/3 Housing – (-97%)</i></p> <p><i>p263 Planning & Development – (-448%)</i></p> <p><i>p264 LED – (-444%)</i></p> <p><i>p264 Community Development – (- 39%)</i></p> <p><i>p268 MM Office – (-975%)</i></p> <p><i>p268 Human Resources – (-215%)</i></p> <p><i>p271 Financial Services – (-180%)</i></p>	<p><u>Water Services response:</u> Must be p267 Sanitation Services: Calculation is wrong – On original budget = - 49.7% On adjustment budget = - 22.7%</p> <p><u>Waste Management’s response – underspending</u> due to stricter control over the repairs of aged vehicles. No expenditure will be allowed if more than the value of the vehicle.</p> <p>Repairs and maintenance are also used in emergencies and when no breakages occur it can result in the no use of the funds.</p>
<p>p268. Municipal Systems Improvement. Third entry</p> <p><i>What systems are we talking about?</i></p>	<p>No mention is made of Municipal Systems Improvement on p268</p>
<p>p284. Procurement and Contract Management The previous years the AG Picked up that we do not have a system in place. Last year a post was advertised to address this matter. Christelle De Villiers and Jaap van Staden worked on the contract management. It was never reported on contract management.</p> <p><i>Why is it not reported in the annual report?</i></p> <p><i>I would like an answer from the officials. Why we do</i></p>	<p>SCM to report</p>



<p><i>not get the reports?</i></p>	
<p>p285. Audit Report Status: Unqualified for 2013/14 and for this year 2014/15 it states also unqualified.</p> <p><i>I think we need to qualify it clearly.</i></p> <p>At this stage it is unqualified deemed to be a clean audit. It needs to go out to the public that this year we got a qualified audit without findings and the previous year as unqualified with findings.</p>	<p>Noted</p>
<p><i>p285. In the annual financial statements. On page 99. Note 53. Here is listed Unauthorised expenditure. A total of 49 806 155 is noted for engineering services. This is something in our annual financial statements. My understanding is that this was not brought before council to regulate the matter.</i></p> <p>The same applies if you go down. Noted 54. Fruitless and wasteful expenditure. None</p> <p>Non-compliance with SCM Regulation S36(1)(a)(i) of 278 224, Less: Amounts written off in terms of the MFMA S32(2)(b)</p> <p>If you look at 36(1), that has to do with deviations. The CFO indicated that the AG has not picked up anything in a previous council meeting.</p> <p>The management report given to me by the MM indicated that there we three deviations. That did not comply in terms with legislation. I would have expected that these items came to our MPAC at least 7 months after the end of the financial year.</p> <p><i>Why is it told in the public meeting of council that there are no deviations while we are dealing now with it in the annual report?</i></p>	<p>Actual question unclear. But also seems like a financial input needed</p>
<p>p284. The CIBD, It is the second year that it is coming up.</p> <p><i>What measurements did supply chain management put in place?</i></p> <p>Previously many things were blamed due to staff component and a lot of staff has been employed. They are no longer understaffed still we find</p>	<p>SCM to report</p>



<p>mistakes creeping in. Also under expenditure management. Management did instituted internal controls but yet we have a large amount of irregular expenditure.</p> <p><i>Are the controls that they put into place sufficient?</i></p>	
<p>Alternative energy. I read that this policy is ready. Please indicate at which meeting this policy were put before Councillors</p> <p>seeing it is mentioned in the annual report.</p>	<p>It was submitted to the Portfolio committee on 5 February 2014. Referred back for financial implications. Progress report on 3/6/2015. Further progress report on 5/8/2015. Mayoral committee on 19/8/2015. Council 25/8/2015.</p>
<p>P 37. Extension of the Stellenbosch Waste Water Treatment Works (SWWTW). How on schedule is this project and how must</p> <p>spend to date on this for consultants and on Construction.</p>	<p>Water Services response: Project is on schedule. Adjusted Budget for 2014/15 = R 28,019,987 Budget spend in 2014/15 = R 28,006,008 (99.95%)</p>
<p>MIG projects. Is this correct that all MIG funding was spend in the financial year under review and that no moneys were returned or arrived over to the next financial year.</p>	<p>It is correct</p>
<p>p127. Various Bidders. Transport, Roads and Stormwater Annual Tender: Plant and Materials for a period of 8 months.</p> <p>Why is there no description of the service provider and can we have the names of service providers?</p>	



PLANNING & DEVELOPMENT	Responses by the service department
<p><i>Pg.28: "The tourism industry alone is responsible for the creation of about 18 000 jobs in the area".</i></p> <p>Given the large number of foreigners working at restaurants, how many of this 18 000 jobs are actually filled by bar-coded South African citizens?</p>	<p><i>Unknown – not a statistic in Stats SA.</i></p>
<p><i>Pg.31: Table 3: Percentage of indigent households in municipal area: 11%.</i></p> <p>These figures from STATSSA are not a true reflection of the reality. When can more accurate figures be obtained, such as own surveys?</p>	<p><i>Not possible due to cost – all studies are based on Stats SA data with adjustments according to assumptions</i></p>
<p>P111 TL 32 Develop a SDF (Shaping Stellenbosch) for Stellenbosch Town and submit to the Portfolio Committee by 31 December. The question is on the shaping Stellenbosch contractor who came to our ward committees.</p> <p><i>My question is how this is possible. A contractor was appointed to complete a SDF plan for the municipality? What happened?</i></p>	<p><i>Question has been answered on numerous occasions.</i></p> <p><i>Various factors delayed completion.</i></p> <p><i>The appointed contractor could not do mapping and new contractor had to be appointed.</i></p>
<p>p133. Madala Consultants. Project Coordinator for implementation of Stellenbosch Small Farmers project for a period of 24 months.</p> <p>Can we get clarity on the project and the contents over the period of two years?</p>	<p><i>Project to action some of 5th Council 2011/11/24 Form 502 BH.</i></p>
<p>p139. If we look at the Constitution at Schedule 4. There are on the page street trading regulations that administration takes responsibility of street trading. If we look at the Constitution, Schedule 5 part 5 functions.</p> <p>There is a contradiction between the two when we look at providers dealing with trading and street trading. How are these monitored?</p>	<p><i>Answer: Richard Bosman: You need to go to the Structure Act, there is a division and powers where the C and B municipalities. The C municipalities regulate food and the preparation of food in this area. The B municipalities can regulate street trading into the Business Act. The district oversees environmental health and the clinics.</i></p> <p><i>Answer: Chairperson. Cllr we need to contact the district on the issues of food provision to the public</i></p>
<p>p145. Number of temporary jobs created by 30</p>	<p><i>Yes, river stewardship program approved by</i></p>



<p>June 2016 through the municipality's local economic development EPWP projects, measured by the number of people temporarily employed in the EPWP programs for the period and linked to the availability of budget” We have a lot of people who are unemployed.</p> <p><i>Is the project on the cleaning of river in place to create work?</i></p> <p>Answer: Ulrich Cupido: The budget has been cut into half for the temporary jobs therefore the downwards adjustment of the target.</p> <p><i>I will return with an answer on the cleaning of the river project as a means to create temporary jobs?</i></p>	<p><i>Council.</i></p> <p><i>Budget is a factor to consider.</i></p>
<p>p206. Versus p146. Totals jobs created 613 and the target of 410 does not make sense.</p> <p>Chairperson: The totals have been adjusted to 410 due to a cut in the budget</p> <p>The totals do not make sense?</p>	<p><i>Table 96 content error.</i></p> <p><i>613 jobs (p206) created.</i></p> <p><i>Annual target with reduced budget is 410 (p146) and not as Table 96.</i></p>
<p>p202. Led Challenges “A lack of understanding of LED amongst politicians - All councillors will undergo training regarding the basic principles of LED and the implementation thereof.” I take offence. If this is true. If I took you back to September 2014. I want to say. This administration did not allow me to understand.</p> <p>How Come?</p>	<p><i>LED principles remain a challenge, as it is not a Constitutional function but an obligation and therefore not defined.</i></p> <p><i>The Annual report will be adjusted to read: “ it is essential that we develop a common understanding of LED, in order to maximise the potential in our areas to expand economic development opportunities to empower our communities”</i></p>
<p>p201. To latch on with Councillor Groenewald. Tourism training and car guards. The aim of the training was to provide training to petrol attendants and car guards and to provide them with the basic skills on how to handle tourist.</p> <p>I do not understand of that is LED. Then I will confirm a lack of understanding of LED amongst politicians.</p> <p><i>If someone can explain the purpose of petrol attendants to be friendly. It does not make sense. If someone can explain me this matter.</i></p> <p>Response: Cllr Bergstedt. Chairperson, It is</p>	<p><i>Part of Valley of Character and other initiatives to make town and area more “tourist friendly” and attractive.</i></p>



<p>simple that only the LED department understand LED. It is stated on page 201 that the different departments and councillors will require training to understand their roles wrt to EPWP and LED.</p>	
<p><i>p204. Mentorship Network - Various mentorship schemes exist for SME / Broad Based Black Economic Empowerment (BBBEE).</i></p> <p>Collaboration amongst these networks can improve economy of scale and share lessons learnt.</p> <p><i>It stays a ghost paragraph and I do not know A from Z.</i></p> <p><i>Can somebody please light a about the mentorship network.</i></p>	<p><i>Facilitate programmed mentorship.</i></p>
<p><i>p204. Establish LED System. It seems we are returning to page 201/202. Establish a LED Governance/Steering system and a facilitation system, comprising of representatives from 50 % public sector plus university and 50% private sector. Absence of a LED Governance system to ensure LED is coordinated and implemented in a structured manner</i></p> <p>It says the administration is absent.</p> <p><i>Can someone just explain it</i></p>	<p><i>Because LED is not a defined function and various parties have different approaches / views, it is a good idea to set up a governance structure to determine objectives.</i></p>
<p><i>p206. I applause the EPWP projects and also as mentioned on p206 and the whole of 207. I do not see the words supervision or control. I want to make this statement today. "This project falls flat" We can take these people as give them a hand out every day. Some of them told me that:" if you got the right surname you get work every day."</i></p> <p>The point is that even they want to take pride in what they have done. Even they want to be tap on the shoulder and told well done.</p> <p><i>Why is control absent?</i></p>	<p><i>Lack of funding for supervisors and misuse of EPWP workers instead of employing general workers in teams or giving work to local contractors as Led projects.</i></p>
<p>p208. Develop and promote tourism skills.</p> <p>How will they develop these skills</p>	<p><i>Dedicated training programs by local institutions.</i></p>
<p>p208. Irregular funding through grants, rather than planned outsourced service provider budgets.</p>	<p><i>Grant-in-Aid rather than funding of entities which provide municipal functions through S78 – decision.</i></p>



If they can explain that to us.	
p243. What type of informal traders are we allowed on the approved sites?	<i>Law Enforcement Officers to oversee informal traders.</i>
p268. EPWP Projects. <i>Is there an evaluation of the EPWP projects against the budget the budget shown here?</i>	<i>Yes, each project must be evaluated by the responsible manager / director. The standard of work expected is relevant to the level of the employment.</i>
P35. Exchange Entrepreneurial Mentorship. Where is the list on names of the 20 entrepreneurs listed in this program.	<i>List will be provided.</i>
P 38 Municipal Challenges. Shaping Stellenbosch Campaign . Who decided to use this Campaign in the IDP process and why was it not continued with?	<i>Statutory obligation to do spatial planning. Next level of planning flowing from 2013 approval of the WC024 SDF.</i>
Planning for a mega development (large scale integrated human settlement) . What has happened about the Council resolutions taken in 2014 regarding Droedyke and Argi-villages. Why does admin only decided on this project?	<i>All these initiatives will be comparatively assessed in the Urban Development Strategy.</i>
Page 41. Planning and Economic Development: Local Economic Development. How serious is the municipality in addressing this. Each year the same lip service is given.	<i>No comment.</i> <i>The officials are serious about LED.</i>
p15. Adopt-a-river: Our people want work and this project The community wants jobs now and cannot wait for 2016/17. We want that officials to explain that projects are not addressed within 5 years in the IDP it needs to be communicated. Citizens want to hear it from the administration and not from councillors.	<i>Noted</i>



HUMAN SETTLEMENT	Responses by the service department
<p>MM if we can look at encroachments. I am going to use it slightly as a matter that did not come up. Encroachments. You can use it as an income stream for the Municipality. It appears that a lot of businesses are conducted on municipal pavements and I do not know if they are paying their dues. I believe it needs to be regulated. We cannot allow people to walk in the streets because the pavements are used for business</p>	<p><i>Since the adoption of the policy on outdoor dining in 2009 this department, with the help of Law Enforcement, Traffic, Engineering Services and Planning Department have made good progress in formalising encroachment agreements with approximately 90% of all businesses. This is done in terms of an approved tariff structure (R98/m²/month). There are currently 34 contracts in place, totalling an annual income of ± R2m. This does not include the ± 150 other encroachment agreements (gardening purposes and parking) amounting to an annual income of ± R130 000.</i></p> <p><i>A new Draft By-Law on Outdoor Dining has just been completed, and will be presented to Council during April 2016. Once the By-law is in place, the Municipality will be in a much better position to enforce compliance.</i></p>
<p>p 240 We requested the appointment of a contract manager. Last year the process was started to appoint a person. Christelle De Villiers and Oom Jaap were appointed to address the matter of contract management. When the question was asked about contract management Christelle de Villiers was busy at the Municipal Court. And want to request that the process continue to appoint an employee. Till today no report was tabled to the Council and MPAC.</p> <p>Why do we appoint people? There are evergreen contracts that renew itself. We requested a report on contract management and the contracts?</p> <p>Response: Cllr Groenewaldt. I want to support my chair (MPCA) next to me. I cannot support what stands here because it is a selective few. The eyebrows need to be lifted on what is not stated here.</p> <p>Can we have all the contracts for properties of Stellenbosch?</p>	<p><i>Lists of all Lease Agreements, (ranging from encroachments to long term leases) are available on request.</i></p> <p><i>All individual contracts are also available on Collaborator (Contract Management System).</i></p>



<p>Response: Cllr. Bergstedt. I see the challenging tasks to gather the contracts I will provide the contract numbers of those that needs to be provided.</p> <p>Cllr. Groenewaldt: we talk about renewed Lease Contracts and the value of it.</p> <p>Request: Raymond Esau: Are we talking about that renewed lease contracts for the year under review?</p> <p>Cllr. Groenewaldt: “That is the information that we need to approve”</p> <p>Page 180 Property management: Contracts management. Is a schedule available of all municipality properties leased out and how these leases were obtained.</p>	
<p><i>Pg.7 on the needs per ward: The correctness of ward 10 is true and is escalation.</i></p> <p>The patrol of two people on a 24hour basis is to be investigated. The visibility of the employees is a concern. Traffic congestion is a concern. Gap housing is impossible. There is no land for building. The building of trees cannot be done at AF Louw. This is not correct at my ward because there is no report available to confirm it.</p> <p><i>Refer for answer in signed needs of the Councillor for 2014/15 in this regard.</i></p>	<p><i>All the current and future housing projects make provision and include a GAP housing component.</i></p>
<p><i>I was a councillor 2007/08 in Kayamandi. What disappont me is that about the Thusong centre was in the budget. A great need existed for it. No facilities are present. Now it is mentioned for in 2017/18. It will take a long time to materialise.</i></p> <p><i>The hostels need to be upgrade. Some of the hostel foundations are good but others needs repair. The taxi rank is on the list for more than a decade. Crime in the area is a concern. We talk now more than a decade about the taxi rank.</i></p> <p><i>Refer for answers in signed needs of the Councillor for 2014/15 in this regard.</i></p>	<p><i>Although the Thusong Centre for Kayamandi is in the pipe-line for a number of years, with each budget cycle it is pushed to the outer years due to financial constraints.</i></p> <p><i>The Directorate HS&PM was in discussion with the PDoHS regarding the upgrading of the Kayamandi Town Centre in general. A survey of the hostels and surrounding informal areas was undertaken during the 14/15 FY and the outcome formed the basis for an application for funding to PDoHS. The application was submitted for the upgrade of the hostels.</i></p>



<p>Pg15: When I read this report I was furious. The some of the report is not true when you look at ward 4 housing projects. There is not property for housing. "Project in the pipeline waiting on land transfer." I want to state from my heart that the transfer will not take place if the department does not play its role if we look at erf 64." The department does not ever respond back to allow feedback to the community. A workshop was held 3 years back and I requested Mr. Smit feedback on the property at Bethlehem. Upon request nothing was done about erf 64.</p>	<p><i>The Directorate HS&PM responded to all requests for information regarding Erf 64, Kylemore and the Bethlehem property. Information regarding the above has also been divulged at recent IDP meetings.</i></p> <p><i>A meeting was scheduled with the Owner of the so-called Bethlehem land, at the request of the Ward Councillor. During this meeting the person indicated that he is willing to donate a portion of the land to the Municipality for housing development. He was requested to put the offer in writing to enable us to do the necessary preparation work. To date however, we have not received his offer in writing.</i></p>
<p><i>P130 Petrus Mzaca Estate Agents CC. Upgrading of Informal trading area on Masithandane Street in Kayamandi, Stellenbosch. In process to cancel.</i></p> <p><i>Why were the year contract cancelled?</i></p>	<p><i>The contract was cancelled due to non-performance.</i></p>
<p><i>p275.Heritage assets</i></p> <p><i>What buildings are included in these totals</i></p>	<p><i>De Witt House Neethling House Dorp Street Flats Andringa Street Offices Mark Street Offices Voorgelegen Renish Complex Burger House Bergzicht Training Centre Agricultural Hall</i></p>
<p>Pg.38: Building of 195 houses with new specifications</p> <p>What was the challenge in this regard so that the provincial Department had to assist Stellenbosch Municipality?</p>	<p><i>The challenge was that the original tender did not make provision for the new specifications required by the approved quantum.</i></p>
<p>Pg.38: Farm extension of security (ESTA)</p> <p>What will be done in the event where the property is owned The Municipality?</p> <p>Farm Extension of Security of Tenure Act (ESTA) evictions are increasing at an alarming rate. Details please? Is this happening on municipal leases farms?</p>	<p><i>An item has been prepared to serve before Council, the latter item give a graphical representation of the evictions granted within the municipal area. As far as we know no evictions were instituted from Municipal lease farms.</i></p>
<p>p152. On bucket systems.</p>	<p><i>A review was done on the total of 1137 and it was found that it is according to the StatsSA. Documented proof are available as per</i></p>



<p>Do they still exist?</p> <p>Answer: Ulrich Cupido: Yes Chairperson.</p> <p><i>Chairperson: Kindly look into the figures and its increase?</i></p>	<p><i>Annexure A page24 (A3)</i></p>
<p>p171 It speaks on the housing project in the Idas valley. The developer is in the process of obtaining development rights. It does not sit well with me at all. Haven't we learnt from National Government who give out development to cadres who know nothing about the building of houses?</p> <p><i>We would like to have the detail of the developer?</i></p>	<p><i>An open and transparent process was followed to appoint a competent service provider to obtain development rights and funding approval from the PDoHS in order to implement the project.</i></p> <p><i>SAMJV was appointed and adhered to all the requirements of the tender.</i></p>
<p>p173. The La Motte issue. There were said 1000 houses will be built.</p> <p><i>It is GAP, ordinary or RDP houses?</i></p>	<p><i>The project is planned to make provision for 329 subsidise houses and 122 GAP to Medium Cost Housing opportunities. Sites will be made available for community amenities.</i></p>
<p>p175 We get a lot of hiding about housing.</p> <p><i>It would have made a lot of sense if this appointment of the provider was allocated to the public.</i></p>	<p><i>All tenders are open to the public.</i></p>
<p>p176. The current Emergency Housing Policy does not sufficiently deal with evictions in terms of ESTA (Extension of Security Tenure Act) and PIE (Prevention of Illegal Evictions). It is 100% true. A workshop was held.</p> <p><i>I what way will the employees of the municipality give their co-operation after the re-implementation of this reviewed policy?</i></p>	<p><i>The Council approved policy with the recommendations must be implemented by the employees</i></p>
<p>p180. Waiting list administration. The clean-up of the data was done. There is still a lot of communication because the dates of their application shifted?</p> <p><i>What happens to people who have the dates of applications shifted as the date they applied?</i></p>	<p><i>The data-clean-up referred to dealt with the removal of records in respect of persons who had subsequently been assisted with RDP housing, and condensing of duplicate entries where the first (earliest) application date remains on record and is linked to the latest information pertaining to the family.</i></p> <p><i>Application dates are not shifted. Applicants sometimes complain of having applied earlier than the waiting list dates indicate. This office is not authorised to amend dates based on claims that cannot be proven. The database is held by Western Cape Department of Human Settlements and they do not permit the alteration of application dates without proven verification. This is so as to eliminate fraud and corruption. Western Cape Department of Human</i></p>



	<i>Settlements will not grant a housing subsidy to applicants who are not registered on the database, and this Department, when allocating rental accommodation, has standard operating procedures in place that require proof of application to be submitted.</i>
<p>p181 Property Management. This department is the most inaccessible departments.</p> <p><i>What can be done to make property management more accessible?</i></p>	<i>It is not clear why the Councillor is of the view that the Property Management Department is not accessible. We are available during normal office hours, by email and telephone.</i>
<p>p243. Capital projects. What type of fencing are we talking about</p>	<i>The expenditure is mostly for boundary fences. Fences were upgrade in Jamestown, Kayamandi and Klapmuts</i>
<p>p268. Provincial Government PHP Top Structure</p> <p><i>Clarification on the variances of (-81.59%) and (-84.15%) is required.</i></p> <p><i>What consequence management steps were put in place to prevent this in the future?</i></p>	<i>We have in conjunction with PDoHS started having monthly meetings on the progress and planning of future projects. This will enable the department to streamline the activities in a more structured manner.</i>
<p>Successful relocation of 60 households Families in emergency after fire disaster as well as families that impact on the Jamestown Farm 527 development .</p> <p><i>Surely this cannot be a highlight. Currently Blauwklippen Estate in court to have rest of Kreefgat residence evicted.</i></p>	<i>The families were left destitute after the fire and could not return to Kreefgat. The municipality is obliged to assist families in cases of emergency in accordance with the Disaster Management Act.</i>
<p>Replacing 96 asbestos. Will municipality Continue replacing asbestos roof in other areas?</p>	<i>The directorate HS&PM successfully completed the project and to date the PDoHS will not fund the replacement of asbestos roofs.</i>
<p>Pg.35: Klink Awards</p> <p>Who bestowed these Awards, and is it a municipal achievement?</p>	<i>This is a Wine Tourism Awards initiated by Wine Tourism South Africa. Seeing that Franschhoek is one of the Municipal Towns, this is a municipal achievement.</i>



COMMUNITY PROTECTION	Responses by the service department
<p><i>Pg.7 on the needs per ward: The correctness of ward 10 is true and is escalation.</i></p> <p>The patrol of two people on a 24hour basis is to be investigated. The visibility of the employees is a concern. Traffic congestion is a concern. Gap housing is impossible. There is no land for building. The building of trees cannot be done at AF Louw. This is not correct at my ward because there is no report available to confirm it.</p>	<p><i>Law enforcement not performing a 24 /7 patrolling service currently. The 24/7 is extended by SAPS and the security forces.</i></p>
<p><i>Pg.22: “The Stellenbosch Safety Initiative, a partnership with Stellenbosch University, the SAPS and private security companies has been established”.</i></p> <p>How will this partnership be monitored to determine its effectiveness in reducing the level of crime?</p>	<p><i>The Stellenbosch Safety Initiative (SSI) is an operational forum which meets fourth nightly discussing operational matters on crime in the Greater Stellenbosch. The forum success is measured by SAPS through the convictions of successful arrests and prosecutions being made. Sharing their resources expands their ability to fight crime in the WCO24.</i></p>
<p>p24 About ward 17 – Neighbourhood watch.</p> <p><i>What is the success with the collective success and why do the special ops not work with the police? Why are they focussed on more operational tasks such as fines and the addressing of homeless people?</i></p>	<p><i>More of an integrated and preventative approach must be followed in the future</i></p>
<p>Pg.35: Tracking Devices</p> <p>The first draft Annual Report (p33) made reference to tracking devices installed in all municipal vehicles. Why is this information removed from this Draft Annual Report?</p>	<p><i>Monthly reports and quarterly updates are translated to the standing committee meetings that are held monthly. Currently 135 tracking devices were installed in the fleet of 327vehicles. The trackers measures harsh braking, idling, and speeding. The reports are sent to supervisors who manage their fleets.</i></p>
<p>Pg.41: Sports Facilities: “appoint suitable and qualified security service provider”</p> <p>What tools does The Municipality have in place to monitor the security service providers? Why not make use of the services of unemployed community members?</p>	<p><i>Council has 17 sport facilities which has recently become the target of theft, vandalism and petty crime. To safe guard these assets a three year security tender was advertised for a external service provider. A service level agreement was signed with the service provider with strict financial penalties upon failing the deployment of staff. We monitor them daily via the sports councils which informs the sport and law enforcement departments should the service provider not comply.</i></p>
<p>Pg.42: Traffic Law Enforcement & Traffic</p>	<p><i>The department has numerous challenges which</i></p>



<p>Department</p> <p>Serious challenges are indicated in Law Enforcement and the Traffic Department. How will these challenges be addressed?</p>	<p><i>include aging fleet and the possibility of theft. Vehicles are replaced in terms of an internal replacement strategy which is based on life expectancy and running costs.</i></p> <p><i>Additional security staff was deployed at the security services with CCTV surveillance cameras</i></p>
<p>Pg.53: Established Safety Forum</p> <p>How effective is this Safety Forum? (provide reports of its operations)</p>	<p><i>The Stellenbosch Safety Initiative (SSI) is an operational forum which meets fourth nightly discussing operational matters on crime in the Greater Stellenbosch. The forum success is measured by SAPS through the convictions of successful arrests and prosecutions being made. Sharing their resources expands their ability to fight crime in the WCO24.</i></p>
<p>Pg.53: MOU: CCTV Monitoring</p> <p>Where does this CCTV monitoring take place? How are the monitors maintained?</p>	<p><i>CCTV is monitored daily and is monitored from the control rooms, one at Traffic and Law enforcement Offices. No MOU exists with any external bodies. Cameras are repaired within a seven day cycle if not functional. We have 72 cameras operating in the Stellenbosch area.</i></p>
<p>Pg.54: MOU: Security Cluster – joint operations to fight crime</p> <p>Where do these joint operations take place, and at what financial cost?</p>	<p><i>A joint operation with our Safety Partners (SAPS and security forces) occurs frequently based on the need. The Joint operations range from drug busting, fighting organised crime, land invasion, strike actions etc.</i></p>
<p>p111 Chairperson TL 23 the two red once there.</p> <p>Review and submit a Sport and Recreation Management Plan to the Portfolio Committee by 31 March.</p> <p><i>Why don't we see a target there?</i></p> <p>Answer: Target is on the previous page at the bottom.</p>	<p><i>The Sports Management plan will serve before Council in March 2016 after the consultation with the various sport councils.</i></p>
<p>p135. Franschhoek Farm Guard. Security services.</p> <p>We get a lot of complaints from the security companies that are not on standard.</p> <p>What is the measurement of these security companies?</p>	<p><i>The companies are measured with a service level agreement with financial penalties in the event of failing to deliver adequate security.</i></p>
<p>p137. "Syntell" Speed cameras in our town are not working?</p>	<p><i>Syntell does not have a contract with Stellenbosch and only with Cape Town and operation days are not affected.</i></p>



<p><i>How are the provider paid per day or per service.</i></p> <p>Answer: Richard Bosman. Syntell does not have a contract with Stellenbosch and only with Cape Town and operation days are not affected</p>	
<p>p135. Leelyn Management. I see there are two contracts “Management of Kerb Street Parking and Managing of Off Street Parking in Stellenbosch”</p> <p><i>Can we have more information if these contracts only have for these people to sit in the cubicles and issue tickets?</i></p> <p><i>Do they have any other responsibility when you look at the parking areas for instance to look at people working as car guards and maintenance of the parking area?</i></p>	<p><i>The contract with Leelyn was purely awarded for the management for parking in the CBD. The core responsibility for the parking marshals is mainly: the issuing of tickets for payment for parking with the LED component attached to the contract allows the service provider to employ people for Kerb street and off street parking. The service provider performance is measured by a SLA. Due to poor performance the service provider was put to terms with a final written performance notice which in the case of failing to honour the notice the contract will be terminated.</i></p>
<p>This question is to Mr. Bosman on the Leelyn Managements contracts. Although it is a poor contract that has been allocated by the Municipality.</p> <p><i>What can be put in place to use service providers on our database to render the service?</i></p> <p>It appears that we “gate-keep” that the previous service providers. They come from outside and secondly they render poor services. SCM indicate that they were the only service provider to submit a tender.</p> <p>Response: Richard Bosman: The question relates to Cllr Du Toit to the nature, and quality of the service and t be taken into account.</p>	<p><i>The Traffic department propose that we should reconsider the pay on foot system with a back office, meaning the following: a metered payment system linked to a back office for audit purposes. This system will operate similar to those operating at shopping malls.</i></p>
<p>p140. The licensing of dogs was a municipal function. Does this municipality have such function?</p> <p>Answer: Richard Bosman: No municipality licence dogs because it is not cost effective. The ordinance allows the municipality to “may” request the issue of a licence but the income and the expenditure had huge difference. We can deal with the behaviour of the dogs.</p> <p><i>The problem is not in the well-off areas but in the poor</i></p>	<p><i>No municipality licence dogs because it is not cost effective. The ordinance allows the municipality to “may” request the issue of a licence but the income and the expenditure had huge difference. We can deal with the behaviour of the dogs.</i></p>



<p>areas.</p> <p>Answer: Richard Bosman: A dog control unit was brought in to deal with dogs in the metro. The ordinance needs to be amended to address the need in the area. The SPCA can do the sterilisation in the area. The Council can provide a grant to deal with the dog problem.</p> <p>Chairperson: Animal welfare is involved in the area and we can maybe include that information in the annual report to arrive at a solution.</p>	<p><i>:A dog control unit was brought in to deal with dogs in the metro. The ordinance needs to be amended to address the need in the area. The SPCA can do the sterilisation in the area. The Council can provide a grant to deal with the dog problem.</i></p>
<p>p20. Million trees,</p> <p><i>Did the municipality have other costs with this project?</i></p> <p>I see 3 jobs were created. I just want to cancel out the costs against the amount of jobs created.</p>	<p><i>Trees purchases; marketing and PR; sundries and materials purchases; rental of water tanks; appointment of staff for maintenance and tree planting; payment of interns to do tree monitoring; etc.</i></p>
<p>p206. Town hall Cleaners. We have 8 cleaners.</p> <p><i>I want to know how they are utilized.</i></p> <p>I can assure you that the town hall was not used today but it is not clean. The cloak rooms are not clean.</p> <p><i>What are we doing with eight cleaners?</i></p> <p>Answer: Cllr Bergstedt. I have an answer. The 8 people are used at other venues such as the Eikestadt hall. They are 8 of the EPWP workers shifted around.</p> <p>Request: Cllr. Groenewaldt. I would have feedback on the 8. To evaluate the truth.</p>	<p><i>With reference to the 8 permanent employees our staff compliment is still not sufficient to adequately service our facilities. The employees need to clean 6 facilities in the WCO24. Tremendous pressure is being placed on our staff due to the amount of functions being held in the Stellenbosch town Hall</i></p>
<p>p207. Law Enforcement. We have 58 law enforcement. The safety in Stellenbosch.</p> <p><i>Would it not be beneficial to appoint these 58 employees to address the matter that we have with the security companies?</i></p>	<p><i>It would be beneficial for the stipend workers to be permanent but this will amount to excessive total cost to the company. The Municipality will only employ 17 stipend workers permanently.</i></p>
<p>p210. We continuously look at the safety as mentioned by Cllr. Mcombring. It looks as if law enforcement is nowhere present. It can be traffic. With students who park on the pavements.</p> <p><i>I want to know why we have law enforcement officers and traffic officer. The taxis are a problem.</i></p>	<p><i>Regular traffic law enforcement through programmes are instituted throughout the WCO24. The directorate has a safety plan which guides our operations daily.</i></p>



<p>No-one monitors it in the morning and we have Bellville here in Stellenbosch. <i>They must explain why our traffic looks so bad.</i> Clarification Chairperson. Cllr can we say to assist them in a whole you criticise the safety and what strategy they will implement to address the complaints of the public.</p>	
<p>The IDP team visited our ward in last year. They determined that community safety is the current first in all 22 wards. I would think that in the previous year that it would have looked different. Come we say in all earnest that it should be third in the worst scenario. If we look at page 225. "Number of Traffic officers in the field on an average day" is mentioned 22. <i>We need to know where this happen?</i> We cannot say it in the annual report Previously it is mentioned in my ward that two people are deployed in my ward. <i>I would like to know where?</i> <i>When we talk about appointments in the traffic department, no vacancies exist?</i> <i>We work off the organogram</i> The department is filled as required. <i>How do we not get the service with an effective trained service? Not enough man power. For example this week:</i> <ol style="list-style-type: none"> 1. EFF 2. Transport of the Provisional Officials 3. E.t.c Response: Cllr Johnson. I just want to latch on what the councillor Groenewaldt mentioned. About two dedicated officers patrolling on regular shifts. I wrote here" it is a lie". I have never seen it. I previously talked to officers today. Who told me how councillor how do I know. When you are here we are there "I have a community there that inform me about the complaints <i>On p224. Under objectives they talk about "Visible policing" This does not happen in my ward.</i> I would request that what they indicate here that the two dedicated law enforcement officer must happen please.</p>	<p><i>31 Organogram</i> <i>3 Vacant</i> <i>28 divided into 5 shifts namely:</i></p> <ul style="list-style-type: none"> A. 06h00 – 14h30 B. 09h30 – 18h00 C. 16h30 – 24h00 one weekend on one weekend off <p><i>(28)</i></p> <ul style="list-style-type: none"> ➤ 3 Public Transport ➤ 2 Speed ➤ 2 Accidents ➤ 1 Training ➤ 1 Vehicle testing Station ➤ 3 DLTC ➤ 1 training College <p><i>28-13= 15 officers these 15 are deployed to WC024</i></p>



<p>Response: Cllr. Mcombring. The experience of ward 6 is different since the procurement of a safety trailer. The community wants to say thank you for the service. An MOU agreement was signed with the security cluster, campus control and the municipality. The MOU work well in the town.</p> <p><i>Can the MOU agreement be used at the other areas? Every two hours the special ops to sign the register ant the police patrol regularly?</i></p>	<p><i>The MOU with the University of Stellenbosch works because its two entities sharing resources collaborating to provide the safe environment for the various communities. An MOU will work but then the Municipality must have a entity or organisation to sign the agreement with. During the financial year in question Law enforcement and the the community operated with the Safety Trailor at various critical points in ward 6. It is something to consider with the future.</i></p>
<p><i>I see something interesting pertaining to the fines. I see R19 million was collected. It will be interested to see how much fines were issued for the period.</i></p> <p><i>Response: Richard Bosman: It will be normally 5 times the collected amount around R100 million.</i></p>	<p><i>I would recommend that Ward Clrs budget in the IDP for additional officers which should be linked to a specific safety project, i.e. ward 13, 14 and 15 is a typical example of where the relevant Ward Clrs budget appropriately and we do the necessary appointments in consultation with the ward Clr. Our current staff is not sufficient to cover the entire WC024.</i></p> <p><i>It should be noted that there is a Memorandum of Corporation between the municipality, the security cluster and Campus Control (US) to address safety in the WC024. Campus Control is limited to their jurisdictional area. However, we strive to cover all areas with available manpower.</i></p>
<p>p227. When look at the accidents I will confirm as Cllr Groenewaldt.” I rest my case. It did not double but is far more in comparison with last year</p>	<p><i>Cllr. The statement is duly noted</i></p>
<p>p247. Community & Protection. Post levels. 17 vacancies having in mind the security problems in Stellenbosch.</p> <p><i>Why was it not filled? Request Cllr Du Toit: And then it must be divided into</i></p>	<p><i>(The department is not aware of 17 vacancies)</i></p>



<p><i>the different racial groups?</i></p>	
<p>p280. Flood lights at Sport fields.</p> <p><i>What is the reason for the underspending and an additional funding is brought in with the adjustments budget and still underspend with -26,4%</i></p>	<p><i>Under spending on vote is because of electrical cables that must still be installed and connected by Eskom. The electrical department created an order from their votes.</i></p> <p><i>The project is dependent on the Electrical Department to supply electricity before we can commission the flood lights.</i></p>
<p>P39. Sport Management Model (draft). How can this be a highlight if it is not completed in 4 years since May 2012.</p>	<p><i>The draft Sport management plan was highlighted because it would have improved the way in which sports facilities was managed in the Greater Stellenbosch. The model served on various committees and was referred back for more consultation with the sporting community and general public.</i></p>
<p>Pg.38: Lack of facility management skills: "...will send some of the sports council members for training"</p> <p>How will this be financed?</p>	<p><i>The facility management training for both the municipal officials and sport councils will be conducted by the DCAS of the Western Cape will be offering the training free of charge. DCAS is a stakeholder as well as a partner performing oversight in the formulation of our management plan.</i></p>
<p>Pg.38: Expired Lease Agreements</p> <p>In a case of an expired lease, who takes responsibility for the activities on the sports field --- the Club or the Municipality?</p>	<p><i>In the absence of a signed agreement the operations works as follows: The sport councils take full responsibility for the maintenance and house- keeping of the interior of the facilities. The Municipality will take full responsibility for the repairs and maintenance which include capital investment s</i></p>
<p>Expired lease agreements. These leases expired in May 2012 and for almost 4 years the administration has failed to get the various Sports Council to enter into new leases or agreements. There is also the issue of outstanding debts of these Sports Council where as an example Van der Stel owes the municipality around R1 Million rand for years.</p>	<p><i>The administration presented the first management plan in May 2010. The plan proposed that the then lease agreement of eleven years which was drafted by Cluver and Markotter be signed by all sport councils and endorsed by council. The plan was ever since referred back by all committees it served on. Subsequently sport councils exploited the absence of the agreement and failed to honour their payment obligations. In the case of Van Der Stel they followed the example of the other sport council and stop to pay. The electricity and water was cut and they paid a cash amount of R100 000 at that point Van Der Stel was in arrears with R500 000. Van Der Stel undertook to pay their monthly service charges but not the outstanding debt of R500 000.</i></p>
<p>P 38 Municipal Challenges. Investigate the possibility of using astro-turf on sport fields. Who decided on this going forward? Surely this is not</p>	<p>Two projects was registered for MIG funding namely: Idas Valley (hockey)and Kayamandi</p>






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<p>sustainable as to the cost implications. Which sports councils asked for this?</p>	<p>(soccer). The infrastructure would have been fully funded by MIG and which advised on the sustainability of the infrastructure and recommended astro –turfs the operational costs would have been less than what we are currently spending on the fields at the current moment.</p>
<p>p207. Food Security. Is that a function of the municipality? I see there were 25 jobs created. Is it gardens, soup kitchens? What does it entail?</p>	<p>No. <i>This is a strategic project which is aligned with a scheduled 5B function which resides under the municipal parks and recreation.</i> <i>Combinational beautification and planting is done with a mixture of vegetables, herbs and shrubs. This project has created 25 jobs of which 6 individuals were permanently employed.</i></p>
<p>p136. “A Water Resource Assessment Study at Kylemore Sportsgrounds. I am from that ward - Geowater IQ (PTY) LTD” What does this service mean?</p>	<p><i>A borehole was installed at the Sportsground. This study was done before the installation to determine the feasibility of the borehole.</i></p>

APPENDIX 3

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 utilitas@iafrica.com



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 083 232 7382
 082 462 6480

4 March 2016

Acting MM
 Stellenbosch Municipality
 Plein Street
 STELLENBOSCH

Attention : Mr R Bosman

email idp@stellenbosch.gov.za

RE : Inputs and Comments on Draft Annual Report 2014/2015

Herewith my comments as per invitation of municipality and MPAC chairperson.

Page 35.

Exchange Entrepreneurial Mentorship . Where is the list on names of the 20 entrepreneurs listed in this program.

Alternative energy. I read that this policy is ready. Please indicate at which meeting this policy were put before Councillors seeing it is mentioned in the annual report.

Page 37

Extension of the Stellenbosch Waste Water Treatment Works (SWWTW). How on schedule is this project and how must spend to date on this for consultants and on Construction.

MIG projects. Is this coorect that all MIG funding was spend in the finalcial year under revue and that no moneys were returned or arried over to the next financial year.

Page 38 Municipal Challenges

Shaping Stellenbosch Campaign . Who decided to use this Campaine in the IDP process and why was it not continued with?

Investigate the possibility of using astro-turf on sport fields. Who decided on this going forward? Surely this is not sustainable as to the cost implications. Which sports councils asked for this?

Expired lease agreements. These leases expired in May 2012 and for almost 4 years the adminstration has failed to get the various Sports Council to enter into new leases aor agreements. There is also the issue of outstanding debts of these Sports Council where as an example Van der Stel owes the municipality arrounf R1 Million rand for years.

Planning for a mega development (large scale integrated human settlement) . What has happened about the Council resolutions taken in 2014 regarding Droedyke and Argi-villages. Why does admin only dicided on this project?

Task implementation process. In the 2013/2014 Annual report admin said that TASK would be complete in Nov 2014. Now a year later its still not completed and Council does not know as to what cost implications are of TASK.

Low staff morale. What is the cause of this?

Poor Human Resource and Labour Relations support. Why?

Farm Extension of Security of Tenure Act (ESTA) evictions are increasing at an alarming rate. Details please? Is this happening on municipal leases farms?

Page 39

G Reid (President) Y Martinus (Secretary)

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Sport Management Model (draft). How can this be a highlight if it is not completed in 4 years since May 2012.

Page 40

120 sites serviced Jamestown, Farm 527. **Did this really happen?**

Successful relocation of 60 households Families in emergency after fire disaster as well as families that impact on the Jamestown Farm 527 development . **Surely this cannot be a highlight. Currently Blauwklippen Estate in court to have rest of Greefgat residence evicted.**

Replacing 96 asbestos. Will municipality Continue replacing asbestos roof in other areas.?

Page 41.

Planning and Economic Development: Local Economic Development. How serious is the municipality in addressing this. Each year the same lip service is given.

Page 43

Long Term Financial Plan was updated during the financial year. **Did this update serve before Council ?**

Page 44.

Debt collection. Why is Debt collection a challenge seeing that " Geodebt " has been appointed to do debt collection since at least 2007. When will Council get a report on the work Geodebt is doing on debt recovery?

Identify new revenue streams. **Why appoint task team when this is listed in Financial plan adopted by Council in 2014?**

Net Surplus of more than R25 Million rand. **I question the credibility of the budgeting preparation as originally on around R9 million budgeted for.**

Page 45

Actual Capital expenditure is 22% less than Original budget . Thus R64 Million less spent than original budgeted for and public told.

Page 47

Delegations. When will council get revised System of delegations seeing Council were told that there is illegal delegations on which are acted.

Page 50 and 51

MFMA COMPETENCIES .

Do these comments only apply to MFMA competencies and not the Minimum Competency qualifications prescribed by legislation.

Page 57.

Where is the Establishment notice that indicate the Position of the Executive Deputy Mayor as a full time council so as to authorise his payments in terms of the gazetted remuneration level of political office bearers act. In the absence of an establishment notice the Deputy Mayors payments as full time Councillor is irregular and must be recovered as what was done with the Single Whip .

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Page 65

The Directorate interacts with the University of Stellenbosch on various levels and via a variety of committees, e.g. the Integrated Development Planning Committee, the Mayor/Rector Forum and Infrastructure Innovation Committee.

Who are the members (by name) of IDP committee , The Mayor Rector Forum and Infrastructure Innovattion Committee. Who elected them and how representative are the of the community.

Page 81

Why is MSCOA identified as a Critical risk seeing that National treasury indicated that the will guide the municipalities through this implementation process.

Page 82

When will council get a report on the work done by the Fraud committee indicating the work they do and outcome of cases brought to the fraud committee.

Page 85

No indicators given as to how any quarterly reports the Audit committee submitted to Council for the year under review and as to the dated these reports were submitted to Council.

Page 87

Annual Risk Based Audit Plan

No Actual hours listed against what was budgeted. Why?

Page 93

Municipal Website

I do not agree that all documents are placed on the municipal wed site as required by law. i.e The R100 million rand long term loan entered into with DBSA is not there , Nor the service level agreements of multi year service providers like Geobedt ect.

Page 96

What with municipality do with info regarding public surveys done.

Page 100




Council does no oversight over SDBIP as its only brought before Council for notification.

Page 122



Why no monitory values included in schedules and what % of work done against targets

Page 180

Property management : Contracts management. Is the a schedule available of all municipality properties leased out and how these leases were obtained.

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Page 244
Employment Equity

Council has appointed a Employment equity Committee. I see no indication as to how many meetings this committee has had. In this regard I attended two scheduled EE meeting which was cancelled due to chairperson ruled that Labour representatives to properly elected. Is there minutes available of the EE meetings and items the EE brought to Council fir year under review.

Page 283

The Municipal investments grew with around R102 Million rand in one year. What is the source of this growth.

Appendix Annual Financial Statements

On pages 80 and 81 the Remuneration levels of both the Directors Human Settlements and Planning are calculated at around R996 000 per year. Why are both of the paid above what the law prescribes. In this regard both these directors did not have the minimum competency qualifications and met the criteria as set out in legislation to qualify for this remuneration levels. How will Council rectify this illegality and recover these excess payments.

Even the Statement of results issued by the LGSETA confirm that both directors did have the minimum competency qualifications at the date of their employment at the Stellenbosch municipality in 2014.

I question as to why mention is made in the AFS of the MM Ms C Liebenberg resignation. I however notice that mention is also made that she got paid two months' salary as part of her resignation. Please note that the documents presented to Council indicate that the MM Ms C Liebenberg resigned with immediate effect. Council never resolved to pay her any additional two months' salary. I also beg to ask if the administration informed the MEC A Bredell that Ms C Liebenberg resigned from the Stellenbosch municipality at the time that she was suspended due to a disciplinary process that has commenced against her. Please note that legislation obliges that this be reported to the MEC A Bredell.

Regards

DA Hendrickse
 SCA – Whip
 CC MPAC Chair Clr H Bergsted
 IDP Mr R Esau

APPENDIX 4



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

REPORT

OF THE

OVERSIGHT COMMITTEE

2014/15 FINANCIAL YEAR

30 MARCH 2016

CONTENT

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2	LEGAL FRAMEWORK	2
3	BACKGROUND	3
4	APPOINTMENT AND MANDATE OF THE OVERSIGHT COMMITTEE	3
5	METHODOLOGY	4
6	FINDINGS & RECOMMENDATIONS OF THE OVERSIGHT COMMITTEE	5
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7	CONCLUSION	7

A handwritten signature in black ink, consisting of a large, stylized 'P' and 'A' intertwined, with a smaller 'S' below it. Below the signature is a handwritten number '1'.

1 INTRODUCTION

This document constitutes the Oversight Report on the 2014/15 Annual Report of the Stellenbosch Municipality which has been compiled in terms of Section 129 of the Local Government Municipal Finance Management Act, Act 56 of 2003 (MFMA).

2 LEGAL FRAMEWORK

The Oversight Report is compiled in accordance with the following:

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

1. Section 121 (1) of the Municipal Finance Management Act, Act 56 of 2003 (MFMA) requires every municipality to prepare an Annual Report. The municipal council must deal with this report within nine months of the end of the financial year (31 January).
2. Section 127 (5) (1) of the MFMA requires the accounting officer to make the annual report public and invite the local community to submit representations in connection with the annual report following the tabling thereof.
3. Section 127 (5) (b) of the MFMA requires that the tabled annual report must be submitted to the Auditor General, Provincial Treasury and the Provincial Department of Local Government.
4. Section 129 requires the municipal council to adopt an oversight report by no later than 31 March containing the councils comments on the annual report which must include a statement whether the council;
 - a) has approved the annual report without reservations; or
 - b) has rejected the annual report; or
 - c) has referred the annual report back for revision of those components that can be revised.

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

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

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3. BACKGROUND

Stellenbosch Municipality tabled its Draft Annual Report on 27 January 2016. The Annual Report was submitted to the relevant authorities and made public on 8 February 2016 and the closing date for submissions was 4 March 2016. Advertisements were placed in the Eikestadnuus on the 11 February 2016 (1st advert) and 03 March 2016 (indicating the change of venue of the public hearing). One submission was received from the public. An evaluation report was received from the Provincial Government: Department of Local Government indicating that the Annual Report be drafted in accord with the guidelines provided in MFMA Circular 63.

4. APPOINTMENT AND MANDATE OF THE OVERSIGHT COMMITTEE

MFMA Circular 32 of 2006 prescribes the Oversight Process and the establishment of an Oversight Committee. The Municipal Council appointed its Oversight Committee in terms of Section 79 of the Local Government: Municipal Structures Act, Act 117 of 1998 per the 37th meeting of Council on the 27 January 2016, as follows:

1. *That the Stellenbosch Municipality Oversight Committee be constituted as follows:*

- (a) (i) *Councillor HC Bergstedt*
- (ii) *Councillor NM August*
- (iii) *Councillor R Du Toit*
- (iv) *Councillor E Groenewald*
- (v) *Councillor MC Johnson*
- (vi) *Councillor NE McOmbring*
- (vii) *Councillor RS Nalumango*
- (viii) *Councillor MM Ngcofe*

2. *The standing members of the Oversight Committee (MPAC) co-opted Mr. L Cloete and Dr. NL Mortimer as external members to assist with the oversight process.*

3. *Oversight Committee elected Dr. NL Mortimer as Chairperson;*

4. *That the functions of the Oversight Committee be as follows:*

- (a) *to undertake a detailed analysis and review of the Municipality's Annual Report;*

A large, stylized handwritten signature is present in the bottom right corner of the page, overlapping the text of item 4(a). Below the signature, there are some smaller, less distinct handwritten marks.

- (b) to consider inputs from the Council, Portfolio Committees, Ward Committees and the public on the Municipality's Annual Reports;
- (c) to consider inputs from the Municipality's Audit Committee and Performance Audit Committee as well as the Auditor General on the Municipality's Annual Reports;
- (d) to draft the Oversight Report based on the Municipality's draft Annual Report.
5. That the Oversight Committee complete its work as contained in the Compilation item of the Oversight Committee, including a planning sitting and a sitting to present the Oversight Report to Council;
6. That the Oversight Committee be permitted to co-opt advisory members should this be necessary; and
7. That the municipality advertise its intention to appoint the Oversight Committee as set out above".

5 METHODOLOGY

The Oversight Committee conducted the Oversight Process over 11 sessions between 01 February 2016 and 22 March 2016 and the process concluded with a presentation to the Municipal Council on 30 March 2016.

The meeting schedule was as follows:

Session	CONTENT	DATE
1	Orientation session of oversight process	1 February 2106
2	Forewords and Chapter 1	8 February 2016
3	Chapter 2	15 February 2016
4	Chapter 3	22 February 2016
5	Chapter 4, 5 & 6, Annual Financial Statements and Report of the Auditor General	29 February 2016
6	Public Hearing	7 March 2016
7	Discussions with the Directorates with their Portfolio Chairpersons	11 March 2016
8	Discussions with the remainder of the Directorates with their Portfolio Chairpersons	14 March 2016
9	Discussion of outstanding issues and in principle recommendations on	17 March 2016

	the structure of the oversight report	
10	Drafting of Oversight Report	18 March 2016
11	Finalizing of Oversight Report	22 March 2016
12	Tabling of Oversight Report to Council	30 March 2016

The 2014/15 Annual Report was compiled to align to the new format prescribed by National Treasury. For ease of reference the structure of the Stellenbosch Municipality Annual Report is given below;

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

During the Oversight Process, the Oversight Committee made recommendations on the improvement of the Draft Annual Report 2014/15 which entailed minor corrections and additional information that would make the Draft Annual Report reader friendly. These improvements were made to the extent that information was available.

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

6. FINDINGS & RECOMMENDATIONS BY THE OVERSIGHT COMMITTEE

6.1 FINDINGS:

The oversight committee noted that not sufficient opportunity was allowed to engage with outstanding matters from the previous oversight report (2013/14). An example is the repetition of matters reported by the AG and the fact that the oversight committee raised these matters as concerns before. Recommendations should therefore be monitored on an on-going basis to retain the status of a clean audit.

The most critical top ten matters to be actioned are the following:

No	Question /Observation	Pg	Response	Recommendations/Actions (Oversight Report)	Impact
1	Housing	175	Verbal report was provided	Housing remains of primary concern to the oversight committee even though it is not the function of local government. It is recognised that the Stellenbosch Municipality should optimise intergovernmental relations and finalise all policy matters and plans to ensure more efficient housing delivery to the greater Stellenbosch.	Referred
2	Ward Committee	16	Verbal report was provided	Ward delimitation causes concerns with councillors and communities if not clearly defined and reported on. The Council should ensure that improved communication with ward councillors address any disputes on these matters. Support to ward councillors appear to be inconsistent as the supervision and activities of Ward Administrators and ward committees need to be reviewed in consultation with each ward councillor.	Referred
3	Property Management	180	List of leases provided	Reporting on property management appears to be inadequate as the assets of Stellenbosch Municipality require more detail in the annual report and should be addressed at an operational level to ensure that regular inspections of all assets are done to verify compliance with contracts.	Referred
4	TASK	158	Submission made to Oversight Committee	The oversight committee acknowledge the effect that TASK has on the organisation and that the process has affected the morale to the extent that distrust and dissatisfaction might exist amongst members of staff. Clarity on the delegated powers to authorise payments and a full report on TASK needs to be tabled to Council including full and final cost of the whole process and the way outstanding matters will be dealt with as well as the way forward to finalise appeals and future job evaluations.	Referred
5	Macro structure	236	Reports as acknowledged by management	A section 66 report be prepared as soon as possible with reference to capacity problems found in Legal ,HR,ICT, Traffic Services etc.	Referred

6	Organisational culture	158	Observation during submissions	The MM should investigate the prevailing organisation culture and need to change as it was observed by the oversight committee that related problems and morale was raised as concerns throughout the year.	Referred
7	Geodebt	282	CFO indicated that there is compliance	Official status of Geodebt as per the letter from National Treasury and compliance to the MFMA to be reported	Referred
8	System of Delegation as mentioned in the Management report of the AG	99 AFS	Note to the AFS	The existing (Zybrands) system of delegations be reviewed for compliance	Referred
9	Contract management	175	List of leases provided	Dedicated staff, controls and systems be considered to ensure improved contract management, in respect of leases, service providers, etc.	Referred
10	Unauthorised expenditure	99 AFS	Note to the AFS	That Circular 68 be complied with in terms of referring irregular and fruitless and wasteful and unauthorised expenditure to MPAC	Referred

A comprehensive summary of all the issues emanating from the discussions on the various chapters of the Annual Report is attached as appendix

6.2 RECOMMENDATIONS

The oversight committee recommends that the matters depicted in the matrix in 5.1 above be adopted by Council as an action plan to be monitored and reported on to Council on a quarterly basis in order to retain the status of a clean audit.

7 CONCLUSION

The Committee would like to commend the Municipality on its performance, especially the achievement of a clean audit. As chairperson, I would like to thank the members of the Oversight Committee and all officials who participated in the 2014/15 Oversight Process for their commitment, time and cooperation. The attendance and valuable support by the representative from SALGA, Mr. Abdul Joseph, is recorded with appreciation. The oversight process was successful and enabled the Committee to identify areas that will enable the Municipality to maintain its clean audit and to improve on areas identified. It was observed by the Oversight Committee that a spirit of improved cooperation by the administration was evident, which we are extremely thankful for. I am of the opinion that the 2014/15 Annual

Report accurately reflects the performance of the Municipality for the year under review and on behalf of the Oversight Committee I recommend that the Council approves the 2014/15 Annual Report without reservations.



Chairperson: MPAC



Chairperson: Oversight

Date: 22 March 2016



7.4 APPROVAL OF THE AUDIT ACTION PLAN – 2014/2015

File number : 5/9/2/1/2014-2015
 Compiled by : Senior Admin Officer
 Report by : Acting Municipal Manager
 Delegated Authority : Council

Strategic intent of item

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

1. PURPOSE OF REPORT

The purpose of this item is to approve the Audit Action plan for 2014/2015, attached as **APPENDIX 1**, that was developed by the Auditor-General for the Administration of Stellenbosch Municipality in its strive to maintain the clean audit status that was received during 2014/2015.

2. BACKGROUND

The regulatory 2014 - 2015 audit by the Auditor-General highlighted various concerns to be addressed to maintain the clean audit. An Audit Action Plan was developed to address these concerns.

3. DISCUSSION

In terms of Sec 131(1) of the Local Government: Municipal Finance Management Act, 56 of 2003,

“A municipality must address any issues raised by the Auditor –General in an audit report. The mayor of a municipality must ensure compliance by the municipality with this subsection.”

The report includes all matters of concern raised by the Auditor-General, recommendations to rectify the concerns. Responses and corrective measures taken on the concerns raised by the Auditor-General will be reported to Council of a 3 monthly basis.

4. LEGAL IMPLICATION

Not required.

5. FINANCIAL IMPLICATION

Not required.

6. COMMENTS BY RELEVANT DEPARTMENTS

Not applicable.

RECOMMENDED

that the Audit Action Plan for 2014/2015, be approved.

(ACTING MUNICIPAL MANAGER TO ACTION)

APPENDIX 1

corrective action complete/ implement
 process started NYC
 no start as yet

corrective action complete/ implement
 process started NYC
 no start as yet

AUDIT ACTION PLAN - 2014/2015 REGULATORY AUDIT

Detail of audit findings _ 30 June 2015 AFS							Corrective Actions				
ComAF #	Description	Type	Department	Finding Detail	Internal Control Deficiency	AG Recommendation	Actions to ensure compliance to the applicable standard/ ac/ regulation	Deadline	Progress Indicator	Detail	Responsible Official
31	Improvements not accounted for during the valuation of buildings	PPE	BO	The sub-classification of land & buildings and improvements is inconsistently applied. The buildings were revalued at 30 June adjusting the carrying values. Additions recorded in the Fixed Asset Register due to improvements during the period as well as during prior periods. These were misclassified and not identified for the purposes of valuing buildings as at 30 June 2015. Resulting in PPE, Revaluation reserve and Depreciation being misstated.	Management supervision and review controls did not prevent and detect omissions of building improvements from the calculation and processing of the adjustments resulting from the valuation process.	Improve review and supervision controls to prevent and detect errors Correct classification	The fixed asset register was scrutinised in detail to ensure assets are classified and accounted for in line with the relevant accounting standards and policies.	29 Feb 2016 - 31 March		Directive 11 was approved and will be retrospectively implement for 2016 . The cost model will be implemented. An asset workshop was held end of 2015 to discuss classification issues. The Asset management team will establish timeframes to go to the various locations to confirm the classification of all relevant assets. a Gap analysis will be performed by reviewing the current process	Snr Accountant: Assets
27	Incorrect classification of land earmarked for housing	PPE	BO	Land earmarked for housing development was wrongly classified as Land&Buildings. PPE overstated and inventory understated with 5.7m	The municipality's review controls were not sufficient to prevent misstatement resulting from the interpretation of the GRAP standard. Consequently, the misstatement relating to land earmarked for distribution could not be prevented and detected by managements review controls.	Establish procedures and process to ensure correct classification of land. i.e adequate supervision, monitoring and communication between sections	Establish communication between New housing, prop management & finance	29 Feb 2016 - 31 March			
32	Misstatements between asset types in the AFS	PPE	BO	The difference results in the misstatement of the disposals in the fixed asset register by R59 554. The differences were identified during the performance of the fixed asset reconciliations to the general ledger, but the fixed asset register was not corrected accordingly. This indicates that management did not adequately review the fixed asset reconciliations prior to the submission of the fixed asset and financial statements for audit.	Management failed to ensure that the fixed asset register is updated to agree to the general ledger subsequent to the performing of the reconciliation.	Leadership and management should perform adequate reviews of the fixed asset reconciliation to the general ledger and financial statements to ensure that information disclosed is accurate and complete prior to submission for audit purposes.	Improve monthly reconciliations. The above disposals were incorrectly removed from the asset register. This however has no effect as the carrying value at year end is zero. No depreciation occurred on the assets as the remaining useful life of the assets was zero. Although the asset register excludes the above two assets, the asset register is not misstated and no adjustment is required.	29 Feb 2016 - 31 March			Snr Accountant: Assets
51	Misstatement in the accumulated surplus	AFS	BO	The prior year adjustment as indicated in the Accumulated Surplus column in the Statement of Changes in Net Assets to restate the balance at 1 July 2014 is misstated	Review of AFS prior submission	Review of AFS prior submission	Request technical support from CaseWare to adjust template as required	29 Feb 2016 - 31 March			Snr Accountant: AFS & Recons

corrective action complete/ implement
 process started NYC
 no start as yet

corrective action complete/ implement
 process started NYC
 no start as yet

AUDIT ACTION PLAN - 2014/2015 REGULATORY AUDIT

Detail of audit findings _ 30 June 2015 AFS							Corrective Actions				
ComAF #	Description	Type	Department	Finding Detail	Internal Control Deficiency	AG Recommendation	Actions to ensure compliance to the applicable standard/ act/ regulation	Deadline	Progress Indicator	Detail	Responsible Official
50	Misstatements in actual and budgeted amounts	Budget	BO	<p>a) Management omitted to disclose the actual amount for Service Charges under the column "Actual amounts on comparable basis" on the Statement of Comparison of Budget and Actual Amounts</p> <p>b) Management reflected amounts on the final budget column of the Statement of Comparison of Budget and Actual Amounts which were different from those appearing on the Adjusted Budget column of Table B4 of the approved Adjustments Budget.</p> <p>c) Management has also calculated and disclosed incorrectly the Net cash flows from financing activities and consequently also the balances for the Net increase/(decrease) in cash and cash equivalents and Cash and cash equivalents at year-end.</p> <p>d) Management reflected amounts on the Actual amounts on comparable basis column of the Statement of Comparison of Budget and Actual Amounts which were different from those appearing on the Cash flow statements as per the face of</p>	Review of AFS prior submission	Management should revise the whole Statement of Comparison of Budget and Actual Amounts	Review of AFS before submission. Review that all links are working correct.	29 Feb 2016 - 31 March			Head: Budget & Cost
28	Employee costs allocated to Repairs and Maintenance	Exp	Exp	Salaries and Overtime was classified as Repairs and Maintenance.	GRAP incorrectly applied by not classifying expenditure based only on either nature or function.	Individual transactions making up the line items within the annual financial statements should be evaluated to ensure that these transactions are properly allocated and classified in terms of only one of	Ensure correct classification of similar expenses for 2016	29 Feb 2016 - 31 March			Manager: Budget Office
10	Payments not made within 30 days	Exp	Exp	Invoices were not paid within 30 days of receipt of the supplier's invoice. The invoices are stamped at various stages in the payment process. Difficulty establishing actual date of receipt	No effective procedures to monitor transactions from the date first received to the date payments	Get specifically design stamp for receipt purpose. Document valid deviation of 30 days.	The system that is currently in place will be reviewed and improved upon to ensure that all invoices issues between the creditors and the user department are resolved within 30 days of receiving the invoice.	29 Feb 2016 - 31 March		All incidents of invoices played after 30 days. Should be accompanied with an explanatory report and filed for AFS audit purpose	Head: Expenditure

corrective action complete/ implement
 process started NYC
 no start as yet

corrective action complete/ implement
 process started NYC
 no start as yet

AUDIT ACTION PLAN - 2014/2015 REGULATORY AUDIT

Detail of audit findings _ 30 June 2015 AFS							Corrective Actions				
ComAF #	Description	Type	Department	Finding Detail	Internal Control Deficiency	AG Recommendation	Actions to ensure compliance to the applicable standard/ act/ regulation	Deadline	Progress Indicator	Detail	Responsible Official
33	Performance management system not in place	PMS	Corp	No Performance Management System (PMS) in place for the staff other than section 57 employees.	The municipality is in the process of implementing the performance management system (PMS) for staff members other than section 57 employees and this process has not yet been finalised.	Accounting Officer (AO) should finalise PMS to ensure that performance of all staff is being monitored, measured and evaluated as required by the MSA and as per the performance management policy framework of the municipality.	We agree with the recommendation to the rollout plan. Managers signed portions from the SDBIP as an agreement to performance measures that are used to measure performance on a monthly basis. One-on-one sessions were held with all managers by Directors to roll-out the individual performance management system during May and June 2015. Some of the managers signed a draft performance agreement for the 2015/16 financial year.			The performance management framework will be rolled out to all managers and heads during the 2015/16 financial year. Training on the execution of the performance management system will be held on the 4th of November 2015 with all managers and for all heads on the 5th of November 2015. Our first formal performance assessment of managers and heads reporting to directors will be done before the end of January 2016. The following evaluations will take place April and July 2016.	Manager: IDP & PMS
34 & 35	Annual leave not approved prior to employee taking the leave	HR	Corp	During the audit of leave it was identified that b) employees went on annual leave prior to the leave being approved c) annual and sick leave were not captured on the system timeously,	Inefficient monitoring of controls	The PAYDAY System should not allow employees to capture leave on the system if it is after the date that the leave was taken. In addition the system should not allow annual leave to be approved on the system after the leave was taken or if annual leave are approved after the leave was taken an explanation should be provided as to the reason why leave was not approved before it was taken by employees.	Management will enhance the ESS system to not allow the capturing and processing of late annual leave applications (annual leave approved after being taken) without adding a remark/reason "verbally pre-approved" onto the ESS leave application. These ESS leave remarks will make future/late references much easier. ESS enhancements will be sensitized to all staff.				Manager: HR
2	Disclosure not compliant with GRAP 25	AFS	BO	The following information should be included in the Note as per GRAP 15: The effect of the 1% movement in the assumed rate of health care cost inflation	Supervise, monitor and review the disclosure	Management should ensure that the financial statements are fairly stated in line with the requirements of GRAP.	Review of the AFS before submission.	29 Feb 2016 - 31 March			Snr Accountant: AFS & Recons

corrective action complete/ implement
 process started NYC
 no start as yet

corrective action complete/ implement
 process started NYC
 no start as yet

AUDIT ACTION PLAN - 2014/2015 REGULATORY AUDIT

Detail of audit findings _ 30 June 2015 AFS							Corrective Actions				
ComAF #	Description	Type	Department	Finding Detail	Internal Control Deficiency	AG Recommendation	Actions to ensure compliance to the applicable standard/ ac/ regulation	Deadline	Progress Indicator	Detail	Responsible Official
4	Debt Impairment Note disclosure not agreeing with the statement of financial performance	AFS	BO	A review of the statement of financial performance identified incorrect reporting of a debt impairment amount as a debit and not as a credit. Furthermore the amount reported in the statement of financial performance does not agree with the amounts disclosed in note 39 (Debt impairment) of the financial statements	Management's review of the financial statements insufficient	Management's review of the financial statements are focused on the nature of the item disclosed in relation to the disclosure requirements of the relevant accounting standard(s), to ensure that accurate, complete and understandable disclosures are reported in the	Review of AFS before submission. Review that all links are working correct. Appointment of Altimax for review of AFS			Once the links are corrected in the CaseWare file this error should not occur. A review will be done prior submission to ensure that amounts correspond	Head: AFS & Reporting
18	Incorrect calculation of capital commitment	AFS	BO	It was identified that the commitment relating to BSM 70/14 was incorrectly calculated.	Management did not adequately review the commitments schedule	Management should adequately review the supporting schedules to the financial statements to ensure accuracy of the information disclosed in the notes to the financial statements.	Review should be done by SCM prior to submission	16/06/30			Manager: Budget Office
19	Completeness of capital commitments	AFS	BO	Note 49 <i>Commitments</i> did not account for the following capital projects recorded in the contract register. Consequently, commitments are understated by R6 132 126 in the disclosure note to the financial statements.	Management review controls insufficient	It is recommended that management improves their reviews on the preparation and presentation of the financial statement to ensure that all transactions and events relating to commitments are adequately accounted for in the	Review should be done by SCM prior submission	16/06/30			Manager: Budget Office
15	Related party not included in the disclosure note to the financial statements	SCM	SCM	SCM regulation 45 disclosure requirement. No disclosure on (Tender 56/15) supply, install and commissioning of CCTV Network.	Management did not confirm compliance with the applicable disclosure requirement during the review of the unaudited financial statements	Management must improve the effectiveness of their review and supervision to support financial management and reporting requirements.	SCM should forward such information to BO/AFS as soon as it is declared. A Report should be compiled on a monthly basis in preparation of AFS disclosure.	29 Feb 2016 - 31 March		Nominate a delegate to compile monthly report	Head: SCM
43	Prior period error note - Nature of errors not disclosed	AFS	BO	Note 58 not updated and correct with final adjustments to prior period errors. Ref GRAP 3.51	Management did not confirm compliance with the applicable disclosure requirement during the review of the unaudited financial statements	Management should perform adequate reviews	Ensure timeous completion of AFS. Update CaseWare file with prior period error disclosure note immediately.	29 Feb 2016 - 31 March		Keep a monthly register of prior period errors with all supporting documentation	Snr Accountant: AFS & Recons

corrective action complete/ implement
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AUDIT ACTION PLAN - 2014/2015 REGULATORY AUDIT

Detail of audit findings _ 30 June 2015 AFS							Corrective Actions				
ComAF #	Description	Type	Department	Finding Detail	Internal Control Deficiency	AG Recommendation	Actions to ensure compliance to the applicable standard/ act/ regulation	Deadline	Progress Indicator	Detail	Responsible Official
44	Water losses incorrectly calculated and disclosed	Disclosure	BO	Ref MFMA 125(2)(d)(i) Recalculated water loss not the same as AFS calculated Water loss. Recalculation was based on SAMRAS amounts and AFS report based on Engineers report	Even though accurate information is available, it is not utilised as management based the disclosure on a norm loss calculated in the water engineering department of the municipality	Use municipal financial system figures Update Note 56	Review method of calculation. Verify accuracy of data.	29 Feb 2016 - 31 March			Manager: Budget Office
26	Accuracy of percentage of electricity losses	Disclosure	BO	The unaccounted for electricity percentage (%), otherwise known as distribution losses, that is reported in the annual performance report is stated at 6,14%. The recalculation performed by audit identified this loss to equal 7,43%. The variance resulted from the overstatement of the units purchased from Eskom in July 2014 as well as the overstatement of the bulk units sold in July 2014.	Management did not properly review the schedules used to ensure that the purchased units used in the calculation agrees to the invoices from Eskom. In addition bulk units sold were not corrected to the schedule when it was found that it was overstated.	Adequate review should be done	Review method of calculation. Verify accuracy of data.	29 Feb 2016 - 31 March			Manager: Budget Office
5	Reliability of reported performance information REF: MFMA 46(1)	PDO Disclosure	BO	Annual Performance Report did not agree with the completion certificate received from the contractor. The performance report on the amount of taps and toilets completed as required by the KPI - was not in line with the actual delivery. The completed toilets and taps were incorrect in APR.	Management's supervision and monitoring and review did not prevent and detect the invalid and incomplete reporting of outputs of performance	Management should ensure that recorded performance information is supported by valid and complete supporting documentation.	The variance was mainly due to the different reporting styles of various service providers. We have in the interim designed a standardised delivery note with generic text, The national standards were improved			We have in the interim designed a standardised delivery note with generic text, because the service providers use different words for the same thing, e.g. standpipe, water point and tap.	CFO
29	Key performance indicator reported incorrectly (TL 34) REF: MFMA 46(1)	PDO Disclosure	BO	The annual report incorrectly indicates that the target for submitting the policy on the management of informal settlement by the end of the financial year was met. The service delivery budget implementation plan (SDBIP) sets a target that the policy must be submitted to the portfolio committee by 31 December 2014. The mayoral committee minutes for the meeting held on the 21 January 2015 indicates that the draft policy is currently being prepared and will be circulated by March 2015. The portfolio committee minutes for the meeting held on 1 April 2015 indicate that a draft policy was submitted to the committee on 26 March 2015. Consequently, the key performance indicator (TL 34) disclosed in the unaudited annual report is misstated.	Management did not properly plan the execution of meeting the target	Management should ensure through adequate review that information captured in the annual performance report is accurate.	The service provider was appointed by the National Department of Human Settlements and the funding was also from this department. Although it was planned locally it did not realise on the expected date due to factors outside of the control of the municipality.				MM

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AUDIT ACTION PLAN - 2014/2015 REGULATORY AUDIT

Detail of audit findings _ 30 June 2015 AFS							Corrective Actions				
ComAF #	Description	Type	Department	Finding Detail	Internal Control Deficiency	AG Recommendation	Actions to ensure compliance to the applicable standard/ act/ regulation	Deadline	Progress Indicator	Detail	Responsible Official
6	Three quotations not obtained on an award between R30 000 and R200 000	SCM	SCM	3 quotations were not obtained in writing from providers on stb municipal supplier database. The CFO in the absence of three quotations did not record reasons and approve the deviation from the SCM regulation 17(c). Motivation for Deviation D/SM7/15, invalid. The motivation indicated it being a critical function, time is of the essence and the supplier was immediately available to start. Quotes were not requested. Proper planning would have prevented this matter becoming urgent and it was therefore not impractical or impossible to follow procurement processes. The classification as impractical is incorrectly being applied and has resulted in the procurement not being fair and equitable. Resulted in irregular payment 120K	Management did not properly evaluate the motivation to support the classification of the transaction	Deviations from official procurement processes must only be approved in cases where it is impractical or impossible to follow the official procurement process	The current internal controls implemented in this regard are effective and is evident by the year on year decrease in the amount of deviations. With regards to this finding the PT was approached for further technical assistance and they are in agreement with our response.				Head: SCM
48	Incorrect classification of irregular, fruitless and wasteful and unauthorised expenditure	AFS	BO	Note 55 to the unaudited financial statements are misstated. Management did not properly evaluate the transactions to confirm that it meets the definitions of irregular, fruitless and wasteful or unauthorised expenditure prior to obtaining approval for the write off thereof and the preparation of the financial statements. In addition the transactions were not individually evaluated when note 55 was prepared, resulting in transactions originally defined to be fruitless and wasteful being included in the note addressing irregular expenditure	These transactions should be investigated when the financial statements are prepared to ensure the correct classification of the expenditure incurred.	Management and approvers of write offs and deviations should be up skilled to ensure that they are able to differentiate between and correctly apply the definitions of irregular, fruitless and wasteful and unauthorised expenditure. These transactions should be investigated when the financial statements are prepared to ensure the correct classification of the expenditure incurred.	PT was requested to provide training to all SCM officials and other relevant officials on this topic to understand the classification.				Head: SCM

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 process started NYC
 no start as yet

AUDIT ACTION PLAN - 2014/2015 REGULATORY AUDIT

Detail of audit findings _ 30 June 2015 AFS							Corrective Actions				
ComAF #	Description	Type	Department	Finding Detail	Internal Control Deficiency	AG Recommendation	Actions to ensure compliance to the applicable standard/ act/ regulation	Deadline	Progress Indicator	Detail	Responsible Official
14	Technical evaluation not performed by three persons	SCM	SCM	The <i>Standard for Uniformity in Construction Procurement</i> 4.3.5 requires quality to be evaluated at least by three persons who are fully conversant with the technical aspects of the procurement to undertake such evaluation	The municipality's policy and procedures of the municipality were not aligned with the relevant laws and regulations. Consequently, as prescribed by the policy in contravention of the Standard for Uniformity in Construction Procurement two officials performed the quality evaluation.	Review policies, procedures and processes to enable compliance with applicable laws and regulations. management should familiarize themselves with relevant laws and regulations for risk assessment purposes.	Emails were sent to user departments requesting 3 persons to perform technical evaluations	N/A		the CIBD Provincial Manager and Procurement Delivery Management Unit (Mr R.Raphiri) advice as follow: "The clause doesn't specifically place a condition and the composition of the evaluation team for the technical specs, as it reads "at least three persons who are fully conversant with the technical aspects of the procurement shall undertake such evaluation..."	Head: SCM
8	Amount above R100 000 not reported to Treasury	SCM	SCM	Administrative Awards with quotes no. D/SM 47/15 and D/SM 63/15 amounting to R168 549 and R102 258 for IMQS and CAT Meter Reading System respectively were not reported to National Treasury as required:	Insufficient Internal controls. Management did not ensure that all awards above R100 000 was reported to Treasury as required.	It is recommended that management identifies an individual to review awards above R100 000 and ensure that such awards are submitted to National Treasury.	All deviations are reported on a monthly basis irrespective of the value	N/A			Head: SCM
49	No senior SCM practitioner in bid adjudication committee	SCM	SCM	Administrative Bids were not always evaluated by bid adjudication committees (BAC) which were composed of at least one senior SCM practitioner of the municipality as required by SCM regulation 29(2). Resulting in irregular expenditure	Management incorrectly interpreted the relevant SCM regulation and as a result the BAC did not consist of the prescribed officials.	The BAC must be changed to include all persons prescribed by legislation. All bids to which payments were made during the 2014-15 financial year must be investigated and the total irregular expenditure incurred quantified. Evidence of this investigation and the result thereof must be provided to audit for further testing.	All 5 senior SCM officials was appointed by the MM to form part of the BAC.	N/A		Management disagree with the Audit finding as the Head SCM was always present at BAC meetings and formed part of the decision making process on every award of a bid. Head SCM was not co-opted on BAC in an advisory capacity but in a decision making capacity. The BAC mostly consisted of all six (6) Directors or Acting Directors in attendance which is more than the prescribed requirement which included the CFO as the Chairperson, the Head SCM and Technical experts present. Every decision taken on bids was unanimously accepted by all decision makers (BAC members) present and was made in the best interest of the Municipality.	Head: SCM

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Detail of audit findings _ 30 June 2015 AFS							Corrective Actions				
ComAF #	Description	Type	Department	Finding Detail	Internal Control Deficiency	AG Recommendation	Actions to ensure compliance to the applicable standard/ ac/ regulation	Deadline	Progress Indicator	Detail	Responsible Official
IT Audit	information technology - User access control	IT	IT	Administrative • A user account management procedure had been documented however was inadequate as it did not include user access reviews and monitoring of system controller activities. • The activities of system administrators on the Ignite application were not regularly monitored. • Password settings on the Ignite and SAMRAS applications did not comply with the password policy.	Management did not have access to draw reports to monitor the activities of the system administrator	Document a user account management policy & include the processes in place to manage users' access, & a process to monitor system controller activities. Request service provider to grant access to draw reports to ensure the activities of the system administrator are reviewed. communicate and implemented the IT security policy to all employees	Steps listed in Comaf answer	29 Feb 2016 - 31 March		• The user account management procedure will be updated to include the user access reviews and monitoring of system controller activities • The user access report of employees who updates the Ignite performance Management system will be reviewed on a quarterly basis and reported to the portfolio committee to meet the minimum requirements of the Auditor General. The report will be to indicate the users that have access to the Ignite system as well as the access levels that they require to conduct the relevant performance updates. • The management of the Ignite performance Management system is managed by an external service provider. The outcome of the audit testing will be communicated to the service provider as a matter of urgency in an effort to comply with the minimum requirements. • The field assigned to the historic count on SAMRAS only allows for a single digit. We will notify the service provider in regards to this and request for a change to be made to SAMRAS so that the SAMRAS settings can adhere to the	Manager: IT
45	Cash and Cash equivalents - Signatories to the bank accounts at ABSA	AFS	BO	Administrative Persons no longer working at STB municipality are registered as signatories to the bank accounts of the municipality. A letter was send to the bank to update the details.	Management did not follow up with the bank to confirm that the bank had updated their records to list the correct signatories to the bank accounts of the municipality.	Confirmation that ABSA has updated its records to be in line with the approved list of signatories should be obtained by the municipality and provided to the auditors without delay.	Action set out in Comaf answer	N/A		Internal Control: The ABSA BI Online system is used to process creditor payments. The system is loaded on the signatory's computer and can only be accessed from said computer. When employee leaves the employment of the municipality, the computer is submitted to his/her supervisor and thereafter to the ICT department. The employee is removed as a signatory and the software deleted. What actions will be taken: Confirmation from Bank	Manager: Budget Office

7.5 RECRUITMENT AND SELECTION PROCESS OF THE DIRECTOR ENGINEERING SERVICES

File number : 4/3/2/6 x 4/3/3/6
Compiled by : Manager: Human Resources
Report by : Acting Municipal Manager
Delegated Authority : Council

Strategic intent of item

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

1. PURPOSE OF REPORT

To obtain approval from Council to fill and advertise the post of the Director Engineering Services. Due to the time period lapsing from the advertisement that was placed in August 2015 as well as the non-permission of the advertisement that was placed in December, it is critical that a new process be started and that a selection panel be appointed by Council. A municipal council must appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager posts.

2. BACKGROUND

The post of Director: Engineering Services was advertised for the third time in national and provincial papers and the closing date was 31 December 2015 (See **APPENDIX 1**).

However the necessary approval was not obtained from Council to advertise the post of Director Engineering Services due to the allegations being vague and contradictory to the regulations.

3. DISCUSSION

The Regulations on the appointment and conditions of employment of Senior Managers was Gazetted on 17 January 2014. (Gazette No. 37245 dated 17 January 2014). Please note that Senior Manager means a municipal manager or acting municipal manager, appointed in terms of Section 54A of the Act, and includes a manager directly accountable to a municipal manager appointed in terms of Section 56 of the Act (Act means the Local Government: Municipal Systems Act, 2000: Act No.32 of 2000).

In terms of this report the recruitment, selection and appointment of Senior Manager will be discussed as stipulated in Chapter 3 of the Regulations. Attached as **APPENDIX 2**.

In terms of Section 7.1 when the post of a senior manager becomes vacant, or is due to become vacant, the municipal manager, in the case of a manager directly accountable to the municipal manager, must, upon receipt of official notification that the post of a senior manager will become vacant, obtain approval from the municipal council for the filling of such post in its next council meeting or as soon as it is reasonably possible to do so.

In terms of Section 7.2 a vacant senior manager post may not be filled, unless:

- (a) approval to fill the post has been granted by the municipal council; and
- (b) the post has been budgeted for.

In terms of Section 8 no person may be appointed as a senior manager on a fixed term contract, on a permanent basis or on probation, to any post on the approved staff establishment of a municipality, unless he or she-

- (a) Is a South African citizen or permanent resident; and
- (b) Possesses the relevant competencies, qualifications, experience and knowledge set out in in the regulations.

An appointment may not take effect before the first day of the month following the month during which the municipal council approved the appointment.

In terms of Section 10 the municipal manager must, within 14 days of receipt of the approval referred to in regulation 7, ensure that the vacant post is advertised.

- A vacant senior manager post must be advertised in a newspaper circulating nationally and in the province where the municipality is located.
- An advertisement for a vacant senior manager post must specify the:
 - (a) Job title;
 - (b) Term of appointment;
 - (c) Place to be stationed;
 - (d) Annual total remuneration package;
 - (e) Competency requirements of the post, including minimum qualifications and experience required;
 - (f) Core functions;
 - (g) Need for signing of an employment contract, a performance agreement and disclosure of financial interest;
 - (h) The need to undergo security vetting;
 - (i) Contact person;
 - (j) Address where applications must be sent or delivered; and
 - (k) Closing date which must be minimum 14 days from the date the advertisement appears in the newspaper and not more than 30 days after such date.

4. FINANCIAL IMPLICATION

The post was budgeted for.

COMMENT SNR LEGAL ADVISOR EA RHODA

Cognisance must be taken of Section 12 which makes provision for the manner in which the selection panel must be constituted. Section 12(1) provides that :

“A municipal Council must appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager posts.

Section 12(2) provides that in deciding who to appoint to a selection panel, the following considerations must inform the decision:

- (a) The nature of the post;
- (b) The gender balance of the panel; and
- (c) The skills, expertise, experience and availability of the persons to be involved.

Furthermore Section 12(5) provides that a panel member must disclose any interest or relationship with shortlisted candidates during the shortlisting process and that such a panel member Section 12(6) a panel member must recuse himself or herself from the selection panel if-

- (a) His or her spouse, partner, close family member or close friend has been shortlisted for the post;
- (b) The panel member has some form of indebtedness to a short-listed candidate or *visa versa*; or
- (c) He or she has any other conflict of interest.

The Regulations dictates in terms of section 7 that a panel member and staff member must sign a declaration of confidentiality to avert the disclosure of information to unauthorised persons.

The Regulations provides for strict time frames which must be adhered to with regard to the Screening of Candidates in terms of section 14 as well as the Interviewing process in terms of section 15. Due regard must be given to Section 17 which deals with the Resolution of the municipal council on appointment of senior managers and reporting as well as the re-employment of dismissed persons in terms of section 18.

It is advisable that the Legislative prescripts in its entirety be adhered to avoid potential legal challenges by disgruntled candidates.

5. CONCLUSION

In terms of the above mentioned the post of Director: Engineering Services be advertised.

RECOMMENDED

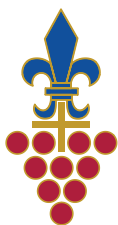
- (a) that Council take note that due to the time period lapsing from the advertisement that was placed in August 2015 as well as the non-permission of the advertisement that was placed in December, it is critical that a new process be started and that a selection panel be appointed by Council;
- (b) that Council confirm that the position of Director: Engineering is still required;
- (c) that the Municipal Manager be mandated to advertise the position of Director: Engineering Services as per the Regulations on the appointment and conditions

of employment of Senior Managers which was Gazetted on 17 January 2014;
and

- (d) that a selection panel be appointed as per the Regulations on the appointment and conditions of employment of Senior Managers which must consist of at least three but not more than five members, constituted as follows :
- the municipal manager, who will be the chairperson;
 - a member of the mayoral committee or councillor who is the portfolio head of the relevant portfolio; and
 - at least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.

(ACTING MUNICIPAL MANAGER TO ACTION)

APPENDIX 1



Vind voortreflike loopbaangeleenthede wanneer jy Stellenbosch Munisipaliteit ontdek!

Stellenbosch Munisipaliteit geniet wye herkenning as een van die mees progressiewe munisipaliteite en te danke aan aktiewe groenpraktyke en goeie staatsbestuur, word dit beskou as die groenste verteenwoordiger van die veiligste vallei. Danksy voortgesette vernuwing bied Stellenbosch 'n waardige leefwyse en 'n wêreldklas beleggingsbestemming.

Ons beskik tans oor die volgende senior bestuursposte vir eendersdenkende individue wat kan bydra tot ons voorgesette vooruitgangsinisiatiewe wat ons die Innoveringshoofstad maak!

MUNISIPALE BESTUURDER

Totale Koste van Indiensneming: R1 050 307 tot R1 435 627 pj

Die pos is onderhewig aan 'n vastetermyndienskontrak vir nie langer as een jaar na die volgende Plaaslike Regeringsverkiezing asook aanvaarbare gedrag en prestasie gedurende die termyn.

Die Munisipale Bestuurder, as Hoof van die Administrasie en Rekenpligtige Beampte, sal verantwoordelik wees vir die algemene prestasie van die organisasie en die bestuur en leiding van die administratiewe en bedryfsaspekte van die munisipaliteit ten einde die strategiese doelwitte van die Raad te bereik.

Pligte/verantwoordelikhede: • Die ontwikkeling en bestuur van 'n ekonomies-doeltreffende, aanspreeklike administrasie wat toegerus is om die munisipaliteit se geïntegreerde ontwikkelingsplan te implementeer, om ingevolge die munisipaliteit se prestasiebestuurstelsel op te tree en om die behoeftes van die plaaslike gemeenskap te begryp • Die bestuur van volhoubare en regverdige dienslewering aan die plaaslike gemeenskap • Die aanstelling, opleiding, dissipline en doeltreffende aanwending van personeel • Die bevordering van gesonde arbeidsverhoudinge en nakoming van toepaslike arbeidswetgewing • Advisering van politieke strukture en politieke ampsdraers, die bestuur van kommunikasie tussen hierdie partye asook die uitvoer van hulle besluite • Die administrasie en implementering van die munisipaliteit se verordeninge en ander wetgewing • Beheer van magte en uitvoer van enige pligte wat deur die munisipale raad of ander delegerende owerhede van die munisipaliteit oorgedra word • Fasilitering van deelname deur die plaaslike gemeenskap aan die sake van die munisipaliteit • Ontwikkeling en instandhouding van 'n stelsel vir die bepaling van gemeenskapstevredenheid met munisipale dienste • Die uitvoer van enige ander taak wat deur die munisipale raad aan die rekenpligtige beampte toegesê word • Verantwoordelik vir alle inkomste en uitgawes van die munisipaliteit, alle bates, die kwytstelling van alle munisipale laste, asook die behoorlike en toegewyde nakoming van toepaslike munisipale finansiële bestuurswetgewing.

Ten einde die behoeftes van die Stellenbosch Munisipaliteit te bevredig, moet die suksesvolle kandidaat aan die volgende vereistes voldoen: • B-graad in publieke administrasie/politieke wetenskap/geesteswetenskappe/regte of soortgelyk by 'n aanvaarde instelling • Sertifikaat in Munisipale Finansiële Bestuur (SAKO-kwalifikasie ID nr 48965) vir rekenpligtige beamptes van munisipaliteite, soos bepaal in Regulasie 493, gedateer 15 Junie 2007 • 'n Nagraadse kwalifikasie in rigtings met publieke administrasie verband hou sal 'n bykomende voordeel wees • Ten minste 5 jaar toepaslike ondervinding op senior bestuursvlak en 'n bewese institusionele transformasierekord in die openbare of private sektor • Die nodige kernbevoegdheede soos vervat in Bylaes A en B van die Plaaslike Regering: Regulasies oor Indiensneming en Diensvoorwaardes van Senior Bestuurders, Staatskennisgewing 21 in die Staatskoerant 37245 van 17 Januarie 2014 • Gevorderde kennis en begrip van toepaslike beleid en wetgewing • Gevorderde begrip van institusionele staatsbestuurstelsels en prestasiebestuur • Gevorderde begrip van raadswerksaamhede en die delegasie van magte • Bewese prestasierekord ten opsigte van goeie staatsbestuur, audit- en risikobestuur, begrotings- en finansiële bestuur • Innoverende en strategiese leierskapsvermoëns • Goeie fasiliteringsvaardighede en kommunikasievermoëns in ten minste twee van die drie amptelike tale van die Wes-Kaap • Geldige rybewys en GEEN kriminele rekord.

DIREKTEUR: INGENIEURSDIENSTE

Totale koste van indiensneming: R867 460 – R1 173 622 per jaar, met uitsondering van 'n prestasiegebaseerde bonus

(Die suksesvolle kandidaat sal op 'n vastetermynkontrak vir 'n tydperk van vyf jaar aangestel word.)

Minimum vereistes: • BSc in Ingenieurswese/BTech in Ingenieurswese, of gelykwaardige kwalifikasie • Vyf jaar ervaring op senior- en middelbestuursvlak of as program-/projekbestuurder, waarvan drie tot vier jaar ervaring op professionele/bestuursvlak moet wees • Ervaring in ingenieursbestuur • Grondige kennis en begrip van tersaaklike beleid en wetgewing, asook institusionele regeringstelsels en prestasiebestuur • Moet oor uitgebreide kennis van die staatsdiensomgewing beskik • Goeie kennis van die UOWP (Uitgebreide Openbare Werkeprogram) en arbeidsgebaseerde konstruksiemetodes • Moet in staat wees om ingenieursmeesterbeplanning, projekbestuur en implementering te formuleer • Goeie kennis van Voorsieningskanaalbestuursregulasies en die Wet op die Raamwerk vir Voorkeurverkrygingsbeleid, 2000 (Wet Nr 5 van 2000) • Kernbevoegdheede soos vervat in die Plaaslike Regering: Regulasies oor Indiensneming en Diensvoorwaardes van Senior Bestuurders, 17 Januarie 2014 • Sertifikaat in Munisipale Finansiële Bestuur (SAKO-kwalifikasie ID nr 48965) soos bepaal in Regulasie 493, gedateer 15 Junie 2007 • Uitstekende fasiliterings- en kommunikasievaardighede in ten minste twee van die drie amptelike tale van die Wes-Kaap • 'n Kode B-rybewys • Eie vervoer.

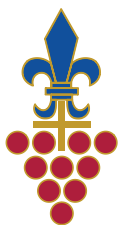
Bykomende voordeel: Registrasie by 'n erkende toepaslike professionele vereniging vir ingenieurs.

Kernfunksies: Bestuur van Waterdienste (insluitend Sanitasie); Elektriese Dienste; Paaie; Vervoeringenieurswese; Stormwater; Vaste Afvalbestuur; Ontwikkelingsdienste en Projekbestuur; Strategiese Bestuur ingevolge Stellenbosch se Ontwikkelingsvisie; Ingenieursinnovasie; Finansiële Bestuur en Menslike Hulpbronbestuur.

1. Indiensnemings sal in ooreenstemming met die Raad se Diensgelykheidsplan geskied, wat verteenwoordiging van aangewese groepe in die Munisipaliteit verseker, insluitend diegene met gestremdhede.
2. Alle aansoeke moet saam met 'n volledige CV, **gewaarmerkte afskrifte van kwalifikasies en identiteitsdokument**, die name van drie referente van huidige en vorige werkgewers asook 'n **volledig voltooid amptelike aansoekvorm**, soos beskikbaar op die munisipale webblad of by die Menslike Hulp bronedepartement, per koerier na **ODS Konsultante BK, p.a. PostNet, Winkel 3 & 4, Hoogstraat 8, Rosenpark, Tygervallei 7536** gestuur word. Administratiewe navrae mag aan Annalene Barnard by tel. 022 772 1307 gerig word.
3. Daar sal van kandidate verwag word om aan deeglike evaluering onderwerp te word. Vorige en huidige werkgewers en referente sal gekontak word. Verifiëring sal op sy/haar kwalifikasies, kriminele en kredietrekord gedoen word. Kandidate sal vereis word om alle finansiële belange bekend te maak.
4. **SLEGS** hardekopie-aansoeke sal oorweeg word. **Geen** elektroniese of faksansoeke sal aanvaar word nie.
5. Indiensnemings sal onderworpe aan die ondertekening van dienskontrakte en pretasie-ooreenkomste geskied, ingevolge Artikel 57 van die Munisipale Stelselwet. Die indiensnemings sal in ooreenstemming met die Regulasies oor Indiensneming en Diensvoorwaardes van Senior Bestuurders plaasvind.

SLUITINGSDATUM: 31 Desember 2015 om 12:00

Die Raad behou die reg voor om nie enige aanstellings te maak nie.



Step into superior career opportunities when you discover Stellenbosch Municipality!

Widely hailed as one of the most progressive municipalities today, Stellenbosch Municipality, through active green practices and good governance is regarded as the greenest municipality representing the safest valley. Through our continuous innovation, Stellenbosch offers dignified living and a world-class investment destination.

Right now, we offer the following senior management positions to likeminded individuals who can add value to our ongoing advancement initiatives, making us the Innovation Capital!

MUNICIPAL MANAGER

Total Cost of Employment: R1 050 307 to R1 435 627 pa

The post is subject to a fixed term contract of employment not exceeding one year after the next Local Government election as well as acceptable conduct and performance during the term.

The Municipal Manager, as Head of the Administration and Accounting Officer, will be responsible for the general performance of the organisation and to manage and direct the administrative and operational aspects of the Municipality in order to achieve the strategic objectives of Council.

Duties/responsibilities: • The development and management of an economically effective, accountable administration which is equipped to implement the municipality's integrated development plan, to operate in accordance with the municipality's performance management system and to understand the needs of the local community • The management of the provision of services to the local community in a sustainable and equitable manner • The appointment, training, discipline and effective utilisation of staff • The promotion of sound labour relations and compliance with applicable labour legislation • Advising the political structures and political office bearers, managing communications between these parties as well as carrying out their decisions • The administration and implementation of the municipality's by-laws and other legislation • Exercising of any powers and performing any duties delegated by the municipal council, or by other delegating authorities of the municipality • Facilitating participation by the local community in the affairs of the municipality • Developing and maintaining a system for the assessment of community satisfaction with municipal services • The performance of any other function that may be assigned by the municipal council and as accounting officer • Responsible for all income and expenditure of the municipality, all assets, the discharge of all liabilities of the municipality, as well as the proper and diligent compliance with applicable municipal finance management legislation.

In order to meet the needs of the Stellenbosch Municipality, the successful applicant will conform to the following requirements:

• B Degree in public administration/political sciences/social sciences/law, or equivalent at an acceptable institution • Certificate in Municipal Finance Management (SAQA qualification ID No 48965) for accounting officers of municipalities as is provided for in Regulation 493 dated 15 June 2007 • A postgraduate qualification in fields related to public administration will be an added advantage • 5 years' minimum relevant experience at a senior management level and a proven institutional transformation record in the public or private sector • The required core competencies as stipulated in Annexures A and B of the Regulations on Appointment and Conditions of Employment of Senior Managers Government Notice 21 in Government Gazette 37245 dated 17 January 2014 • Advanced knowledge and understanding of relevant policy and legislation • Advanced understanding of institutional governance systems and performance management • Advanced understanding of council operations and delegation of powers • Proven track record of good governance, audit and risk management, budget and finance management • Ability to be an innovative and strategic leader • Good facilitation and communication skills in at least two of the three official languages of the Western Cape • Valid driver's licence and NO criminal record.

DIRECTOR: ENGINEERING SERVICES

Total cost of employment: R867 460 – R1 173 622 per annum, excluding performance-based bonus

(The successful candidate will be appointed on a fixed-term contract for a period of five years.)

Minimum requirements: • BSc in Engineering/BTech in Engineering, or equivalent qualification • Five years' experience at senior and middle management level or as programme/project manager, of which three to four years' experience must be at professional/management level • Engineering management experience • Sound knowledge and understanding of relevant policy and legislation, as well as institutional governance systems and performance management • Must have extensive knowledge of the public office environment • Good knowledge of the EPWP (Extended Public Works Programme) and labour-based construction methods • Must be able to formulate engineering master planning, project management and implementation • Good knowledge of supply chain management regulations and the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000) • Core competencies as set out in the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers, 17 January 2014 • Certificate in Municipal Finance Management (SAQA qualification ID No 48965), as is provided for in Regulation 493 dated 15 June 2007 • Excellent facilitation and communication skills in at least two of the three official languages of the Western Cape • A Code B driver's licence • Own transport.

Added advantage: Registration with a recognised relevant engineering professional body.

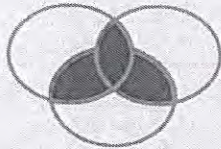
Core functions: Management of Water Services (including Sanitation); Electrical Services; Roads; Transport Engineering; Storm Water; Solid Waste Management; Development Services and Project Management; Strategic Management in terms of Stellenbosch's Developments Vision; Engineering Innovation; Financial Management; and Human Resource Management.

1. Appointments will be made according to the Council's Employment Equity Plan, which ensures representation of designated groups in the Municipality, including those with disabilities.
2. All applications must be submitted with a detailed CV, **certified copies of qualifications and ID document**, the names of three references from current and previous employers and **a fully completed official application form**, as available from the municipal website or the Human Resources Department, to be couriered to **ODS Consultants CC, c/o PostNet, Shop 3 & 4, 8 High Street, Rosen Park, Tyger Valley 7536**. Administrative enquiries may be directed to Annalene Barnard at tel. 022 772 1307.
3. It would be expected of candidates to be subjected to thorough evaluations and that previous and current employers and references will be contacted. Verification will be done on his/her qualifications, criminal and credit records. The candidate will be required to disclose all financial interests.
4. **ONLY** hardcopy applications will be considered. **No** electronic or faxed applications will be accepted.
5. Appointment is subject to the signing of an employment contract and performance agreement in terms of Section 57 of the Municipal Systems Act. The appointment will be done in accordance with the Regulations on Appointment and Conditions of Employment of Senior Managers.

CLOSING DATE: 31 December 2015 at 12:00

The Council reserves the right not to make any appointments.

APPENDIX 2



Enq: L Tredoux
 Tel: 012 369 8000
 Fax: 012 369 8001
 E-mail: ltredoux@salga.org.za

SALGA
 South African Local Government Association

CIRCULAR 6/2014

FROM : CHIEF EXECUTIVE OFFICER

**TO : EXECUTIVE MAYORS
 MAYORS
 SPEAKERS
 MUNICIPAL MANAGERS**

DATE : 19 FEBRUARY 2014

**LOCAL GOVERNMENT: REGULATION ON THE APPOINTMENT AND
 CONDITIONS OF EMPLOYMENT OF SENIOR MANAGERS**

The Minister of COGTA on 17 January 2014 promulgated the Local Government: Regulation on the Appointment and Conditions of Employment of Senior Managers, which regulations came into operation on the same date. A copy of the Regulations is attached hereto.

Office bearers and employees of municipalities are requested to familiarise themselves with the content of the Regulations. The most critical aspects of the regulations and certain implementation aspects will be highlighted below. The matters highlighted are, however, not exhaustive and the full set of Regulations should be referred to.

1. Application

1.1 The Regulations apply to municipalities as well as municipal entities and the employment of municipal managers and managers directly accountable to municipal managers. In the case of a municipal entity, it will apply to the Chief Executive Officer / Managing Director and managers directly accountable to him/her.

1.2 The Regulations does not replace the National Treasury Regulations on Minimum Competency Level, 2007, and must be read with the latter.

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 SALGA House
 11 Van Rensburg St
 Nelspruit 1200
 Tel: 013 752 1200
 Fax: 013 752 5595

North West
 Suite 400, Jade Square
 Cnr O R Tambo &
 Margaretha Prinsloo St
 Klerksdorp 2570
 Tel: 018 462 5290
 Fax: 018 462 4662

Northern Cape
 Crescent House
 1 & 2 D'Arcy St
 Kimberley 8300
 Tel: 053 836 7900
 Fax: 053 833 3828

Western Cape
 SALGA House
 7th Floor, 44 Strand St
 Cape Town 8000
 Tel: 021 469 9800
 Fax: 021 461 1936

2. Staff establishment

- 2.1 The municipal manager must within 12 months from promulgation of the Regulations, thus before 16 January 2015, review the municipality's staff establishment having regard to the principles set out in the Regulations.
- 2.2 The staff establishment must provide for permanent and fixed term posts, and with regard to fixed term posts certain criteria have to be considered. The municipality may, therefore, after consideration of the criteria as listed, determine that the posts of section 56 managers will be fixed term posts. In the case of section 56 managers, unlike the municipal manager, the term of the fixed term contract is in the discretion of the municipality.

3. Recruitment, selection and appointment

- 3.1 A senior manager may only be appointed if he/she is a South African citizen or permanent resident and has the competencies, qualifications, experience and knowledge as prescribed by the regulations.
- 3.2 The Regulations prescribe the application form that must be submitted and any application not made on the official form may not be considered. Positions advertised after 17 January 2014 would therefore have to be applied for on the prescribed form. Where posts were advertised with a closing date prior to 17 January 2014, the application submitted can still be considered, provided that the actual appointment is done in compliance with the regulations.
- 3.3 The candidates recommended for appointment to a post of senior manager, have to undergo a competency assessment.
- 3.4 The Regulations specify the documents to be included in the report to the MEC on the appointment of a senior manager.
- 3.5 Schedule 2 to the Regulations sets out the limitations on employment of senior managers dismissed for misconduct.
- 3.6 The Regulations required each municipality to maintain a record of staff members dismissed for misconduct and staff members who resigned prior to the finalisation of a pending case of misconduct.

4. Secondment

- 4.1 In the event of a person seconded to act as a municipal manager, an agreement must be entered into between the seconding authority and the relevant municipality.
- 4.2 The cost of the secondment must be borne by the seconding municipality.
- 4.3 A person seconded must report monthly to the Minister or MEC on a specified number of aspects.

5. Conditions of employment

- 5.1 The Regulations on the conditions of employment is very detailed and municipalities should take note of the conditions.
- 5.2 The leave cycles of senior managers are calculated as from 1 January annually, despite the date of employment.
- 5.3 Senior managers are entitled to four months maternity leave and managers who have been employed for more than one year is entitled to four months fully paid maternity leave.
- 5.4 The Minister must annually determine the upper limit of the total remuneration package of senior managers according to the different categories of municipalities.
- 5.5 A senior manager must declare his/her interest and benefits upon appointment and thereafter annually.

6. Benefits

- 6.1 Membership of a medical aid and pension fund is compulsory for senior managers.
- 6.2 Senior managers must have a motor vehicle available for the execution of his/her functions.

7. General

- 7.1 Employment contracts entered into prior to the promulgation of the Regulations remain in force until it lapses or terminates.
- 7.2 The Regulations repeals sections 6,7,9,10,11,12,13,15,26(8), 35,36 ,37 and 38 of the Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers.

8. Annexes

- 8.1 Annexure A contains the Competency Framework for Senior Managers and specifies minimum requirements.
- 8.2 Annexure B contains the Minimum Competency Requirements, and except for the Chief Financial Officer, must be read with the National Treasury Minimum Competency Regulations as alluded to above.
- 8.3 Annexure C contains the application form alluded to above.
- 8.4 Annexure D contains the declaration of confidentiality to be completed by selection panel members
- 8.5 Annexure E contains the prescribed application form for leave.
- 8.6 Annexure F contains the disclosure form for benefits and interests.

Members are welcome to contact SALGA for assistance in the interpretation and implementation of the Regulations, in order to ensure legal compliance.

Yours in developmental local government,



XOLILE GEORGE
CHIEF EXECUTIVE OFFICER

IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

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GOVERNMENT NOTICE

DEPARTMENT OF COOPERATIVE GOVERNANCE

No. 21

17 January 2014

**LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000
(ACT NO. 32 OF 2000)****LOCAL GOVERNMENT: REGULATIONS ON APPOINTMENT AND
CONDITIONS OF EMPLOYMENT OF SENIOR MANAGERS**

I, Solomon Lechesa Tsenoli, Minister for Cooperative Governance and Traditional Affairs, subject to applicable labour legislation and after consultation with organised local government representing local government nationally, the bargaining council established for municipalities, the Minister for Public Service and Administration and, where applicable, the Minister of Health and the Minister of Finance, hereby, under section 120, read with section 72, of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), make the regulations in the Schedule.

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2. Scope of application

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4. Staff establishment
5. Creation and filling of senior manager posts

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7. Determination of recruitment needs
8. General requirements for appointment of senior managers
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SCHEDULE**CHAPTER 1****INTERPRETATION AND APPLICATION****Definitions**

1. In these regulations, a word or expression to which a meaning has been assigned in the Act has the same meaning as in the Act, unless the context otherwise indicates –

"Basic Conditions of Employment Act" means the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997);

"chief financial officer" means a person designated in terms of section 80(2)(a) of the Municipal Finance Management Act;

"Compensation for Occupational Injuries and Diseases Act" means the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No.130 of 1993);

"competence" means having the necessary higher education qualification, work experience and knowledge to obtain at least a competent level of achievement;

"conditions of employment" in relation to a senior manager have a corresponding meaning as the terms or conditions of employment as defined in section 1 of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997);

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

"department" in relation to a municipality means an administrative component of a municipality, headed by a manager appointed in terms of section 56 of the Act;

"the Disciplinary Regulations" means the Local Government: Disciplinary Regulations for Senior Managers, (Government Notice No. 344), as published in Government Gazette No. 34213;

"employment contract" means a contract as contemplated in section 57 of the Act;

"Employment Equity Act" means the Employment Equity Act, 1998 (Act No. 55 of 1998);

"executive committee" means an executive committee established in terms of section 43 of the Municipal Structures Act;

"financial year" means the financial year of a municipality commencing on 1 July each year and ending on 30 June of the following year;

"Labour Relations Act" means the Labour Relations Act, 1995 (Act No. 66 of 1995);

"Mayor" means the mayor or executive mayor of a municipality as elected in terms of the Municipal Structures Act;

"medical practitioner" for purposes of these regulations includes a practitioner as defined by the Health Professions Council of South Africa, and who is legally certified to diagnose and treat patients;

"Medical Schemes Act" means the Medical Schemes Act, 1998 (Act No. 131 of 1998);

"Municipal Finance Management Act" means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), and any regulations made under that Act;

"Municipal Structures Act" means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)

"Pension Funds Act" means the Pension Funds Act, 1956 (Act No. 24 of 1956);

"performance agreement" means an agreement as contemplated in section 57 of the Act;

"post" means a post on the approved staff establishment of a municipality which has been budgeted for;

"senior manager" means a municipal manager or acting municipal manager, appointed in terms of section 54A of the Act, and includes a manager directly accountable to a municipal manager appointed in terms of section 56 of the Act;

"speaker" has the meaning assigned to it in the Municipal Structures Act;

"staff establishment" means the approved posts created for the normal and regular requirements of a municipality;

"the Act" means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); and

"total remuneration package" means the total cost of a senior manager's remuneration to a municipality and includes the salary, pension contributions, medical aid contributions and other forms of payment or benefit.

Scope of application

2. (1) These regulations apply to—
 - (a) municipalities in the Republic of South Africa;
 - (b) municipal entities; and
 - (c) senior managers.
- (2) These regulations must be read in conjunction with—
 - (a) any regulations or guidelines issued in terms of section 120 of the Act concerning matters listed in section 54A, 56, 57A and 72; and
 - (b) the Local Government: Municipal Regulations on Minimum Competency Levels, 2007, issued in terms of the Municipal Finance Management Act, as published under Government Notice No. 493 in Government Gazette No. 29967 of 15 June 2007.

CHAPTER 2

STAFF ESTABLISHMENT

Human resource planning

3. A municipal council must—
- (1) assess the human resources necessary to perform its functions, with particular reference to—
 - (a) the number of senior managers required; and
 - (b) the competencies that a senior manager must have.
 - (2) assess existing human resources by race, gender and disability, and department with reference to their—
 - (a) competencies;
 - (b) training needs; and
 - (c) employment capacities.
 - (3) plan within the available budgeted funds, including funds for the remaining period of the relevant medium-term expenditure framework, for the recruitment, retention and development of human resources according to the municipality's requirements determined in terms of paragraph (a), which plan must, as a minimum, include—
 - (a) realistic goals and measurable targets for achieving representativeness, taking into account paragraph (b); and
 - (b) targets for the training of senior managers per occupational category and of specific senior managers, with specific plans to meet the training needs of persons historically disadvantaged.

Staff establishment

4. (1) A municipal manager must, within 12 months of the promulgation of these regulations, review the municipality's staff establishment having regard to the principles set out in these regulations, the functions and powers listed in Part B of Schedule 4 to the Constitution, Part B of Schedule 5 to the Constitution, Chapter 5 of the Municipal Structures Act, and based on—
- (a) a municipality's strategic objectives; and
 - (b) a municipality's core and support functions.
- (2) Notwithstanding subregulation (1), a municipality must at least provide for the following departments on the staff establishment to—
- (a) provide development and town planning services;
 - (b) provide public works and basic services to communities;
 - (c) provide community services;
 - (d) manage the finances of a municipality; and
 - (e) render corporate support services.
- (3) The municipal manager must review the municipality's staff establishment within 12 months in any of the following instances:
- (a) the election of a new municipal council;
 - (b) the adoption of the integrated development plan of the municipality as contemplated in section 25 of the Act;
 - (c) material changes to the functions of the municipality; or
 - (d) the determination of new municipal boundaries.
- (4) The staff establishment must provide for—
- (a) permanent posts; and
 - (b) fixed term posts.

(5) In the case of fixed term posts, the municipal manager must have due regard to the following:

- (a) the financial implications of such post to the municipality;
- (b) any existing contractual obligations of the incumbent manager and the financial implications thereof on the budget of the municipality;
- (c) the need of the municipality to retain institutional memory and scarce skills, and to promote stability and continuity within the municipality; and
- (d) the sustainability of the municipality.

(6) The municipal manager must, within 14 days of finalising the staff establishment, submit the staff establishment, a detailed report and recommendations on the staff establishment to the municipal council for approval.

(7) The report contemplated in subregulation (6) must outline the process followed in developing the staff establishment, which must include—

- (a) a summary of the mandate and service delivery priorities of the municipality and how the proposed staff establishment addresses these;
- (b) a summary of the proposed posts that are envisaged to—
 - (i) materially change;
 - (ii) change to a limited or non-material degree;
 - (iii) be abolished; and
 - (iv) not be affected by the changes;
- (c) a motivation of the proposed changes, including an analysis of the strengths, weaknesses and limitations of the current staff establishment;
- (d) job descriptions, duties, functions, competency requirements and responsibilities according to which one or more posts of the same grade are established, including the grading or relative size and value of a job;
- (e) details of the financial implications of the changes including, but not limited to, the outcomes of job evaluation processes, remuneration costs for senior managers, costs for relocation, new facilities and equipment, if any;
- (f) non-financial implications of the changes, including the impact on existing staff, key stakeholders and other processes within the municipality;
- (g) a project plan that specifies the timeframes within which the implementation is envisaged to take place; and
- (h) the stakeholders and change management requirements.

(8) The municipal council must at its next meeting following receipt of the staff establishment, approve the staff establishment, with or without amendments, as proposed by the municipal manager.

Creation and filling of senior manager posts

5. (1) When creating or filling a post of a senior manager, the municipal council must have due regard to the staff establishment, report and recommendation contemplated in regulations 4(6) and (7) of these regulations.

(2) The municipal council must—

- (a) confirm that the municipality requires the post to meet its strategic objectives;
- (b) ensure that a job description has been developed for the post;
- (c) attach to that post the remuneration and other conditions of employment; and

- (d) ensure that sufficient budgeted funds, including funds for the remaining period of the medium-term expenditure framework, are available for filling the post.

CHAPTER 3

RECRUITMENT, SELECTION AND APPOINTMENT

Principles of recruitment

6. (1) The recruitment, selection and appointment of senior managers must take place in accordance with the municipal systems and procedures contemplated in section 67 of the Act that are consistent with sections 54A, 56, 57A and 72 of the Act.
- (2) A senior manager post must be filled through public advertising, in accordance with the procedures contemplated in regulation 10.
- (3) Selection must be competence-based to enhance the quality of appointment decisions and to ensure the effective performance by municipalities of their functions.

Determination of recruitment needs

7. (1) When the post of a senior manager becomes vacant, or is due to become vacant, the mayor, in the case of a municipal manager, or the municipal manager, in the case of a manager directly accountable to the municipal manager, must, upon receipt of official notification that the post of a senior manager will become vacant, obtain approval from the municipal council for the filling of such post in its next council meeting or as soon as it is reasonably possible to do so.
- (2) A vacant senior manager post may not be filled, unless—
- approval to fill the post has been granted by the municipal council; and
 - the post has been budgeted for.
- (3) Notwithstanding subregulation (1), the speaker may convene a special meeting to obtain municipal council approval for the filling of a senior manager post.

General requirements for appointment of senior managers

8. (1) No person may be appointed as a senior manager on a fixed term contract, on a permanent basis or on probation, to any post on the approved staff establishment of a municipality, unless he or she—
- is a South African citizen or permanent resident; and
 - possesses the relevant competencies, qualifications, experience, and knowledge set out in Annexures A and B to these regulations.
- (2) An appointment may not take effect before the first day of the month following the month during which the municipal council approved the appointment.

Competence requirements for senior managers

9. (1) A person appointed as a senior manager in terms of these regulations must have the competencies as set out in Annexure A.
- (2) A person appointed as a senior manager in terms of these regulations must comply with the minimum requirements for higher education qualification, work experience and knowledge as set out in Annexure B.

Advertising of vacant posts

10. (1) The municipal manager must, within 14 days of receipt of the approval referred to in regulation 7, ensure that the vacant post is advertised.
- (2) A vacant senior manager post must be advertised in a newspaper circulating nationally and in the province where the municipality is located.
- (3) An advertisement for a vacant senior manager post must specify the—
- (a) job title;
 - (b) term of appointment;
 - (c) place to be stationed;
 - (d) annual total remuneration package;
 - (e) competency requirements of the post, including minimum qualifications and experience required;
 - (f) core functions;
 - (g) need for signing of an employment contract, a performance agreement and disclosure of financial interest;
 - (h) the need to undergo security vetting;
 - (i) contact person;
 - (j) address where applications must be sent or delivered; and
 - (k) closing date which must be a minimum of 14 days from the date the advertisement appears in the newspaper and not more than 30 days after such date.
- (4) A municipality may utilise a recruitment agency to identify candidates for posts: Provided that the advertising, recruitment and selection procedures comply with these regulations.
- (5) The mayor, in the case of a municipal manager, or the municipal manager, in the case of a manager directly accountable to the municipal manager, must provide monthly reports to the executive committee regarding progress on the filling of the vacant senior manager post.

Application for vacant post

11. (1) An application for the vacant post of a senior manager must be submitted on an official application form, attached as Annexure C, accompanied by a detailed curriculum vitae.
- (2) Notwithstanding subregulation (1), a municipality that has on-line application procedures in place may use an on-line application form: Provided that the on-line application form substantially corresponds to the application form in Annexure C, and complies with these regulations.
- (3) An application not made on the official form, as contemplated in subregulations (1) or (2) must not be considered.
- (4) An applicant for a senior manager post must disclose—
- (a) his or her academic qualifications, proven experience and competencies;
 - (b) his or her contactable references;
 - (c) registration with a relevant professional body;
 - (d) full details of any dismissal for misconduct; and
 - (e) any disciplinary actions, whether pending or finalised, instituted against such applicant in his or her current or previous employment.
- (5) Any misrepresentation or failure to disclose information contemplated in subregulation (3) and (4) is a breach of the Code of Conduct for Municipal Staff as provided for in Schedule 2 to the Act and shall be dealt with in terms of the Disciplinary Regulations.

- (6) The municipality must compile and maintain a record of all applications received, which must contain—
- (a) the applicants' biographical details and contact information;
 - (b) the details of the post for which the applicants were applying;
 - (c) the applicants' qualifications; and
 - (d) any other requirements outlined in the application form.

Selection panel

12. (1) A municipal council must appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager posts.

(2) In deciding who to appoint to a selection panel, the following considerations must inform the decision:

- (a) the nature of the post;
- (b) the gender balance of the panel; and
- (c) the skills, expertise, experience and availability of the persons to be involved.

(3) The selection panel for the appointment of a municipal manager must consist of at least three and not more than five members, constituted as follows:

- (a) the mayor, who will be the chairperson, or his or her delegate;
- (b) a councillor designated by the municipal council; and
- (c) at least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.

(4) The selection panel for the appointment of a manager directly accountable to a municipal manager must consist of at least three and not more than five members, constituted as follows:

- (a) the municipal manager, who will be the chairperson;
- (b) a member of the mayoral committee or councillor who is the portfolio head of the relevant portfolio; and
- (c) at least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.

(5) A panel member must disclose any interest or relationship with shortlisted candidates during the shortlisting process.

(6) A panel member contemplated in subregulations (3) and (4) must recuse himself or herself from the selection panel if—

- (a) his or her spouse, partner, close family member or close friend has been shortlisted for the post;
- (b) the panel member has some form of indebtedness to a short-listed candidate or *vice versa*; or
- (c) he or she has any other conflict of interest.

(7) A panel member and staff member must sign a declaration of confidentiality as set out in Annexure D to these regulations, to avert the disclosure of information to unauthorised persons.

(8) A staff member may provide secretarial or advisory services during the selection process, but may not form part of the selection panel.

Compiling shortlist of applicants

13. (1) A mayor, in the case of the municipal manager, or the municipal manager, in the case of the manager directly accountable to the municipal manager, in consultation with the selection panel, must compile—

- (a) a list of all applicants who applied for an advertised post; and

- (b) a shortlist consisting of all applications received for a specific post, evaluated against the relevant competency requirements, as set out in Annexures A and B to these regulations.
- (2) The shortlisting must be finalised within 30 days of the closing date of the advertisement.
- (3) The municipality must keep a record of all the applicants who applied for vacant posts.
- (4) The municipal manager must ensure that the information contained in the applications is kept confidential and stored in a secure site on the municipality's premises.
- (5) The lists contemplated in subregulation (1) must be submitted, together with the shortlisted applications, to the selection panel before the interviews.

Screening of candidates

- 14. (1)** Screening of the shortlisted candidates must take place within 21 days of the finalisation of the shortlisting by—
- (a) conducting the necessary reference checks;
 - (b) contacting a candidate's current or previous employer;
 - (c) determining the validity of a candidate's qualifications; and
 - (d) verifying whether a candidate has been dismissed previously for misconduct or poor performance by another employer.
- (2) A written report on the outcome of the screening process must be compiled by the mayor, in the case of the municipal manager, or the municipal manager, in the case of the manager directly accountable to the municipal manager, before the interviews take place.

Interviews

- 15. (1)** The selection panel must conduct interviews within 21 days of screening the candidates.
- (2) The selection panel for a specific post must remain the same throughout the screening and interviewing process.
- (3) The selection panel must keep records of every panel member's individual assessment of the interviewed candidates.
- (4) The determination of candidates to be recommended for appointment must be considered by way of consensus between the members of the selection panel.
- (5) If consensus cannot be reached, a dissenting member may record his or her concerns in the minutes, whereafter the issue may be voted upon, with each member of the selection panel entitled to one vote.
- (6) The selection panel must recommend the second and third suitable candidates to minimise delays that may arise in the filling of the post if the first choice candidate declines or does not accept the offer of employment.

Selection

- 16. (1)** The candidates recommended for appointment to the post of a senior manager must undergo a competency assessment.
- (2) The competency assessment tools must—
- (a) be capable of being applied fairly; and
 - (b) not be biased against any person or group of persons.
- (3) A municipality must provide in its medium term budget, funding for purposes of competency assessment and testing.

(4) Notwithstanding subregulation (3) and upon good cause shown, a municipality encountering cash flow problems may apply to the Local Government Sector Education and Training Authority to make use of the discretionary grants to fund the competency assessment for purposes of filling a vacant senior manager post.

(5) The selection panel must submit a report and recommendation on the selection process to the municipal council on the suitability of candidates who comply with the relevant competency requirements of the post as set out in Annexures A and B, in order of preference.

Resolution of municipal council on appointment of senior managers and reporting

17. (1) Before making a decision on an appointment, a municipal council must satisfy itself that—

- (a) the candidate meets the relevant competency requirements for the post, as set out in Annexures A and B to these regulations;
- (b) screening of the candidates has been conducted in terms of regulation 14; and
- (c) the candidate does not appear on the record of staff members dismissed for misconduct as set out in Schedule 2 to these regulations.

(2) A municipal council must, subject to subregulation (1), take a decision on the appointment of a suitable candidate.

(3) A municipal council must—

- (a) inform all interviewed candidates, including applicants who were unsuccessful, of the outcome of the interview; and
- (b) within 14 days of the decision referred to in subregulation (2), submit a written report to the MEC for local government regarding the appointment process and outcome.

(4) The report contemplated in subregulation (3)(b) must contain—

- (a) details of the advertisement, including date of issue and the name of newspapers in which the advert was published, and proof of the advertisement or a copy thereof;
- (b) a list of all applicants;
- (c) a report contemplated in regulation 14(2) on the screening process and the outcome thereof;
- (d) the municipal council's resolution approving the selection panel and the shortlisted candidates;
- (e) competency assessment results;
- (f) the minutes of the shortlisting meeting;
- (g) the minutes of interviews, including scoring;
- (h) the recommendations of the selection panel submitted to the municipal council;
- (i) the details of executive committee members and recommendations, if the selection panel comprised of all members of the executive committee;
- (j) the recommendation of the executive committee or executive mayor to the municipal council, if any;
- (k) the municipal council resolution approving the appointment of the successful candidate;
- (l) the application form, curriculum vitae, proof of qualifications and other supporting documentation of the successful candidate;
- (m) a written confirmation by the successful candidate that he or she does not hold political office as contemplated in section 56A of the Act, as at the date of appointment;

- (n) the letter of appointment, outlining the term of contract, remuneration and conditions of employment of the senior manager; and
- (o) any other information relevant to the appointment.

Re-employment of dismissed persons

18. (1) A person who has been dismissed for misconduct in a municipality may not be employed as a senior manager in any municipality before the expiry of a period, as set out in column 3, in respect of such category of misconduct as set out in column 2 of Schedule 2.

(2) Subregulation (1) does not apply to a senior manager who has lodged a dispute in terms of applicable legislation.

(3) If a senior manager is dismissed for more than one categories of misconduct as set out in subregulation (1), the periods set out in column 3 of the table attached as Schedule 2, run concurrently.

(4) For purposes of subregulation (1), a person dismissed for misconduct is prohibited from re-employment in any municipality for a period as set out in column 3 of Schedule 2 in respect of such category of misconduct calculated from the date of dismissal or conviction.

(5) Any senior manager who has been dismissed for any misconduct other than the categories of misconduct as set out in column 2 of the table attached as Schedule 2 may not be subjected to a waiting period before such a staff member may be re-employed in a municipality.

(6) A municipality must maintain a record of staff members dismissed for misconduct and staff members who resigned prior to the finalisation of any disciplinary proceedings.

(7) A record contemplated in subregulation (6) must be submitted within 14 days of such dismissal or resignation to the MEC for local government and the Minister.

(8) The record contemplated in subregulation (6) must include the following information:

- (a) The name and surname of the staff member;
- (b) the name of municipality;
- (c) the post title; and
- (d) the nature of the misconduct, including—
 - (i) the date of suspension, if applicable;
 - (ii) the conditions of suspension;
 - (iii) the date of commencement of the disciplinary hearing;
 - (iv) information regarding any pre-dismissal arbitration;
 - (v) the finding and category of misconduct;
 - (vi) the date on which the misconduct was referred for arbitration;
 - (vii) costs incurred by the municipality towards the finalisation of the disciplinary case;
 - (viii) the date of resignation or dismissal of the senior manager; and
 - (ix) whether the dismissal has been appealed and the status of the appeal, if applicable.

Re-advertisement of posts

19. (1) If no suitable candidate has been identified, the municipal council—
- (a) must inform all shortlisted candidates that their applications were unsuccessful; and
 - (b) may re-advertise the post.

Secondment

20. (1) If a person is seconded to a municipality to act as a municipal manager in terms of section 54A(6) of the Act, an agreement must be entered into between the relevant seconding authority and receiving municipality.

(2) The agreement contemplated in subregulation (1) must specify—

- (a) the duration of the secondment;
- (b) the party responsible for the costs of the secondment; and
- (c) the job description of the seconded official.

(3) Notwithstanding subregulation (4), the cost of secondment must be borne by the receiving municipality, taking into consideration the financial capacity of the municipality.

(4) A person seconded in terms of subregulation (1) must report monthly to the MEC or the Minister, in terms of section 54A(6), on the following:

- (a) steps taken to fill the vacant post to which he or she is seconded;
- (b) the development and implementation of any municipal institutional recovery plan for which the seconded official is responsible;
- (c) monitor and assess the adherence to policy, principles and frameworks applicable to the municipality;
- (d) develop a turnaround strategy for the municipality including a strategy to promote good governance;
- (e) ensure implementation of municipal council resolutions by the administration;
- (f) implement a system to control and approve all expenditure;
- (g) implement all governance systems and procedures; and
- (h) ensure implementation of financial systems, policies and procedures.

(5) A person seconded in terms of subregulation (1) must—

- (a) be paid an allowance equal to the difference between the seconded official's current salary and the minimum budgeted salary of the position that the seconded official acts in; and
- (b) be compensated for subsistence and travel incurred during the course and scope of his or her duties, in accordance with the relevant policy of the municipality.

CHAPTER 4**CONDITIONS OF EMPLOYMENT****Ordinary hours of work**

21. (1) Except as otherwise provided, a senior manager's ordinary hours of work must be stipulated in the employment contract and be in accordance with the operational requirements of the municipality.

(2) Notwithstanding subregulation (1) a senior manager must work at least 40 ordinary hours per week from Monday to Friday.

Overtime

22. A senior manager may be required to work overtime without additional remuneration.

7.6 APPOINTMENT OF TEMPORARY PROJECT MANAGERS: VARIOUS GOVERNANCE PROJECTS*File number* : 4/3/4/7*Compiled by* : Senior Administrative Officer*Report by* : Acting Municipal Manager*Delegated Authority* : Council**Strategic intent of item**

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

1. PURPOSE OF REPORT

To motivate to Council for the temporary appointment of Project Managers Governance Projects for a period of one to three years.

2. BACKGROUND

Various governance gaps were identified over the past years. These areas need a special focus and impetus to enhance service delivery. Permanent staff do not have the capacity to also manage these projects, and each project can be managed with an end date in mind. A project manager can facilitate project scoping and development, implementation, monitoring, evaluation and closing down of the project.

Candidates will be interviewed and employed in line with the Employment Equity Act and plan of Stellenbosch Municipality.

The following is the list of projects which have been identified:

	Project	Directorate	Comment
1.	Project office	All	Proposed project management assistance needed with regards to e.g. Built Environment. Not only about skill but also about time and resources. Properly skilled project manager with a focus on various built environment projects. Use vacant position: PROFESSIONAL OFFICER: IR & IGR RELATIONS NEW / VACANT/UNFUNDED 2015/2016 [7.4.6/WC024] – Reports to Manager: LED
2.	Mscosa	Office of the MM	Proposed project management assistance.
3.	Customer care and Call Centre	Strategic and Corporate Services	Proposed project management assistance, especially for the establishment of the call centre as a dedicated project manager was a challenge during the last financial year.
4.	Clean Audit Program	Office of the MM	Project Manager needed for three years. (use Internal Audit 1.3.2 Senior Internal Auditor vacant position). APPENDIX 1.

5.	Coordination of Northern Extension	HSPM or PED	Project Manager needed for a minimum of 3 years to monitor/drive this project, i.e the obtaining of development rights and related property transactions. Seeing that this is a multi-disciplinary project, the need for a dedicated driver is important.
6.	Ex Bosdorpe	HSPM or PED	Project Manager needed for a minimum of 3 years to monitor/drive this project, consisting of various geographical areas, such as Jonkershoek, Meerlust and Maasdorp. The focus will be the obtaining of development rights and related property transactions. Seeing that this is a multi-disciplinary project, the need for a dedicated driver is important.

3. DUTIES OF THE PROPOSED PROJECT MANAGERS INCLUDE, BUT ARE NOT LIMITED TO

3.1 PROJECT OFFICE

- Large built environment projects
- Office space
- Innovation in Housing
- Cemetery, sports plan, graveyard records electronically.

3.2 Mscoa

Uniform expenditure classifications have already been established and implemented for national and provincial government departments. Draft regulations have been established to propose segments and a classification framework for the standard chart of accounts to be applied in local government in similar form to that implemented for national and provincial government departments. In order to enable the National Treasury to provide consolidated local government information for incorporation in national accounts, national policy and other purposes, it must obtain financial information from individual municipalities.

It is for this reason that the Minister of Finance specified national norms and standards for the recording and collection of local government budget, financial and non-financial information which will include in some instances the specifications of information required for national policy coordination and reporting. This will result in an improved understanding of the role of local government in the broader national policy framework and linkage to other government functions.

3.3 CUSTOMER CARE AND CALL CENTRE

Call centre Business plan attached as **APPENDIX 2**.

4. COMMENTS FROM OTHER DEPARTMENTS

4.1 Corporate Services/ Legal Implication

Though The Labour Relations Amendment Act, Act No 6 of 2014 provides for the employment of: temporary or fixed term employees, same does not apply to employees earning in excess of the threshold R205 433.30) prescribed by the Minister in terms of Section 6(3) of the Basic Conditions of Employment Act. 75 of 1997. Section 66 of the Municipal Systems Amendment Act 5 of 2011 states that all positions within the municipality must be on the approved staff establishment and it must particular be noted that no distinction is made between permanent and temporary positions.

It is therefore reasonable to conclude that said position must first be approved as a temporary position on the staff establishment prior to an appointment being made. After provision has been made for any position on the staff establishment, advertisements must be duly advertised to ensure that the council adhere to the legislative prescripts.

Legal Department

The Item is supported. We note that no provision was made by the Directorate: Human Settlements for a position on the staff establishment to assist with the various eviction applications received and reports on alternative accommodations in line with the Municipality's Emergency Housing Assistance Policy. We propose that provision is made on the staff establishment for such position as well.

However, in terms of regulation 4 of the Local Government: Regulations on appointment and conditions of employment of Senior Managers, the Municipal Manager must within 12 months of the promulgation of these regulations, review the municipality's staff establishment having regard to the principles set out in these regulations. The review alluded to above is still outstanding and we advise that the Municipality attend to same urgently. The haphazard fashion in which the staff establishment is amended by the Municipality is problematic and needs to be attended to collectively in line with the prescripts of the regulations.

4.2 Planning and Economic Development

Project managers are essential resources for implementation of projects and programs. The Municipality was structured in 2011 on the basis of old pre – 2009 thinking. Developmental local government needs pro-active, project and program driven service delivery, which the current organisational structure does not support or permit.

The appointment of project managers in all directorates where multiple operational projects or programs in excess of R1 million per project or program are budgeted is supported. Over time the project managers must become permanent appointments, as projects and programs are the norm, not current budget items only. The organisational structure must then adjust accordingly.

RECOMMENDED

- (a) that Council recognise the need for additional project manager capacity;
- (b) that due process be followed in terms of the proposed amendments to the approved micro-organisational structure of 2011;
- (c) that the recruitment and selection process be followed as per the Recruitment and Selection Policy; and
- (d) that the Project Managers be appointed on a one (1) to three (3) year contract with performance based targets and in line with the Employment Equity Plan.

(ACTING MUNICIPAL MANAGER TO ACTION)

35TH COUNCIL MEETING: 2015-10-28: ITEM 8.1**RESOLVED** (nem con)

that this matter be referred back to the relevant Standing Committee during November 2015 and subsequent recommendation to Council.

(ACTING MUNICIPAL MANAGER TO ACTION)**FURTHER COMMENTS BY THE ACTING MUNICIPAL MANAGER**

In addition to the appointment of Project Managers as contemplated in paragraph 2 above, Council's approval for a temporary person to support the acting Director: Engineering Services is required.

The position of Acting Director: Engineering Services will not filled until there is clarity on the permissible job requirements. The MEC for local government and the Minister of Cooperative Governance and Traditional Affairs have been asked to give clarity and guidance on the effect of the 30 September 2015 decision to enforce the so called Municipal Minimum Competency Regulations. (See **APPENDIX 3**)

At best, a new Director will be appointed in February 2016 but more likely March 2016. Given the work pressure of the increased budget, the shortened budgeting cycle (due to the local elections) and the staff situation in the Directorate, it is critical to employ an approximately skilled, knowledgeable and capable person to support the Acting Directors with day to day administrative work that prevents them from focusing on their functions as managers in their respective departments. The cost of such employment can be covered by the savings incurred in the remuneration of a Director.

In addition to the recommendations (a) to (d) depicted above, the following should be added:

- (e) that an external senior professional person with the requisite qualifications, skills and expertise be appointed to support the Acting Director: Engineering Services until such time that the position is filled.

FOR CONSIDERATION**FINANCE AND STRATEGIC AND CORPORATE SERVICES COMMITTEE MEETING:
2015-11-10: ITEM 5.1.1****RESOLVED** (nem con)

that Human Resources provides the project plans for each project manager listed above prior to submission to the Mayoral Committee and to Council.

RECOMMENDED

- (a) that Council recognise the need for additional project manager capacity for the following projects:

	Project	Directorate	Comment
1.	Project office	All	Proposed project management assistance needed with regards to e.g. Built Environment. Not only about skill but also about time and resources. Properly skilled project manager with a focus on various built environment projects. Use vacant position: PROFESSIONAL OFFICER: IR & IGR RELATIONS NEW / VACANT/UNFUNDED 2015/2016 [7.4.6/WC024] – Reports to Manager: LED
2.	Mscoa	Office of the MM	Proposed project management assistance.
3.	Customer care and Call Centre	Strategic and Corporate Services	Proposed project management assistance, especially for the establishment of the call centre as a dedicated project manager was a challenge during the last financial year.
4.	Clean Audit Program	Office of the MM	Project Manager needed for three years. (use Internal Audit 1.3.2 Senior Internal Auditor vacant position). APPENDIX 1.
5.	Coordination of Northern Extension	HSPM or PED	Project Manager needed for a minimum of 3 years to monitor/drive this project, i.e the obtaining of development rights and related property transactions. Seeing that this is a multi- disciplinary project, the need for a dedicated driver is important.
6.	Ex Bosdorpe	HSPM or PED	Project Manager needed for a minimum of 3 years to monitor/drive this project, consisting of various geographical areas, such as Jonkershoek, Meerlust and Maasdrorp. The focus will be the obtaining of development rights and related property transactions. Seeing that this is a multi- disciplinary project, the need for a dedicated driver is important.
7	Emergency Housing Assistance Officer	Human Settlements	Proposed Project Management assistance

- (b) that due process be followed in terms of the proposed amendments to the approved micro-organisational structure of 2011;
- (c) that the recruitment and selection process be followed as per the Recruitment and Selection Policy;
- (d) that the Project Managers be appointed on a temporary basis of one (1) to three (3) year contract with performance based targets and in line with the Employment Equity Plan; and
- (e) that an external senior professional person with the required qualifications, skills and expertise be appointed to support the Acting Director: Engineering Services until such time that the Director position is filled.

(ACTING DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)

MAYORAL COMMITTEE MEETING: 2015-11-18: ITEM 5.1.6

RECOMMENDED BY THE EXECUTIVE MAYOR

- (a) that Council recognise the need for additional project manager capacity for the following projects:

	Project	Directorate	Comment
1.	Project office	All	Proposed project management assistance needed with regards to e.g. Built Environment. Not only about skill but also about time and resources. Properly skilled project manager with a focus on various built environment projects. Use vacant position: PROFESSIONAL OFFICER: IR & IGR RELATIONS NEW / VACANT/UNFUNDED 2015/2016 [7.4.6/WC024] – Reports to Manager: LED
2.	Mscosa	Office of the MM	Proposed project management assistance.
3.	Clean Audit Program	Office of the MM	Project Manager needed for three years. (use Internal Audit 1.3.2 Senior Internal Auditor vacant position). APPENDIX 1.
4.	Coordination of Northern Extension	HSPM or PED	Project Manager needed for a minimum of 3 years to monitor/drive this project, i.e the obtaining of development rights and related property transactions. Seeing that this is a multi- disciplinary project, the need for a dedicated driver is important.
5.	Ex Bosdorpe	HSPM or PED	Project Manager needed for a minimum of 3 years to monitor/drive this project, consisting of various geographical areas, such as Jonkershoek, Meerlust and Maasdorp. The focus will be the obtaining of development rights and related property transactions. Seeing that this is a multi- disciplinary project, the need for a dedicated driver is important.
6.	Emergency Housing Assistance Officer	Human Settlements	Proposed Project Management assistance

- (b) that due process be followed in terms of the proposed amendments to the approved micro-organisational structure of 2011;
- (c) that the recruitment and selection process be followed as per the Recruitment and Selection Policy;
- (d) that the Project Managers be appointed on a temporary basis ending 30 June 2016 subject to performance-based targets and in line with this municipality's Employment Equity Plan; and
- (e) that an external senior professional person with the required qualifications, skills and expertise be appointed to support the Acting Director: Engineering Services until such time that the Director position is filled, but also ending on 30 June 2016.

(ACTING DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)

36TH COUNCIL MEETING: 2015-11-25: ITEM 7.5

RESOLVED (majority vote)

- (a) that Council recognise the need for additional Project Manager capacity for the following projects:

	Project	Directorate	Comment
1.	Project office	All	Proposed project management assistance needed with regards to e.g. Built Environment. Not only about skill but also about time and resources. Properly skilled project manager with a focus on various built environment projects. Use vacant position: PROFESSIONAL OFFICER: IR & IGR RELATIONS NEW / VACANT/UNFUNDED 2015/2016 [7.4.6/WC024] – Reports to Manager: LED
2.	Mscoa	Office of the MM	Proposed project management assistance.
3.	Clean Audit Program	Office of the MM	Project Manager needed for three years. (use Internal Audit 1.3.2 Senior Internal Auditor vacant position). APPENDIX 1.
4.	Coordination of Northern Extension	HSPM or PED	Project Manager needed for a minimum of 3 years to monitor/drive this project, i.e the obtaining of development rights and related property transactions. Seeing that this is a multi- disciplinary project, the need for a dedicated driver is important.
5.	Ex Bosdorpe	HSPM or PED	Project Manager needed for a minimum of 3 years to monitor/drive this project, consisting of various geographical areas, such as Jonkershoek, Meerlust and Maasdorp. The focus will be the obtaining of development rights and related property transactions. Seeing that this is a multi- disciplinary project, the need for a dedicated driver is important.
6.	Emergency Housing Assistance Officer	Human Settlements	Proposed Project Management assistance

- (b) that due process be followed in terms of the proposed amendments to the approved micro-organisational structure of 2011;
- (c) that the recruitment and selection process be followed as per the Recruitment and Selection Policy;
- (d) that the Project Managers be appointed on a temporary basis ending 30 June 2016 subject to performance-based targets and in line with this municipality's Employment Equity Plan; and
- (e) that an external senior professional person with the required qualifications, skills and expertise be appointed to support the Acting Director: Engineering Services until such time that the Director position is filled, but also ending on 30 June 2016.

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

Councillors F Adams; JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms); RS Nalumango (Ms); MM Ngcofe; N Ntsunguzi (Ms); L Ronoti; P Sitshoti (Ms); LN Siwakamisa (Ms) and AT van der Walt.

(ACTING DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)

FURTHER COMMENTS BY THE MUNICIPAL MANAGER

To motivate to Council to rescind and review the resolution of the Council meeting held on 25 November 2015 regarding the appointment of temporary Project Managers for the various Governance projects identified.

Candidates were interviewed and will be employed in line with the Employment Equity Act and plan of Stellenbosch Municipality as far as possible. Due to the interviews only being held in January 2016 for the various positions and the appointment date being 1 April 2016 in some of the instance, it was recognised that the time period will be too short for the appointment of these project managers. The previous Council resolutions resolved that the positions be appointed until 30 June 2016. This would be a waste of time and money as nothing much would be achieved in this short period of time.

**FURTHER COMMENTS BY DIRECTORATE INTEGRATED HUMAN SETTLEMENTS
AND PROPERTY MANAGEMENT**

Motivation for the appointment of a project manager for an extended period for the Bosdorpe project is fully supported. (APPENDIX 4)

FURTHER COMMENTS BY FINANCE DIRECTORATE

Budget will be made available.

RECOMMENDED

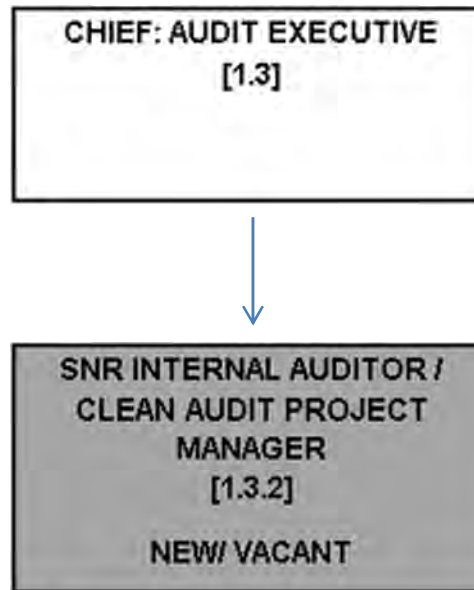
- (a) that the previous Council resolution (d) and (e) (36TH COUNCIL MEETING: 2015-11-25: ITEM 7.5) be rescinded;
- (b) that Council recognise the need for additional project manager capacity;
- (c) that due process be followed in terms of the proposed amendments to the approved micro-organisational structure of 2011;
- (d) that the recruitment and selection process be followed as per the Recruitment and Selection Policy;
- (e) that the Project Managers be appointed on a six (6) months contract which can be renewable for a further six (6) months, with performance based targets and in line with the Employment Equity Plan as far as possible taking into account the skills required and the applicants received; and
- (f) that an external senior professional person with the required qualifications, skills and expertise be appointed to support the Acting Director: Engineering Services until such time that the Director position is filled, for a period of six (6) months.

**(DIRECTOR: STRATEGIC AND
CORPORATE SERVICES TO ACTION)**

APPENDIX 1

KPA's Snr Internal Auditors

Development of work plans; Prepare audit procedures; Execute more complex internal audit reviews; Documenting process maps and working procedures in accordance; Review working papers and assess the completeness and accuracy thereof; Supervise and review the evaluation of the effectiveness of controls; Review audit work from planning to completion stage, in line with audit objectives; Monitor progress and outcomes against budget plan; Draft audit reports; Conduct interviews with snr level staff; Tracking management responses to closure; Ensure work is performed in accordance with the Internal Audit Methodology; Performing and supervise audit follow ups



APPENDIX 2

MARKETING PLAN
CENTRALISED CALL CENTRE

1. EXECUTIVE SUMMARY

Stellenbosch has a rich diversity of people, cultures and traditions that all contribute to its character. The proposed Centralized Call Centre is aimed at providing a one stop shop for all citizens as well as visitors to access any emergency services when and if required in the area.

Today, South Africa has one of the most liberal, democratic Constitutions in the world (adopted in 1996) and it is rapidly developing a democratic political culture based on respect for human rights. Every citizen or human being has the right to equality. No one should be treated differently than the other. The establishing of a call centre will thus benefit all the citizens of the Greater Stellenbosch as there is a need from the community to establish better communication.

The 2000 Local Government Election saw the amalgamation of Stellenbosch Municipality with 3 smaller municipalities Franschoek, Pniel, Kayamandi and Stellenbosch Municipality to form the Greater Stellenbosch Municipality.

Each of these administrations was run on a stand alone communication system pertaining telephony and two-way radio communications. The fragmented telephone communications systems effected services delivery very negative. Lack of Management information on report of incidents and zero customer follow up prompted the municipality to investigate the feasibility of a centralized communications center.

Currently, Stellenbosch do have a call taking centre called a control centre which is suppose to render a service for all the municipal departments.

What is really happening is that the control centre receives a call being a complaint from a member of the public and transfers the call to the relevant department. No follow-up is being done by the control centre and the operator does not even know whether the complaint has been attended to or not, bearing in mind that the control centre was the first contact with the member of public. Therefore, the first impression which the public receives should be a lasting impression and one that reflects good service delivery and prompt response.

Politicians are complaining that they are at the receiving end from the general public. They are being blamed for poor service delivery and that complaints are not attended to promptly.

As there was a need identified by the community for better communication with the municipality (external), this need, if not addressed, will put pressure on the political sphere and reflects the inability of the political party in power and the failure to service delivery. The political buy-in for a call centre will ensure an appropriate budget for the success thereof. The process of appropriate budget starts with the Integrated Development Plan (IDP) whereas the need for a call centre needs to be identified by the community along with other urgent needs.

The next step was to prioritize the various needs in terms of their importance by adding scores to them. This is done together with a task team consisting of politicians, officials and representatives from the community or organizations.

2. INTERNAL ENVIRONMENT

2.1 STRENGTHS

- Co-operation and interaction of different departments and emergency services, which currently exists.
- Measures aim to achieve consensus between various role-players in the deployment of unified management systems towards reduction of crime.
- All services are emergency prepared, which will enhance disaster management. All relevant contact numbers and details of role-players.

2.2 WEAKNESSES

Lack of funding

No provision is made for a sustainable uniform funding mechanism. The act states: "A local authority which is approved as a reporting centre, may with the prior written approval of the minister, and on condition which the minister may determine, impose a levy or service charge to defray expenses incurred as a direct result of being approved as a reporting centre.

The monopolistic nature of local authorities has important implications on the way in which they are financed. Local authorities must be financed by means of the lowest possible cost structure; low demands must be made on the income of private individuals. The council as legislative body must realize that the power to place a financial burden on the community is in fact a responsible trust relationship between the council and the community.

LACK OF STANDARDIZED SOP'S

Standardized SOP's with fire station's control centre:

- Call log procedure

- Details of contact person (complainant)
- Time message delayed
- Relevant department
- Completion of activity/matter resolved

Fragmented governance

Since the Act distinguishes between reporting and control centres, reporting centres are governed by the National Emergency Telephone Services Act in terms of minimum requirements and standards as determined by the specific emergency service providers.

Protocols

There are different standards and protocols for services rendering on a local level:

- Emergency Medical Services are rendered according to vehicle, equipment and personnel qualification standards.
- Fire Services are rendered according to SABS 080-1972 standards: Code of Practice for Community Protection against Fire.
- Traffic Incident management standards are supposed to be imposed by the national Department of Transport. Although it is mentioned in the legislation, no such standards exist.
- The SAPS does have standards and protocols for call-taking dispatching.
- The fact that health district, magisterial boundaries, SAPS boundaries, Telkom exchange boundaries and Traffic Incident management boundaries do not coincide with one another or the local authorities' boundaries, create many service rendering problems.
- Lack of computerization. Where there is a computer system, the networks are aging and there is a lack of use of software.
- There is a training vacuum and an urgent need for training standard. Call takers in emergency response agents' centres are not specifically trained to handle calls that are of a sensitive nature and that need intervention.

Current problems which may impact on the success of a call centre from a governance perspective:

i) Legislation and regulations

Current legislation does not clearly define regulations with regard to public emergency communication centres in South Africa. This has led to fragmented boundaries, i.e. Municipal, Provincial, telephone and geographic boundaries are not necessary homogeneous and creates problems in operations of call centres.

In many instances the public are not aware of boundary limitations or might not even know which call centre to contact in an emergency and the call might land up at a call centre which must be re-routed to the relevant call centre. Valuable time is lost which may be the difference between life and death. If the caller is poverty stricken person, such a person might be calling from a cell phone and not have sufficient airtime to make a second call if this person has called the wrong call centre or might not have the time to wait that the call is re-routed to the correct call centre.

Clear legislation will definitely solve this very important issue in terms of boundaries between Municipal and Provincial, as well as telephone and geographic boundaries.

ii) Governance

At present minimum standards governs reporting centres. No communication legislation exists which governs the provision of public emergency communication centres resulting in each call centre doing its own thing. This means that there is no standard uniform approach in establishing call centres.

iii) Funding

No provision for a uniformed funding mechanism exists. The funding of such a project must compete with other urgent needs as identified through the Integrated Development Plan (IDP).

iv) Standard Operating Procedures

Very fragmented. No national standard operating procedure on how to handle various categories of emergency calls exists. This creates confusion amongst operators. Valuable time is lost which may be very crucial during emergency situations.

v) Human Resources

No uniformed approach to a training professional standard. This creates frustration amongst the public. The one operator would handle a call totally different as to his/her colleague.

The long-term success of any corporation depends a great deal upon the quality of its human resources. Human resources play a critical part in ensuring that a communication centre functions effectively and achieves its objectives. Currently, Tele-communicators, Trainers, Supervisors and Directors throughout South Africa in Communication Centres have a varied level of training, creating a diversity of abilities and practices.

Due to the lack of standards it was found that the problems that are experienced in terms of the human resources are the following:

- Tele-communicators have no standards for training or evaluation.
- There is also no process of system that allows for improvement or any professional development or career advancement.
- No standard SOP's or training manuals.

- No commonly used practices or methods that are shared.
- Qualified professionals are doing call-taking and dispatching, where they could be rendering emergency services.
- There is no organisational structure and functional positions.
- No critical tasks have been outlined for the professional function positions.
- Competency profiles required for personnel to fulfil the requirements for these positions.
- An appropriate selection process for identifying suitable personnel for the positions is lacking.

vi) Language

Language preferences of call centre operators do not reflect the demographics of the area. Members of the public are forced to speak the language of the operator.

vii) Technical standards

Current system does not provide automatic number identification as well as GPRS. Sometimes the public when phoning a call centre, are not able to give a positive and clear indication of the location they are calling from.

viii) Multiplicity of numbers

This creates confusion amongst users. This speaks for itself.

3. EXTERNAL ENVIRONMENT

3.1 OPPORTUNITIES

- Establish a user friendly centre over the total municipal area of jurisdiction.
- Improve service delivery.
- Creation of employment to staff the centre.
- Manage the resources.

- Sound human resource management.
- Identify and define issues that are important to the community.
- Community involvement by citizens concerned for the broader social system.

3.2 THREATS

- Interference of public pressure groups.
- Political interference does not necessary pursue social goals.
- Resistance of certain communities to co-operate.
- Municipal areas expand due to an influx of people without the internal staff component expanding.

4. KEY MARKETING ISSUES

- Initiate a process to maintain and develop relationships between employees and management for the purpose of establishing a state of the art call centre.
- Identify the clients and the competitors.
- Analyze the political will to determine the budget needed to establish the call centre.
- Analyze the contextual environment for determining to what extend those factors that one cannot minimize.
- Do a thorough research of the market to determine advertising strategy, competitive identification, product assessment and media impact.

5. TARGET MARKETS AND THEIR NEEDS

- Ambulance, rescue, hospitals and health services, operated by the province.
- The South African Police Services, operating nationally.
- Environmental management and emergency fire fighting in national Parks.
- Local rail transport, operated by Transnet.
- Bulk electricity, supply by Eskom.

- Water supply, typically from large regional operators.
- Major roads, maintained by provincial public works departments.
- Stellenbosch Municipal Council (Political level)
- Community
- Emergency Services
- Organised Labour
- Provincial Government
- National Government
- Municipal Departments
- NGO's
- CBO's
- Ward Committees

6. MAJOR COMPETITORS

- Privately operated call centres.
- Neighboring towns and cities that compete with Stellenbosch as a tourist destination.
- Competing technology providers.

7. MARKETING SALES FORECAST AND OBJECTIVES (WHAT? / WHERE?)

- Create effective and efficient customer contact;
- Respond quickly and efficiently to complaints / emergencies;
- Create management info systems on all call taking and dispatch;
- Enhance and simplify revenue collection in the Greater Stellenbosch by utilization of technology commissioned in the communication center;
- Create 1 contact number for the Greater Stellenbosch geographical area;
- Develop and install voice / data systems;
- Consider toll free number for all users to make contact with the municipality;

- identification of all role-players and stakeholders that need to be consulted (internal an external);
- Comply with the Constitutional obligations placed on Local Government;
- Comply with the National Emergency Telephone Services Act (*Act no. 143 of 1993*);
- The Telephone Communications Act (*Act 103 of 1996*).

8. MARKETING STRATEGIES

Promote the organization’s image and values in order for customers to understand and appreciate what the organization stands for in relation to its customers.

Identify market segment in order to compete favorably against the competitors.

8.1 PRODUCT

- Centralized control centre that would render a quality service to the community at large.
- State of the art installation and technology.
- Branding of the centre with the municipal brand.

8.2 PRICING

Pricing is going to be determined by the following factors:

- | | | |
|---------------------|---|------------------------|
| • Infrastructure | - | Capital expenditure |
| • Technology | - | Limited life span |
| • User requirements | - | Uninterrupted access |
| • Costs | - | Actual operating costs |
| • Non profit driven | - | Civic responsibility |

8.3 PROMOTION

- Full user involvement.
- Keep users informed about developments.
- Be transparent pertaining issues about the call centre.
- Be media friendly.
- Be open for suggestions from the users.

8.4 DISTRIBUTION

- A dedicated service to all in the WCO24 jurisdiction.
- Good quality speech transmission.

8.5 SERVICES

Society is seen as a dynamic entity consisting of living organisms with needs, demands and preferences that continually change, development and grow over time. They often take it for granted that goods and services will be readily available in the quantities they desire and without any delays, but often they forget the kind of decisions that have to be made to ensure the ready and adequate availability of these goods and services.

Public opinions shape and influence government. Municipalities are obligated to fulfill their constitutional obligations to ensure sustainable, effective and efficient municipal services, promote social and economic development and encourage a safe and healthy environment.

In the Municipal Systems Act, no 32 of 2000, basic municipal services and environmental sustainable are defined as, “ a municipal service that is necessary to ensure an acceptable and reasonable quality of life and if not provided, would

endanger public health or safety or the environment; environmental sustainable in relation to the provision of a municipal service the manner aimed at ensuring that a) the risk of harm to the environment and to human health and safety is minimized to the extent reasonable possible under the circumstances; b) the potential benefits to the environment and to human health and safety are maximized to the extent reasonably possible under the circumstances and c) legislation intended to protect the environment and human health and safety is complied with.”

According to the Constitution, “everyone has the right to ... social security... and to an environment that is not harmful to their health or wellbeing....” The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of each of these rights.

Stellenbosch Municipality strives to deliver municipal services (sanitation, refuse removal, electricity) to all communities by ensuring access to”

- appropriate and acceptable resources;
- effective, efficient and suitable services;
- maintenance and optimum utilization of infrastructure.

9. ACTION PROGRAMMES

Solutions to the above problems as identified:

i) Legislation and regulations

Clear legislation and regulations will ensure that all communication centres are operated within specific guidelines. There won't be confusion in terms of boundaries, etc.

ii) Governance

Communication legislation will ensure a uniformed approach. Call centres will be subject to specific guidelines and the customers/ citizens can rely on quality service delivery.

iii) Funding

Proper budgeting will ensure the success of the project.

iv) Standard Operating Procedures

A national standard operating procedure (SOP) will ensure that call centres are nationally operated in a uniformed way. This will prevent confusion amongst users and improve service delivery.

v) Human Resources

Proper training according to a national standard will ensure uniformity amongst call centres. This will improve service delivery and boost the morale amongst staff. They will know exactly what is expected of them.

vi) Language

Operators should be fully bilingual. This can be achieved by appointing the most suitable candidates for the job. This will ensure that the public won't be experiencing any frustration in this regard.

vii) Technical standards

Technical requirements should cater for automatic number recognition and identifying the exact location of the caller. This will prohibit hoax calls and call centres should be able to improve on the quality of their services.

viii) Multiplicity of numbers

Through the use of one unified telephone number the public won't have doubts on whom to call during emergencies. This can be restricted to the demographic area of the local authority, especially where one has previously dismantled local authorities which have been merged with two or more municipalities into one single local authority. **The one number call centre can be displayed along routes as one enters the jurisdiction of a particular local authority.** The public would know exactly whom they should call during an emergency or any other related complaint or enquiry.

10. BUDGETS

Each municipality has to manage its own finances, but guided by government policy and legislation. A unique characteristic of local authorities finances and financing is that they determine expenditure first and then income. Local authorities, other than individuals, place more emphasis on expenditure side of accounts. A local authority does not keep a profit and loss account, they are however authorized to render trade services at a prescribed maximum profit and these profits are usually utilized to finance non-trade services such as the implementation of CCTV cameras. A great percentage of the accounting work in a local authority has to do with expenditure. The particular implication of this state of affairs is that some local authorities do not at all times have a clear understanding of the effect that expenditure proposals will have on the community.

To implement a Call Centre, financial administration has to take place such as synchronization of the budget and the IDP processes. Non-adherence of budgets and lack of general financial discipline by directorates and council affects funding which are supposed to be used appropriately for the general public. The effect of writing off debt on operating budget and financial position, the effect on the forthcoming budgets with regards to debt collection and credit control,

depreciation of assets, free basic services, annual implementation date of new tariffs and unfunded mandates are the establishment of internal control mechanisms and procedures. Income received is to enhance debt recovery and effectiveness of credit control. Council has a buy-in with great public awareness and compliance and the lack of capacity, the lack of management information, affects the budget, therefore the writing off of debts or bad debts. Other factors are the valuation of rural properties and levying of rates.

Funding selection criteria were determined to assist in selecting the most effective sources of funding in a scientific way through an analytical hierarchical process.

The selection criteria are:

- **Simplicity**
The funding process must be as simple as possible.
- **User pays**
The user of the system should pay. This is in line with national and international trends.
- **High-income groups to fund**
The Funding / levy should ideally be raised on a service / product that are not essential for families living on or below the breadline.
- **Consistency / predictability**
The flow of funding should be consistent as well as predictable. This will provide the basis for sound financial management as well as ensuring active interest for Public Private Partnerships.
- **Payer base**
The base of the funding should be as wide as possible. The more people are involved the lower the cost implication on each individual will be.

11. CONTROLS

Council after consideration of the needs and demands, make provision for the necessary manpower, technology, buildings and facilities in order to fulfill its functions. In doing so they have to procure the necessary financial means that council has to supply adequate funds to pay for the services which they rendered to the community. The municipality through public participation formulates an Integrated Development Plan (IDP) as goal to deliver services and guidelines for a term of 5 years.

12. WAY FORWARD

The project team as identified at the Strategic workshop during March 2014 held its first meeting and has been tasked to go on a fact finding mission in obtaining information on call centres. These tasks will be carried out at our neighbouring municipalities of which feedback will be given to the project team by 29 July 2014. Thereafter we will follow a process in allowing specialists in the field to demonstrate and present to the team what is available in the field of call centres without price tags in order to determine the What, How and Where's. When this is done the project team will set minimum specifications and standards to be able to call for proposals for the appointment of a consultant to assist, project manage and oversee the establishing of a fully fledged call centre subject to appropriate funding being secured.

For further details refer to the project plan which is attached as **Appendix 1**.

RECOMMENDED

1. That the Directors Forum take note of the contents of the above report and the project plan for the establishing of a Call Centre.
2. That the project team report back to the Directors Forum during September/October 2014 after sufficient information has been gathered in order to take an

informed decision on the establishing of a Call Centre based on affordability where after an item be tabled in Council to obtain buy-in from Council for the establishing of a Call Centre.

2014-07-23

APPENDIX 3



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Municipal Manager

24 October 2015

Our Ref: 4/3/2/6

The Minister of Local Government
9th Floor
1 Dorp Street
CAPE TOWN
8001

Per: Amanda.Willett@westerncape.gov.za

Dear Minister Bredell

**APPOINTMENT OF MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGERS:
DIRECTOR ENGINEERING SERVICES**

This letter serves as a request for special consideration of a departure from strict compliance with the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers: Government Notice No. 21 of 17 January 2014 and where applicable General Notice 578 of 2015 dated 1 July 2015, Local Government: Total Remuneration Packages Payable to Municipal Managers and Managers Directly Accountable to Municipal Managers.

The Stellenbosch Municipality advertised three vacancies (see attached copy) for senior managers on 23 August 2015 after consultation with senior representatives of COGTA and the Department of Local Government in the Western Cape Province. In each case it was advertised that suitably skilled and qualified candidates could apply without complying with the aforementioned Regulations and specifically relating to the Municipal Minimum Competency (MMC) (Municipal Regulations on Minimum Competency Levels, R493, 15 June 2007). Of the 29 applicants, only four comply with the MMC requirements, one of which does not hold an engineering qualification. Only one, of the three remaining candidates, qualifies in terms of the Municipality's employment equity (EE) targets, but then does not meet the full requirements in terms of professional registration in the relevant field (see attached Comparison of Candidates on Requirements).

The Municipality recognises government's commitment to promote professionalism in local public administration, by creating a platform that enables government to set uniform standards for municipal staff systems and procedures, as set out in Circular 2 of 2014. However, the Municipality is cautious of strictly applying the Regulations, as it is believed that the only way to fill the vacancy is by creating a vacancy in another Municipality.

The candidate lists for the positions of the Directors: Strategic and Corporate and Community and Protection Services exceeded 60 each and more than 20 in each instance complied fully with the regulated requirements. It is only in the field of engineering services where there is a need to depart from the strict application of the Regulations. Keep in mind that the director's position was also advertised in April 2015, with a similar lack of qualified candidates applying for the position.


If, as quoted in said Circular 2 of 2014, the main objectives of the Regulations are to amongst others "(iii) improve the capacity of municipalities to perform their functions and improve service delivery by ensuring that municipalities recruit and retain suitably qualified persons, especially persons with scarce skills", then clearly

the opposite is achieved in engineering services. Stellenbosch Municipality can only attract appropriate professionally qualified engineers fitting the EE targets if it is exempted from strict compliance with the Regulations. Recruiting engineers from other municipalities goes against the aforementioned objective of retaining suitable persons and simply escalates the overall employment cost to municipalities.

In view of the above, Stellenbosch Municipality herewith wishes to motivate that "*exceptional circumstances*" and "*good cause*" exist for departure from the Regulations. This letter serves as introduction to "*consultation with the MEC for local government*", prior to the Municipality applying "*in writing to the Minister to waive any of the prescribed requirements set for an appointment*", with specific reference to the need for prior completion / compliance with the MMC Regulations.

The MEC is requested to support the Stellenbosch Municipality in its recruitment of suitably skilled professional engineers for consideration as Director: Engineering Services, while such candidates are not yet compliant with the MMC Regulations. It is requested that support be given on condition that should the preferred candidate not be compliant with the MMC Regulations, then such person must qualify within 12 months of date of appointment, failing which the appointment contract must lapse.

Yours faithfully



Dypre Lombaard

ACTING MUNICIPAL MANAGER

cc. Bernice.labuschagne@westerncape.gov.za

Minister for Cooperative Governance and Traditional Affairs, Private Bag x 802, PRETORIA, 0001,
ministry@cogta.gov.za

APPENDIX 4



PROPERTY MANAGEMENT

TO / AAN : **The Acting Municipal Manager**
FROM / VAN : **Manager: Property Management**
DATE / DATUM : **2016-03-17**
RE / INSAKE : **MOTIVATION FOR THE APPOINTMENT OF A PROJECT MANAGER
FOR AN EXTENDED PERIOD: BOSDORPE**

1. PURPOSE

To motivate for the appointment of a Project Manager: Bosdorpe for an extended period.

2. BACKGROUND

2.1 Identification of so-called Bosdorpe

During the late 1990's the (then) Department of Forestry and Water Affairs approached the (then) Winelands District Council to "*take-over*" the management of La Motte and Wemmershoek ex-forest villages, with the view of, not only attending to the day-to-day management of the areas, but to attend to the township establishment process with the view of transferring the individual houses to residents.

Both the villages have successfully been established as townships and the process of transferring ownership of the individual properties are for all practical purposes completed.

Following the amalgamation process in December 2000, Stellenbosch Municipality became the local authority responsible for planning and housing related functions in the entire area of jurisdiction.

For this reason Stellenbosch Municipality was approach by the National Department of Public Works and the Provincial Department of Public Works, respectively, to "*take over*" the management of a number of "*townships*" on an interim basis, but with the view of ultimate township establishment.

These areas include:

1. Jonkershoek;
2. Maasdorp;
3. Meerlust; and
4. Vaaldraai

However to date very little progress has been made in this regard, in my view, because of a lack of a dedicated person that can drive these very complex processes.

2.2 Appointment of project Manager to drive the process

My understanding is that a project Manager is eventually to be appointed to drive these processes, but only for a six month period.

As I will explain below, there are various, complicated processes that will have to be co-ordinated, and for this reason I am of the view that such a Project Manager should be appointed for at least two(2) years.

Please allow me to provide you with a brief overview of the scope of work that needs to be co-ordinated/managed.

3. DISCUSSION

3.1 Jonkershoek

During 1936 a 99 year Lease Agreement was concluded between Stellenbosch Municipality and the Government of S.A, in terms whereof various portions of Council-owned land was leased to the S.A Government for forestry purposes.

This Lease Agreement was subsequently ceded to SAFCOL (Nov.2000), then to MTO (Nov 2004) and then to Cape Pine (April 2007).

In terms of the 2004 agreement between the Department of Public Works and MTO, MTO was to render services at "*Op die Bult*" until March 2007, whereafter this responsibility would revert back to the Department of Public Works.

For this reason the Department of Public Works requested the Municipality to take over this responsibility as per a Service Agreement, until such time as township establishment would occur, whereafter it would become the responsibility of Stellenbosch to deliver municipal services.

In terms of this request, Stellenbosch Municipality was also responsible for the upgrading of the infrastructure, at their cost.

When Council considered the request, they agreed to the request, on condition that a M.O.U first be concluded, setting out the roles and responsibilities of the various roleplayers, i.e. Stellenbosch Municipality, Department of Public Works, Cape Nature and Cape Pine in developing the area as a whole, and not only Op die Bult.

Although a Service Agreement and MOU have been compiled, none of these agreements were signed to date.

Regarding the spatial planning of the area a Draft Spatial Development Framework was indeed compiled and is currently being workshopped with the community.

The following critical short-term initiatives for the Mixed-Use Precinct should be attended to by the Project Manager:

- i) Rationalisation of management arrangements for the mixed-use precinct, including service deliver, land use and building management;
- ii) Resolution of current housing/land claims in the mixed-use precinct, together with the determination/clarification of local community needs (e.g. housing, access to agricultural land, tenure, facilities) required in the mixed-use precinct;
- iii) Rationalisation of current dwelling leasing arrangements;
- iv) Definition and finalisation of infrastructure and land requirements to Cape Pine Forestry and the Western Cape Nature Conservation Board in the mixed-use precinct;
- v) Scrutiny of current land leases (i.e. mixed-use area) in terms of their potential impact on future development.

The Project Manager will also be responsible to develop a Development Plan for the mixed-use precinct, given the requirements for Multi-sectional integration arising from:

- i) The diversity, scarcity and vulnerability of resources within and abutting the precinct, including conservation-worthy biodiversity, cultural and heritage resources and scenic value in the mixed-use precinct.
- ii) The diversity of use, ownership, management and divergent development strategies of the major role players and sectors in the mixed use precinct.

- iii) The divergent issues, aspirations and development visions of the various community groups within the mixed-use precinct and the greater Jonkershoek Valley.

This plan should identify how the following challenges could be met:

- i) The extent to which successful integration and co-ordination of planning and development initiatives of the following management agencies operating in the mixed-use precinct and be achieved:
- Various directorates and department of Stellenbosch Municipality
 - Cape Pine
 - Western Cape Nature Conservation Board
 - Various State Departments, including the Department of Public Works and Department of Land Affairs
- ii) The success in achieving the effective functioning of a single Jonkershoek Forum comprising the Stellenbosch Municipality, and the target community, including the Jonkershoek Environmental Forum, the Jonkershoek Housing Forum, the Jonkershoek Resident Group and other Valley residents.
- iii) The successful updating and integrating of planning proposals and base-line data emanating from the SDF, municipal infrastructure and facility assessments, the IDP process and other investigatory and planning studies for the area and its environs.

These challenges, which have become even more entrenched since 2004, therefore should feature prominently in the work of the project manager.

In my view this process would take at least 2-3 years.

3.2 Meerlust

During 2007, Stellenbosch and the Department of Public Works concluded a Service Agreement, in terms whereof Stellenbosch Municipality would (as an interim arrangement) take over the service delivery (Management) in Meerlust, for the account of Public Works, whilst the Cape Winelands District Municipality, who has upgraded the services, would attend to the township establishment process, that would include some additional housing.

For various reasons, very little or no progress was made with the township establishment/housing project at Meerlust.

Services are currently rendered by the municipality.

A decision will have to be made on the future of Meerlust, and very importantly, who should drive the process of township establishment; Stellenbosch Municipality or Cape Winelands District Municipality.

The project Manager will have to liaise with the various role-player, i.e Stellenbosch Municipality's Planning and Housing departments; Cape Winelands; Public Works, Provincial Department of Human Settlement and the affected communities, and come up with a workable plan for implementation.

This will take approximately 18 months to be completed.

3.3 Maasdorp

During 2007 Stellenbosch Municipality and the Department of Public Works concluded an Agreement, in terms whereof Stellenbosch Municipality would take over the management of the area and attend to the planning/township establishment process, with the view of transferring ownership of individual properties to qualifying residents.

Although a town planner was appointed to prepare a preliminary subdivision plan, no further progress has been made to date.

The Project Manager will have to give direction/co-ordinate the various process as to ensure that the Agreement is indeed implemented, i.e. that the township establishment process is concluded.

This will take approximately 18 months.

3.4 Vaaldraai

During 2010 the Provincial Department of Public Works requested Stellenbosch Municipality to take over the management of Vaaldraai, as per a management Agreement. If the Municipality was to agree to such an arrangement, the department would have obtained the necessary Provincial Cabinet approval for the envisaged transfer of ownership of the land to Stellenbosch Municipality, with the view to promote home ownership of current resident (± 100 houses) i.e. formal township establishment.

The request was tabled at a Mayoral Committee meeting in April 2010, where the decision was not to take over the management of the area, but to inform the Department to proceed with the Township establishment process, including the upgrading of infrastructure, at their

cost. Once the township establishment process has been completed, Stellenbosch Municipality, by virtue of its powers and functions, would take over the service delivery in the area.

To date, however, no progress has been made. The provincial Department has recently indicated that they will approach the municipality again to facilitate the process of township establishment.

Should this indeed be the case, the Project Manager will have to co-ordinate/drive this process.

This will take approximately 18 months to two years.

4. CONCLUSION

From the above it is clear that there are a wide range of actions/processes to be attended to before any progress is to be made. What is also evident, is the diverse needs/expectations that must be managed by a dedicated driver.

To make a success of these processes, we need to appoint a dedicated person, with the correct technical and management skills for a period of at least two (2) years.

I so recommend.

Yours faithfully

.....
PIET SMIT
MANAGER: PROPERTY MANAGEMENT

7.7 APPOINTMENT OF TWO (2) MEMBERS TO THE AUDIT AND PERFORMANCE AUDIT COMMITTEE

File number : 3/3/3/4
Report by : Municipal Manager
Compiled by : Chief Audit Executive
Delegated Authority : Council

Strategic intent of item

Preferred investment destination
 Greenest municipality
 Safest valley
 Dignified Living
 Good Governance

1. PURPOSE OF REPORT

To obtain Council's approval for the appointment of two (2) new member to the Audit and Performance Audit Committee.

2. BACKGROUND

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.

3. DISCUSSION

In terms of Section 166 (2) (a) the Audit and Performance Audit Committee must provide advice on matters relating to:

- internal financial control and internal audit;
- risk management;
- accounting policies;
- the adequacy, reliability and accuracy of financial reporting and information;
- performance management;
- effective governance;
- performance evaluation;
- compliance with the MFMA; and
- any issues referred to it by the Council.

The Audit and Performance Audit Committee will also review the annual financial statements in order to advise Council whether its finances are being managed efficiently and effectively. Furthermore, the Audit and Performance Audit Committee may respond to Council on issues raised by the Auditor–

General in the audit report and carry out investigations into the financial affairs of the municipality if requested to do so by Council.

3.1 **Functioning of the Audit and Performance Audit Committee**

In order to execute its responsibilities effectively, the Audit and Performance Audit Committee will have access to the financial records and all other relevant information of the municipality.

The Committee must have a minimum of three and a maximum of five members who must be appointed by Council. Stellenbosch's Audit and Performance Audit Committee Charter requires that there be five (5) members. The Audit and Performance Audit Committee must meet as often as may be needed but not less than four times a year. No Councillor may be a member of the Audit and Performance Audit Committee. The Audit and Performance Audit Committee is a politically neutral body.

The Audit and Performance Audit Committee should according to the Municipal Planning and Performance Management Regulations include at least one(1) performance management expert as the Audit and Performance Audit Committee of Stellenbosch Municipality performs the dual role of Audit and Performance Audit and Performance Audit Committee.

3.2 **The Stellenbosch Municipality's Audit and Performance Audit Committee**

The Chairperson of the Audit and Performance Audit Committee's Mr Linda Nene and Mr Henry Isaacs has served two terms which the suggested maximum is allowed in terms of legislation, Treasury circulars and guidelines. Both members term concluded in December 2015 and hence these vacancies arose on the Audit and Performance Audit Committee.

After consultation with the MM, the Executive Mayor and the Deputy Executive Mayor it was decided that we head hunt persons with specific skills to serve on this committee. The skills that are required in incoming members are one with a legal background and one with compliance knowledge both in the local government context. These individuals would beef up the skillset available to an already finance and performance strong committee. The coverage and oversight of Council will be improved to a level in line with the requirements of King III and good governance principles as the level of assurance received from Audit and Performance Audit Committee will improve.

The two candidates identified to fill the vacant position are Dr Nimrod Llewellyn Mortimer (CV attached as **APPENDIX 1**) and Mr Jeremy Fairbairn (CV attached as **APPENDIX 2**). The candidates have been contacted and both have indicated their willingness to serve on the Audit and Performance Audit Committee.

Furthermore, Mr Nene whose term has now come to an end was the Chairperson of the Audit and Performance Audit Committee, hence the need to appoint a new Chairperson of the Audit and Performance Audit Committee. Members of the Audit and Performance Audit Committee were consulted and they recommend to Council that Ms Reyhana Gani, a senior member of Audit and Performance Audit Committee, be appointed as Chairperson of the Audit and Performance Audit Committee of Stellenbosch Municipality for the remainder of her term as member. This will ensure continuity and skills transfer to all new and incoming members if and when vacancies arise as has now transpired.

4. COMMENTS OF RELEVANT DEPARTMENTS

Legal Department:

The item and recommendations are supported.

b. APPLICABLE LEGISLATION

- Section 166 of the Local Government: Municipal Finance Management Act (MFMA) 56 of 2003;
- National Treasury MFMA Circular No 65
- Section 14 of the Local Government: Municipal Planning and Performance Management Regulations, 2001

RECOMMENDED

- (a) that Dr Nimrod Llewellyn Mortimer and Mr Jeremy Fairbairn be appointed as members to the Audit and Performance Audit Committee of Stellenbosch Municipality for a three (3) year period with effect from 01 April 2016; and
- (b) that Ms Reyhana Gani be appointed as Chairperson of the Audit Committee of Stellenbosch Municipality for the remainder of her term.

(CHIEF AUDIT EXECUTIVE TO ACTION)

APPENDIX 1

ABBREVIATED
CURRICULUM VITAE

Title, First Name and Surname:	Dr Nimrod Llewellyn Mortimer (Len)
Knowledge Areas of Expertise:	<p>Public Health, Human Resources, Government Management and administration Business management and administration Strategic Management, Business Planning and Scenario Building Tutoring, Mentoring and Consulting Conflict Management and Negotiation Report writing Labour and Industrial Relations Facilitation</p> <p>PROFILE: Len is an experienced chief executive officer, corporate administrator, human resource and local government practitioner, facilitator, mentor, and consultant with qualifications in health, local government administration and human resource management, in addition to an MBA and Doctorate in administration. Len has a solid background in the five functions of management (planning, organising, commanding, coordinating and controlling). His leadership skills include staffing, directing, reporting, budgeting, monitoring and evaluation. He has well-developed people and communication skills with proven analytical thinking and problem solving ability. He is able to macro and micro-manage and has proven ability to motivate, lead and train. He is highly motivated and an adaptable strategist with a passion to facilitate the craving for knowledge, learning and systems improvement. Len is a specialist/advisor on performance management. He is currently facilitating the Municipal Minimum Competency training to the public sector and has facilitated close to 300 courses since 2011. Len has extensive experience in Local Governance and is regarded as a thought leader on best practices in local government. Len consult to private companies' such as Isizwe free bandwidth for Africa, Pay@ and the Hans Seidel Foundation.</p>
Educational Qualifications: (Degree, Year, Institution)	<p>Doctorate in Administration, 2004, University of KwaZulu-Natal MBA, 2000, MANCOSA Post Graduate Diploma in Business Management, 1999, MANCOSA Diploma in Personnel Management, 1997, IAC Diploma in Local Government Administration, 1997, IAC National Diploma in Public Health, 1984, Technikon Pretoria</p>
Membership of Professional Associations:	Special member of the ILGMSA
Career Summary:	<p>Director Corporate Services Stellenbosch Municipality 2007-2008 Municipal Manager on contract Stellenbosch Municipality 2006-2007 Own Consultancy Mortimer Consulting 2005-2006 Municipal Manager Umvoti Municipality 1996-2005 Municipal Manager Venterstad Municipality 1995-1996 Municipal Manager/Town treasurer Hanover Municipality 1992-1995 Deputy Town clerk/EHP Fraserburg Municipality 1989-1992</p>
Other Applicable Information:	<p>Since 2011 appointed as Extraordinary Senior Lecturer as Stellenbosch University's School of Public Leadership. During this time responsible for the training of Treasury, Provincial and Local Government officials on a statutory required certificate course that included the complete scope of the Municipal Finance Management Act (Act 56 of 2003), its regulations and circulars. Courses include: Municipal legislative environment and policy US 119334, Municipal strategic planning and implementation US 116358, Budget preparation US 116345, Budget implementation US 116364, Municipal finance reporting and performance management US 116341, Prepare and analyse financial reports US</p>

	<p>116363, Managing risk in a municipal context US 116339, Conduct audit planning and implementation US 116351, Design of internal controls and internal control evaluation framework in a municipal environment US 116357, Fundamentals of Municipal Accounting US 119348, Apply accounting principles and procedures in the preparation of reports and decision-making US 119350, Apply techniques and South African statutes to cash and investment management in a municipal environment US 116346, Manage a municipality's assets and liabilities US 116362, Ethics US 116343, Stakeholder engagement US 116348, Apply the IGRF Act to municipal financial Management US 116344, Interpret SA legislation and policy affecting municipal financial management US 116361 Participate in the design and implementation of municipal supply chain management US 116353, Public Private Partnerships US 119353</p> <p>Appointed as coordinator with ACCERUS for one year under Directorship of Prof. Gavin Woods.</p> <p>Namibian Public Administration project developed material with Adv. J Koekemoer on Interpretation Act and drafting of bylaws.</p> <p>Hans Seidel Foundation-training of councillors</p> <p>Hans Seidel Foundation-mentorship program for municipalities in distress.</p> <p>Chairperson of Stellenbosch Municipal Oversight committee</p> <p>Part of the development team for a new Induction program to all new National and Provincial staff appointed to SA government departments. Launched Induction program on behalf of NT in Western Cape.</p> <p>Advisor pro bono publico to Isizwe project-free Wi-Fi to South African Municipalities-successful implementation in Tshwane.</p> <p>External examiner and study leader for the University of Stellenbosch-PhD students and MPA students.</p> <p>Honours in Public Development and Management since 2014 appointed Lecturer on Local Governance 11648 – 761</p> <p>Facilitate developmental local government and municipal management as areas of expertise to MDP students</p> <p>Current project-appointed by the Premier's office to assist Oudtshoorn Municipal council whilst under administration – in communication with OCPO regarding situation and WCPG relevant to SCM environment and areas of non-compliance.</p> <p>Assist members of public (pro bono publico) on various aspects such as tender awards and processes-US legal clinic refer clients to me for advice on SCM environment.</p> <p>Drakenstein municipality-advisor to restructure planning Directorate, November-December 2015.</p> <p>Hantam Municipality – facilitating a strategic session on “Hantam in crisis”</p> <p>Supervising two PhD theses on risk management and supply chain management as areas of expertise. Supervising two M theses on e-Governance and fiscal control as areas of expertise.</p>
CONTACT DETAILS	28 Kaneelsingel, Stellenbosch, 7599
Cell phone number:	082 4188 909
Email address:	len@sun.ac.za
LinkedIn:	https://www.linkedin.com/profile/view?id=75494949&trk

APPENDIX 2

CURRICULUM VITAE

OF

JEREMY FAIRBAIRN

PERSONAL DETAILS:

Name: Jeremy James Fairbairn
Address: 3 Howick Street,
 Kuilsriver 7580
Telephone: (021) 903-9214 (Home)
Cell: 083 6717147 (All Hours)
Languages: English and Afrikaans
Health: Excellent
EE Status: HDI

PROFILE

Commands respect and co-operation of the Board and Management. Has a good understanding of integrated reporting, internal financial controls, internal and external audit processes, risk management, IT governance and, the governance processes within an organization. Internal audit planning and approach is risk-based. **ANNEXURE A.**

CAREER AMBITION:

Executive / Non-Executive Director.

PROFESSIONAL MEMBERSHIPS:

2012 ISACA, member no. **681563.**
1995 Full Member, IIA-SA, Member no. **79652.**

QUALIFICATIONS:

2000 HONS B COM (BUS. MANAGEMENT),
UNISA
1998 B COM (Hons), **UWC**
1988 Higher Diploma in Education, **UWC**
1987 B COM (LAW), **UWC**
1980 Senior Certificate (with Exemption),
Belhar Senior Secondary School.

OTHER QUALIFICATIONS:

2007 Accredited Associate - SA (Certificate in General Management and Consultancy), Institute for Independent Business International

CAREER ACHIEVEMENTS:

2011 CAPENATURE: Independent Audit and Risk Committee Member.
THE SAPO SOC LTD.: As Technical Committee Chair, contributed to achieving general conformance on

the mandatory external assessment.

2010 CAPENATURE: Audit Committee Chair.

2008 FASSET: Registered Assessor Certification, registration no. **330.**

2007 Accredited Associate (SA), IIBI (Institute for Independent Business International, Residential Business School), **Watford (UK).**

2005 CAPENATURE: Independent Audit Committee Member.

2004 IIA-SA: Speaker at the 8th WC Regional Conference.

1999 THE SAPO LTD.: Regional Internal Audit Manager.

1998 HELDERBERG ADMINISTRATION: Audit Committee Chair.

1997SAIM: Member (**MSAIM**).

1994 WOOLWORTHS (PTY) LTD.: Graduate of The Covey Leadership Centre (Southern Africa).

1992 WOOLWORTS (PTY) LTD.: Audit Senior / Manager (**M4**).

1987SATA: Merit Award for Professional Training.

EXPERIENCE:**Oversight Level****CapeNature, Bridgetown (WC)**

2011 – 2013 Independent Member, Audit and Risk Committee.

2010 - 2011 Chairman, Audit Committee.

2005 - 2010 Independent Member, Audit Committee

Mandated through an approved **Board Audit And Risk Committee Charter**, the oversight responsibility included:

- Engaging SCOPA, the Board Chairman, Directors, CEO, CFO, Auditor General's Office during meetings.
- Recommended the appointment of the Internal Auditor.
- Engaged the Internal Auditor concerning the rolling 3-year annual audit plan.
- Engaged the Auditor General's Office in connection with the statutory audit.
- Reviewed IT Governance processes.
- Compiled the Quarterly Board Audit Committee Report.
- Reviewed and recommended the AFS for approval by the Board.

- In the capacity of Chairman, reviewed and adjusted the standard meeting agenda.

Helderberg Administration, Strand (WC)
1998 - 2000 Chairman, Audit Committee.

Mandated through an approved **Board Audit Charter**, the oversight responsibility included:

- Structured the environment for effective oversight reporting.
- Prepared the Annual Audit Committee Report.
- Evaluated the control environment based on audit work performed by the IAA and presentations received from the Standing Committees.
- Engaged the Auditor General during the process of reviewing and recommending the AFS for approval.

Montru Close Corporation, Kuilsriver (WC)
1995 – 1998 Member and Public Officer.

- Nature of business: investments.
- Responsible for investment decisions, approval of the AFS and, tax compliance.

Assurance Level

The SAPO SOC Limited, Capemail (WC)
1999 to present Manager: Internal Audit

Responsibilities encompassed auditee customer relations, managing the audit process through a prescribed methodology, managing resources (staff, fleet and, budget) with due consideration to the **Standards** and Code of Ethics of the IIA-SA.

- **2010 to present:** In the role of Internal Auditor, audited the business processes of various BUs / SUs viz., Mail Business, Transport and Logistics, Retail / Consumer Services, Finance, Regional IT Support, Properties, Human Resources, Sales and Customer Services / Marketing and, SCM.

Audit projects undertaken included asset verification, retail outlet counter system, information system conversion, compliance to policies and procedures on the production floor, sales function and marketing strategy, fleet management, daily operational balancing and pension administration, retail: finance (creditors)

/infrastructure roll-out process/
infrastructure development, machine management, security, overtime and, bulk mail (debtors).

- **1999 – 2010:** Supervised all the phases of an audit, evaluated the audit report and, approved the audit report for distribution to auditee client; responsible for achieving the regional annual audit risk-based plan; executed regional risk assessments; supervised the regional portion of ad hoc forensic auditing processes; compiled the region's consolidated audit report for inclusion in the national **Board Audit Committee Pack**; responsible for the administration of the regional Internal Audit Activity.

Woolworths (Pty) Limited, Cape Town (WC)
1988 – 1995 Manager (M4) and Audit Senior

During this period audited automated and manual information systems. Auditable entities were head office, branches, internal and external warehousing and, franchises situated in Africa. Certain audit work was executed for the External Auditor.

A brief summary of responsibilities within audit services follows:

- Supervised the audit team through all the phases of an audit in connection with branch audits, depot audits and, external cold storage audits.
- Conducted workshops for the hand-over process to Branch Administration Managers in connection with stock-taking procedure at Branches.
- Was one of two Auditors assigned responsibility to compile the master audit programme and train-up the audit team on auditing the branch automated IS.
- Assigned ad hoc projects which included compiling a payroll and staffing Internal Control Manual, reviewing the organization's branch administration manuals and recommending changes, investigating and reporting the causes of shrinkage in the business, proof of delivery audits, verifying branch turnover by compiling turnover certificates, stock ledger reconciliation between Branch

records and Head Office records and, meat market audits for the External Auditor.

- Financial, stock and operational audits were undertaken which included payroll and staffing, insurance claims, meat market, cash float control, stock control and accounting systems, re-performing the monthly branch GL reconciliation, cash collection and banking, trade debtors, journal entries, trade creditors, security, expense control and, safety, hygiene and fire prevention.

Training and Development

A synopsis of experience acquired in various organizations within IA follows:

CAPENATURE

Oversight of the internal audit activity; Risking It All (**PWC**); Audit Committee Effectiveness – What Works Best (**PWC**); KING III assessment (**Mazars / Deloitte**); risk and control assessment using COSO (**Deloitte**); Audit Committee performance assessment (**Board and Auditor General's Office**); IT Governance oversight using **COBIT**; framework to review AFS.

THE SAPO (SOC) LTD.

Application of a generic Internal Audit Methodology based on the "Business Approach To Internal Auditing" [BAIA©] (IIA-SA); sampling techniques; auditing tax compliance using a generic framework; model design to remote manage audit resources; implementing and evaluating a QAIP; compiling an Internal Audit Methodology; compiling IA policies and procedures; **Standards** and **Code of Ethics**; application of advanced risk assessment tools and models (empirical assessments, organizational impact assessments, COSO assessments and, COBIT assessments); fraud prevention and forensic audit; TeamMate; ACL; productivity analysis; preparing and managing the IA departmental budget; managing and evaluating audit resources; Using Excel for Financial Managers.

HELDERBERG ADMINISTRATION

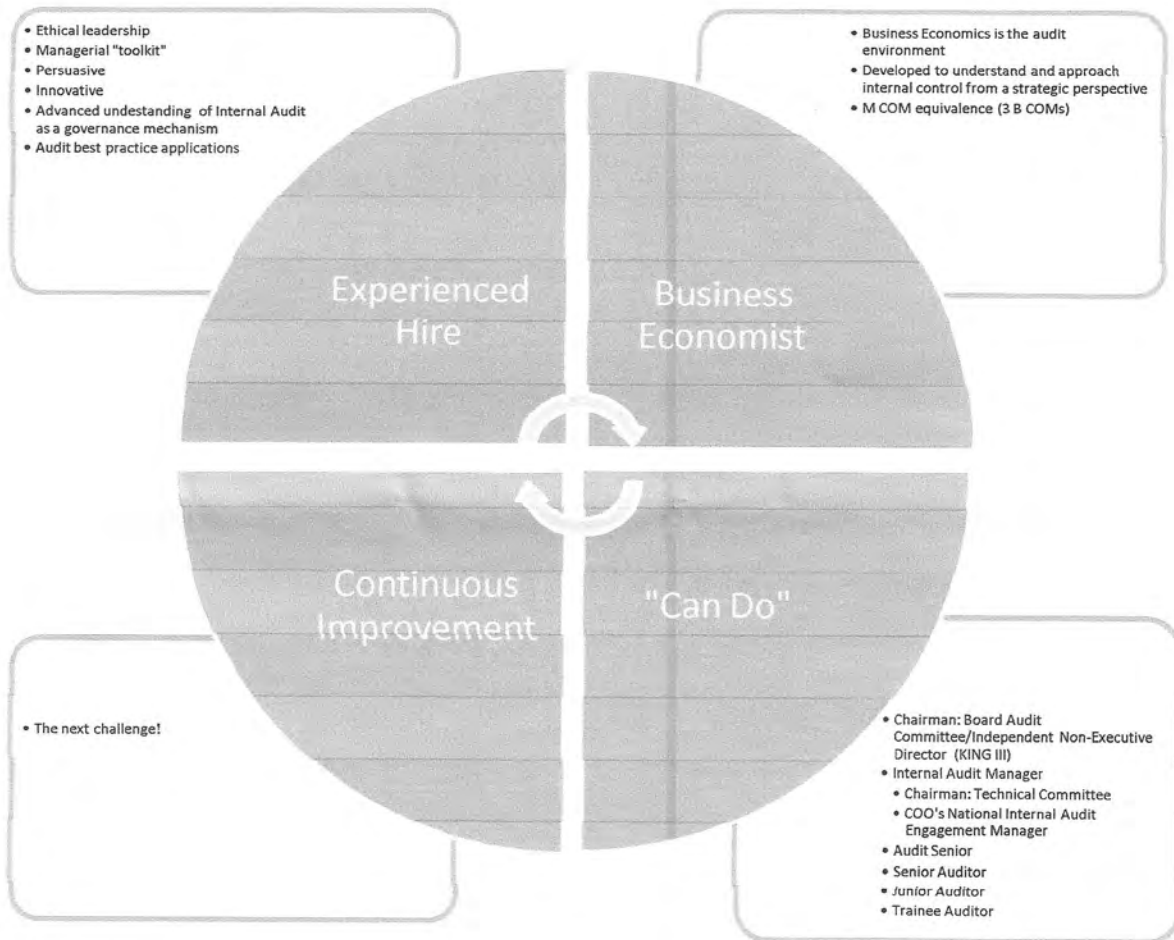
Financial reporting by municipalities; preparing the annual report; oversight of the internal audit activity; reviewing and recommending AFS for approval; governance and reporting line structures.

WOOLWORTHS (PTY) LTD.

Auditor apprenticeship; sampling techniques; compiling Internal Control Manuals; IS auditing; Sawyer on Internal Auditing; developing risk models; risk ranking IS systems under development; COSO framework; The Only Way To Go – A Guide To Communication And Behavioural Skills; annual audit activity operational planning; effective report writing skills.

References:

- Dr. Kas Hamman, acting CEO, CapeNature, (021) 483-0001/3.
- Mr. Allan Preston, CFO, CapeNature, (021) 483-0005.



ANNEXURE A



University of the Western Cape

The Degree of

Honours Baccalaureus Commercii

was conferred upon

JEREMY JAMES FAIRBAIRN

ON 20 SEPTEMBER 2000

[Signature]

[Signature]

Vice-Chancellor

Administrative stamp with handwritten text and dates, including '2000' and '2000'.

Administrative stamp with handwritten text and dates, including '2000' and '2000'.

Institute for Independent Business International



Certificate of Accreditation

It is hereby certified that

Jeremy Fairbairn

has successfully completed the

*Residential
Business School*

and is hereby accredited as an

Associate
of the Institute

NAME	750 7667
ADDRESS	750 7667
CITY	750 7667
STATE	750 7667
ZIP	750 7667
DATE	750 7667
INITIALS	750 7667
SIGNATURE	750 7667

Certified by the Principal

Date: 1/2/87

Certified by the Director of Training

Date: 1/2/87

INSTITUTE FOR INDEPENDENT BUSINESS INTERNATIONAL



University of the Western Cape

The

Higher Diploma in Education

was awarded to

(Faint text on the left side of the stamp)

RECEIVED
PROJECT RELATIONSHIP UNIT
UNIVERSITY OF THE WESTERN CAPE
CAMPUS
DATE: 2010/08/27
BY: [Signature]

UNIVERSITY OF THE WESTERN CAPE
PROJECT RELATIONSHIP UNIT
CAMPUS
DATE: 2010/08/27
BY: [Signature]

011

20

[Signature]
Registrar

[Signature]
[Illegible Title]



University of the Western Cape

The Degree of
**Baccalaureus
Commerci**
was conferred upon

UNIVERSITY OF THE WESTERN CAPE DEPARTMENT OF EDUCATION
117 ROSSouwEN ROAD, BELLVILLE, 7530
TEL: 021 959 1200 FAX: 021 959 1201
WWW.UWC.EDU ZA

NAME: THOMAS SURNAME: THOMAS
 STUDENT NUMBER: 101111111 MATRIC NUMBER: 101111111
 REGISTERED IN: COMMERCE DEGREE: BACCALAUREUS
 DATE OF CONFERRANCE: 15/12/2011 PLACE: CAPE TOWN

ON

20

[Signature]

[Signature]

UNIVERSITY OF THE WESTERN CAPE
DEPARTMENT OF EDUCATION
117 ROSSouwEN ROAD, BELLVILLE, 7530

DRIVER LICENCE
 JJ FAIRBAIN
 ID No: 02/6305255114089 MALE
 Birth: 26/05/1969 ZA - Restriction: 1
 Licence Number: 004100010481 No: 1
 Valid: 13/01/2012 - 23/01/2017
 Issued: ZR
 Code: A EB
 Vehicle restriction: 0 0
 First issue: 03/08/2001 02/08/2001




DRIVER RESTRICTIONS
 A A1 s 125 cc
 B GVM 3500 kg
 C1 GVM 15000 kg
 C GVM 15000 kg
 EB EC1
 EC EC

PDP CATEGORIES
 A Passengers
 B Goods
 C Dangerous goods

VEHICLE RESTRICTIONS



SUID-AFRIKAANSE POLISIE DIENS
 COMMUNICATION SERVICES
 01 SEP 2013
 REKENINGPLIGTING/ACCOUNTING
 KUILSRIVER
 SOUTH AFRICAN POLICE SERVICE

BEWYSIGER DAT DIE DOKUMENT 'N WARE AFDRUK (AFSKRIF) IS VAN DIE OORSPRONKLIKE DOKUMENT WAT AAN MY VIR WAARNEMING OORGEGE IS. Ek sertifiseer verder dat, volgens my waarnemings daar nie 'n wysiging of verandering op die oorspronklike dokument aangebring is nie.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT, FROM MY OBSERVATIONS, AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

HANDTEKENING/SIGNATURE
 MAGENOMMER / FORCE NUMBER: 9160 550-7 RANG / RANK: Cpt
 NAAM IN DRUKSKRIF / NAME IN PRINT: Kruger

7.8 SOCIAL HOUSING STELLENBOSCH MUNICIPALITY: DEMARCATION OF RESTRUCTURING ZONES AND DRAFT AFFORDABLE RENTAL HOUSING STRATEGY

File number : 17/4/11/2
Report by : Acting Municipal Manager
Compiled by : Director: Human Settlements and Property Management
Delegated Authority : Council

Strategic intent of item

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

1. PURPOSE OF REPORT

To request Council for an in principle approval of the:

- demarcated restructuring zones for social housing; and
- draft affordable rental housing strategy, plan and programme,

2. BACKGROUND

During 2013 the National Department of Human Settlements requested the Provinces to identify towns that could be proclaimed as a Restructuring Town. A Restructuring Town Assessment Task Team was established by the Provincial Department of Human Settlements (PDoHS) to develop criteria for assessment, review and agree on the motivations for towns before submitting a report to the National Department.

The Western Cape Government: PDoHS used its Departmental Sustainability Criteria as its planning tool to guide the nomination of towns. The purpose of the Sustainability Criteria is to ensure that policy principles of Breaking New Ground and the Provincial Human Settlement Strategy are reflected in all new planned human settlements. Key to the criteria is ensuring improved quality of lives for communities. It speaks to the importance of:

- Economic sustainability: affordability, access to economic opportunities, etc;
- Social sustainability: social integration, access to educational, recreational and health facilities, etc.; and,
- Ecological sustainability: conservation of scarce resources

As a result, the Western Cape identified 13 leader towns, namely **Stellenbosch**, Knysna, George, Mossel Bay, Worcester, Hermanus, Paarl,

Wellington, Saldanha Bay, Vredenburg, Malmesbury, Oudtshoorn and Plettenburg Bay.

Engagements with PDoHS and Stellenbosch Municipality (the departments of New Housing, Property Management, Spatial Planning and Engineering services) took place on numerous occasions to discuss the impact and advantages for the town to be part of the process to be identified for social housing.

The latter departments then identified possible areas / sites in conjunction with the consultants, which would be ideal for the development of Social Housing projects within Stellenbosch, by taking into account provincial and national criteria, namely:

- Restructuring: Reversing the apartheid spatial planning dispensation through compaction of the town, economic integration and integration of race and class thereby creating access, opportunity and aspiration for Stellenbosch inhabitants of all races, but especially for people who have historically been excluded from access and opportunity.
- Inclusive Town: Bringing the working poor closer to all the amenities and economic opportunities thereby creating a quality living environment.
- Quality urban neighbourhoods: Good urban design and management, safe and secure neighbourhoods and active citizenry
- Improved institutional arrangement to leverage skills, expertise and support from strategic partners.

3. DISCUSSION

3.1 Demarcation of restructuring zones

Refer to **Annexure A**, Stellenbosch – Defining Restructuring Zones (RZ) for Social Housing.

The identification and mapping of RZ's for social housing in Stellenbosch followed the process below:

- Map all main affordable public transport routes linking residential, commercial and industrial areas.
- Map public educational and health facilities, and main retail facilities.
- Identify from the municipal spatial planning frameworks areas intended for housing densification.
- Identify, in collaboration with municipal officials from service departments such as spatial planning, engineering services, property management and human settlements, a draft indicative schedule of vacant or built-up land with potential for social housing development.
- Map RZ boundaries as an overlay on the existing municipal plans in such a way that identified potential development sites are included, and that any social housing development within such boundaries will ensure that residents live in safe, secure and pleasant living environments; have walking distance access to employment and other economic opportunities, and social, economic and personal services facilities and amenities, or to affordable public transport within no more than 10

minutes walking distance, and such transport being able to bring them to these opportunities and facilities and amenities within a short driving time of no more than 15 minutes to avoid long and costly commutes for working poor people.

3.2 Draft Affordable Rental Housing Programme – Strategy and plan

Refer to **Annexure B**, Rental Housing Strategy and Plan, Stellenbosch Municipality

The strategy deals with all aspects of the affordable rental housing spectrum, with a focus on Government-assisted affordable rental housing under the following broad headings:

- Confirmation of real demand
- Supply factors:
 - Demarcated social housing Restructuring Zone (RZ).
 - Identified draft schedule available land and buildings with potential, within RZ's – final projects pipeline to be determined by the municipality and approved by council after proper motivation to council on a project by project basis.
 - Available financing for National Rental Housing Programmes.
 - Institutional readiness and organizational capacity to implement the strategy and plan – internal policies, staffing, and external delivery partner contractual arrangements, including overarching smart partner agreement framework, and project-specific performance agreements to be approved by council on a later date.
- Strategic framework and action plan – programme of activities

In addition to the strategic intent of the rental programme as outlined in 3.2 above, the implementation of the rental housing programme must be premised on the following main principles:

- a) Development and management of rental stock by external delivery agents/partners must contribute significantly to local and especially black economic development and empowerment. Adherence to this principle will be regulated through specific requirements in the written partnership and project performance agreements between the municipality and its chosen partners, to be approved by council at a later date.
- b) Re-development of any existing properties must not result in homelessness or displacement to backyards, informal settlements or any other form of inferior accommodation for existing residents. Any re-location necessitated by regularization of tenancy must make full use of all instruments available including fully or partly subsidized ownership or rental housing options, and indigent support policies and instruments.

4. LEGAL DEPARTMENT

The item and recommendations are supported.

5. FINANCIAL IMPLICATION

The item and recommendation is supported. The funding for Social Housing projects is derived from National and Provincial subsidies which could include external loans from social housing institute/s.

6. COMMENTS FROM OTHER RELEVANT DEPARTMENTS**Spatial Development Framework**

In response to the ever changing environment and challenges faced by the country Government committed itself to developing more liveable, equitable and sustainable cities. Key elements of these plans included pursuing a more compact urban form, facilitating higher densities, mixed land use development, and integrating land use and public transport planning, so as to ensure more diverse and responsive environments whilst reducing travelling distances. There are growing arguments internationally for linking spatial planning and infrastructure, with roads and transport infrastructure being the most important in shaping the form of urban areas for they influence land values and accessibility.

With the above in mind, the Directorate: Planning and Economic Development embarked on a process of intensive social dialogue that has evolved over a twelve month period across a number of different levels to plan for the future development of Stellenbosch town. The end result of this process is a preferred narrative future scenario that responds to poverty and the rising cost of natural resources by envisaging the future of Stellenbosch as a *compact, sustainable, inclusive town*. In practice, a compact town is about high density living rather than sprawled out suburbia; a sustainable town is about living in a way that restores rather than destroys the natural ecosystems we all depend on; and an inclusive town is about ensuring that poverty is eradicated and everyone feels included in more equitable economic growth and development.

To achieve this vision of a *compact, sustainable, inclusive town*, it will be necessary to ensure that strategies are adopted that:

- ensure that everyone can access the public and non-motorised transport system within 500 meters of their homes and work;
- sufficient funding has been made available to get rid of service backlogs and cater for future needs;
- densification has taken place within the existing built footprint; and
- an inclusive knowledge economy has been built that includes a major role for a University-based 'education brain port'.

In practice this will mean five specific urban development processes over the next twenty years that must be guided by the Greater Stellenbosch SDF, the SSDF, the SEMF and the SDFs that will need to get drafted for all the other urban development nodes located within the Greater Stellenbosch area:

- significant densification within the existing urban footprint using a range of zoning tools and financial incentives;
- the construction of new high density multi-story socially mixed urban nodes around the stations within the Greater Stellenbosch area, specifically the Lynedoch, Vlottenburg, Stellenbosch, du Toit, Koelenhof, Muldersvlei and Klappmuts stations, plus a node around a new station located between Vlottenburg and Stellenbosch Stations at the Droë Dyke/Woodmill site;

- the re-opening of the old railway system to Franschoek with extensions into the Dwarsriver Valley;
- a multi-modal public transport and non-motorized transport system that provides efficient and safe rail, coach, mini-bus taxi, cycling and pedestrian mobility options; and
- following the SEMF an approach to urban planning that accepts that all future urban development must be embedded within the existing ecosystems in a way that helps restore these ecosystem services instead of degrading them.

The areas proposed as restructuring zones coincide generally with the areas identified within Stellenbosch town as areas suitable for higher density, mixed use development that can be integrated with public transport nodes or TOD's as envisaged. It will also support the integration of communities and provide more affordable and a greater range of residential opportunities in well located areas.

The demarcated areas identified in this report as restructuring zones are therefore consistent with the current planning narrative and is supported.

Engineering Services

7. CONCLUSION

This is the first opportunity for B municipalities to be gazetted as a restructuring town by the National Minister of Human Settlements and therefore the:

- a) Demarcation of restructuring zones;
- b) Draft Affordable Rental Housing Programme;
- c) Partnership agreements with SHIs; and
- d) Preferential release of land to SHI partners for the development of draft affordable rental housing stock

are imperative to move forward in the quest to provide affordable rental for communities in the low and medium income bracket.

RECOMMENDED

- (a) that the demarcated restructuring zones for Stellenbosch be approved;
- (b) that the draft Rental Housing Strategy and Plan for Stellenbosch be approved in principle;
- (c) that the draft Rental Housing Strategy and Plan be advertised for public input; and
- (d) that, should any comment be received, same be considered by Council before a final decision is made.

(ACTING MUNICIPAL MANAGER TO ACTION)

ANNEXURE A

ANNEXURE A:

**STELLENBOSCH
DEFINING RESTRUCTURING ZONE FOR SOCIAL HOUSING**

15TH March 2016

A. CRITERIA AND METHODOLOGY FOR DEMARCATING RESTRUCTURING ZONES:

1 GENERAL BACKGROUND AND GUIDELINES:

1.1 SOCIAL HOUSING ACT

The Social Act of 2008 defines a restructuring zone as follows: "restructuring zone means a geographic area which has been;

(a) Identified by the municipality, with the concurrence of the provincial government, for purposes of social housing; and

(b) Designated by the minister in the Gazette for approved projects"

1.2 RESTRUCTURING ZONE GUIDELINES

Draft Restructuring Guidelines state that "restructuring zones" (RZs) are intended as an instrument (among others) to pursue restructuring of South African cities, this is essentially about integration: economic, racial and social. Restructuring is largely about moving away from housing interventions that entrench/enforce or in any way maintain the spatial status quo, which reinforces certain social and economic disparities.

"Restructuring is thus intimately linked to interventions in the land market: either to protect lower income (and often Black) people from displacement or to bring lower income (often Black) into areas of economic and other forms of opportunity from which they would otherwise be excluded. This is perhaps the most important meaning of restructuring". The logic of restructuring is clearly not the same as the logic of urban regeneration and urban renewal but there are some overlaps.

These zones are intended to align with Urban Development Zones (UDZ) where applicable and to link to planning processes such as the national spatial development framework, Provincial Growth and Development strategies/Provincial spatial development plans, and most particularly local authorities' IDPs. Stellenbosch Municipality does not have UDZs and this alignment is therefore, not required. Alignment with the other planning processes, and with urban renewal objectives however, receives attention.

1.3 RESTRUCTURING VIA SOCIAL HOUSING SEEKS TO ACHIEVE THREE MAIN DIMENSIONS OF RESTRUCTURING:

- a. Spatial restructuring by bringing lower income (and often disadvantaged) people into areas where there are major urban economic opportunities (both with respect to jobs and consumption) and from which they would otherwise be excluded because of the

dynamics of the land market on the one hand and the effects of land use planning instruments such as large-lot zoning (minimum erf sizes). This it should be stressed is the primary meaning of spatial restructuring as it used in social housing policy. Indirectly social housing as understood here contributes to spatial restructuring by increasing densities and compacting growth thereby ensuring that the poor are not pushed out to marginal locations at the edge of the city.

- b. Social restructuring by promoting a mix of race and classes.
- c. Economic restructuring by promoting spatial access to economic opportunity and promoting job creation via the multiplier effect associated with building medium density housing stock.

The primary dimension of the meaning of restructuring is economic opportunity/access. It should be used to open up areas which have major economic opportunities and from which poor people have been excluded or to protect poor people from being displaced from areas with economic opportunity (e.g. inner cities experiencing a revival of property values and where rents are escalating).

A restructuring zone should be motivated on the basis that it contributes to all three types of restructuring. Promotion of economic access on its own is however not sufficient motivation. So too is race and class mix (where social housing brings predominantly lower income people into higher income areas). Restructuring zones cannot be justified on the basis of spatial morphology alone (i.e. it cannot be solely motivated on the grounds that it contributes to changing the form of urban areas from low density areas with low-rise single unit dwellings to higher density areas with medium-rise buildings).

It is important to distinguish between “regeneration/urban renewal zones” and “restructuring zones”. Many local authorities have identified “regeneration/urban renewal” areas and as a general rule these are poor areas in need of upliftment and investment. They may be areas with significant latent economic potential but often they are not areas from which poor people have been excluded by virtue of the operation of the land market. In a South African context restructuring zones will often coincide with nodes and corridors of economic opportunity. Townships will not be restructuring areas although almost all will be regeneration areas. Of course there may be economic nodes and corridors within or abutting townships which could qualify as restructuring areas.

Identification and demarcation of RZs should as far as possible be based on existing plans. Most of the municipalities have via their IDP process already identified spatial focus areas which come close to achieving the meaning and intent of restructuring zones. This helps ensure that the initial identification and demarcation process is closely articulated with local government and

provincial planning processes. It also means that formal due process (consultation etc.) will have been followed.

Most municipalities have identified nodes and corridors in their planning processes. These are likely to be suitable as restructuring zones because of proximity to both job opportunities and consumption opportunities.

In instances where no suitable existing zones exist; appropriate restructuring zones should be identified and demarcated in uncontentious locations (such as inner city areas) so as to avoid long due process delays.

1.4 DEMARCATION ON MAPS

- Zones can be blobs or lines.
- Nodes and corridors are likely to be prime candidates to qualify as restructuring zones (relates also to spatial restructuring).
- Areas must be large enough to allow for significant restructuring and warrant zone management.
- Area demarcation must be justified in terms of restructuring and planning logic.
- Attention should be given to the edges of a zone. The environments on either side of the boundaries of the zone should be markedly different (for example the boundary of restructuring zone identified along a high density corridor should be drawn at a point where there is a sharp drop-off in existing and anticipation densities). Where possible boundaries should have a logic attached to them.

1.5 THE KEY CRITERIA FOR APPROVAL

- The provision of a sound restructuring logic in motivating the application. This is the key criterion.
- Clear specification of restructuring outcomes and indicators.
- The satisfactory identification of outputs considered necessary to achieve restructuring outcomes
- Successful incorporation of Restructuring Zones into the normal planning activities/processes of the applicant municipality.
- The specification of adequate Zone management arrangements
- Satisfactory execution of due process requirements including consultation with existing/affected residents conducted?

1.6 SUSTAINABILITY CRITERIA FOR ASSESSMENT OF ALL HUMAN SETTLEMENT PROJECTS IN THE WESTERN CAPE (BNG AND ISIDIMA)

The WCDHS has developed a system for assessing all human settlement projects with regard to:

- Economic sustainability - affordability, access to economic opportunities
- Social sustainability - social integration, access to educational, recreational and health facilities
- Ecological sustainability - conservation of scarce resources

1.7 GENERAL CHARACTERISTICS FOR AREAS TO BE DESIGNATED AS RZS

- Areas with adequate economic and social infrastructure.
- Areas with potential for economic, spatial and social integration, meaning areas where some or all aspects of such integration are currently lacking.
- Well-located areas where the introduction of social housing would prevent the displacement of currently residing working poor people during slum clearance or urban renewal programmes.
- Areas which would not be impossible to zone/re-zone for residential/mixed-use development such as green belts/conservation areas, areas below flood lines or with impossible topographic/geotechnical development conditions.
- Areas where the City/Town or government own vacant land and/or underutilised/derelict buildings will be to advantage. This should not however, be an absolute requirement, and should not cause the exclusion of areas where no such properties are currently available, but where future opportunities may arise due to changes in the nature of properties.

1.8 ALIGNMENT, WITH EXISTING MUNICIPAL PLANS

Inasmuch as these espouse the ideals of inclusive cities and restructuring (integration and densification) the process of identifying Restructuring Zones should align as far as possible with the municipality's:

- Spatial development frameworks
- Transport plans
- Local economic development plans
- Housing chapters of IDPs/Housing sector plans

1.9 ACCESS AND PROXIMITY

- Public transport
- Jobs and economic opportunities for the self-employed/small entrepreneurs
- Services such as emergency services, health, safety and security services, education, day-care, welfare, cultural and community facilities
- Retail shopping facilities

1.10 SHOULD THE LOCATION WHERE POTENTIAL SH TENANTS CURRENTLY RESIDE AND/OR WORK PLAYS A DETERMINING ROLE IN DEMARCATING RZS?

Tenants for new social housing projects generally, but not always, come from all over the city and even beyond, acting mostly as individuals or individual households moved by their own personal decisions. This is different from new

mass housing or informal settlement upgrading projects which deal with re-housing of entire existing communities and all the political, social and economic dynamics accompanying such processes. In practice the above should mean therefore, that where potential social housing tenants reside, should not normally be a determining factor in where RZs are located as the very objective is to improve their residential locational circumstances.

On the other hand many people may already be living in well-located, but insalubrious accommodation (backyards, etc) close to their existing jobs and other facilities and amenities. Note should be taken of this in planning SH projects, but it should not lead to RZs being demarcated in areas that don't conform to the general and specific criteria for such.

2 PRACTICAL METHODOLOGY TO MAP RZS

Within the general guidelines above, the following methodology to identify and map a restructuring zone(s) in a municipality is proposed.

- a. RZs only in the major urban centre/s of each municipality where the bulk of economic activity and potential for growth, development and employment, and availability of social and economic infrastructure exist.
- b. Near employment opportunities and socio-economic infrastructure (amenities/facilities), government services points, retail shopping.
- c. If not within walking distance of above (600m/10 minutes), then within walking distance of affordable, reliable public transport system that will get you to the above within a short driving time (5-15 minutes?).
- d. Not driven primarily by where vacant/cheap/public land is available, or where municipality already has planned housing projects, but does take cognizance of these and tries to incorporate provided the main principles above are not compromised.
- e. Not in distant peripheral greenfield areas where bulk may be a serious problem.
- f. While recognizing short to medium obstacles in respect of high land values, NIMBY and heritage issues in some core parts of towns, and of potential resistance on environmental grounds in current public open space/green areas, CBDs have in any event been included if they make sense in terms of the overall restructuring/integration logic because future opportunities may arise in these areas.
- g. Certain small areas included within the RZ may also be undevelopable due to topography, etc, but have been kept in to provide continuity of borders and show how the different parts of the RZs are linked.
- h. RZ boundaries within defined urban edge.
- i. RZs are aligned with SDF (See 5 below).

B. RZ MAPPING FOR STELLENBOSCH

1 OVERVIEW

The process followed in Stellenbosch was as follows:

- The desktop study of the Spatial Development Plan, including drafts of the TOD and NMT policies and plans, the Integrated Zoning Scheme, the IDP and the Human Settlement Plan. All were well researched documents with developed strategic frames and proposed precinct development plans.
- A mapping exercise with key municipal officials that demarcated specific criteria related to the present and proposed public transport linkages and socio economic opportunities in the town.
- A visit to the key areas, and land identified in these areas, to have a better understanding of the present use and built form of these areas.

Based on this the final defined Restructuring Zone is an overlay on the urban centre of Stellenbosch main place within Stellenbosch Local Municipality.

Within the transport corridors emphasis was given to the areas immediately abutting the CBD area which is the major transport route serving access to the CBD (retail, business services and commercial hubs), the industrial areas to the west and south west and most of the major government linked amenities. It also serves as the linkage between the existing low density residential developments beyond to both the north and south of Stellenbosch main place.

To align with municipal planning, the proposed RZs are all within the current urban edge, and also within the boundaries of proposed HOUSING DENSIFICATION CLUSTERS (See map 1 below for the clusters)

MAP 1: PROPOSED HOUSING DENSIFICATION CLUSTERS – STELLENBOSCH

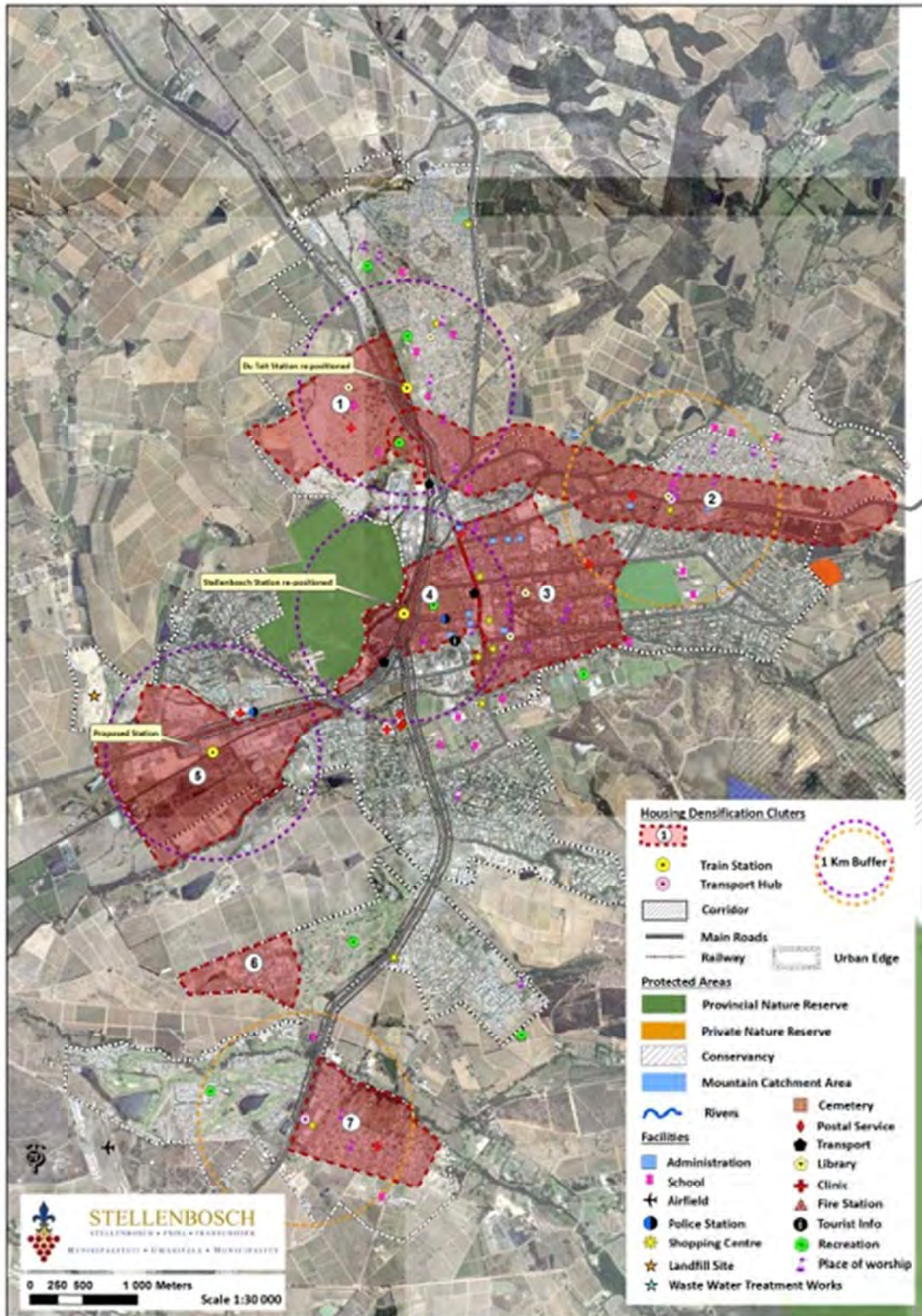
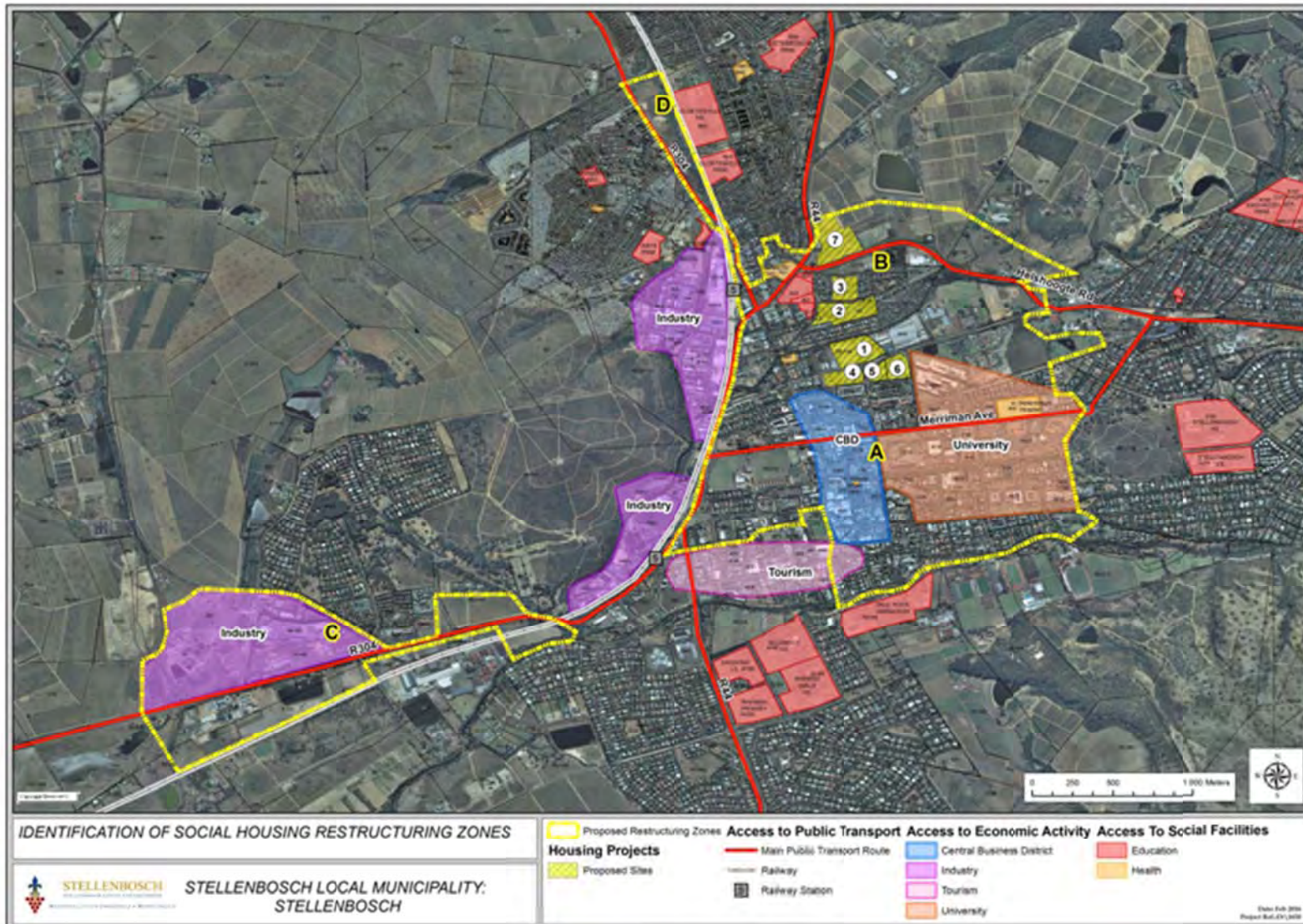


TABLE 1: MOTIVATION FOR AND ALIGNMENT OF RZs WITH HOUSING DENSIFICATION CLUSTERS

NO.	DESCRIPTION	INCLUDED IN PROPOSED RZs? (General note: All proposed RZs fall within the current urban edge)	RZ AREA	POTENTIAL PROJECT SITES
1	Kayamandi township	Mainly not included. Townships generally don't present opportunities for integration with main access and opportunities available in more well-developed and economically active town centres. Also placing social housing in townships where there are high concentrations of free government housing, poses non-payment risks to SHIs. The only part included is a narrow strip between the R304 main road to the north and the railway line, with the Plankenbrug River flowing through it. The strip is partly developed, and may present some environmental, bulk and linkage constraints, but there is also vacant land, and further studies may identify potential opportunities in future	D	Not yet identified
2	Tenantville and Helshoogte Road corridor	Parts of Tenantville closer to town included. Western part of the corridor closer to town centre included, but the further eastern reaches not included as they start getting too far away from socio-economic facilities, and increase transport costs for people on lower income	B	7
3	Stellenbosch town centre, La Colline	Included. There may not be immediate prospects for social housing in the CBD and surrounding tourism areas, but they might present in the future. Also the main potential social housing sites identified fall within this area	A	1 - 6
4	Dennesig, Adam Tas Road corridor	Section east of railway and Adam Tas Road included. The area west of the railway is heavily built-up already as an industrial area	A	Not yet identified
5	Devon Vallei/ Droëdyke/ R310 corridor	Strips along and close enough to the R310 to be within 10 minutes walking of main public transport route included	C	Not yet identified
6	Techno Park and surrounds	Not included. Too far from town, and intended to house high income skilled and professional people working in the tech industries, with probably limited economic/job opportunities for the semi-skilled and semi-professional people who constitute the main social housing target market segment	N/a	N/a
7	Jamestown	Not included. Too far from town, increasing transport costs to get to socio-economic facilities, probably limited economic/job opportunities for the semi-skilled and semi-professional people who constitute the main social housing target market segment	N/a	N/a

MAP 2: PROPOSED RESTRUCTURING ZONES – STELLENBOSCH



2. RESIDENTIAL DEVELOPMENT PROPOSALS – INDICATIVE ONLY

The STELLENBOSCH plan features a number of municipal and state owned sites intended for residential development. The table below highlights possible sites for social housing development. The municipality will determine the final project pipeline for approval on a project by project basis.

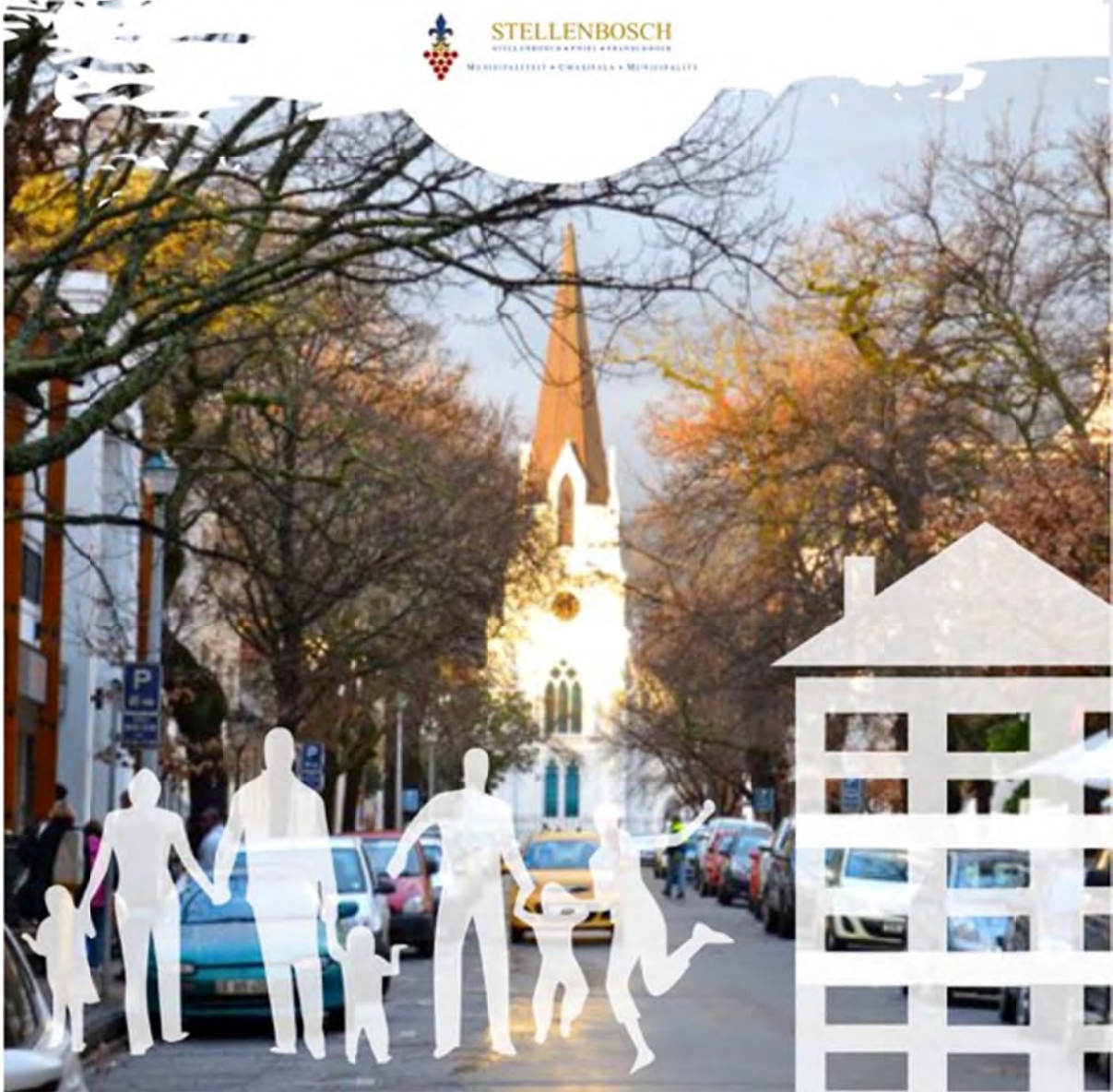
TABLE 2: DRAFT INDICATIVE SCHEDULE: VACANT LAND AND OTHER PROPERTIES WITH POTENTIAL FOR SH PROJECT PIPELINE

No.	NAME	ERF NO	SIZE FOR RH	OWNERSHIP	ZONING	NO. RENTAL UNITS	YEAR FOR DEV	COMMENTS
1	Lapland flats	RE/2149	3.7849 ha	Municipal	Res 4	180 new 220 refurb 400 total	2018/19	Existing medium-rise council flats in fair condition. Refurb existing, regularize tenancy, opportunities for infill densification.
2	Teen-die-bult, La Colline	3481/2/3/4/5/6	0.7011 ha	Municipal	Res 3?	100	2019/20	Existing duplex row housing on 6 erven above park housing municipal officials. Investigate possibility of incorporating portion of park and re-develop at higher density for SH on site, approx. 1.0 ha in size, with internal green space and roads, potentially yielding 150 units (150 du/ha)
3	La Colline	2645, 2644, 2666, 2667, 2660, 2661, 2684, 2683	1.4151 ha	Provincial	Res 3?	240	2020/21	Existing small blocks of flats in four city blocks of 2 erven each, clustered around Tobruk Park. Can be demolished and re-developed at higher densities for SH. Each block of 2 erven requires consolidation and re-zoning? Investigate possibility (feasibility study) of consolidating all 8 erven and the park and streets into one larger site, approx. 2.4 ha in size, with internal green space and roads, and re-develop for SH, potentially yielding between 360 units (150 du/ha) and 480 units (200 du/ha)
4, 5, 6	Town Centre	2609 (prison), 6590 (school), 6659 (traffic dept)	4.3739 ha combined	Municipal and govt	Institution-al?	660	2021/22	Unused/underused buildings, relocated or to be relocated. Buildings can be demolished and sites re-developed for SH. Re-location of existing users, negotiations for transfer of land, and re-zoning required (240 in 2020, balance after this 5 year strategy)
POTENTIAL FUTURE OPPORTUNITIES BEYOND CURRENT 5-YEAR STRATEGY:								
7, 8	Nietvoorbij experimental farm (or other vacant land along Helshoogte corridor), Devon Vallei/Droëdyke/R310 corridor and Plankenbrug River strip between R304 and railway line)					750 – 1000?	After current 5 year strategy?	Portion of farm at southern end could possibly be acquired and developed for mixed use, including some SH. Possible environmental, bulk and planning constraints, but unknown at this stage

ANNEXURE B

AFFORDABLE RENTAL HOUSING STRATEGY AND PLAN

"Creating inclusive urban environs in Stellenbosch through Affordable Rental Housing."



ACKNOWLEDGEMENTS

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A: INTRODUCTION AND DEFINITIONS

1. INTRODUCTION & BACKGROUND

The Stellenbosch Municipality has identified the need for the provision of affordable rental housing for the low to middle income earners within the Municipality. It further identifies the need to restructure the urban fabric of the town to address issues of segregation, inefficiency and distortion, sprawl, access of the poor to town amenities, and ultimately to develop the town to become inclusive of all the inhabitants of the town, both wealthy and poor. Currently the settlement structure is such that the poorest people are living furthest from employment in former satellite townships. It is estimated that more than 50% of people who work in Stellenbosch town, reside outside of the town. This phenomenon of poor location, exclusion and segregation means that these households must spend a disproportionate amount of time accessing job opportunities and the other socio- economic resources of the town. This comes at a financial cost and opportunity cost to households in these poorer communities.

The Western Cape Department of Human Settlements (WCDohS) developed a rental housing strategy, which identified the need for affordable rental housing within the leader towns in the Western Cape. It has committed to support the 10 lead towns (now 12) in their efforts to provide sustainable housing and to develop a rental housing strategy and implementation plan for the coming 10 years.

To this end The WCDohS in partnership with the Social Housing Regulatory authority (SHRA) appointed Alcari Consulting to assist these municipalities to develop implementable 5 year strategy plans for 'Government Assisted Rental Housing' (GARH) in their areas. In addition, the consultants would assist the municipalities in the preparation of their Restructuring Zone application for approval. The latter is a requirement for accessing government financing for Social Housing.

The Stellenbosch Municipality is one of the 10 leader towns in the WC and this is the developed 'Government Assisted' Rental Housing Strategy (GARH) for the municipality for the year period 2016 – 2020. It builds on substantial work already done within the municipality's Spatial Development Plan (SDF), its Integrated Development Plan (IDP), its Draft Integrated Zoning Scheme, the Shaping Stellenbosch campaign, Integrated and non-motorised transport policies, and its Human Settlements Plan (HSP), and in the context of these gives specific focus to 'the policy and procedures' of the national Social Housing (SH) and Community Residential Unit (CRU) programmes.

2. APPROACH TO THE DEVELOPMENT OF THE STRATEGY

The approach followed the below process:

Step 1: Desktop analysis of the municipalities IDP, SDP and other prepared documents.

Step 2: Workshop for key officials to use the desktop and other information to provide the information for a Strategy framework with particular emphasis on key opportunities and constraints linked to:

- Real Demand
- Available Financing
- Available Land and Buildings
- Institutional Readiness

Step 3: Preparation of a Draft Strategy Plan

Step 4: Visit to Municipality to support officials with the finalizing of plan and presentation to Council.

The strategy for Stellenbosch will also provide content for a broader Provincial strategy to provide for budgeting and other support initiatives from the Province.

3. WHAT IS 'GOVERNMENT ASSISTED RENTAL' IN SOUTH AFRICA

The strategy deals specifically with the 'government assisted' formal rental programmes of CRU and Social Housing. This refers to rental stock where government provides a subsidy in order to achieve affordable rentals for households on low and moderate incomes in attempt to deal with market failure.

DOES THIS STRATEGY INCLUDE BACK YARD RENTAL?

While national government is presently engaged in developing policy framework for dealing with informal rental, especially backyard rentals. There is presently no defined programme involving government investment instruments. Where municipalities are undertaking interventions it is usually to ensure enhanced basic infrastructure provision to cater for increased demand and usage of utilities. There are presently no other financing or programme intervention in this part of the sector. Although it is an important provider of housing, it is not part of the formal sector and does not form part of the strategy.

The Table below outlines the key elements of the SH and CRU programmes as well as the Institutional Subsidy mechanism that is used in conjunction with Social Housing programme but in a very limited number of instances has solely funded rental options most often without great sustainability.

INFORMATION BOX

REAL AFFORDABILITY CRITERIA FOR GOVERNMENT ASSISTED RENTAL HOUSING

It is important to understand that the government assisted formal rental housing programmes are financed through capital subsidy and there is no formal subsidy on operational costs. This means that tenants occupying these units must be both able and willing to pay rents.

Since rents are set least to cover the costs of the management and administration of the stock (CRU) programme it is difficult to set rentals lower than R950 at 2015 costs. For Social Housing higher rentals are needed as only part of the capital costs and none of the operational costs are subsidized.

It is therefore important to realize that this rental housing stock is only suitable for households who have permanent monthly incomes; whose incomes are at least 3 times higher than the rental charged; who are not encumbered with other debts that affect their ability to afford rentals; and are willing to pay the rental.

TABLE 1: NATIONAL PROGRAMMES FOR FORMAL RENTAL

ASPECT	SOCIAL HOUSING	INSTITUTIONAL SUBSIDY	CRU
Tenure	<ul style="list-style-type: none"> Rental Co-operative ownership 	<ul style="list-style-type: none"> Rent for minimum 4 years Co-operative ownership 	<ul style="list-style-type: none"> Rent in perpetuity
Target market	<ul style="list-style-type: none"> Primary: R1500-R3500 Secondary: R3501-R7500 	<ul style="list-style-type: none"> Below R3500 	<ul style="list-style-type: none"> R800-R3500
Land owner	<ul style="list-style-type: none"> SHI (also lease) 	SHI (also lease)	<ul style="list-style-type: none"> Municipality or province, preferably municipality (also prov owned stock should be devolved to muni)
Management	<ul style="list-style-type: none"> SHI – can also outsource to private but not preferred 	SHI - can also outsource to private, but not preferred	<ul style="list-style-type: none"> Municipality or province – can outsource to SHI, ME or private
Location	<ul style="list-style-type: none"> RZ (restruct goals) Mega-project 	<ul style="list-style-type: none"> Access and opportunity for the poor 	<ul style="list-style-type: none"> Access and opportunity for poor
Product	<ul style="list-style-type: none"> Minimum 30m² Self contained Minimum spec Medium density New, refurbishment, conversion 	<ul style="list-style-type: none"> Minimum 30m² Self contained Minimum spec Medium density New, refurbishment, conversion 	<ul style="list-style-type: none"> No minimum size, but good living environment should be provided Rooms with shared facilities allowed, but no old-style dormitories
Funding	<ul style="list-style-type: none"> RCG Provincial top-up Loan Donors and Equity? 	<ul style="list-style-type: none"> Institutional subsidy Loan Donors and equity? 	<ul style="list-style-type: none"> 100% Capital grant
Rental income must cover	<ul style="list-style-type: none"> Direct operating cost recovery Overhead cost recovery Loan repayments Surplus for reserves 	<ul style="list-style-type: none"> Direct operating cost recovery Overhead cost recovery Loan repayments Surplus for reserves 	<ul style="list-style-type: none"> Direct operating cost recovery Discounts and premiums Rent relief and indigent support

B: MUNICIPALITY OVERVIEW

4. LOCATION AND SIZE

Stellenbosch Municipality falls within the Cape Winelands District and includes the towns of Stellenbosch, Franschhoek and Pniel and the surrounding rural areas. It covers an area of 831 km². According to Census 2011, Stellenbosch has a population of 155 733 (43 420 households), growing from 118 709 in 2001 at an 2.7% annual growth rate.

This municipality is bordered by Drakenstein Local Municipality (north), Breede Valley Local Municipality (north-east), Theewaterskloof Local Municipality and Overberg District Municipality (southeast). It is only 50km from the CBD of the City of Cape Town, close to the Cape Town International airport, and well-connected to both locations by the N1 in the north and the N2 in the south.

The municipal area is internationally renowned for its beautiful environment, wine farms, street cafes, restaurants, quality wines, historical buildings and excellent educational institutions and health facilities. A major portion of the area is utilised for agriculture (mainly wine production). Stellenbosch town is after Cape Town, the oldest town in South Africa. Financial and business services are the largest contributor to the local economy, and together with manufacturing account for over half the economic value created in the municipality. It has contributed 17% to GDP cumulative growth from 2000 to 2013, the largest in the Province after Cape Town metro. In the category small cities it has the largest concentration of headquarters of JSE-listed companies. Stellenbosch is an identified leader town in the Western Cape, the main urban centre in the municipality, and the regional commercial and services hub.

This strategy concentrates specifically on the town of Stellenbosch, which has existing well developed urban areas and with already developed existing residential opportunities and strong linkage to internal and regional public transport routes.

5. DEMOGRAPHICS

Stellenbosch main place (MP) is the leader town of the Stellenbosch Local Municipality. According to Census 2011, Stellenbosch local municipality (LM) has a total population of 155 733, growing from 117 715 in 2001. The total population in the Municipality is expected to grow to 230,033 which represents a compound annual growth rate of 1.4% from 2011 to 2040. The figures that the age profile is expected to change over time; the young adult population remains significant due to the student population at Stellenbosch University

In Stellenbosch LM, in nominal terms, 53% of households in 2011 earn less than R3 201 per month; in 2001 that figure was 57%. The wide income bands provided in the Census data prevent an accurate indication of a change in real terms. Nevertheless, it appears that in 2001 35% of households earned less than R3 488 in 2015 Rands, while in 2011 53% of households earned less than R3 965 in 2015 Rands

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Trended data from Quantec indicates a steady increase in jobs in recent years. It appears that since 2000, informal sector employment has grown noticeably, accounting for 17% of total employment in 2000 compared to 25% in 2013. The number of semi-skilled and unskilled workers in formal employment have declined noticeably, accounting for 45% of total employment in 2000 compared to 32% in 2013. The agriculture

industry has seen the most dramatic decline; 21% of workers in 2000 were employed in agriculture, decreasing to 9% in 2013

6. ECONOMY

Trended data is available from Quantec, an economic consultancy, on the economic and employment profile of the Municipality. In 2013, Stellenbosch Municipality contributed 3.8% of the Gross Value Added (GVA) in the Western Cape Province*. Finance, insurance and business services as well as manufacturing are the largest contributors to GVA in the Municipality

Trended data for the Municipality reveals a steady increase in GVA between 2000 and 2013 except for a dramatic dip in 2009, where there was negative growth

Stellenbosch serves as the service centre for the region, with well-developed manufacturing and commercial sectors complemented by community, financial, social, personal and professional services. Other significant contributors to the economy are agriculture, forestry, and hospitality and tourism. All in all, a diversified and mature economy, with potential for future growth and employment.

C: RENTAL HOUSING STRATEGIC FRAMEWORK

The Municipal Housing Strategy defines the intent of the housing strategy in Stellenbosch:

The aim of the Stellenbosch Human Settlements Programme is to enhance settlement integration and to respond to demand over a wide spectrum of incomes. The purpose is to create opportunities for quality housing and varying housing options, in appropriate locations. A part of this is the intent to provide rental housing options in well located areas to provide low and moderate income households with the opportunities to access the socio economic resources of Stellenbosch and Stellenbosch town and reduce their transactional costs e.g. transport in doing so. This requires a strong linkage with the municipality's spatial development framework and their transport plans. This strategy builds on the principles of compact urban settlements close to economic and social amenities.

A coherent strategy on the government-assisted rental housing strategy requires a proper analysis of the constraints and opportunities and the consequences of these related to the 4 key areas of risk in developing this strategy:

- Real demand
- Availability of Suitable Land and Buildings
- Financing
- Organisational Capacity

7. REAL DEMAND

It is very difficult to use census and other available figures to develop an assessment of the 'real demand' for government assisted rental housing. The census and other data indicate a general need but is not specific enough to understand whether households in particular income groups, who are inadequately housed, would choose formal rental over other options including informal rental.

This problem with the statistics means that it is only possible to define a continuum of possible demand. To test the 'real demand' requires the practical delivery of actual projects to cover the lowest number in the continuum and then allow the response to these to indicate further assessment of the real demand.

7.1 CENSUS

The Census 2011 Municipal report for the Western Cape indicates that Stellenbosch has a total household number of 43 420, of which 13 036 (30%) are renting. This percentage has remained the same since 2001. According to the report, 28% of Stellenbosch's population earns an income which will qualify them for low cost and gap housing and 53% of the population in this income bracket is located in the outer areas of Stellenbosch. The data for Stellenbosch LM indicates the proportion of households that rent their primary dwellings has remained at 30% between 2001 and 2011. In Stellenbosch main place (MP) the majority of households rent their primary dwellings, and in terms of absolute numbers the market has increased from 8,581 households in 2001 to 13,036 households in 2011.

In Stellenbosch LM, there has been an increase in the proportion of single person households which have increased from 19% of the total in 2001 to 24% in 2011. In Stellenbosch MP in 2011, 49% of all households are single-person households. Average household size in Stellenbosch MP in 2011 is significantly smaller than the Municipality

In Stellenbosch LM single-person households are more likely to rent; 43% of all single-person households in 2011 rent their primary dwelling (compared to 30% for the Municipality as a whole). In Stellenbosch MP single-person households are significantly more likely to rent; 82% of all single-person households in 2011 rent their primary dwelling (compared to 69% for the region as a whole)

This would provide an indication that the affordable rental housing should consist of a mix of bachelor, 1 and 2 bedroom units with larger numbers of smaller units

The propensity to rent in Stellenbosch LM appears to be lowest for those earning between R992 and R1 982 per month, with 21% who rent their primary dwellings. In the case of Stellenbosch MP rental propensity is significant across all income groups, with the exception of those who earn R15 857 or more per month. The data indicates that the majority of rental stock is comprised of formal structures, with a significant number of flats/apartments

Census data indicates that 30% of households in Stellenbosch LM could be characterised as being inadequately housed. In Stellenbosch MP this proportion is only 1%

7.2 MUNICIPAL DEMAND DATABASE

Total registered demand as at 2 April 2015 for Stellenbosch Local Municipality was recorded as 19 749. The majority of households responded with "None/Other" when asked about what type of assistance they preferred. Less than 1% of households indicated a preference for rental assistance

According to data from the Western Cape Housing Demand Database, there are 12 293 households in the town of Stellenbosch on the waiting list as at December 2015

(Source: Municipal Human Settlement Demand Profiles, June 2015, Western Cape Government: Human Settlements)

There is no reliable information on present day income; whether some of these have in the meanwhile found housing; and what type of housing households would choose within limited options. The preferred tenure option is almost 100% ownership is preferred and none for rental. However this choice probably represents the statement of the 'ideal' solution it does not reflect the decision a household would make when placed in the situation of available choice linked to location and price.

7.3 OTHER SOURCES

The SDF indicates that 4 675 Social Housing opportunities are needed to meet the Municipal affordable housing need. Further, Stellenbosch houses a renowned University, and available rental opportunities are quickly snapped up by students, thus further challenging the supply of affordable rental opportunities for locals

Employment data from Quantec (2013) indicates that there were 16 549 unskilled and semi-skilled people employed in the community and social services, financial and business services, wholesale and retail trade, manufacturing, general government, and construction sectors, the sectors from which affordable rental tenants would most likely be drawn. It is of course not possible to draw causal links and conclusions from these numbers, but they give some indication that there appears to be a need for affordable housing, either rental or ownership or both.

STRATEGY SUMMARY BOX

REAL DEMAND

- Difficult to precise demand on existing information.
- Estimate demand on a continuum 500 – 2 000
- Agree to practically test demand with 2 projects of approximately 700 units on 2 sites and then reassess demand.

8. LAND AND BUILDINGS

8.1 RESTRUCTURING ZONE

A requirement for accessing Restructuring Capital Grant (RCG) is that the municipality is approved as a Restructuring Zone Municipality and that within the municipality that there are formally approved RZs. Parallel to this strategy development exercise there is a process to prepare the application for RZ status and agreement on a RZ proposal for the municipality (see Appendix 1).

The criteria used in determining the restructuring Zone were as follows:

- The provision of a sound restructuring logic in motivating the application. This is the key criterion.
- Clear specification of restructuring outcomes and indicators.
- The satisfactory identification of outputs considered necessary to achieve restructuring outcomes
- Successful incorporation of Restructuring Zones into the normal planning activities/processes of the applicant municipality.
- The specification of adequate Zone management arrangements
- Satisfactory execution of due process requirements including consultation with existing/affected residents conducted?

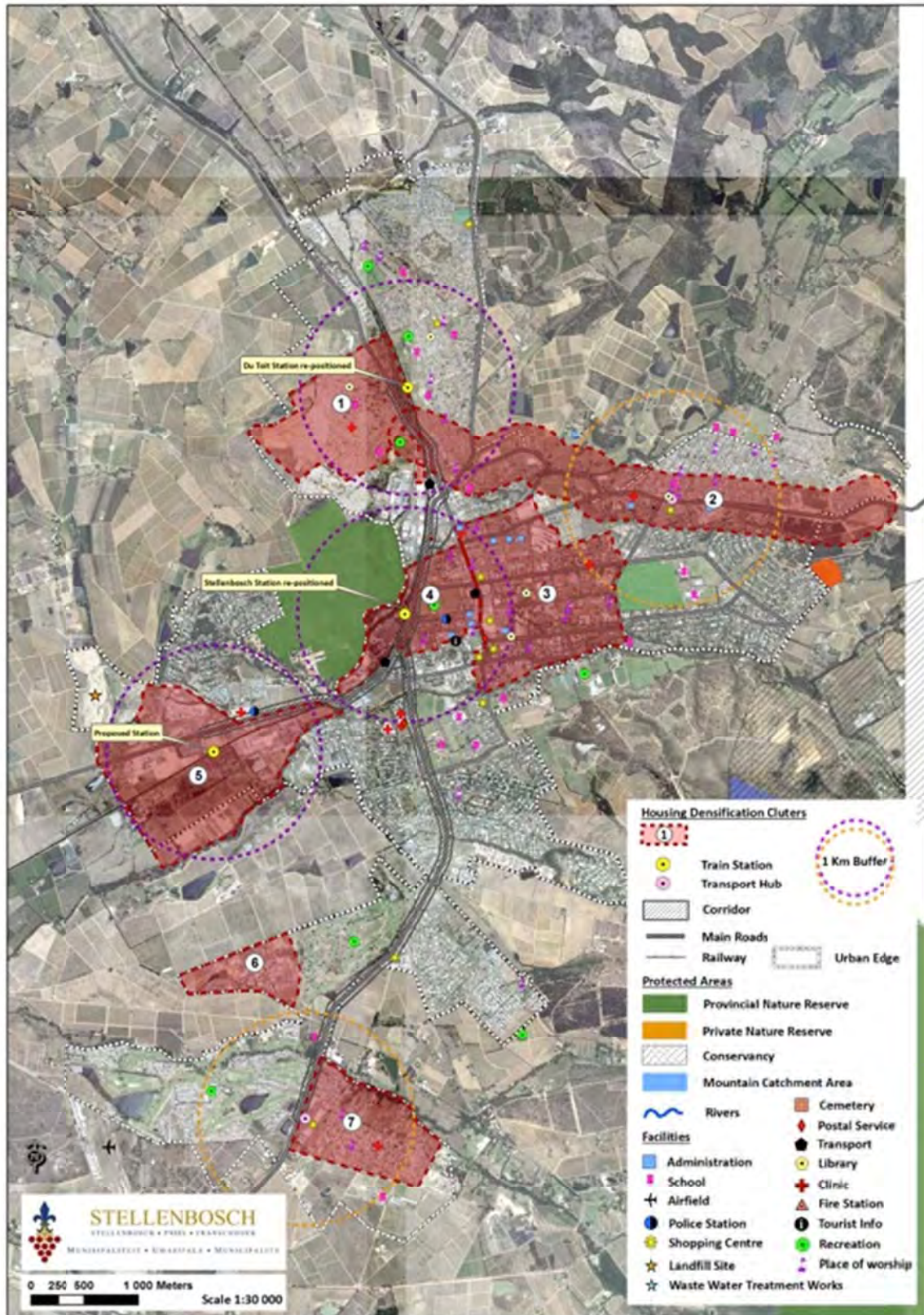
The proposed RZs for Stellenbosch align well with the Spatial Development priorities that concentrate on growth in and near the Stellenbosch urban centre, with specific emphasis on infill and densification within Housing Densification Clusters along main transport corridors, to bring people closer to work and social facilities, including through social housing. Strategic perspectives in the SDF include the development principles of:

- Interconnected nodes
- Car-free living (there is a well-developed non-motorised transport policy)
- Inclusive economic growth
- Optimal land use

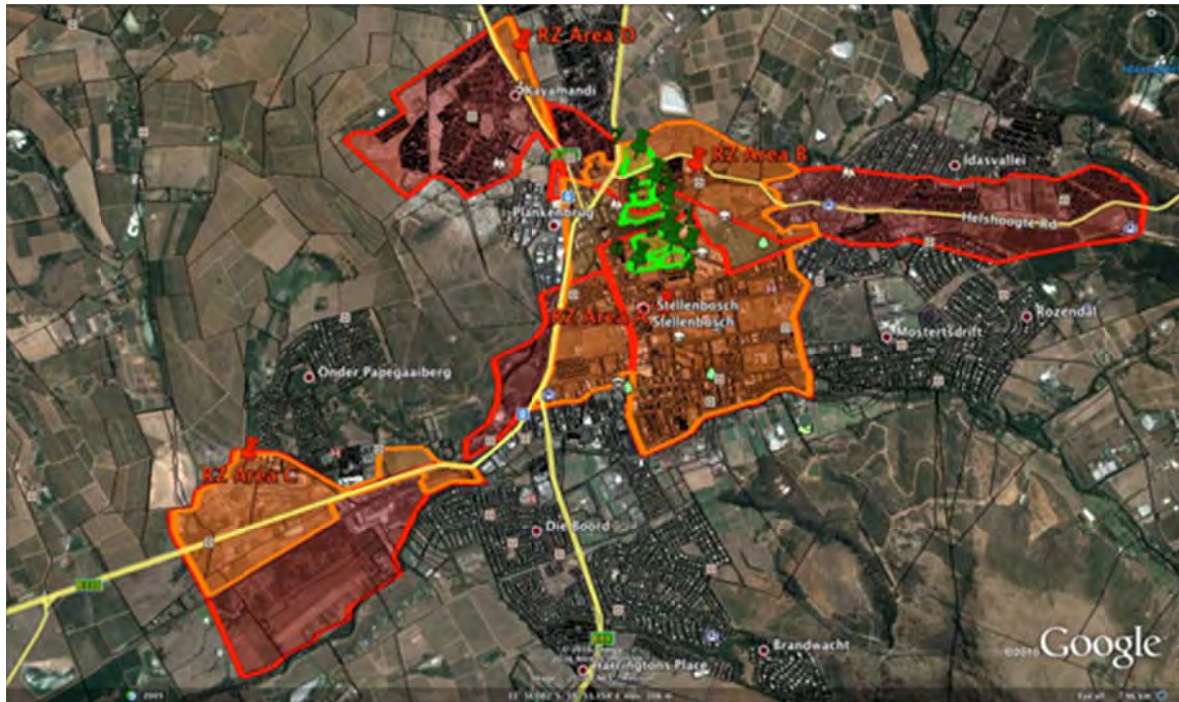
The municipality has also developed spatial and economic development policies and plans with which social housing restructuring (economic, social, spatial integration) and densification objectives align well, such as the Integrated Zoning Scheme and Transport Oriented Development nodes

The census data, together with SDF shows that job opportunities in the previously identified commercial, manufacturing and services sectors, as well as social facilities such as public schools and health facilities are widely distributed all over the main urban centre, and well able to be accessed via public transport from the proposed RZs.

MAP 1: STELLENBOSCH PROPOSED HOUSING DENSIFICATION CLUSTERS



MAP 2: THE PROPOSED RESTRUCTURING ZONES, SHOWING ALIGNMENT WITH THE HOUSING DENSIFICATION CLUSTERS



MAP 3: FINAL MAPPING OF THE PROPOSED RESTRUCTURING ZONES IN CONTEXT OF SOCIO-ECONOMIC INFRASTRUCTURE AND DRAFT INDICATIVE PROJECT SITES WITH POTENTIAL FOR SOCIAL HOUSING DEVELOPMENT

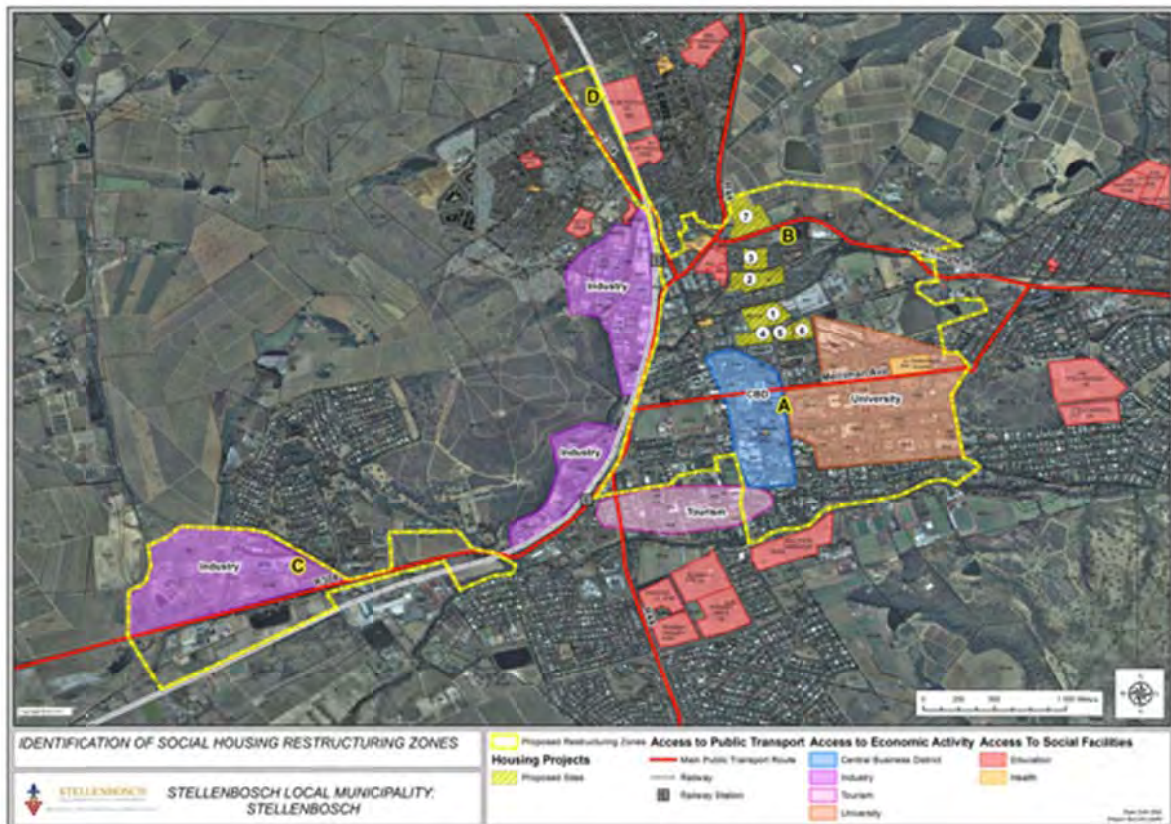


TABLE 2: MOTIVATION FOR AND ALIGNMENT OF RZs WITH HOUSING DENSIFICATION CLUSTERS

NO.	DESCRIPTION	INCLUDED IN PROPOSED RZs? (General note: All proposed RZs fall within the current urban edge)	RZ AREA	POTENTIAL PROJECT SITES
1	Kayamandi township	Mainly not included. Townships generally don't present opportunities for integration with main access and opportunities available in more well-developed and economically active town centres. Also placing social housing in townships where there are high concentrations of free government housing, poses non-payment risks to SHIs. The only part included is a narrow strip between the R304 main road to the north and the railway line, with the Plankenbrug River flowing through it. The strip is partly developed, and may present some environmental, bulk and linkage constraints, but there is also vacant land, and further studies may identify potential opportunities in future	D	Not yet identified
2	Tennantville and Helshoogte Road corridor	Parts of Tennantville closer to town included. Western part of the corridor closer to town centre included, but the further eastern reaches not included as they start getting too far away from socio-economic facilities, and increase transport costs for people on lower income	B	7
3	Stellenbosch town centre, La Colline	Included. There may not be immediate prospects for social housing in the CBD and surrounding tourism areas, but they might present in the future. Also the main potential social housing sites identified fall within this area	A	1 - 6
4	Dennesig, Adam Tas Road corridor	Section east of railway and Adam Tas Road included. The area west of the railway is heavily built-up already as an industrial area	A	Not yet identified
5	Devon Valleij/ Droëdyke/ R310 corridor	Strips along and close enough to the R310 to be within 10 minutes walking of main public transport route included	C	Not yet identified
6	Techno Park and surrounds	Not included. Too far from town, and intended to house high income skilled and professional people working in the tech industries, with probably limited economic/job opportunities for the semi-skilled and semi-professional people who constitute the main social housing target market segment	N/a	N/a
7	Jamestown	Not included. Too far from town, increasing transport costs to get to socio-economic facilities, probably limited economic/job opportunities for the semi-skilled and semi-professional people who constitute the main social housing target market segment	N/a	N/a

8.2 AVAILABLE LAND AND BUILDINGS

The municipality does own a substantial number of old rental stock, in the form of houses and walk-up flats. There are also 4 small blocks of flats, owned by the WC DoHS. Summary as follows:

Name and type	Location	Units	Comment
Lapland – flats in medium rise blocks with lifts	Jan Cilliers Street, between La Colline and town centre	221	In fairly good condition. Mixed tenancy with some indigent and aged. Low collection rates.
Rhodes Str flats	Cloetesville	72	Condition fair to poor. Low collection rates
Lang & Kloof Str flats	Cloetesville	132	Condition fair to poor. Low collection rates
Maisonettes	Eike, Pine, Primrose, Jakaranda Str, Cloetesville	36	Condition fair to poor. Low collection rates
Houses	Kayamandi	146	Condition fair to poor. Low collection rates
Provincial flats	La Colline	32	In fair condition. Collection rates unknown

In addition there are grey sector hostels, mainly in the townships. Details of numbers of units, and tenancies are unknown. The flats and hostels in the townships are generally in poor physical condition, and although tenants are billed, and in many instances have been handed over, subject to low levels of rental collection and large accumulated arrears. Many of these are in need of upgrade or refurbishment, or may even best be demolished and the sites re-developed, but the details are not known as there has been no building condition audit, or feasibility studies conducted.

Feasibility studies should be conducted on all the flats in Stellenbosch to determine re-development and infill potential

In addition to the strategic intent of the rental programme, the implementation of the rental housing programme must be premised on the following main principles:

- 1. Development and management of rental stock by external delivery agents/partners must contribute significantly to local and especially black economic development and empowerment. Adherence to this principle will be regulated through specific requirements in the written partnership and project performance agreements between the municipality and its chosen partners, to be approved by council at a later date**
- 2. Re-development of any existing properties must not result in homelessness or displacement to backyards, informal settlements or any other form of inferior accommodation for existing residents. Any re-location necessitated by regularization of tenancy must make full use of all instruments available including fully or partly subsidized ownership or rental housing options, and indigent support policies and instruments**

The table on the next page provides a summary of the municipal land potentially available for government assisted rental housing.

TABLE 3: DRAFT INDICATIVE SCHEDULE LAND AVAILABLE FOR RENTAL HOUSING DEVELOPMENT – MUNICIPALITY TO CONDUCT FINAL IDENTIFICATION OF PROJECT SITES FOR DEVELOPMENT

No.	NAME	ERF NO	SIZE FOR RH	OWNERSHIP	ZONING	NO. RENTAL UNITS	YEAR FOR DEV	COMMENTS
1	Lapland flats	RE/2149	3.7849 ha	Municipal	Res 4	180 new 220 refurb 400 total	2017	Existing medium-rise council flats in fair condition. Refurb existing, regularize tenancy, opportunities for infill densification.
2	Teen-die-bult, La Colline	3481/2/3/4/5/6	0.7011 ha	Municipal	Res 3?	100	2018	Existing duplex row housing on 6 erven above park housing municipal officials. Investigate possibility of incorporating portion of park and re-develop at higher density for SH on site, approx. 1.0 ha in size, with internal green space and roads, potentially yielding 150 units (150 du/ha)
3	La Colline	2645, 2644, 2666, 2667, 2660, 2661, 2684, 2683	1.4151 ha	Provincial	Res 3?	240	2019	Existing small blocks of flats in four city blocks of 2 erven each, clustered around Tobruk Park. Can be demolished and re-developed at higher densities for SH. Each block of 2 erven requires consolidation and re-zoning? Investigate possibility (feasibility study) of consolidating all 8 erven and the park and streets into one larger site, approx. 2.4 ha in size, with internal green space and roads, and re-develop for SH, potentially yielding between 360 units (150 du/ha) and 480 units (200 du/ha)
4, 5, 6	Town Centre	2609 (prison), 6590 (school), 6659 (traffic dept)	4.3739 ha combined	Municipal and govt	Institutional?	660 (240 in 2020, balance after this 5 year strategy)	2020	Unused/underused buildings, relocated or to be relocated. Buildings can be demolished and sites re-developed for SH. Re-location of existing users, negotiations for transfer of land, and re-zoning required
POTENTIAL FUTURE OPPORTUNITIES BEYOND CURRENT 5-YEAR STRATEGY:								
7, 8	Nietvoorbij experimental farm (or other vacant land along Helshoogte corridor), Devon Valleij/Droëdyke/R310 corridor and Plankenbrug River strip between R304 and railway line)					750 – 1000?	After current 5 year strategy?	Portion of farm at southern end could possibly be acquired and developed for mixed use, including some SH. Possible environmental, bulk and planning constraints, but unknown at this stage

STRATEGY SUMMARY BOX

LAND AND BUILDINGS

- Have RZ areas A, B, C, D approved
- Development of 400 - 500 units on 2 identified municipal and government sites, followed by the balance in stages dependent upon the establishing of demand on the first project.
- Participate in the preparation of more sites for development to include GARH for implementation in the 5 year strategy, and identification of further sites for development in the following 5 year strategy
- No CRU funding has been approved for the municipal stock, and the condition upgrade, tenant regularization, and adjustment of rentals to economic cost recovery have not been addressed. Feasibility studies should be conducted on all the flats in Stellenbosch to determine re-development and infill potential. This should include looking at creating new stock (small bedsitters and/or rooms with shared facilities) for the indigent and aged and special needs people currently residing in municipal stock
- Conduct feasibility studies into the use of institutional subsidy for rent-to-buy for farmworkers and other employees of large employers in viable areas close to facilities and transport, on land provided by government and/or farm owners/large employers, and with capital contributions from farm owners and large employers

9. FINANCING

9.1 THE MUNICIPALITY

The municipality's Capital Budget for Human Settlements relies mainly on subsidy transfers from Province for housing. This together with the infrastructure grant used for housing is primarily targeted at the informal settlements and BNG programmes. The municipality is likely to remain reliant on Province to finance its rental housing contributions over and above the municipality's annual allocation.

9.2 THE RENTAL HOUSING PROGRAMME

The precise financing requirements are dependent upon the programme identified for the development and the quantum of subsidy determined by National Government for each programme. The Tables below are based on 2 possible scenarios:

Status quo - Quantum remains the same but both RCG and CRU Subsidy are increased at 6% per annum.

New: RCG Quantum is increased to R155 000 from 2016 – 2017 financial year and then by 6% annually.

The assumption is that the average cost of a SH unit is R400 000 in 2016 and increases by 6% per annum.

TABLE 4: POTENTIAL CAPITAL COST OF STOCK AND APPLICABLE SUBSIDY

SH	2016	2017	2018	2019	2020
COST OF UNIT	400000	424000	449440	476406	504991
RCG	125000	132500	140450	148877	157810
Institutional Subsidy	120000	127200	134832	142922	151497
Equity Loan	155000	164300	174158	184607	195684
CRU	400000	424000	449440	476406	504991

STELLENBOSCH DRAFT PLAN RCG STATUS QUO	2016	2017	2018	2019	2020
SH Units	0	180	320	240	260
CRU Units					100
RCG	0	23 850 000	44 944 000	35 730 480	41 030 600
IS - Prov	0	22 896 000	43 146 240	34 301 280	39 389 3220
CRU - Prov.	0	0	0	0	50 499 100
PROV/MUNI	0	22 896 000	43 146 240	34 301 280	89 888 320

STELLENBOSCH DRAFT PLAN NEW RCG					
	2016	2017	2018	2019	2020
COST OF UNIT	400 000	424 000	449 440	476 406	504 991
SH					
RCG	155 000	164 300	174 158	184 607	195 684
Institutional Subsidy	120 000	127 200	134 832	142 922	151 497
Equity Loan	125 000	132 500	140 450	148 877	157 810
CRU	400 000	424 000	449 440	476 406	504 991
STELLENBOSCH PLAN					
SH Units	0	180	320	240	260
CRU Units					100
RCG	0	29 574 000	55 730 560	44 305 680	50 877 840
IS - Prov	0	22 896 000	43 146 240	34 301 280	39 389 3220
CRU - Prov.	0	0	0	0	50 499 100
PROV/MUNI	0	22 896 000	43 146 240	34 301 280	89 888 320

Using this basis the estimated cost to the Municipality and the Province is highlighted in the table above for the 5 years of delivery. The municipality would rely on funding this directly from the Provincial Government's allocation to the Rental Housing programme rather than from the municipality's allocation from the Provincial Housing Budget. Such an assurance is a dependency for the implementation of the strategy.

STRATEGY SUMMARY BOX

FINANCE

- Recognition that there is still much uncertainty about the quantum of government capital grants and that it is very difficult to make the existing quantum work for SH programme.
- Based on this the Capital Cost of this programme are presently worked out on 2 models one for 'Status Quo' the other for 'New'
- Based on this it is calculated that to implement the programme that the Municipality will require the following allocations from WCDoHS over and above their present Housing allocation:

PROV/MUNI -	2017	2018	2019	2020
IS for SH	22 896 000	43 146 240	34 301 280	39 389 3220
CRU	0	0	0	50 499 100

- Under the 2 scenarios the municipality would receive the following capital investment into the projects via the National RCG:

	2017	2018	2019	2020
Status Quo	23 850 000	44 944 000	35 730 480	41 030 600
New	29 574 000	55 730 560	44 305 680	50 877 840

10. ORGANISATION CAPACITY

10.1 STAFFING

Although all 53 posts in the Housing Department were filled in 2015, the responsibilities included New Housing, Housing Administration, Integrated Human Settlements and Property Management. This situation is presently probably insufficient to undertake the municipal responsibility for the Government assisted rental programme within the municipality. In addition, the municipality does not presently have a structured partnership with a SHI or other agency to facilitate the development and undertake the management of the rental stock.

The critical areas of capacity required either directly in the municipality or with key external stakeholders is outlined in the following table.

TABLE 5: FUNCTIONAL RESPONSIBILITIES GOVERNMENT ASSISTED RENTAL HOUSING

FUNCTION	PRESENT SITUATION	REQUIRED
Preparation of Rental Housing Policy	Capacity in HD with some technical support from Province to do this.	Assignment to official and agreement with Prov. Re support
Managing rental housing policy and strategy for municipality	Official in municipality tasked with managing RZ.	Need to define the responsibility more broadly to manage the rental housing programme for municipality. JD changes and capacity development programme for manager
Managing RZ	Official in municipality tasked with managing RZ.	<ul style="list-style-type: none"> • Official requires formal recognition in JD and possible caps dev. • Structure co-coordinating group across relevant departments.
Assembling land	Official from Housing Dept	Use the RH Co-coordinating Committee monitor and build cohesiveness between departments.
Packaging land	RH/RZ Official from Housing Dept	JD Defining this. The RH Co-coordinating Committee TOR Structured Partnership with SHI(s) to that defines ways of transferring land on viable basis within MFMA
Transferring land	Not yet done for Rental housing	Policy and procedure as above.
Preparing SHI partnership	Does not exist	Advertising for an already accredited SHI as partner. Preparation of policy and the legal documents for partnership. Set in place programme for managing partnership
Managing the SHI – Municipal partnership.	Does not exist	In JD of the RH/RZ Programme Manager. Undertaking of relevant activities as per programme and contractual obligations.
Facilitating development of stock	Presently in municipality	Once the partnership with SHI established this becomes responsibility of SHI in co-operation with municipality
Developing sites for rental housing	Presently none	SHI within partnership can either do itself or partner with a developer with capacity.
Construction on sites	Presently none	Managed by SHI on basis of SHI procurement programme and linked to the detailed design plan and approved plans in course of Project Approval through SHRA (SH). SH – Oversight by SHRA CRU Oversight by Prov/Muni
Managing stock and tenancies	Presently none	SHI in conjunction with partnership and within the regulatory and reporting framework of SHRA
Allocation	Presently none	Responsibility of the SHI but with guidance within the Partnership and Project Agreements with municipality
M&E of Rental programme	Presently none	The RH/PZ manager and the co-coordinating committee in conjunction with SHRA Regulation and reporting programme.

10.2 SYSTEMS

As stated above, there are municipal policies that are required to implement the GARH programme, below find a review of the relevant policies, together with required inclusions or amendment.

POLICY	KEY ELEMENTS AFFECTING GARH	KEY ADDITIONS/AMENDMENTS
Indigent policy	The policy provides for free basic services to households whose incomes are below R3300 pm, lessees of council stock, state pensioners and disabled. Rates benefits to property owners as per normal residential rates (First R85000 not rated). Also other than registered indigent consumers e.g. backyarders, farmworkers and tenants of non-council stock who meet the other criteria may qualify for concessions	This policy in its current form appears to be adequate to deal with for instance rightsizing of the indigent and aged currently in municipal stock, or possibly in future CRU stock. Indigency would not normally apply in the social housing target market
Asset disposal	The asset disposal policy makes provision for assets to be disposed of or leased in an open and transparent manner at a market related price. It does make provision for disposal at less than market price when for best social return, of benefit to community, or where land part of a larger project involving regeneration, etc , all of which must be motivated by the MM. Definitions of above don't specifically talk to social housing	Expand definitions to include SH specifically as qualifying for preferential immovable property release (sale or long lease) to SHI partners at a nominal fee
SCM	The Supply chain management policy makes provision for the lease of assets at below market prices if it is in the public interest and for the plight of the poor, but these concepts don't specifically talk to social housing	Need to assess whether this provision includes a long term lease – 40 years and longer, if not then provision needs to be made – if the Municipality decides to go the lease route
Property rating	The policy makes provision for rates non-rating only for municipal properties used by directorates, and exemption for all other municipal properties except when leased when the rates will be included in the rental – hence any municipal owned CRU stock will potentially be exempt. There is a current benefit of a rates rebate on NPOs/CBOs; however the categories specified do not address the type of business of an SHI.	CRU stock is okay SH stock – needs to be specified – SHI requires two aspects to be considered, one it cannot be rated as a commercial entity and 2 it may not need the concessionary rate over the long term – so a phased approach commencing with a low base then it increases over time until it reaches normal rating
Town planning and building plan fees and development contributions	Normal tariffs determined by the municipality in its tariffs policies apply	Rebates on application fees and rebates/waivers on development contributions

STRATEGY SUMMARY BOX

ORGANISATIONAL CAPACITY

- To formalise the JD of the manager of the rental programme including responsibility for managing RZ and the partnership with SHI(s) as well as responsibility for rental housing policy, land pipeline and the Rental Steering Committee or amend the JD of the Housing Manager and a Senior Town planner with the requisite roles.
- Develop the policies; smart partner, land release, concessionary property rating, reduced town planning and building plan application fees.
- Set up and manage Rental Housing Steering Committee within the municipality
- Establish and manage Smart Partner arrangement with SHI through an advertisement for an existing accredited SHI as partner

D: GOVERNMENT ASSISTED RENTAL HOUSING STRATEGY

11. OBJECTIVES

1. To develop rental opportunities for low and moderate income households, in doing so, to make it easier for them to assess the established socio economic resources of the town.
2. To use Government Assisted Rental Housing Programme to densify the town and create greater economic integration in residential areas of the town.
3. To achieve the social objective of increased residential integration by making targeted use of municipal land and buildings.

12. OUTPUTS

1. 400 – 600 good quality and well managed government assisted rental units on at least two different well located sites in the town.
2. The necessary institutional capacity (both within and outside the municipality) to achieve 2.1 above and continue to run a 'government assisted' rental housing programme for the municipality.

13. IMPACT

1. At least 1200 households whose life opportunities have improved because of their access to secure rental closer to socio economic opportunities of the town over a 10 year period.
2. Improved density, better quality and a more economically integrated town with improved quality to the urban environment and better quality of life in the areas affected.

14. PROGRAMMES OF ACTIVITIES

1. Creation of an enabling environment for affordable rental housing to be delivered within the municipal programme.
2. Developing and managing a pipeline of rental housing opportunities.
3. Capacity and institutional arrangements to deliver the affordable rental housing programme.

15. ACTION PLAN

The table below outlines an action plan to guide the delivery of the strategy.

TABLE 6: ACTION PLAN FOR MUNICIPAL ASSISTED HOUSING

Programme 1: Creation of an enabling environment for affordable rental housing to be delivered within a municipal programme

DELIVERABLE	KEY ACTIVITY	RESPONSIBLE	TIMEFRAME					INDICATOR/TARGET
			1	2	3	4	5	
Rental housing strategy, plan & performance framework	Develop the strategy, implementation plan (incl performance indicators) and budgets	RH/RZ Manager	x					Council approved GARH Programme
	Development of annual business plan – this is part of the Housing Chapter	RH/RZ Manager	X	X	X	X	X	Annual GARH business plan approved
Demarcation and management of restructuring zones	Develop the criteria, methodology and application for RZ demarcation	RH/RZ Manager	X					Council approved RZs
	Track approval/gazetting of RZs	RH/RZ Manager	X					Gazetted RZs
	Monitor performance of the RH development within the zones	RH/RZ Manager		X	X	X	X	Land parcels developed and stock fully let
	Review the performance and relevance of the zones	RH/RZ Manager					X	
Smart partner policy	Develop the Smart partner policy	RH/RZ Manager	X					Council approved Smart partner policy
	Develop the Smart Partner framework and system	RH/RZ Manager	X					Procedures manual with tools and templates
	Develop the Smart Partner agreement - templates	RH/RZ Manager	X					Smart partner agreement
Property rating policy - for Affordable Rental Housing	Develop the property rating dispensation for ARH stock	Director -Planning and Integrated Services	X					Council approved property rating policy
	Special dispensation of town planning and building plan approval pricing for SHI's	Director -Planning and Integrated Services	X					Council approved reduced tariffs
	Prioritisation of bulk infrastructure services for identified rental housing land.	Director -Planning and Integrated Services	X					Infrastructure plan aligned to HSP

Programme 2: A pipeline of rental housing opportunities

DELIVERABLE	KEY ACTIVITY	RESPONSIBLE	TIMEFRAME					INDICATOR/TARGET
			1	2	3	4	5	
Provision and allocation of land for affordable rental housing	Land/Project agreements (for identified sites) with SHI's	RH/RZ Manager		x	x			Land agreements in place for 3 priority projects
	Pursue private land and buildings and request funding for the purchase from WCDOHS	RH/RZ Manager	x	x	x			Private land acquired
	Continuously update the project pipeline		x	x	x	x	x	Project tracking tool updated
Alignment of infrastructure provision with the affordable rental housing pipeline	Engage the engineering dept to ensure that infrastructure is made available for the project pipeline	Director - Planning and Integrated Services	x	x	x	x	x	Aligned infrastructure plan
Packaging of the land	Undertake town planning and Environmental authorisation processes until such time as the SHI is appointed to package the land	RH/RZ Manager	x	x	x			Land ready for transfer for development
Fast tracked town planning and building plan approvals	Put measures in place to get comments and authorisation from the relevant depts.	RH/RZ Manager		x	x	x		Council Approvals in 6 weeks
	Monitor and track the approval process	RH/RZ Manager		x	x	x		Successfully packaged land within agreed timeframe
	Concept Design	Service Providers			x	x		SH concept plans for site.
	Land Preparation	RH/RZ Manager				x	x	Agreed space for social housing/CRU and necessary sub division and zoning completed
	Infrastructure Preparation	Director - Planning and Integrated Services				x	x	Bulk infrastructure installation in progress
	Rental Housing land Transfer	RH/RZ Manager					x	SHI with development rights on RH land.

Programme 3: Capacity and institutional arrangements to deliver the affordable rental housing programme

DELIVERABLE	KEY ACTIVITY	RESPONSIBLE	TIMEFRAME					INDICATOR/TARGET
			1	2	3	4	5	
Internal organisation capacity and systems to plan, implement and monitor performance of the affordable rental housing programme	RH and RZ Manager in place	Director	x					RH/RZ Manager appointed
	RH Steering Committee appointed, TOR developed and approved, institutional arrangement is functional	RH/RZ Programme Manager	x					Steering Committee established and meeting
	Procedures and tools and templates developed	RH Programme Manager	x					1.Smart partner policy and agreement 2.Land release policy and agreement 3. Tariffs for SHI's
	Performance monitoring tools for SHI developed	RH Programme Manager		x				1.Performance management tool 2.Project tracking tool 3.RZ review tool
Partnership arrangements to support the Municipality with the management and implementation of the programme	Smart partner agreements: Performance agreements for the development and management of RH stock	RH Programme Manager	X					Smart partner agreement in place
	MOU with WCDOS: Alignment of Funding and funding agreement: grants (SHRA)and debt (NHFC) Capacitation: Funding and actual training Support: Technical Facilitation with third parties: for land, capacitation, research, SHI performance	Director	X					MOU with WCDOS
	MOU with NASHO: Capacity building programme Technical support	Director	X					MOU with NASHO

16. FINANCIAL PLAN

16.1 CAPITAL

Given some of the financing uncertainties and without having finalised the site development plans it is difficult to precise the capital subsidy required. However the information in section C provides some indicative amounts based on an increased RCG allocation as this is the only way to potentially make the projects financially viable.

There is no clarity on the likely infrastructure costs for the proposed Projects.

16.2 OPERATIONAL

This is mainly to ensure that the municipality manages and develops the Government assisted rental housing programme. This would come from the core funding of the municipal human settlement department.

There is however additional amounts required for the external support for the development of the necessary institutional capacity especially within the municipality. The following are estimated amounts for the support with the key aspects. The financing sources for these require agreement between the municipality, the Province and the SHRA.

ACTIVITY	AMOUNT	SUGGESTED SOURCE
Development of personnel capacity in Municipality	R80 000	Province
Further support with the approval of municipal policy and procedures and rental housing incentives	R50 000	Province
Further support with procurement of Smart partner Arrangements	R100 000	Province and SHRA
Support in project preparation with SHI	R100 000	SHRA

APPENDIX 1: CRITERIA AND METHODOLOGY FOR IDENTIFYING RESTRUCTURING ZONES

CRITERIA AND METHODOLOGY FOR DEMARCATING RZs:
GENERAL BACKGROUND AND GUIDELINES:
SOCIAL HOUSING ACT
The Social Act of 2008 defines a restructuring zone as follows: “restructuring zone means a geographic area which has been – (a) identified by the municipality, with the concurrence of the provincial government, for purposes of social housing; and (b) designated by the minister in the Gazette for approved projects”
RESTRUCTURING ZONE GUIDELINES
Draft Restructuring Guidelines state that “restructuring zones are intended as an instrument (among others) to pursue restructuring of South African cities, this is essentially about integration: economic, racial and social. Restructuring is largely about moving away from housing interventions that entrench/enforce or in any way maintain the spatial status quo, which reinforces certain social and economic disparities.
"Restructuring is thus intimately linked to interventions in the land market: either to protect lower income (and often Black) people from displacement or to bring lower income (often Black) into areas of economic and other forms of opportunity from which they would otherwise be excluded. This is perhaps the most important meaning of restructuring". The logic of restructuring is clearly not the same as the logic of urban regeneration and urban renewal but there are some overlaps.
These zones are intended to align with Urban Development Zones and to link to planning processes such as the national spatial development framework, Provincial Growth and Development strategies/Provincial spatial development plans, and most particularly local authorities' IDPs. In the case of this assignment none of the selected candidate municipalities have UDZs, and this alignment is therefore, not required. Alignment with the other planning processes, and with urban renewal objectives would however, receive attention.
Restructuring via social housing seeks to achieve three main dimensions of restructuring :
Spatial restructuring by bringing lower income (and often disadvantaged) people into areas where there are major economic opportunities (both with respect to jobs and consumption) and from which they would otherwise be excluded because of the dynamics of the land market on the one hand and the effects of land use planning instruments such as large-lot zoning (minimum erf sizes). This it should be stressed is the primary meaning of spatial restructuring as it used in social housing policy. Indirectly social housing as understood here contributes to spatial restructuring by increasing densities and compacting growth thereby ensuring that the poor are not pushed out to marginal locations at the edge of the city.
Social restructuring by promoting a mix of race and classes.
Economic restructuring by promoting spatial access to economic opportunity and promoting job creation via the multiplier effect associated with building medium density housing stock.
The primary dimension of the meaning of restructuring is economic opportunity/access. It should be used to open up areas which have major economic opportunities and from which poor people have been excluded or to protect poor people from being displaced from areas with economic opportunity (e.g. inner cities experiencing a revival of property values and where rents are escalating).
A restructuring zone should be motivated on the basis that it contributes to all three types of restructuring. Promotion of economic access on its own is however not sufficient motivation. So too is race and class mix (where social housing brings predominantly lower income people into higher income areas). Restructuring zones cannot be justified on the basis of spatial morphology alone (i.e. it cannot be solely motivated on the grounds that it contributes to changing the form of urban areas from low density areas with low-rise single unit dwellings to higher density areas with medium-rise buildings).

It is important to distinguish between “regeneration/urban renewal zones” and “restructuring zones”. Many local authorities have identified “regeneration/urban renewal” areas and as a general rule these are poor areas in need of upliftment and investment. They may be areas with significant latent economic potential but often they are not areas from which poor people have been excluded by virtue of the operation of the land market. In a South African context restructuring zones will often coincide with nodes and corridors of economic opportunity. Townships will not be restructuring areas although almost all will be regeneration areas. Of course there may be economic nodes and corridors within or abutting townships which could qualify as restructuring areas.
Identification and demarcation of PRZs should as far as possible be based on existing plans. Most of the municipalities have via their IDP process already identified spatial focus areas which come close to achieving the meaning and intent of restructuring zones. This helps ensure that the initial identification and demarcation process is closely articulated with local government and provincial planning processes. It also means that formal due process (consultation etc.) will have been followed.
The inclusion of areas where “rights” accorded via other formal processes (such as land use zoning) may be negatively affected, should be avoided. The PRZs should as far as possible be uncontroversial and not affect existing rights.
Most municipalities have identified nodes and corridors in their planning processes. These are likely to be suitable as restructuring zones because of proximity to both job opportunities and consumption opportunities.
In instances where no suitable existing zones exist; appropriate restructuring zones should be identified and demarcated in un contentious locations (such as inner city areas) so as to avoid long due process delays.
Demarcation
Zones can be blobs or lines
Nodes and corridors are likely to be prime candidates to qualify as restructuring zones (relates also to spatial restructuring)
Areas must be large enough to allow for significant restructuring and warrant zone management
Area demarcation must be justified in terms of restructuring and planning logic
Attention should be given to the edges of a zone. The environments on either side of the boundaries of the zone should be markedly different (for example the boundary of restructuring zone identified along a high density corridor should be drawn at a point where there is a sharp drop-off in existing and anticipation densities). Where possible boundaries should have a logic attached to them
The Key Criteria for Approval are as follows :
The provision of a sound restructuring logic in motivating the application. This is the key criterion.
Clear specification of restructuring outcomes and indicators.
The satisfactory identification of outputs considered necessary to achieve restructuring outcomes
Successful incorporation of Restructuring Zones into the normal planning activities/processes of the applicant municipality.
The specification of adequate Zone management arrangements
Satisfactory execution of due process requirements including consultation with existing/affected residents conducted?
SUSTAINABILITY CRITERIA FOR ASSESSMENT OF ALL HUMAN SETTLEMENT PROJECTS IN THE WESTERN CAPE (BNG AND ISIDIMA)
The WCDHS has developed a system for assessing all human settlement projects with regard to:
Economic sustainability - affordability, access to economic opportunities
Social sustainability - social integration, access to educational, recreational and health facilities
Ecological sustainability - conservation of scarce resources

GENERAL CHARACTERISTICS FOR AREAS TO BE DESIGNATED AS RZs
Areas with adequate economic and social infrastructure
Areas with potential for economic, spatial and social integration, meaning areas where some, or all aspects of such integration are currently lacking
Well-located areas where the introduction of social housing would prevent the displacement of currently residing working poor people during slum clearance or urban renewal programmes
Areas which would not be impossible to zone/re-zone for residential/mixed-use development such as green belts/conservation areas, areas below flood lines or with impossible topographic/geotechnical development conditions
Areas where the City or government own vacant land and/or underutilised/derelict buildings will be to advantage. This should not however, be an absolute requirement, and should not cause the exclusion of areas where no such properties are currently available, but where future opportunities may arise due to changes in the nature of properties
Alignment, as far as possible, and within the principles of restructuring via social housing as outlined, with existing municipal plans such as:
Spatial development frameworks
Transport plans
Local economic development plans
Housing chapters of IDPs/Housing sector plans
Access and proximity to:
Public transport
Jobs and economic opportunities for the self-employed/small entrepreneurs
Services such as emergency services, health, safety and security services, education, day-care, welfare, cultural and community facilities
Retail shopping facilities
SHOULD THE LOCATION WHERE POTENTIAL SH TENANTS CURRENTLY RESIDE AND/OR WORK PLAYS A DETERMINING ROLE IN DEMARCATING RZs?
Tenants for new social housing projects generally, but not always, come from all over the city and even beyond, acting mostly as individuals or individual households moved by their own personal decisions. This is different from new mass housing or informal settlement upgrading projects which deal with re-housing of entire existing communities and all the political, social and economic dynamics accompanying such processes. In practice the above should mean therefore, that where potential social housing tenants reside, should not normally be a determining factor in where RZs are located as the very objective is to improve their residential locational circumstances. On the other hand many people may already be living in well-located, but insalubrious accommodation (backyards, etc) close to their existing jobs and other facilities and amenities. Note should be taken of this in planning SH projects, but it should not lead to RZs being demarcated in areas that don't conform to the general and specific criteria for such.
SPECIFIC CRITERIA
Within the general guidelines and criteria above, any point within a demarcated RZ should be:
Within 10 minutes walking distance (500m) of critical economic and social infrastructure nodes, or...
Within 10 minutes walking distance (500m) of established, efficient and affordable public transport routes/nodes to critical economic and social infrastructure nodes, and such transport pick-up points be...
within 15 minutes driving distance of such economic and social nodes

"Creating inclusive urban environs in Stellenbosch through Affordable Rental Housing."



7.9 PROGRESS REPORT: ELECTRICAL SERVICES MASTER PLAN

File number : 8/1/Engineering Services
Report by : Acting Director: Engineering Services
Compiled by : Acting Manager: Electrical Services
Delegated Authority : Council

Strategic intent of item

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

1. PURPOSE OF REPORT

To present the Electricity Master-plan to council for adoption.

2. BACKGROUND

Council at its 33rd meeting held on 25 August 2015 resolved that:

“that this matter be referred back to allow the Administration to submit a Progress Report to Council as mentioned in the item”.

Although the previous masterplan was done with a 20 year view, it has become outdated, because of unforeseen changes and as time goes on. The consultant therefore has to be reviewed every 6 years. The service provider, Royal Haskoning was therefore appointed for the update of Electricity Master-plan.

3. DISCUSSION

Information was sourced from the existing electrical network. The future development plans for the Municipality and future trends were also taken in consideration during the compilation of the plan.

The consultants made proposals for upgrades and future extension improvements that need to be done to ensure sufficient capacity, stability and quality of supply. Provisional cost estimates are included for each project.

A positive aspect is that there is no immediate crisis which means that the Electricity Department performed well looking after the system and the required planning and upgrades.

However there are challenges for the future to keep the Electrical network in a healthy state. The plan will guide the department for the next few years to plan and budget. Due to the projected inaccuracies that escalate over time, the Stellenbosch Electricity Masterplan will have to be reviewed within 6 years.

Copies of the plan are available in electronic format from the Manager: Electrical Services' office.

RECOMMENDED

that Council adopts the Master-plan for the Electrical distribution system and that it be used and implemented by the Electricity Department.

**(ACTING DIRECTOR: ENGINEERING
SERVICES TO ACTION)**

**ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING:
2016-02-03: ITEM 5.1.2****RECOMMENDED**

that Council adopts the Master-plan for the Electrical distribution system and that it be used and implemented by the Electricity Department.

**(ACTING DIRECTOR: ENGINEERING
SERVICES TO ACTION)**

MAYORAL COMMITTEE MEETING: 2016-02-17: ITEM 5.1.4**RECOMMENDED BY THE EXECUTIVE MAYOR**

that Council adopts the Master-plan for the Electrical distribution system and that it be used and implemented by the Electricity Department.

**(ACTING DIRECTOR: ENGINEERING
SERVICES TO ACTION)**

38TH COUNCIL MEETING: 2016-02-24: ITEM 7.3**The Speaker RULED**

- (a) that this matter be referred back to allow the Administration to arrange a workshop for Councillors before the end of March to discuss the item; and
- (b) that the Administration provide the appendix in readable print whereafter same be resubmitted at the next meeting of Council scheduled for 2016-03-30.

**(ACTING DIRECTOR: ENGINEERING
SERVICES TO ACTION)**

FURTHER COMMENTS BY THE ACTING DIRECTOR: ENGINEERING SERVICES

Subsequent to the Ruling of the Speaker in (a) above, the Workshop is scheduled for Thursday, 2016-03-24.

With reference to Ruling (b) above, the Master Plan is hereby resubmitted in a readable format as **APPENDIX 1 (DISTRIBUTED UNDER SEPARATE COVER)**.

FOR CONSIDERATION

**(ACTING DIRECTOR: ENGINEERING
SERVICES TO ACTION)**

7.10 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR EL MAREE (MS)*File number* : 11/2/4/1*Report by* : Municipal Manager*Compiled by* : Director: Strategic and Corporate Services*Delegated Authority* : Council**Strategic intent of item**

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

1. PURPOSE OF REPORT

To consider an application for conferral of Aldermanship on Councillor EL Maree.

2. BACKGROUND**2.1 Application**

On 2016-03-15 an application was received from Councillor EL Maree, requesting that Aldermanship be conferred on her as she qualifies for such honours in terms of the Stellenbosch Municipal Honours By-Law (April 2002). The Application is attached as **APPENDIX 1**.

2.2 Calculation of points

Pursuant to the above application, the Head: Committee Services compiled a memorandum to the Municipal Manager, confirming that, according to Council's records, Councillor EL Maree does indeed qualify for Aldermanship with a total of **24 points**. The memorandum is attached as **APPENDIX 2**.

2.3 Confirmation by the Municipal Manager

Hereto attached, as **APPENDIX 3**, is the verification of the Municipal Manager, confirming that the calculations were verified and that the awarding of points was in accordance with the prescribed criteria.

3. DISCUSSION**3.1 Legal Framework**

Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law (April, 2002) makes provision for Aldermanship to be conferred on a serving Councillor of the Stellenbosch Municipality who obtains a minimum of 20 points, as set out in the By-Law.

In terms of sub-section (5), any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary detail to enable the Municipal Manager to verify the allocation of points, as per the By-Law. The By-Law is attached as **APPENDIX 4**.

4. LEGAL IMPLICATION

The recommendation is in line with section 6(4)(c) of the Stellenbosch Municipal Honours By-Law. The item and recommendations are supported.

5. FINANCIAL IMPLICATION

Finance supports the item.

6. CONCLUSION

Councillor EL Maree qualifies for Aldermanship in terms of Section 6 (4) (c) of the Stellenbosch Municipal Honours By-Law.

RECOMMENDED

- (a) that, in terms of Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law promulgated in Provincial Gazette 5859 of 19 April 2002, Aldermanship be conferred upon Councillor EL Maree; and
- (b) that, following the approval of Council, the Executive Mayor, as patron of the Stellenbosch Municipal Honours, confer the honour on Councillor EL Maree in an appropriate manner.

**(DIRECTOR: STRATEGIC AND CORPORATE
SERVICES TO ACTION)**

APPENDIX 1

131 Le Clemence
Jamestown

7600

Date: 15 March 2016

Attention: Acting Municipal Manager
Stellenbosch Municipality

Dear Sir

APPLICATION FOR THE CONFERRAL OF ALDERMANSHIP


I hereby, in accordance with the procedure as set out in the Stellenbosch Municipal Honours By-Law (April 2002), apply for the conferral of the honour of Aldermanship to myself. I believe that my service as a Councillor has led to me achieving more than the required number of points to qualify for this honour.

Outlined below is a schedule depicting a summary of my years of service as Councillor:

Year	Cllr/Standing Committee Member	MAYCO Member/Portfolio Chairperson	Executive Mayor	Speaker
2000	13 March – 31 Dec			
2001	Jan – Dec			
2002	Jan – Dec			
2003	Jan – Dec			
2004	Jan – Dec			
2005	Jan – Dec			
2006	1 Jan – 14 March		15 March – 31 Dec	
2007			Jan – Dec	
2008	1 May – 31 Dec		1 Jan – 30 April	
2009	Jan – Dec			
2010	Jan – Dec			
2011	Jan – Dec			
2012	Jan – Dec			
2013	Jan – Dec			
2014	Jan – Dec			
2015	Jan – Dec			
2016	1 Jan – 15 March			

I would appreciate it if you could submit my application to the relevant committee(s) of Council, should you believe that I qualify for Aldermanship under the relevant By-Law.

Yours faithfully



Cllr EL Maree (Ms)

(082 879 7333)

APPENDIX 2



MEMO

To/Aan: Acting Municipal Manager

From/Van: Head: Committee Services

Date/Datum: 16 March 2016

Re: CONFERRAL OF ALDERMANSHIP ON COUNCILLOR EL MAREE

Councillor EL Maree submitted an application (attached, dated 2016-03-15) for the conferral of Aldermanship.

The information pertaining to the number of points accrued has been verified, and it is a true reflection of the years of service as a Councillor and Portfolio Councillor of this municipality since 2000.

Outlined below is the calculation of points verified for Aldermanship as accrued by Councillor CP Jooste:

Paragraph of By-Law	Period as Councillor/ Portfolio Councillor	Points as at 15 March 2016
6(4)(c)(i): one point for each completed year served as a Councillor on any municipality	13 March 2000 – 15 March 2016: Stellenbosch: 16 years	16 (16x1)
6(4)(c)(iv) two additional points for each completed year served as a mayor of any municipality	15 March 2006 – 30 April 2008: Stellenbosch: 2 years	4 (2x2)
6(4)(c)(v) two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality	15 March 2006 – 30 April 2008: Stellenbosch: 2 years	4 (2x2)
TOTAL POINTS		24

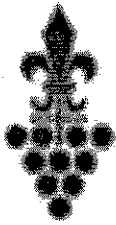
Your prompt response in this regard would enable us to submit the application for consideration by Council at its meeting scheduled for 2016-03-30.

Yours faithfully,



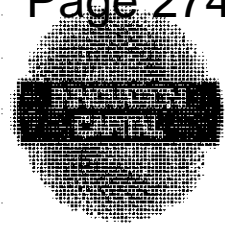
 E. Jerome Potts
 (Head: Committee Services)

APPENDIX 3

**STELLENBOSCH**

STELLENBOSCH • FNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

*Our Ref: R. Bosman (021-808 8025)**Ref: 69/2/16/tp**Collab ref: 3/6/1**Office of the Municipal Manager*

Councillor EL Maree
131 Le Clémence
JAMESTOWN

Dear Councillor Maree

CONFERRAL OF ALDERMANSHIP

Your letter in respect of an application for conferral of Aldermanship, refers.

I am pleased to inform you that the information relating to the required number of points as per your letter has been verified in accordance with the Municipality's Honours By-Law (April, 2002), and that in terms of our records, you do qualify for Aldermanship. Hence, an item in respect of conferral of Aldermanship will be tabled for consideration at the Council Meeting scheduled for 2016-03-30.

Yours sincerely

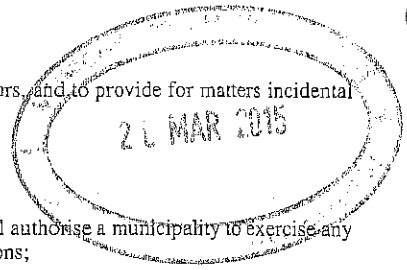
**MR RICHARD BOSMAN
ACTING MUNICIPAL MANAGER**

APPENDIX 4

3

STELLENBOSCH MUNICIPAL HONOURS BY-LAW

BY-LAW



To provide for Municipal honours, the conferral thereof, the amendment of conferral, of Municipal honours, and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 156(5) of the Constitution of the Republic of South Africa, Act No 108 of 1996, in general authorise a municipality to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

WHEREAS section 186(9) and (10) of the Municipal Ordinance 1974 (No 20 of 1974), in particular, authorise a municipality to confer the freedom of the municipality on a person or to present a medal, memento, address or other commemorative token to persons;

WHEREAS section 156(2) of the Constitution of the Republic of South Africa authorise a municipality to make by-laws for the effective administration of the matters which it has the right to administer;

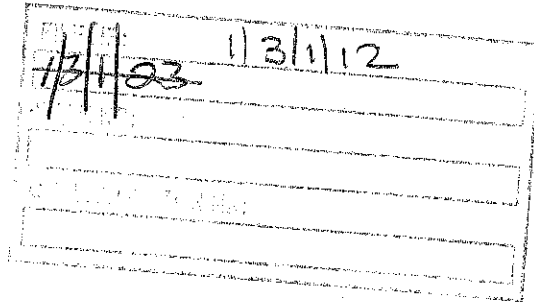
WHEREAS it is desirable to take into consideration and recognise persons for exceptional achievements or the rendering of exceptionally meritorious service in the interest of the municipality; and

WHEREAS this needs to be done in an orderly manner;

Be it, therefore, enacted by the Council of the Stellenbosch Municipality.

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- 2. Municipal Honours
- 3. Conferral of Municipal Honours
- 4. Annulment of Conferral of Municipal Honours
- 5. Municipal Honours Advisory Panel
- 6. Criteria for the bestowing of Municipal Honours
- 7. Warrants
- 8. Short Title and Date of Commencement



1. DEFINITIONS

- 1. "The Council" means the political structure of Stellenbosch Municipality in terms of section (4) of the Establishment Notice (P.N. 489/2000) as contemplated in section 18 of the Municipal Structures Act.
- 2. "Stellenbosch Municipality" means the municipality established in terms of section (4) of the Establishment Notice (P.N. 489/2000).
- 3. "Municipal Manager" means the person that is the head of administration and also accounting officer for the municipality, appointed in terms of section 82 of the Municipal Structures Act, Act 117 of 1998.
- 4. "Councillor" means a member of the Municipal Council of Stellenbosch Municipality.
- 5. "Municipality" for the purposes of section 7 means:
 - (a) the Municipality of Stellenbosch established by Provincial Notice 489 of 2000 dated 22 September 2000;
 - (b) any municipality established under the provision of the Local Government Transition Act, 1993;
 - (c) any municipality established under the provisions of the Municipal Ordinance, 1974 or any previous ordinance providing for the establishment of a municipality;
 - (d) any council or committee established under the provisions of the Black Local Authorities Act, 1982;
 - (e) any management committee established under the provisions of Provincial Ordinance No 6 of 1963.
- 6. "Employee" means an employee of Stellenbosch Municipality and shall for the purposes of section 6(8) include commencement service at one of the following established municipalities:

- Stellenbosch Municipality
- Franschhoek Municipality
- Pniel Local Council
- Boland District Municipality
- Winelands District Council
- Western Cape Metropol Council
- Stellenbosch Divisional Council.

2. MUNICIPAL HONOURS

2. (1) There are the following Municipal honours for Stellenbosch Municipality:
 - (a) freedom of the Municipality or freedom of the town of Stellenbosch, Franschhoek or Pniel;
 - (b) honorary citizenship of the Municipality of Stellenbosch;
 - (c) illuminated address of the Municipality or illuminated address of the town of Stellenbosch, Franschhoek or Pniel;
 - (d) Aldermanship certificate;
 - (e) a Council's commendation certificate;
 - (f) a Mayor's commendation certificate; and
 - (g) certificate for long or outstanding service with the Council.
2. (2) There are the following medal for the Stellenbosch Municipality:
 - (a) the Simonsberg medal (gold) for exceptional achievement or for performing an act of bravery within the Municipal area of Stellenbosch;
2. (3) The Mayor is the patron of the Municipal honours as described in section (1) and (2).

3. CONFERRAL OF MUNICIPAL HONOURS

3. (1) The Mayor, after of approval of Council may confer municipal honours on any person and may make a posthumous conferral of a municipal honour.

4. ANNULMENT OF CONFERRAL OF MUNICIPAL HONOURS AND MEDALS

4. (1) The Mayor, after approval of Council may annul the conferral of a Municipal honour if the holder of the honour has performed any action or has behaved in a manner which harmed the interest of the Municipality of Stellenbosch, or otherwise has become unworthy of the Municipal honour concerned.
4. (2) The Mayor shall, in annulling the conferral of a Municipal honour in terms of subsection (1), do so in accordance with the advice of the panel referred to in section 5.

5. MUNICIPAL HONOURS ADVISORY PANEL

5. (1) The Mayor must obtain advise on the conferral, annulment or restoration of Municipal honours from an advisory panel, consisting of:
 - (a) a maximum of five (5) councillors, broadly representative of the council, appointed by council; and
 - (b) a maximum of five (5) people, highly respected by and who are broadly representative of the people of Stellenbosch Municipality, appointed by Council, if Council so wishes.
5. (2) The advisory panel shall meet at the request of the Mayor.

6. CRITERIA FOR THE BESTOWING OF MUNICIPAL HONOURS

6. (1) The freedom of the Municipality or the freedom of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) a non-resident person or organisation, when such a person or organisation is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by way of a broad consensus. The freedom of the Municipality or of a town shall not be conferred on an active politician.
6. (2) Honorary citizenship of the Municipality of Stellenbosch will be conferred:
 - (a) on a person of national and/or international stature residing in Stellenbosch Municipality for a period of at least 25 years, when such person is worthy of such an honour in the opinion of Council;
 - (b) on such a person if unanimously approved by Council at a Special Council Meeting. Alternatively when approved by Council by way of a broad consensus.
 - (c) Honorary citizenship will not be conferred on an active politician.
6. (3) An illuminated address of the municipality or an illuminated address of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) on a person when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by a two-thirds majority vote;
6. (4) Aldermanship will be conferred on a serving Councillor of Stellenbosch Municipality:
 - (a) who has served on one or more municipalities within the Republic of South Africa for a total period of 20 years. Such terms of office need not be consecutive;

- (b) upon the assumption of the office of Mayor. This criterium does not apply to acting Mayors or acting chairperson of Council. Such title shall be removed if such Councillor does not serve the Council for a full term of office as Mayor;
- (c) who obtains the minimum of 20 points on the following scale:
 - (i) one point for each completed year served as a Councillor on any municipality; plus
 - (ii) one additional point for each completed year service as a member of the executive of any municipality or as chairperson of a standing committee or portfolio committee of such municipality; plus
 - (iii) one additional point for each completed year service as a deputy mayor of a municipality; plus
 - (iv) two additional points for each completed year served as a mayor or chairperson of any municipality; plus
 - (v) two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality subsequent to 5 December 2000; plus
 - (vi) three additional points for each completed year served as deputy mayor or speaker of the Stellenbosch Council.
- 6. (5) Any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary details to the satisfaction of the Municipal Manager. The Municipal Manager shall make a recommendation to Council, after having considered all the relevant details. The Municipal Manager shall for the purpose of this by-law create an appropriate database of all current serving councillors of the Council of Stellenbosch as from 5 December 2000.
- 6. (6) The Council's recommendation certificate will be conferred;
 - (a) a resident of Stellenbosch Municipality when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council;
- 6. (7) The Mayor's recommendation certificate will be conferred on:
 - (a) a resident of Stellenbosch Municipality; and
 - (b) in the sole discretion of the Mayor.
- 6. (8) A certificate for long outstanding service with the Council will be conferred on an employee:
 - (a) who has served the municipality for a period of 25 years, on condition that such an employee has not been found guilty of misconduct for a period of 10 years prior to his/her 35th year of service.
- 6. (9) A medal will be conferred on a resident of Stellenbosch Municipality when:
 - (a) such person is worthy of such an honour in the opinion of Council; and
 - (b) if approved by Council by way of a broad consensus.

7. WARRANTS

The Mayor together with the other members of Council may, by special Council decision and after publication thereof in the Provincial Gazette, issue warrants for the better carrying out of the objects of this by-law and in particular, but without prejudice to the generality of the foregoing, relating to:

- (a) the keeping and administering of the Municipal honours referred to in section 1;
- (b) the keeping of a register of Municipal honours conferred;
- (c) the replacement of lost or stolen Municipal honours and the charges, therefor;
- (d) the publication of an annual Municipal honours list;
- (e) the wearing of Municipal medals;
- (f) benefits and privileges of Alderman;
- (g) rules regarding the annulment and restoration of provincial honours;
- (h) the issuing of accompanying certificates;
- (i) the lay-out/description of Municipal honours/medals; and
- (j) the protocol regarding the handing over of Municipal honours.

8. SHORT TITLE

This by-law is called the Stellenbosch Municipal Honours By-law and takes effect on date of publication thereof.

7.11 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR V FERNANDEZ (MS)*File number* : 11/2/4/1*Report by* : Municipal Manager*Compiled by* : Director: Strategic and Corporate Services*Delegated Authority* : Council**Strategic intent of item**

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

1. PURPOSE OF REPORT

To consider an application for conferral of Aldermanship on Councillor V Fernandez (Ms).

2. BACKGROUND**2.1 Application**

On 2016-03-15 an application was received from Councillor V Fernandez (Ms), requesting that Aldermanship be conferred on her as she qualifies for such honours in terms of the Stellenbosch Municipal Honours By-Law (April 2002). The Application is attached as **APPENDIX 1**.

2.2 Calculation of points

Pursuant to the above application, the Head: Committee Services compiled a memorandum to the Municipal Manager, confirming that, according to Council's records, Councillor V Fernandez (Ms) does indeed qualify for Aldermanship with a total of **22 points**. The memorandum is attached as **APPENDIX 2**.

2.3 Confirmation by the Municipal Manager

Hereto attached, as **APPENDIX 3**, is the verification of the Municipal Manager, confirming that the calculations were verified and that the awarding of points was in accordance with the prescribed criteria.

3. DISCUSSION**3.1 Legal Framework**

Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law (April, 2002) makes provision for Aldermanship to be conferred on a serving Councillor of the Stellenbosch Municipality who obtains a minimum of 20 points, as set out in the By-Law.

In terms of sub-section (5), any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary detail to enable the Municipal Manager to verify the allocation of points, as per the By-Law. The By-Law is attached as **APPENDIX 4**.

4. LEGAL IMPLICATION

Legally compliant. The recommendation is in line with the Municipality's Honours By-Law of April 2002, GG 5859.

5. FINANCIAL IMPLICATION

Finance supports the item.

6. CONCLUSION

Councillor V Fernandez (Ms) qualifies for Aldermanship in terms of Section 6 (4) (c) of the Stellenbosch Municipal Honours By-Law.

RECOMMENDED

- (a) that, in terms of Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law promulgated in Provincial Gazette 5859 of 19 April 2002, Aldermanship be conferred upon Councillor V Fernandez (Ms); and
- (b) that, following the approval of Council, the Executive Mayor, as patron of the Stellenbosch Municipal Honours, confer the honour on Councillor V Fernandez (Ms) in an appropriate manner.

**(DIRECTOR: STRATEGIC AND CORPORATE
SERVICES TO ACTION)**

APPENDIX 1

150 Curry Street
Cloetesville

7600

Date: 15 March 2016

Attention: Acting Municipal Manager
Stellenbosch Municipality

Dear Sir

APPLICATION FOR THE CONFERRAL OF ALDERMANSHIP

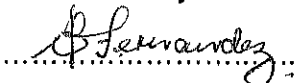
I hereby, in accordance with the procedure as set out in the Stellenbosch Municipal Honours By-Law (April 2002), apply for the conferral of the honour of Aldermanship to myself. I believe that my service as a Councillor has led to me achieving more than the required number of points to qualify for this honour.

Outlined below is a schedule depicting a summary of my years of service as Councillor:

Year	Cllr/Standing Committee Member	MAYCO Member/Portfolio Chairperson	Executive Mayor	Speaker
2000				
2001				
2002				
2003				
2004				
2005				
2006		15 March – 31 Dec		
2007		Jan – Dec		
2008	1 May – 31 Dec	1 Jan – 30 April		
2009	Jan – Dec			
2010	Jan – Dec			
2011	1 Jan – 30 April	1 May – 31 Dec		
2012		Jan – Dec		
2013		Jan – Dec		
2014		Jan – Dec		
2015		Jan – Dec		
2016		1 Jan – 15 March		

I would appreciate it if you could submit my application to the relevant committee(s) of Council, should you believe that I qualify for Aldermanship under the relevant By-Law.

Yours faithfully



Cllr V Fernandez (Ms)

(083 610 0364)

APPENDIX 2



MEMO

To/Aan: Acting Municipal Manager

From/Van: Head: Committee Services

Date/Datum: 16 March 2016

Re: CONFERRAL OF ALDERMANSHIP ON COUNCILLOR V FERNANDEZ

Councillor V Fernandez submitted an application (attached, dated 2016-03-15) for the conferral of Aldermanship.

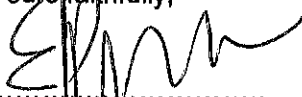
The information pertaining to the number of points accrued has been verified, and it is a true reflection of the years of service as a Councillor and Portfolio Councillor of this municipality since 2006.

Outlined below is the calculation of points verified for Aldermanship as accrued by Councillor V Fernandez:

Paragraph of By-Law	Period as Councillor/ Portfolio Councillor	Points as at 15 March 2016
6(4)(c)(i): one point for each completed year served as a Councillor on any municipality	15 March 2006 – 15 March 2016: Stellenbosch: 10 years	10 (10x1)
6(4)(c)(v) two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality	15 March 2006 – 30 April 2008; 1 May 2011 – 15 March 2016: Stellenbosch: 6 years	12 (6x2)
TOTAL POINTS		22

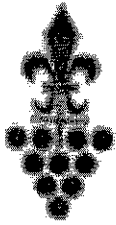
Your prompt response in this regard would enable us to submit the application for consideration by Council at its meeting scheduled for 2016-03-30.

Yours faithfully,



 E. Jerome Potts
 (Head: Committee Services)

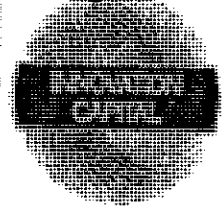
APPENDIX 3



STELLENBOSCH

STELLENBOSCH • FRIEL • PSANSCHHOEK

MUNICIPALITEIT • UMASIPALA • MUNICIPALITY



Our Ref: R Bosman (021-908 8025)
Ref: 71/2/16/tp
Collab ref: 3/6/1
Office of the Municipal Manager

Councillor V Fernandez
150 Gurry Street
CLOETESVILLE

Dear Councillor Fernandez

CONFERRAL OF ALDERMANSHIP

Your letter in respect of an application for conferral of Aldermanship, refers.

I am pleased to inform you that the information relating to the required number of points as per your letter has been verified in accordance with the Municipality's Honours By-Law (April, 2002), and that in terms of our records, you do qualify for Aldermanship. Hence, an item in respect of conferral of Aldermanship will be tabled for consideration at the Council Meeting scheduled for 2016-03-30.

Yours sincerely

MR RICHARD BOSMAN
ACTING MUNICIPAL MANAGER

APPENDIX 4

3

~~STELLENBOSCH MUNICIPAL HONOURS BY-LAW~~

BY-LAW

To provide for Municipal honours, the conferral thereof, the amendment of conferral, of Municipal honours, and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 156(5) of the Constitution of the Republic of South Africa, Act No 108 of 1996, in general authorise a municipality to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

WHEREAS section 186(9) and (10) of the Municipal Ordinance 1974 (No 20 of 1974), in particular, authorise a municipality to confer the freedom of the municipality on a person or to present a medal, memento, address or other commemorative token to persons;

WHEREAS section 156(2) of the Constitution of the Republic of South Africa authorise a municipality to make by-laws for the effective administration of the matters which it has the right to administer;

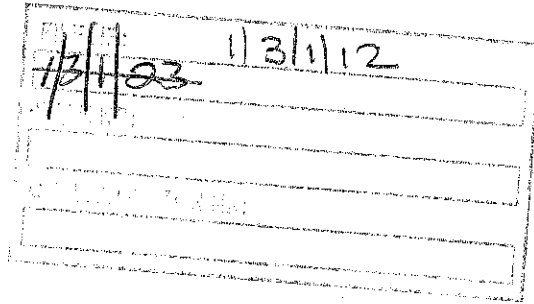
WHEREAS it is desirable to take into consideration and recognise persons for exceptional achievements or the rendering of exceptionally meritorious service in the interest of the municipality; and

WHEREAS this needs to be done in an orderly manner;

Be it, therefore, enacted by the Council of the Stellenbosch Municipality.

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1. Definitions
2. Municipal Honours
3. Conferral of Municipal Honours
4. Annulment of Conferral of Municipal Honours
5. Municipal Honours Advisory Panel
6. Criteria for the bestowing of Municipal Honours
7. Warrants
8. Short Title and Date of Commencement



1. DEFINITIONS

1. "The Council" means the political structure of Stellenbosch Municipality in terms of section (4) of the Establishment Notice (P.N. 489/2000) as contemplated in section 18 of the Municipal Structures Act.
2. "Stellenbosch Municipality" means the municipality established in terms of section (4) of the Establishment Notice (P.N. 489/2000).
3. "Municipal Manager" means the person that is the head of administration and also accounting officer for the municipality, appointed in terms of section 82 of the Municipal Structures Act, Act 117 of 1998.
4. "Councillor" means a member of the Municipal Council of Stellenbosch Municipality.
5. "Municipality" for the purposes of section 7 means:
 - (a) the Municipality of Stellenbosch established by Provincial Notice 489 of 2000 dated 22 September 2000;
 - (b) any municipality established under the provision of the Local Government Transition Act, 1993;
 - (c) any municipality established under the provisions of the Municipal Ordinance, 1974 or any previous ordinance providing for the establishment of a municipality;
 - (d) any council or committee established under the provisions of the Black Local Authorities Act, 1982;
 - (e) any management committee established under the provisions of Provincial Ordinance No 6 of 1963.
6. "Employee" means an employee of Stellenbosch Municipality and shall for the purposes of section 6(8) include commencement service at one of the following established municipalities:

Stellenbosch Municipality
Franschhoek Municipality
Pniel Local Council
Boland District Municipality
Winelands District Council
Western Cape Metropol Council
Stellenbosch Divisional Council.

2. MUNICIPAL HONOURS

2. (1) There are the following Municipal honours for Stellenbosch Municipality:
 - (a) freedom of the Municipality or freedom of the town of Stellenbosch, Franschhoek or Pniel;
 - (b) honorary citizenship of the Municipality of Stellenbosch;
 - (c) illuminated address of the Municipality or illuminated address of the town of Stellenbosch, Franschhoek or Pniel;
 - (d) Aldermanship certificate;
 - (e) a Council's commendation certificate;
 - (f) a Mayor's commendation certificate; and
 - (g) certificate for long or outstanding service with the Council.
2. (2) There are the following medal for the Stellenbosch Municipality:
 - (a) the Simonsberg medal (gold) for exceptional achievement or for performing an act of bravery within the Municipal area of Stellenbosch;
2. (3) The Mayor is the patron of the Municipal honours as described in section (1) and (2).

3. CONFERRAL OF MUNICIPAL HONOURS

3. (1) The Mayor, after of approval of Council may confer municipal honours on any person and may make a posthumous conferral of a municipal honour.

4. ANNULMENT OF CONFERRAL OF MUNICIPAL HONOURS AND MEDALS

4. (1) The Mayor, after approval of Council may annul the conferral of a Municipal honour if the holder of the honour has performed any action or has behaved in a manner which harmed the interest of the Municipality of Stellenbosch, or otherwise has become unworthy of the Municipal honour concerned.
4. (2) The Mayor shall, in annulling the conferral of a Municipal honour in terms of subsection (1), do so in accordance with the advice of the panel referred to in section 5.

5. MUNICIPAL HONOURS ADVISORY PANEL

5. (1) The Mayor must obtain advise on the conferral, annulment or restoration of Municipal honours from an advisory panel, consisting of:
 - (a) a maximum of five (5) councillors, broadly representative of the council, appointed by council; and
 - (b) a maximum of five (5) people, highly respected by and who are broadly representative of the people of Stellenbosch Municipality, appointed by Council, if Council so wishes.
5. (2) The advisory panel shall meet at the request of the Mayor.

6. CRITERIA FOR THE BESTOWING OF MUNICIPAL HONOURS

6. (1) The freedom of the Municipality or the freedom of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) a non-resident person or organisation, when such a person or organisation is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by way of a broad consensus. The freedom of the Municipality or of a town shall not be conferred on an active politician.
6. (2) Honorary citizenship of the Municipality of Stellenbosch will be conferred:
 - (a) on a person of national and/or international stature residing in Stellenbosch Municipality for a period of at least 25 years, when such person is worthy of such an honour in the opinion of Council;
 - (b) on such a person if unanimously approved by Council at a Special Council Meeting. Alternatively when approved by Council by way of a broad consensus.
 - (c) Honorary citizenship will not be conferred on an active politician.
6. (3) An illuminated address of the municipality or an illuminated address of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) on a person when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by a two-thirds majority vote;
6. (4) Aldermanship will be conferred on a serving Councillor of Stellenbosch Municipality:
 - (a) who has served on one or more municipalities within the Republic of South Africa for a total period of 20 years. Such terms of office need not be consecutive;

- (b) upon the assumption of the office of Mayor. This criterium does not apply to acting Mayors or acting chairperson of Council. Such title shall be removed if such Councillor does not serve the Council for a full term of office as Mayor;
- (c) who obtains the minimum of 20 points on the following scale:
 - (i) one point for each completed year served as a Councillor on any municipality; plus
 - (ii) one additional point for each completed year service as a member of the executive of any municipality or as chairperson of a standing committee or portfolio committee of such municipality; plus
 - (iii) one additional point for each completed year service as a deputy mayor of a municipality; plus
 - (iv) two additional points for each completed year served as a mayor or chairperson of any municipality; plus
 - (v) two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality subsequent to 5 December 2000; plus
 - (vi) three additional points for each completed year served as deputy mayor or speaker of the Stellenbosch Council.
- 6. (5) Any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary details to the satisfaction of the Municipal Manager. The Municipal Manager shall make a recommendation to Council, after having considered all the relevant details. The Municipal Manager shall for the purpose of this by-law create an appropriate database of all current serving councillors of the Council of Stellenbosch as from 5 December 2000.
- 6. (6) The Council's recommendation certificate will be conferred;
 - (a) a resident of Stellenbosch Municipality when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council;
- 6. (7) The Mayor's recommendation certificate will be conferred on:
 - (a) a resident of Stellenbosch Municipality; and
 - (b) in the sole discretion of the Mayor.
- 6. (8) A certificate for long outstanding service with the Council will be conferred on an employee:
 - (a) who has served the municipality for a period of 25 years, on condition that such an employee has not been found guilty of misconduct for a period of 10 years prior to his/her 35th year of service.
- 6. (9) A medal will be conferred on a resident of Stellenbosch Municipality when:
 - (a) such person is worthy of such an honour in the opinion of Council; and
 - (b) if approved by Council by way of a broad consensus.

7. WARRANTS

The Mayor together with the other members of Council may, by special Council decision and after publication thereof in the Provincial Gazette, issue warrants for the better carrying out of the objects of this by-law and in particular, but without prejudice to the generality of the foregoing, relating to:

- (a) the keeping and administering of the Municipal honours referred to in section 1;
- (b) the keeping of a register of Municipal honours conferred;
- (c) the replacement of lost or stolen Municipal honours and the charges, therefor;
- (d) the publication of an annual Municipal honours list;
- (e) the wearing of Municipal medals;
- (f) benefits and privileges of Alderman;
- (g) rules regarding the annulment and restoration of provincial honours;
- (h) the issuing of accompanying certificates;
- (i) the lay-out/description of Municipal honours/medals; and
- (j) the protocol regarding the handing over of Municipal honours.

8. SHORT TITLE

This by-law is called the Stellenbosch Municipal Honours By-law and takes effect on date of publication thereof.

7.12 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR JP SERDYN (MS)*File number* : 11/2/4/1*Report by* : Municipal Manager*Compiled by* : Director: Strategic and Corporate Services*Delegated Authority* : Council**Strategic intent of item**

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

1. PURPOSE OF REPORT

To consider an application for conferral of Aldermanship on Councillor JP Serdyn.

2. BACKGROUND**2.1 Application**

On 2016-03-15 an application was received from Councillor JP Serdyn, requesting that Aldermanship be conferred on her as she qualifies for such honours in terms of the Stellenbosch Municipal Honours By-Law (April 2002). The Application is attached as **APPENDIX 1**.

2.2 Calculation of points

Pursuant to the above application, the Head: Committee Services compiled a memorandum to the Municipal Manager, confirming that, according to Council's records, Councillor JP Serdyn does indeed qualify for Aldermanship with a total of **22 points**. The memorandum is attached as **APPENDIX 2**.

2.3 Confirmation by the Municipal Manager

Hereto attached, as **APPENDIX 3**, is the verification of the Municipal Manager, confirming that the calculations were verified and that the awarding of points was in accordance with the prescribed criteria.

3. DISCUSSION**3.1 Legal Framework**

Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law (April, 2002) makes provision for Aldermanship to be conferred on a serving Councillor of the Stellenbosch Municipality who obtains a minimum of 20 points, as set out in the By-Law.

In terms of sub-section (5), any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary detail to enable the Municipal Manager to verify the allocation of points, as per the By-Law. The By-Law is attached as **APPENDIX 4**.

4. LEGAL IMPLICATION

The recommendation is in line with section 6(4)(c) of the Stellenbosch Municipal Honours By-Law. The item and recommendations are supported.

5. FINANCIAL IMPLICATION

Finance supports the item.

6. CONCLUSION

Councillor JP Serdyn qualifies for Aldermanship in terms of Section 6 (4) (c) of the Stellenbosch Municipal Honours By-Law.

RECOMMENDED

- (a) that, in terms of Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law promulgated in Provincial Gazette 5859 of 19 April 2002, Aldermanship be conferred upon Councillor JP Serdyn (Ms); and
- (b) that, following the approval of Council, the Executive Mayor, as patron of the Stellenbosch Municipal Honours, confer the honour on Councillor JP Serdyn (Ms) in an appropriate manner.

**(DIRECTOR: STRATEGIC AND CORPORATE
SERVICES TO ACTION)**

APPENDIX 1

9 Kwikstert Ave
Stellenbosch
7600

Date: 15 March 2016

Attention: Acting Municipal Manager
Stellenbosch Municipality

Dear Sir

APPLICATION FOR THE CONFERRAL OF ALDERMANSHIP

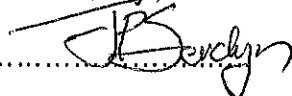
I hereby, in accordance with the procedure as set out in the Stellenbosch Municipal Honours By-Law (April 2002), apply for the conferral of the honour of Aldermanship to myself. I believe that my service as a Councillor has led to me achieving more than the required number of points to qualify for this honour.

Outlined below is a schedule depicting a summary of my years of service as Councillor:

Year	Cllr/Standing Committee Member	MAYCO Member/Portfolio Chairperson	Executive Mayor	Speaker
2000				
2001				
2002				
2003				
2004				
2005				
2006	15 March – 31 Dec			
2007	Jan – Dec			
2008	Jan – Dec			
2009	Jan – Dec			
2010	1 Jan – 31 Jan	1 Feb – 31 Dec		
2011		Jan – Dec		
2012		Jan – Dec		
2013		Jan – Dec		
2014		Jan – Dec		
2015		Jan – Dec		
2016		1 Jan – 15 March		

I would appreciate it if you could submit my application to the relevant committee(s) of Council, should you believe that I qualify for Aldermanship under the relevant By-Law.

Yours faithfully,



Cllr JP Serdyn (Ms)

(073 442 1919)

APPENDIX 2



MEMO

To/Aan: Acting Municipal Manager

From/Van: Head: Committee Services

Date/Datum: 16 March 2016

Re: CONFERRAL OF ALDERMANSHIP ON COUNCILLOR JP SERDYN

Councillor JP Serdyn submitted an application (attached, dated 2016-03-15) for the conferral of Aldermanship.

The information pertaining to the number of points accrued has been verified, and it is a true reflection of the years of service as a Councillor and Portfolio Councillor of this municipality since 2006.

Outlined below is the calculation of points verified for Aldermanship as accrued by Councillor JP Serdyn:

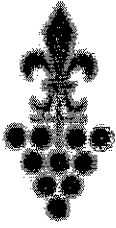
Paragraph of By-Law	Period as Councillor/ Portfolio Councillor	Points as at 15 March 2016
6(4)(c)(i): one point for each completed year served as a Councillor on any municipality	15 March 2006 – 15 March 2016: Stellenbosch: 10 years	10 (10x1)
6(4)(c)(v) two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality	1 Feb 2010 – 15 March 2016: Stellenbosch: 6 years	12 (6x2)
TOTAL POINTS		22

Your prompt response in this regard would enable us to submit the application for consideration by Council at its meeting scheduled for 2016-03-30.

Yours faithfully,

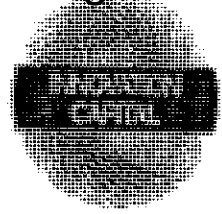
E. Jerome Potts
(Head: Committee Services)

APPENDIX 3

**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



Our Ref: R-Bosman (021-808 8025)

Ref: 702/18/tp

Collab ref: 3/6/1

Office of the Municipal Manager

Councillor JP Serdyn
9 Kwikstert Ave
STELLENBOSCH

Dear Councillor Serdyn

CONFERRAL OF ALDERMANSHIP

Your letter in respect of an application for conferral of Aldermanship, refers.

I am pleased to inform you that the information relating to the required number of points as per your letter has been verified in accordance with the Municipality's Honours By-Law (April, 2002), and that in terms of our records, you do qualify for Aldermanship. Hence, an item in respect of conferral of Aldermanship will be tabled for consideration at the Council Meeting scheduled for 2016-03-30.

Yours sincerely

**MR RICHARD BOSMAN
ACTING MUNICIPAL MANAGER**

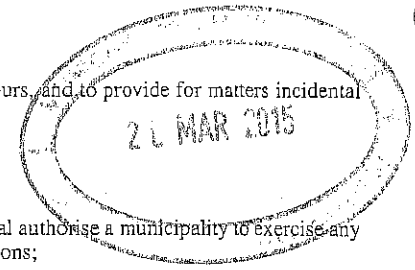
APPENDIX 4

3

~~STELLENBOSCH MUNICIPAL HONOURS BY-LAW~~

BY-LAW

To provide for Municipal honours, the conferral thereof, the amendment of conferral, of Municipal honours, and to provide for matters incidental thereto.



PREAMBLE

WHEREAS section 156(5) of the Constitution of the Republic of South Africa, Act No 108 of 1996, in general authorise a municipality to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

WHEREAS section 186(9) and (10) of the Municipal Ordinance 1974 (No 20 of 1974), in particular, authorise a municipality to confer the freedom of the municipality on a person or to present a medal, memento, address or other commemorative token to persons;

WHEREAS section 156(2) of the Constitution of the Republic of South Africa authorise a municipality to make by-laws for the effective administration of the matters which it has the right to administer;

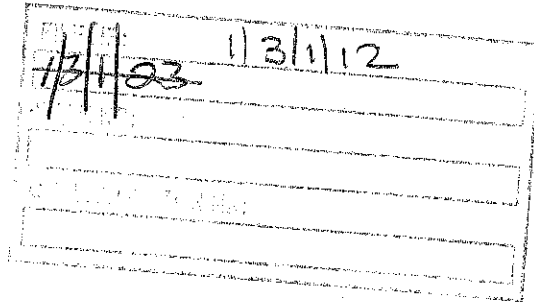
WHEREAS it is desirable to take into consideration and recognise persons for exceptional achievements or the rendering of exceptionally meritorious service in the interest of the municipality; and

WHEREAS this needs to be done in an orderly manner;

Be it, therefore, enacted by the Council of the Stellenbosch Municipality.

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1. Definitions
2. Municipal Honours
3. Conferral of Municipal Honours
4. Annulment of Conferral of Municipal Honours
5. Municipal Honours Advisory Panel
6. Criteria for the bestowing of Municipal Honours
7. Warrants
8. Short Title and Date of Commencement



1. DEFINITIONS

1. "The Council" means the political structure of Stellenbosch Municipality in terms of section (4) of the Establishment Notice (P.N. 489/2000) as contemplated in section 18 of the Municipal Structures Act.
2. "Stellenbosch Municipality" means the municipality established in terms of section (4) of the Establishment Notice (P.N. 489/2000).
3. "Municipal Manager" means the person that is the head of administration and also accounting officer for the municipality, appointed in terms of section 82 of the Municipal Structures Act, Act 117 of 1998.
4. "Councillor" means a member of the Municipal Council of Stellenbosch Municipality.
5. "Municipality" for the purposes of section 7 means:
 - (a) the Municipality of Stellenbosch established by Provincial Notice 489 of 2000 dated 22 September 2000;
 - (b) any municipality established under the provision of the Local Government Transition Act, 1993;
 - (c) any municipality established under the provisions of the Municipal Ordinance, 1974 or any previous ordinance providing for the establishment of a municipality;
 - (d) any council or committee established under the provisions of the Black Local Authorities Act, 1982;
 - (e) any management committee established under the provisions of Provincial Ordinance No 6 of 1963.
6. "Employee" means an employee of Stellenbosch Municipality and shall for the purposes of section 6(8) include commencement service at one of the following established municipalities:

Stellenbosch Municipality
 Franschhoek Municipality
 Pniel Local Council
 Boland District Municipality
 Winelands District Council
 Western Cape Metropol Council
 Stellenbosch Divisional Council.

2. MUNICIPAL HONOURS

2. (1) There are the following Municipal honours for Stellenbosch Municipality:
 - (a) freedom of the Municipality or freedom of the town of Stellenbosch, Franschhoek or Pniel;
 - (b) honorary citizenship of the Municipality of Stellenbosch;
 - (c) illuminated address of the Municipality or illuminated address of the town of Stellenbosch, Franschhoek or Pniel;
 - (d) Aldermanship certificate;
 - (e) a Council's commendation certificate;
 - (f) a Mayor's commendation certificate; and
 - (g) certificate for long or outstanding service with the Council.
2. (2) There are the following medal for the Stellenbosch Municipality:
 - (a) the Simonsberg medal (gold) for exceptional achievement or for performing an act of bravery within the Municipal area of Stellenbosch;
2. (3) The Mayor is the patron of the Municipal honours as described in section (1) and (2).

3. CONFERRAL OF MUNICIPAL HONOURS

3. (1) The Mayor, after of approval of Council may confer municipal honours on any person and may make a posthumous conferral of a municipal honour.

4. ANNULMENT OF CONFERRAL OF MUNICIPAL HONOURS AND MEDALS

4. (1) The Mayor, after approval of Council may annul the conferral of a Municipal honour if the holder of the honour has performed any action or has behaved in a manner which harmed the interest of the Municipality of Stellenbosch, or otherwise has become unworthy of the Municipal honour concerned.
4. (2) The Mayor shall, in annulling the conferral of a Municipal honour in terms of subsection (1), do so in accordance with the advice of the panel referred to in section 5.

5. MUNICIPAL HONOURS ADVISORY PANEL

5. (1) The Mayor must obtain advise on the conferral, annulment or restoration of Municipal honours from an advisory panel, consisting of:
 - (a) a maximum of five (5) councillors, broadly representative of the council, appointed by council; and
 - (b) a maximum of five (5) people, highly respected by and who are broadly representative of the people of Stellenbosch Municipality, appointed by Council, if Council so wishes.
5. (2) The advisory panel shall meet at the request of the Mayor.

6. CRITERIA FOR THE BESTOWING OF MUNICIPAL HONOURS

6. (1) The freedom of the Municipality or the freedom of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) a non-resident person or organisation, when such a person or organisation is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by way of a broad consensus. The freedom of the Municipality or of a town shall not be conferred on an active politician.
6. (2) Honorary citizenship of the Municipality of Stellenbosch will be conferred:
 - (a) on a person of national and/or international stature residing in Stellenbosch Municipality for a period of at least 25 years, when such person is worthy of such an honour in the opinion of Council;
 - (b) on such a person if unanimously approved by Council at a Special Council Meeting. Alternatively when approved by Council by way of a broad consensus.
 - (c) Honorary citizenship will not be conferred on an active politician.
6. (3) An illuminated address of the municipality or an illuminated address of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) on a person when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by a two-thirds majority vote;
6. (4) Aldermanship will be conferred on a serving Councillor of Stellenbosch Municipality:
 - (a) who has served on one or more municipalities within the Republic of South Africa for a total period of 20 years. Such terms of office need not be consecutive;

- (b) upon the assumption of the office of Mayor. This criterium does not apply to acting Mayors or acting chairperson of Council. Such title shall be removed if such Councillor does not serve the Council for a full term of office as Mayor;
- (c) who obtains the minimum of 20 points on the following scale:
 - (i) one point for each completed year served as a Councillor on any municipality; plus
 - (ii) one additional point for each completed year service as a member of the executive of any municipality or as chairperson of a standing committee or portfolio committee of such municipality; plus
 - (iii) one additional point for each completed year service as a deputy mayor of a municipality; plus
 - (iv) two additional points for each completed year served as a mayor or chairperson of any municipality; plus
 - (v) two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality subsequent to 5 December 2000; plus
 - (vi) three additional points for each completed year served as deputy mayor or speaker of the Stellenbosch Council.
- 6. (5) Any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary details to the satisfaction of the Municipal Manager. The Municipal Manager shall make a recommendation to Council, after having considered all the relevant details. The Municipal Manager shall for the purpose of this by-law create an appropriate database of all current serving councillors of the Council of Stellenbosch as from 5 December 2000.
- 6. (6) The Council's recommendation certificate will be conferred;
 - (a) a resident of Stellenbosch Municipality when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council;
- 6. (7) The Mayor's recommendation certificate will be conferred on:
 - (a) a resident of Stellenbosch Municipality; and
 - (b) in the sole discretion of the Mayor.
- 6. (8) A certificate for long outstanding service with the Council will be conferred on an employee:
 - (a) who has served the municipality for a period of 25 years, on condition that such an employee has not been found guilty of misconduct for a period of 10 years prior to his/her 35th year of service.
- 6. (9) A medal will be conferred on a resident of Stellenbosch Municipality when:
 - (a) such person is worthy of such an honour in the opinion of Council; and
 - (b) if approved by Council by way of a broad consensus.

7. WARRANTS

The Mayor together with the other members of Council may, by special Council decision and after publication thereof in the Provincial Gazette, issue warrants for the better carrying out of the objects of this by-law and in particular, but without prejudice to the generality of the foregoing, relating to:

- (a) the keeping and administering of the Municipal honours referred to in section 1;
- (b) the keeping of a register of Municipal honours conferred;
- (c) the replacement of lost or stolen Municipal honours and the charges, therefor;
- (d) the publication of an annual Municipal honours list;
- (e) the wearing of Municipal medals;
- (f) benefits and privileges of Alderman;
- (g) rules regarding the annulment and restoration of provincial honours;
- (h) the issuing of accompanying certificates;
- (i) the lay-out/description of Municipal honours/medals; and
- (j) the protocol regarding the handing over of Municipal honours.

8. SHORT TITLE

This by-law is called the Stellenbosch Municipal Honours By-law and takes effect on date of publication thereof.