

**8. CONSIDERATION OF MATTERS REFERRED TO COUNCIL VIA THE MAYORAL COMMITTEE MEETING/S****8.1 DEVELOPMENT OF A COMPREHENSIVE INTEGRATED TRANSPORT PLAN (CITP) FOR THE MUNICIPAL AREA***File number* : 17/9/2/2*Report by* : Acting Director: Engineering Services*Compiled by* : Acting Head: Transport Planning and Public Transport*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 obtain endorsement of the Comprehensive Integrated Transport Plan from Council for submission of the plan to the Department of Transport and Public Works. Attached as **APPENDIX 1** is the executive summary and table of contents of the CITP.

**2. BACKGROUND**

In terms of the Government Notice No R 1119 a Type 1 Planning Authority is required to prepare a Comprehensive Integrated Transport (CITP). This Plan must be prepared with due regard to the relevant Integrated Development Plan and land development objectives set in terms of the Development Facilitation Act.

The CITP for Stellenbosch Municipality will consist of the following chapters as specified in the Government Notice:

1. Introduction
2. Transport Vision & Objectives
3. Transport Register
4. Spatial Development Framework
5. Transport Needs Assessment
6. Public Transport Operational Strategy
7. Transport Infrastructure Strategy
8. Travel Demand Measures
9. Freight Logistics Strategy
10. Other Transport Related Strategies
11. Funding Strategy of Proposals and Programmes

The attached executive summary briefly outlines each of the above chapters and the table of contents shows the headings dealt with under each.

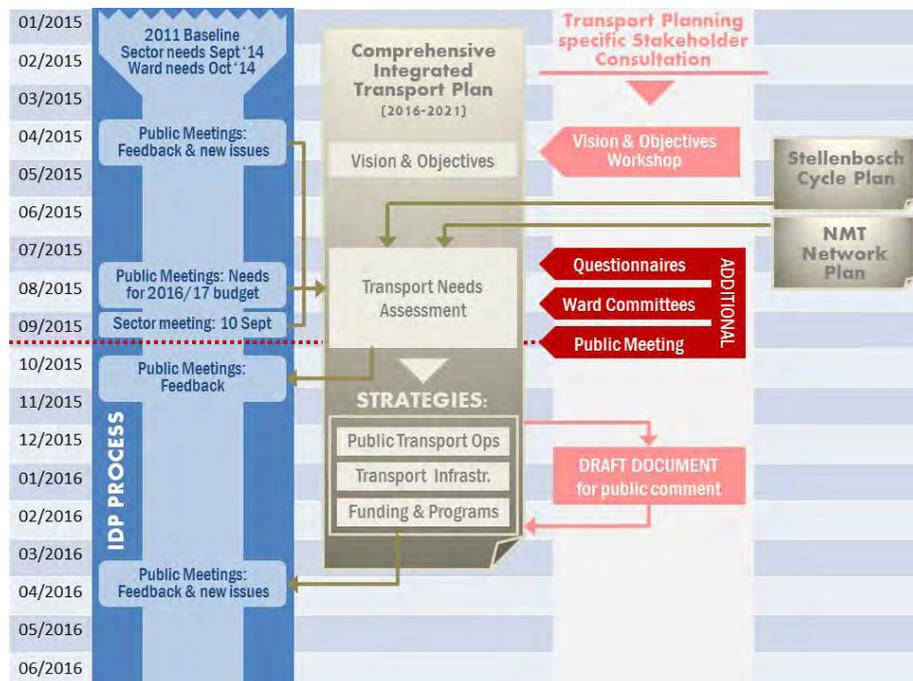
**3. DISCUSSION**

**The Purpose of the CITP is to:**

- Giving structure to the function of municipal planning mentioned in Part B of Schedule 4 of the Constitution.
- Fostering integration between land development and land use planning.
- Forming an essential part of the Integrated Development Plan of the Municipality
- Giving effect to national and provincial transport strategies and policies.
- Providing plans and strategies for the improvement of transport infrastructure and systems to foster economic and social growth and to improve the quality of life of the residents in the Municipality.

**3.1 PUBLIC PARTICIPATION**

Public Participation is essential to the successful development of the CITP. The diagram below shows an outline of the public participation process that was followed:



As shown above, an extensive effort to obtain wide participation was followed. It included:

- Collaboration with the IDP process to ensure that inputs received during the IDP’s public participation also flow through into the CITP.
- Stakeholder organisations such as the Chamber of Commerce and the Disability Association and others were involved through the Transport

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Working Group who held a special CITP Vision and Mission Workshop, and received progress at their quarterly meetings.

- Ward Committees were briefed at their meeting on 28 July 2015.
- A public meeting specifically on Transport Planning was widely advertised in various newspapers and was held on 15 October 2015 in the Town Hall.
- Snap Surveys was distributed throughout the Municipal Area. Ward committees assisted with this effort. Interviewers were also sent to wards to ensure that all communities had an opportunity to participate. A total of 512 responses were received.
- A workshop on the key issues of the CITP was held with Council on 23 November 2015.
- Following the above efforts, those members of the public who indicated their interest in participating in the CITP process by attending the public meeting on 15 October 2015 as well as the organisations involved through the Transport Working Group had an opportunity to comment on the draft CITP before it was finalised for the Portfolio Committee, MAYCO and Council. The input received and the Project teams response is tabled in **APPENDIX 2**.

The snap surveys identified the following three CITP focus areas:

- Implement a local scheduled public transport service (52.5%)
- Build new roads to provide alternative routes and relieve congestion (45.7%)
- Create more parking in the Stellenbosch CBD (39.8%)

### 3.2 KEY ISSUES

The CITP's key principles are:

- Promote development and growth to create jobs
- Link communities to social and economic nodes
- Economic and environmental sustainability

The following priorities are highlighted in the CITP document:

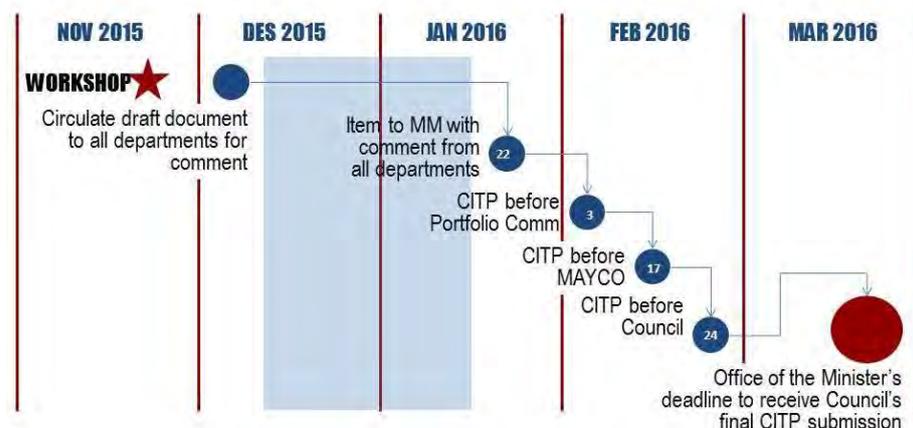
- The provision of a high quality, sustainable public transport network
- Improved accessibility to transport for learners and persons with disabilities
- The improvement of facilities for pedestrians and non-motorised transport in Stellenbosch as well as the surrounding, smaller settlements and rural areas
- The need to improve mobility on the major road network by reducing congestion and the provision of alternative routes and corridors

- The need to identify and source additional funding to implement projects included in the CITP.

### 3.3 WAY FORWARD

With regards to public Transport, the Integrated Public Transport Network (IPTN) - a separate legislative requirement – will be completed by June 2016 and will provide more detail on the way forward for public transport in the municipal area.

The diagram below shows the timeline for submitting the CITP to the Western Cape Department of Transport and Public Works by their deadline at the end of the provincial financial year in March 2016.



### 4. FINANCIAL IMPLICATIONS

Various projects with budgets are identified in the CIP as expounded in Section 12 of the document. These projects and budgets will be used as inputs in the municipal budgeting process during the next 5 years.

### 5. COMMENTS FROM DIRECTORATES

#### 5.1 Director: Public Safety & Community Services

No comments received

#### 5.2 Director: Planning & Economic Development

No comments received

#### 5.3 Director: Strategic & Corporate Services (Legal Services)

No comments received

#### 5.4 Director: Financial Services

Finance supports the Item. Implementation will be budget dependent. Public Private Partnerships could possibly also be explored to implement; finance and management some of the projects

#### 5.5 Director: Housing & Property Management

No comments received.

**RECOMMENDED**

that the Comprehensive Integrated Transport Plan (CITP) be endorsed for submission to the MEC of Transport for approval.

**(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)**

**ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING:  
2016-03-02: ITEM 6.1.2****RESOLVED** (nem con)

that the Manager: Transport and Roads & Stormwater provides the required additional information with regard to the Transport Plan for submission to the Mayoral Committee and Council.

**RECOMMENDED**

that the Comprehensive Integrated Transport Plan (CITP) be endorsed for submission to the MEC of Transport for approval.

**(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)**

**FURTHER COMMENTS BY THE MANAGER: TRANSPORT AND ROADS &  
STORMWATER**

The Comprehensive Integrated Transport Plan (CITP) does not specifically mention the lack of a fence along the railway line from du Toit Station to Koelenhof Station through the urban area as a concern. It is proposed that the section on Public Transport Safety and Security in the CITP be expanded to include this need.

The CITP was compiled with the 2013 Spatial Development Framework (SDF) as basis, and therefore does not specifically cater for the Northern Extension Project. The CITP does however address the need for a Transit-Orientated Development (TOD) node at Kayamandi, the Western bypass feasibility and the upgrade of the R304. All these projects will be triggered and supported by the Northern Extension Project.

**FOR CONSIDERATION****MAYORAL COMMITTEE MEETING: 2016-03-23: ITEM 5.1.4**

The following comments from the various Directorates were received:

**Director: Planning & Economic Development**

The item as well as the Comprehensive Integrated Transport Plan are supported.

**Director: Strategic & Corporate Services (Legal Services)**

The item is supported. The complete CITP is to be made available for Council scheduled for 2016-03-30.

**Director Public Safety and Community Services**

The item as well as the Comprehensive Integrated Transport Plan are supported. The Directorate was instrumental in compiling the Intergrated Transport Plan which includes all comments, views and future Traffic Law Enforcement strategies for the Greater Stellenbosch.

**Director: Housing & Property Management****1. Taxi Rank in Kayamandi**

Although the Bergzicht Taxi Rank does provide for taxi's from Kayamandi, there are no formal, dedicated taxi rank in Kayamandi. It is critical that a formal taxi rank(s) be constructed in Kayamandi.

**2. Taxi permits: Travel between Franschoek and Stellenbosch**

At the moment the taxi permits does not take note of the new municipal area, i.e. travel between Franschoek and Stellenbosch. For this reason people must travel to Pniel, then move over to another taxi to take them to Stellenbosch.

No formal taxi rank/"transfer station" is provided in Pniel. Taxi permits should be reconsidered to cater for a non-stop service between Franschoek and Stellenbosch.

**3. Obligation on housing projects to cater for upgrade of road infrastructure**

When low-cost housing projects are planned, it is expected from housing projects to attend to upgrade of road infrastructure, at the cost of the municipality. This puts extra pressure on the municipality/project.

Seeing that housing is a provincial function, the provincial government should take more responsibility in the upgrade of roads infrastructure when it comes to low cost housing projects (e.g Longlands development delayed for almost 5 years due to access issues).

**RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that the Comprehensive Integrated Transport Plan (CITP) be endorsed for submission to the MEC of Transport for approval;
- (b) that the section on Public Transport Safety and Security in the Comprehensive Integrated Transport Plan include the need to address the safety considerations for residents living along the railway line between du Toit Station and Koelenhof Station; and
- (c) that cognisance be taken of the matter relating to School Street, Jamestown, and that further engagement on said matter take place with the MEC for Local Government.

**(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)**

# APPENDIX 1

# EXECUTIVE SUMMARY

## 1. INTRODUCTION

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- ≈ The Stellenbosch Comprehensive Integrated Transport Plan (CITP) is prepared in compliance with the National Land Transport Act (2009) and relevant Provincial legislation.
- ≈ The CITP is prepared in accordance with the requirements of the Department of Transport.
- ≈ The CITP is a Sector Plan of the Integrated Development Plan.
- ≈ The CITP covers the period 2016 – 2021.
- ≈ The CITP requires the approval of the MEC Transport and Public Works.
- ≈ The CITP has been prepared in consultation with interested and affected parties.

## 2. TRANSPORT VISION AND OBJECTIVES

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- ≈ The transport **VISION** of the CITP is:
  - *“A demand-managed, sustainable, balanced and equitable transport system that allows for the basic mobility needs of individuals to be met, is affordable, operates efficiently, offers choice of transport modes, supports a vibrant economy and operates seamlessly within and across the municipal boundaries”*
- ≈ The **VISION** takes into consideration relevant national and provincial policies and legislation, the Western Cape Government's strategic goals and the five strategic focus areas of the Integrated Development Plan of the Stellenbosch Local Municipality.
- ≈ The **OBJECTIVES** of the CITP are represented by the principles of:
  - Investment
  - Sustainability
  - Safety
  - Integrated Planning

## 3. TRANSPORT REGISTER

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- ≈ The Transport Register of the CITP provides an overview of the status of the transport system and identifies trends and changes in the demographics of the area to which the transport system must adapt.
- ≈ The Transport Register assists in identifying shortcomings in the transport system and areas where improvement is needed.
- ≈ Information on the following aspects of the transport system is provided:
  - Utilisation of public transport services and facilities
  - The status and condition of public transport facilities and infrastructure
  - The percentage utilisation of the various modes of transport



- The status and condition of the road network
- Freight transport information
- Financial information

#### 4. SPATIAL DEVELOPMENT FRAMEWORK

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- ≈ the SDF provides a clear direction of the land development strategies of the Stellenbosch Municipality and identifies focus areas of the CITP including:
  - transport corridors and nodes
  - areas identified for mixed use and densification in support of public transport
  - measures to discourage urban sprawl
- ≈ The vision of the Provincial Land Transport Framework provides a framework for a transport system built on the pillars of sustainability, equity, access to opportunity in an economically efficient manner and safety that are taken into account to ensure cohesive planning with surrounding areas
- ≈ The following focus areas are identified:
  - The need to increase road corridor capacities and public transport linkages to support the development of increased land development densities
  - The adoption of the principles of Transit Oriented Development (TOD) and Transport Demand Management (TDM) to reduce congestion of the road network as this negatively impacts economic growth and the “greenness” of the Municipality.
  - The encouragement of the development of Non-motorised Transport (NMT) infrastructure and networks to reduce the demand for private car travel and improve the liveability of neighbourhoods and communities within the area.
  - The rail system should remain the backbone of the transport system in the functional region so rail capacity and infrastructure maintenance should receive attention in the Integrated Transport Plan.

#### 5. TRANSPORT NEEDS ASSESSMENT

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- ≈ The Transport Needs Assessment provides a summary of the needs for new or improve transport services or infrastructure identified through an analysis of information collected, strategies for the development of Stellenbosch and through the consultation process.
- ≈ The following key needs were identified for inclusion in the CITP strategies:
  - The need for a high quality, sustainable public transport system
  - The need to improve accessibility to transport for Learners and persons with disabilities
  - The need to improve facilities for pedestrians and non-motorised transport in Stellenbosch as well as the surrounding, smaller settlements and rural areas
  - The need to improve mobility on the major road network by reducing congestion and the provision of alternative routes and corridors
  - The need to identify and source additional funding to implement plans included in the CITP

- ≈ The needs of the community were identified through a public consultation process. This information was used to identify projects, new or existing, that can be included in the CITP budget.

## 6. PUBLIC TRANSPORT OPERATIONAL STRATEGY

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- ≈ The Stellenbosch Municipality, *as a Planning Authority*, is responsible for transport functions in terms of the National Land Transport Act (5 of 2009) including the planning and implementation of an efficient and affordable public transport service network and travel corridors
- ≈ There are several implications stemming from this responsibility that the Stellenbosch Municipality must consider. These are:
  - Financial implications: The cost of planning, infrastructure provision, purchase of vehicles, operation and maintenance
  - The necessity for consultations and negotiations with role-players on issues such as empowerment, training, compensation for loss of jobs or profits, negotiation of operating contracts
  - Municipal capacity to plan and monitor the system
  - The need for a clear procurement strategy
- ≈ The elements of an upgraded public transport service network are:
  - An integrated route network of short and long distance routes
  - New universally accessible vehicles (initially using existing vehicles)
  - Integration of rail, bus and minibus services on fixed timetables
  - A new ticketing system
  - Contracted operators (negotiated contract with existing operators)
  - New transport infrastructure : terminals, shelters
- ≈ Guiding principles for the proposed Stellenbosch public transport service network are:
  - Compliance with the Department of Transport guidelines for a Public Transport Network Grant
  - Transformation and upliftment of the public transport industry
  - To improve public transport services and quality of life of residents
  - Phased development of the public transport system
  - Financial sustainability

## 7. OPERATING LICENCE STRATEGY

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- ≈ No road based public transport service may be operated without an Operating Licence issued by the Provincial Regulatory Entity in terms of the National Land Transport Act (NLTA).
- ≈ The purpose and objective of the Operating Licence Strategy (OLS) is to enable the Stellenbosch Municipality (SM) to make recommendations to the Provincial Regulatory Entity (PRE) based on the policies and strategies contained in its Comprehensive Integrated Transport Plan (CITP).



- ≈ The evaluation of Operating Licence (OL) applications follows the following procedure:
  - An application for an OL is submitted to the PRE and is referred to the SM.
  - The OL application is circulated to the appropriate persons / Departments internally within the SM.
  - Evaluation of Supply and Demand: The OL application is checked against the available survey data of passenger demand on the applicable routes.
  - The OL application is checked against the available survey data of rank, terminal or stops capacity serving the applicable routes
  - The OL application is assessed as to its impact on the conceptual Public Transport Network Routes that are identified in the ITP, or will operate in parallel to or in conflict with any commuter rail services or bus services.
  - The OL is checked against the record of outstanding warrants or convictions, previous convictions relating to the operation of public transport services and the ability of the applicant to operate the service in a manner satisfactory to the public.
  - In terms of section 78 of the NLTA, if a licence has not been in use for more than 180 days, the licence can be cancelled. The licence holder must be asked to furnish, in writing, satisfactory reasons why the service has not been operated, after which the licence can be extended for a further 180 days or cancelled.
  - If all the responses to the evaluation support the approval of the application, a letter of approval is then issued to the NPTR or the PRE with any conditions attached. If the responses do not support the application, a letter of rejection is then issued.

## 8. TRANSPORT INFRASTRUCTURE STRATEGY

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- ≈ The Transport Infrastructure Strategy deals with the maintenance and provision of all types of transport infrastructure including infrastructure for non-motorised modes, road based modes and rail infrastructure. The following types of infrastructure projects are included:
  - Infrastructure Maintenance: Maintenance and rehabilitation of roads, public transport facilities and traffic control equipment.
  - Road Infrastructure: The construction of all classes of roads, bridges and associated stormwater, non-motorised infrastructure such as sidewalks and cycle tracks and traffic control equipment.
  - Public Transport: Passenger facilities, dedicated rights of way and off-street facilities such as terminals and depots.
- ≈ A strategy is proposed to improve transport mobility on major roads linking Klapmuts and Somerset West and passing through Stellenbosch. Several alternatives have been identified for further investigation and consultation:
  - Construction of a by-pass road to the west of Stellenbosch. This is a long term solution that has advantages and disadvantages.
  - Travel Demand Management to reduce the reliance on cars and encourage the use of public transport
  - Increase the capacity of existing roads for all users

## 9. TRAVEL DEMAND MANAGEMENT STRATEGY

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- ≈ The objectives of Travel Demand Management (TDM) are far reaching and may include reducing traffic congestion by reducing the demand for car use, lifestyles, using infrastructure efficiently, reducing the environmental impacts of private transport, and supporting investments in public transport and non-motorised transport (NMT).
- ≈ Several interventions, requiring further study, are proposed to achieve the above objectives:
  - Studies:
    - Investigate and prioritise congestion bottlenecks to make more efficient use of road infrastructure
    - Improve road safety
    - Promoting NMT
    - Promoting public transport
  - Programmes and Policy:
    - Enforce traffic laws that impact NMT activity, and by-laws governing use of public space
    - Review building design regulations and street design standards that impact on walkability
    - Develop campaigns to raise awareness of travel options, and to encourage a shift in behavior
    - Pursue possibility of establishing a car-share service
  - Infrastructure:
    - Plan in more detail improved public transport services and develop an implementation plan
    - Develop shared parking structures to reduce impact of traffic on the historic town core
    - Undertake localised improvements for pedestrians, such as pedestrian-only signals, bulb-outs and street lighting along key routes

## 10. FREIGHT TRANSPORT STRATEGY

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- ≈ The freight system forms an integral part of the transport network. Freight is moved by means of the road network which is managed by South African National Roads Agency Ltd as well as provincial and local government and the rail network, pipelines and ports which are managed and operated for the most part by Transnet
- ≈ The Western Cape Government is mandated with the control of overloading of freight vehicles. There are currently 9 weighbridges within the Province, 1 of which is within the Stellenbosch municipal boundary.
- ≈ Overloading is not adequately controlled and there is inadequate legal support for enforcement.

- ≈ In Stellenbosch, the inbound heavy vehicle traffic volume accounts for 1% of the morning peak period of the inbound traffic volumes and is not demanding of the road system capacity.
- ≈ In Franschhoek, approximately 29% of heavy vehicles are through traffic on the main road. Although an alternative heavy vehicle route may alleviate some pressure on the Franschhoek main road, the majority of heavy vehicle traffic is generated in the town and the surrounding farms and will continue to make use of the main road.
- ≈ Proposed Interventions:
  - Development of an infrastructure improvement programme
  - Improve law enforcement and overload control
  - Development of a strategic freight network
  - Promoting and endorsing a self regulatory entity such as the Road Transport Management System (RTMS)
  - Investigation of the feasibility of installing an additional weighbridge within Stellenbosch
  - Detailed freight surveys are required
  - Investigate the use of alternative / preventative measures to deter heavy haul vehicles from using the Franschhoek pass as an alternative to the current Huguenot Tunnel and potentially the N1 Winelands.

## 11.1 NON-MOTORISED TRANSPORT

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- ≈ Non-Motorised Transport (NMT) can be described as; all means of transport that are human powered such as the modes of walking, cycling, animal-powered vehicles including variants such as small wheeled transport (skateboards, roller blades, push scooters and hand carts) and wheelchair travel.
- ≈ Non-motorised transport is available to everyone as a mode of travel and is the cheapest and healthiest mode of travel for the individual and the environment. The promotion of NMT is therefore critical to encourage economic development and dignified living in both rural and urban environments.
- ≈ The Stellenbosch Municipality prepared a NMT Policy in 2015 which defines the vision and objectives for NMT implementation in the area that strives to “facilitate a mobility environment where all transport modes are of equal importance.”
- ≈ A market survey on cycling was conducted during the development of the Draft Stellenbosch Cycle Plan (2015). The results of this survey indicated that the main deterrents to cycling are traffic safety, the lack of cycling infrastructure and personal safety concerns.
- ≈ A NMT network plan for Stellenbosch was prepared in 2015 as well as a bicycle masterplan. These plans provide for the development of a network of sidewalks and cycle tracks.
- ≈ In terms of the above plans, a number of NMT interventions and projects have been identified for inclusion in the CITP.

## 11.2 PUBLIC TRANSPORT SAFETY AND SECURITY

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- ≈ Safety and security concerns are one of the main deterrents for potential public transport users. A strategy has been developed to address these concerns in an effective manner.
- ≈ The following strategy is proposed:
  - The maintenance and improvement of lighting at all the public transport facilities to improve the safety of commenters at night.
  - The establishment of a data base of crime incidences at public transport facilities and on-board vehicles.
  - A study be done to establish the levels and type of protection services available in rural and urban public transport systems to effectively tailor a strategy to the various communities.
  - The auditing of public transport infrastructure design projects against security criteria developed by the CSIR.
  - The cleaning of public transport facilities of litter and graffiti so as to create a sense of safety amongst commuters who use the facility.

## 12 FUNDING STRATEGY AND SUMMARY OR PROPOSALS AND PROGRAMMES

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- ≈ The key focus of projects, proposals and budgets of the CITP is to enable and contribute to economic growth, improved accessibility, equitable transport for all and a safe environment while ensuring environmental sustainability and good governance.
- ≈ The projects and proposals contained in this CITP comprise the following project types:
  - **Roads and Stormwater:** Maintenance, road construction and upgrading, street lighting and construction projects such as parking areas.
  - **Traffic Engineering:** Traffic calming, signage, traffic signals, intersection improvements, road marking, road safety improvements.
  - **Non-motorised Transport:** Sidewalks, lock-up facilities for bicycles, pedestrianisation projects
  - **Public Transport:** Public transport facilities (ranks, shelters)
  - **Support Infrastructure and Vehicles:** Upgrading of municipal facilities and the purchasing of vehicles.
  - **Planning:** Preparation of integrated transport plans and strategies, feasibility studies, masterplans.
- ≈ The proposed Stellenbosch Municipality CITP Five Year Budget comprises an average spend over five years (2016/17 – 2020/21) of R 277 000 000, including major new projects that could be implemented in stages.
- ≈ The primary sources of funds are the Stellenbosch Municipality and the Western Cape Government. It is proposed that the Public Transport Service Network be funded from the Public Transport Network Grant (PTNG).
- ≈ It is recommended that to ensure that additional funding is provided to implement high priority transport projects in the Stellenbosch Municipal Area:
  - A Committee be appointed by the Stellenbosch Municipality with representation from the relevant Municipal Departments, the Western Cape Government and



other relevant agencies to formulate firm proposals for the funding of the projects listed in the CITP Five Year budget.

- The Stellenbosch Municipality establish a Municipal Land Transport Fund into which the funds must be paid for use in implementing the CITP.

### 13 STAKEHOLDER CONSULTATION

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- ≈ Stakeholder consultation was conducted by means of:
  - A survey questionnaire
  - A public meeting held in Stellenbosch
- ≈ The priority issues from the survey questionnaire and the public meeting were:
  - The lack of a regular and reliable public bus service in Stellenbosch and to surrounding areas is the highest priority and the main focus in the next five years.
  - The second priority is the need to build new roads to provide alternative routes and relieve congestion in and around Stellenbosch.
  - The creation of more parking in the Stellenbosch CBD.
  - The improvement of cycling and pedestrian routes and safety in Stellenbosch.

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# APPENDIX 2

**STELLENBOSCH MUNICIPALITY: COMPREHENSIVE INTEGRATED TRANSPORT PLAN**

**COMMENTS ON FINAL DRAFT – CLOSING DATE 3 FEBRUARY 2016**

**1. COMMENTS FROM WESTERN CAPE GOVERNMENT**

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
			<u>Land Transport Development Systems and Freight / Land Transport Integration and Oversight</u>			
104	6.5.1	Public Transport Service Network (PTSN); Requirements from the Department of Transport.	<ul style="list-style-type: none"> <li>Stellenbosch Municipality indicates that it neither has <i>“the resources nor the space in the historical part of Stellenbosch”</i> to develop a full scale BRT and therefore proposes a PTSN.</li> <li>The municipality indicates that this is a downsized version of an IPTN yet it still has all the characteristics of an IPTN i.e. the <b>existing mini bus industry will have to be formalised</b>, vehicles catering for <b>universal access</b> will be required, <b>institutional capacity</b> will have to be catered for and the municipality proposes the <b>construction of new roads</b> to accommodate the system.</li> </ul>	Cedric Cloete	021 483 4880 Cedric.Cloete@westerncape.gov.za	<p>Noted.</p> <p>These are requirements of the Department of Transport, however a phased approach over an appropriate length of time to achieving these standards is accepted and is made clear in the CITP.</p> <p>No new roads are proposed for construction – only shelters, laybys etc. The CITP does propose three future scenarios for the development of the main road network. This network of sections of the network may be required as part of the public transport network as development proceeds.</p>

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
			<ul style="list-style-type: none"> <li>• All of the abovementioned aspects indicate that this system will be an IPTN.</li> <li>• The project proposals regarding the PTSN also indicate that the municipality intends to develop a full scale IPTN over the next few years.</li> <li>• The problems with current IPTN's within South Africa are listed below.</li> <li>• <b>Long term planning:</b> Province supports the development of an IPTN vision to build towards long term PT planning. However, the implementation of this vision should follow a step-wise, incremental approach.</li> <li>• <b>Financial sustainability:</b> Lessons from Cape Town, George and other South African cities, which have implemented IPTNs, indicate that there are significant funding and institutional considerations that need to be carefully measured prior to commitment to an IPTN development path.</li> <li>• Currently, IPTN models are financially unsustainable.</li> </ul>			<p>The document makes it clear that this is a phased approach leading to an ultimate upgraded system. Dedicated bus lanes are not envisaged – only bypass lanes at intersections for e.g. are envisaged.</p> <p>Noted.</p> <p>A summary of the PPTIF is included in the CITP (Section 6.5.4). It is the intention to follow that approach.</p> <p>As above.</p> <p>Noted.</p>

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
			<ul style="list-style-type: none"> <li>• Province and Municipalities bear the associated financial risk.</li>   <li>• Current IPTNs have low fare coverage and are reliant on the National DOT grant system. Any changes in the grant allocation system, may further impact on the roll out of traditional IPTNs.</li>   <li>• The evidence of low fare coverage impacts on the overall operational costs of IPTNs.</li>   <li>• The establishment of capacitated management units or entities is equally expensive and, if established inappropriately, places the system at considerable functional and financial risk.</li>   <li>• Investing and relying solely on a traditional IPTN, may significantly delay the implementation of any tangible improvement in PT.</li>   <li>• <b>Short term PT improvements:</b> There is an urgent need for an immediate improvement in PT passenger experience (i.e. connectivity, affordability</li> </ul>			<p>Noted.</p> <p>Noted. This factor will have to receive serious consideration in the detailed Business Plan.</p> <p>Noted. As above.</p> <p>This is covered in the PPTIF summary.</p> <p>Noted and agreed.</p> <p>Noted and agreed. It is the intention to implement a pilot project on one or two routes initially. Also the PPTIF proposes initial improvements in law enforcement</p>

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			<p>and efficiency).</p> <ul style="list-style-type: none"> <li>• <b>Step-wise approach:</b> Significant short term improvements to passenger experience and PT industry regulation can be made without the traditional, high cost, fully scheduled, "big bang" approach.</li> <li>• <b>Focus on developing appropriate PT capacity:</b> Province is currently reviewing the manner in which it supports and capacitates municipalities to deliver on their PT mandate. It is suggested that incrementally increasing PT capacity and gradually performing strategic PT functions will assist in planning and implementing more sustainable PT systems.</li> <li>• <b>Focus on NMT Planning:</b> The majority of South Africans use NMT to access education, work, recreation and government services. PT planning must address the associated pedestrian safety and mobility challenges. As mentioned above, this municipality and the Transport Forum seem to be increasing the focus on pedestrian safety and NMT development. This is in line with the Provincial PT approach.</li> </ul>			<p>and basic operational characteristics.</p> <p>Agreed.</p> <p>The provisions of the PPTIF have been noted and summarised in the CITP.</p> <p>The CITP includes a strong emphasis on NMT (Section 11).</p>

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197	10	SYNO PSIS: Freight Transport Strategy	<ul style="list-style-type: none"> <li>Does the municipality have any idea of the number of containers generated by the wine and manufacturing industries? A lot of wine is for the export market and not being a fresh produce, the extra time on rail to CT Port, might be acceptable.</li> <li>Following on the first point, what is the current state of infrastructure within the Stellenbosch station as well as the Industrial hubs with regards to container loading? Removing the containers <b>originating</b> from Stellenbosch from the road, will help relief the pressure on the congestion in and around the port. Empty containers can be sent to Stellenbosch in the same way.</li> <li>Do they have actual plans for the additional Weigh Bridge with regards to location and development plans?</li> <li>Are they planning anything specific with regards to Delivery/Heavy vehicle restrictions and dedicated loading zones and roads in Stellenbosch?</li> <li>The alternative route for heavy Traffic around Franschhoek will be good. Would need to see feedback following</li> </ul>	Cilliers Jordaan	021 483 4887 <a href="mailto:Cilliers.Jordaan@westerncape.gov.za">Cilliers.Jordaan@westerncape.gov.za</a>	<p>The freight transport chapter proposes that a detailed Freight Strategy be prepare and a line item is included in the CITP budget for this purpose. Detailed statistics are thus not available. It is however anticipated that transport to the harbour is currently by road and not rail.</p> <p>Noted, but no detail is available as above. Agreed that the use of rail is advantageous, however the relatively short distance to the Cape Town port may act against the use of rail.</p> <p>It should be noted that the Functional Region Sub-committee needs to work together with the City of Cape Town to prepare a functional region freight strategy.</p> <p>The actual location will be determined in the Freight Strategy investigation.</p> <p>Again, this will be covered in the Freight Strategy report.</p> <p>Noted.</p>

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			their further investigation to provide more comment.			
184	8.7.1	Public transport infrastructure – Commuter rail network	<ul style="list-style-type: none"> <li>The municipality proposes in its TOD strategy the relocation of the Stellenbosch and Du Toit stations. How will the proposed relocation of stations affect the movement of freight via rail as the Stellenbosch station is currently situated in the industrial area? Intermodal Passenger and Freight Transfer should be taken into account when investigating and planning the station relocations.</li> </ul>	Cilliers Jordaan	021 483 4887 Cilliers.Jordaan@westerncape.gov.za	This aspect needs to be investigated in conjunction with the preparation of a detailed freight Strategy for Stellenbosch for which budgetary provision is made in the CITP budget.
			<p><b><u>Land Transport Contracts</u></b></p> <ul style="list-style-type: none"> <li>No Comment</li> </ul>			Noted.
			<p><b><u>Land Transport Safety Management</u></b></p> <ul style="list-style-type: none"> <li>No Comment</li> </ul>			Noted.
			<p>All reference to the PSO3 needs to be removed and replaced with the Provincial Strategic Goals.</p> <p>A Summary of the PPTIF to reflect under the Ratplan Chapter (this was sent to Royal HaskoningDHV).</p> <p>I have attached the WC cost of logistics report for reference.</p> <p>A Narrative around the importance of the ITP to be added</p>	Stacy Martin	Stacy Martin Stacy.Martin@westerncape.gov.za	<p>The document was searched and one change made.</p> <p>Summary of the PPTIF has been included. See Section 6.5.4.</p> <p>Noted</p> <p>Section 1.1 added to elaborate on the purpose and importance of the CITP.</p>

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			Information around taxi fares to be added			Information provided in table 7-7
28	Section 2: Transport Vision and Objectives	Table 2-3	<p>Comments on Table 2-3 – Key performance indicators cannot be reproduced here as the table is lengthy.</p> <p>Generally, the document reads well and is very comprehensive, however, some aspects which need to be considered (if not already):</p> <ol style="list-style-type: none"> <li>1 Stellenbosch Municipality is a regional centre and forms part of the City of Cape Town Functional region, so make mention of Integrated Planning Structures that are in place or may be required to foster synergy with the regional plans of the City of Cape Town, Drakenstein, Overstrand, Theewaterskloof and Breedevallei. However, if this is the function of the CWDM then that should be stated. This will for instance, address the need for cross-border corridor management plans etc</li> <li>2 The 'Greenest Municipality' – some linkage to the WCG Green Economy Strategy is needed, as well as the City's Travel Smart strategy, and SLAGAs energy efficiency and renewable energy strategy- or perhaps an intention to embark on a type of 'Green Transport</li> </ol>	Carl S October: Director Road Planning, Transport and Public Works	carl.october@westerncape.gov.za	<p>The comments were discussed at a meeting of the project Team and were accepted for inclusion in the CITP.</p> <p>Text added in Section 3,11</p> <p>Dealt with in section 9.1.</p>

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			<p>Think Tank' with selected role players and stakeholders</p> <p>3 The CITP should perhaps highlight the need for expansion on the current travel survey data in lieu of improved transport data to measure sustainable indicators, cross government data base sharing, and communication with respect to transport options etc</p> <p>4 Rail as backbone of PT. The intentions to upscale this priority with Metro and PRASA, as part of a functional region approach should be stated</p> <p>5 What legislative mandate will be used to establish an MLTF- e.g. NLTA, Urban Transport Act etc</p> <p>6 Stb is a student town- beside pioneering a 'Jammie Shuttle' and other transport initiatives eg NMT with the student population, the potential to groom these young minds in TOD, Green Transport and ITS concepts should be stated. Furthermore, the potential of academic and educational links to fast growing sectors such as Community Services, Finance, Trade and Manufacturing should be explored- if not already- i.t.o for instance NMT provision and maintenance (NB these ideas could be shelved for a Think Tank session as indicated in para 2 above)</p> <p>7 It would be nice to see a project plan on</p>			<p>Travel survey data will be collected in the next phase of the CITP ie the planning of an Integrated Public Transport Network.</p> <p>More detail is provided in section 8.7.1 – Commuter Rail Network.</p> <p>Dealt with in section 12.3.3.</p> <p>Noted. Chapter 9: TDM deals with similar issues.</p> <p>Noted. This comment requires further clarification.</p>

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			<p>how the approx. R 10 Mill for Transport Planning will be utilised, as this forms over 20% of the R. 55 Mill total budget</p> <p>8 There is a need to elaborate on project prioritisation and project-identification processes instead of (for instance) merely stating what the 5-year plans of various road plans are</p> <p>9 NB – please cross-check Chapt 8: Road Infra wrt the Western Bypass and other references to the Bypass that they don't contradict each other- I somehow remember seeing the Bypass mentioned as a possibility in one instance and not in the other</p>			<p>This matter is further clarified in section 12.4</p> <p>Noted.</p>

## 2. COMMENTS FROM PRASA

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
iii	Executive Summary	6. Public Transport Operations Strategy, page iii	<p>Insert "and integrated" to read as follows"</p> <p>The elements of an upgraded public transport service network are:</p> <ul style="list-style-type: none"> <li>• A new and integrated ticketing system.</li> </ul>	Dumo Goso	Duma Goso <DGoso@metro rail.co.za>	Text corrected.

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
vii		12. Funding Strategy and Summary of Proposals and Programmes	Insert "railway stations" to read as follows:  Public Transport; Public transport facilities (ranks, railway stations, shelters)			Text corrected.
2-22	2	Vision and Objectives	Figure 2-6 Insert State Owned Enterprises (SOE's) Planning in the integrated Planning Block			Figure 2-6 corrected.
32	3	Passenger Rail	Section 3.4.1 Amend text to read as follows:  "These works pertain to the refurbishment of ticket offices and waiting areas, access control, station control, toilets, shelters, station lighting and security aspects and staff facilities"			Text corrected.
			General Projects in the Functional region			Text included – See section 8.7.1
11	232	11.2 Public Transport Safety and Security	Insert the following at the bottom of page 232:  There are two level crossings that fall within the Stellenbosch Municipality jurisdiction, which are Kayamandi and Koelenhof. In a quest to eliminate level crossings PRASA has the following proposals:  Kayamandi – This is a pilot project between PRASA and RSR. It was not an improvement directive whereby fencing and a gate that will be controlled from Eerste River Train Control Office together with the fencing will be provided. This will include the provision of the crossing surface alignment and appropriate signage.  Koelenhof – A feasibility study was initiated and completed during the 2013/14 financial year focusing on providing a Road over Rail structure to eliminate the level crossing at grade. Various			

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			scenarios were developed and a preferred option was selected through the further EIA and consultative process that followed. It is expected that construction will commence in 2016/17 financial year.			

### 3. COMMENTS FROM RICHARD GORDGE

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CIP
		Executive Summary	The executive summary in parts reads as an introduction of what each section covers, rather than the critical recommendations, priorities and actions.	Richard Gorge		Noted. The intention is to provide a user friendly summary that can be easily understood by Councillors who may not have time to read the full text.
	4	Executive Summary	1st Bullet. Split into 2...something like Prioritisation and promotion of public transport along with cycling and walking.  Increasing carrying capacity of current road network, accepting limited opportunity for road network expansion.			Wording changed.

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	5	Executive Summary	<p>do not refer to pedestrians and NMT. Refer to Cycling explicitly as a formal mode. The facilities for pedestrians are much better than those for cyclists.</p> <p>reduce congestion yes, but by the provision of alternative routes and corridors ? Can we say this, should we say this ...the strategy is not written as to how ? where does TDM fit</p>			Text changed.
	6	Executive Summary	<p>The consultants need to be guided to the Province to indicate what is being said about IPTN development in WC Provincial Towns. The document is titled the PPTIF Provincial Public Transport Institutional Framework which sets out priorities and the progression towards improved PT and in all cases prioritizes Walking and cycling interventions and investment as a first step</p>			Noted. The PPTIF has been summarised and taken into account.

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
	8	Executive Summary	<p>Surely this section should read...something like The strategy for congestion relief must focus on a range of travel demand management measures, NMT improvements and public transport. There is very little opportunity for adding to the capacity of roads for general traffic that will have any net positive system wide benefits. The future chosen strategy needs focussed attention. Alternatives need to be looked at as one system based assessment not in isolation of each other.</p> <p>Listed first ? Top. Please, no. This is still from a roads master plan that looked at roads provision in response to projecting demands rather than a necessary TDM based approach, alternatives in one integrated plan.</p>			Noted and agreed: Section 8 deals specifically with transport infrastructure improvements. The broader focus on Travel Demand Management including public transport and NMT measures is dealt with in the Section 9.
	9	Executive Summary	Please specify walking and cycling and not NMT			

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	11.1	Executive Summary	<p>No it is not. The market survey in Stellenbosch clearly initiated that over 80% of low income households have no access to a bike.</p> <p>As above ...the biggest constraint of all is not have a bike !!</p> <p>No. The Cycle plan goes beyond infrastructure provision, to include bicycle distribution, traffic calming, road traffic management, communication etc. etc. Please follow through into the main sections.</p>			Text changed as requested.
	12	Executive Summary	<p>Again, please do not lump walking and cycling together. Side"walks" are not cycle paths. There is a full budget in the cycle plan for cycle specific and shared use facilities.</p> <p>There is no IPTN for reference to how Stellenbosch can complete or access potential funding in the Exec Summary.</p>			<p>Text changed as requested.</p> <p>Reference to an application to the DOT has been included.</p>

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
	13	Executive Summary	Really !! It is time to stop asking people what they want without relaying to them the costs and implications of providing for their individual convenience. What was the x-section of the participants in al the stakeholder consultation. Is the muni. sure it wants to communicate more parking (not less as in all progressive towns and cities in the world) as a relayed priority ??			<p>The parking issue emanates from the public consultation process and the Stellenbosch Municipality must respond to the request. It is proposed to carry out a more detailed Parking Study as a part of the Urban Regeneration Study that will include proposals for new parking areas for the Stellenbosch CBD in which the needs and cost can be quantified. A policy has already been fomulated to improve public transport, cycling and walking facilities to improve accessibility and this can be factored in.</p> <p>The public consultation phase indicated the reasons for not using bicycles including not convenient, not available and not safe.</p>
	3.8.2	Transport Register	What status does this plan have ? (Roads Masterplan 2012) Cannot propose road capacity expansions when the policy is TDM and reduce use of cars. So is the CITP making any serious comment about the validity of this plan anywhere ?			<p>The Stellenbosch Municipality is making a commitment to improving the road network to alleviate current congestion in parallel to improving public transport, TDM etc. Several intersection improvement projects have been included in the CITP budget. The problem is exacerbated by the high percentage of through traffic that will not respond to localised public transport improvements measures.</p>

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	5.2.4	NMT	<p>why are we not expressing the huge opportunity ? Why are we referring to NMT and not separating walking and cycling. There is a completed Cycle Plan to refer to ??</p> <p>"The solution" no one of the solutions.</p> <p>Must be much stronger. It is not a strong policy of the University and it does not have an active comprehensive strategy for the University to restrict car use amongst students. What is meant by social status ?? Safety concerns are often perceived, this is anecdotal.</p> <p>Among the points that are needed to be made on Cycling and pedestrian facilities, "Huge Trees" is not really a big issue !</p> <p>Can we make this point. Have accident rates by location involving ped. and cyclists been analysed ?</p>			Text changer as appropriate.
	5.6.3	NMT	There was a resident survey in the Cycle Plan. This is not referenced in this section.			The survey is mentioned in section 11.1.4 Status Quo (NMT). A reference to it has been included in 5.6.3.

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
	5.6.4	Private Transport	<p>Roads master plan cannot be taken forward in isolation of overall IPTN and the policy for TDM, NMT etc</p> <p>There is huge discontent with the Provinces intentions re R44 and what is has implemented on R310 Spier Rd section. This issue needs to be raised in this plan and the Provinces approach to date be seriously challenged.</p>			<p>Noted.</p> <p>On the contrary, no discontent was evident from the public participation process. The Province is intervening on the major roads in their jurisdiction to improve traffic flow for through traffic. Discussions on possible intervention on the sections of road within the built areas of Stellenbosch are on-going in conjunction with TOD proposals re PT improvements plans.</p>

#### 4. COMMENTS FROM TRANSPORT WORKING GROUP / TRANSPORT FOR CAPE TOWN

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
		<b>EXECUTIVE SUMMARY</b>	<p><b>Transport Vision and Objectives:</b> More explanation and detail is needed for the objectives of the CITP as stated in the executive summary. Also, the relationship between Land Use and sustainable development of the region in terms of the IDP and its objectives are not really addressed.</p>	Rahul Jobanputra		Text amended accordingly.

Page no.	Section	Paragraph	Comment	Contact person	Contact person phone number/ email address	Action Taken to include in CITP
			<p><b>Transport Register:</b> It would be better to provide a summary in the executive summary – i.e. Stellenbosch's transport system at a glance.</p> <p><b>Transport Needs Assessment:</b> <i>"The need to improve mobility on the major road network by reducing congestion and the provision of alternative routes and corridors."</i> – It is difficult to understand why alternative routes and corridors need to be provided, without any congestion levels and travel times. Is the possibility of a dedicated PT service not enough to relieve the congestion?</p> <p><b>Freight Transport:</b> The challenges and issues regarding overloading need more detail and explanation.</p> <ul style="list-style-type: none"> <li>• I.e. What percentage of overloading is there? Are there issues with the manning of the weighbridges? Will the recent changes in legislation</li> </ul>			<p>Summary provided in Exec Summ.</p> <p>This aspect is dealt with in Chapter 8 Infrastructure Strategy, where it is explained that only broad concepts for the future road network have been proposed and that these will require extensive further study and motivation before adoption as the ultimate solution to the problem of traffic congestion. Other strategies ie Public Transport, TOD and NMT must be a part of the evaluation process.</p> <p>Traffic congestion in the context of Stellenbosch is defined in terms of the relative unacceptability of long traffic queues in terms of a small town such as Stellenbosch.</p> <p>It is agreed that the Freight Strategy needs further investigation and more detail. Then chapter is currently based on the Cape Winelands District Freight Strategy. One of the proposed interventions is for the Stellenbosch Municipality to conduct its own, more detailed Freight Strategy for inclusion in the subsequent CITP update. Many of the issues raised in the</p>



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			<p><b>Funding Strategy and summary or proposals and programmes:</b></p> <ul style="list-style-type: none"> <li>• Identification of who is going to do what is missing.</li> <li>• Also what criteria are going to be used to prioritise projects and how the effectiveness of this CIP is going to be measured?</li> <li>• According to the NLTA there should be annual reviews of the CIP?</li> <li>• What have the previous CIP's achieved?</li> </ul>			<p>The primary responsibility for the implementation of the CIP rests with the Stellenbosch Municipality. However projects that are the responsibility of other agencies or bodies and who are the implementation agency that fall within the Stellenbosch Municipality, are also included in the CIP. These are the Provincial Government, and parastatals e.g. PASA. The CIP budget contained in Chapter 12, Funding Strategy contains a table listing the proposed CIP budget. A column has been included in the table indicating the Funding Source in respect of each project. Generally the agency providing the funding is the implementation agent except where the funding sources is a Government Grant to the Stellenbosch Municipality eg the Municipal Infrastructure Grant (MIG).</p> <p>The above explanation has been included in the CIP Chapter 12.</p> <p>A prioritisation process based on agreed criteria and weightings was not carried out for the CIP due to time and budgetary constraints. Rather the priority decided on by the Western Cape Government and the Stellenbosch Municipality in compiling their own budgets was accepted since these bodies had already approved their budgets and it makes little sense to proposed alternative spending patterns</p>

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			<p><b>Stakeholder Consultation:</b> The University of Stellenbosch is a big part of the community and their impact on the systems and development in</p>			<p>and timeframes that are not in line with the approved budgets and cannot be achieved in any case.</p> <p>There is an argument that the CITP should reflect the actual need and budget and not accept the "politically" driven priorities. To counter this it can be assumed that the Municipality has decided on their budget based on actual needs and affordability levels and not political agendas.</p> <p>The CITP must be reviewed and updated annually. There has been no review of actual achievements based on previous transport plans due to time and budget constraints. The Transport Register should identify trends and standards that reflect on the direction to be taken ie improvement or deterioration of the transport system. The stakeholder participation process has also asked the question if the transport system has improved or not and what should be done going forward. These suggestions have been incorporated.</p> <p>The University of Stellenbosch has participated fully in the consultation process. As stated the University has proposed in previous transport plans a public transport shuttle service for students and staff linking rail stations</p>

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			<p>the Municipality is crucial. There seems to be little or no detail of what they are doing, how they are developing their transport measures/parking management etc. For instance is the free service proposed could be used jointly &amp; funded jointly and will this reduce congestion and the need for parking in the centre. What is the growth in the student numbers over time, how is future growth being catered for?</p>			<p>and proposed park and ride areas to the University campus. This will undoubtedly reduce traffic congestion in the town. These proposals have been summarised in Chapter 6 Public Transport Operational Strategy. The proposals have not been implemented, presumably due to affordability issues. Chapter 8: Infrastructure Strategy deals with the issue of parking and proposals for new parking areas are made. It is also proposed that a new CBD Parking Study be carried out in which all the issues relating to parking supply and the location of new parking areas can be investigated. This study should be carried out in parallel to the study and planning of an upgraded public transport system for Stellenbosch.</p> <p>The reports on the Stellenbosch Transport model and Public Transport Operations Plan, 2010 included projects of student growth. This model was used to prepare the Stellenbosch Road Masterplan (including proposals to relieve traffic congestion) and the Public Transport Plan that formed the basis of public transport proposals that were included in previous CITPs and are summarised in the current CITP. These plans will now be taken forward according to the strategies included in the CITP.</p> <p>The Stellenbosch CIP takes account of</p>

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			<p><b>Regional Integration:</b> The CITP needs to take account of regional transport services/ plans and how it will integrate with these. Also, what would help Stellenbosch improve its transport situation/aspirations? Will improved services /coordinated services improve congestion/meet demand.</p>			<p>regional proposals including: Commuter rail proposals and extensions, improvements to the major (Provincial) road network, public transport proposals and linkages to the MiCiti network, regional freight network etc.</p>
		<p><b>CHAPTER 2. TRANSPORT VISION AND OBJECTIVES</b></p>	<p><b>2.2 OVERARCHING STRATEGIES, GOALS AND OBJECTIVES</b></p> <p><b>National Planning Tools:</b> Add the National Land Transport Strategic Framework objectives as well as NATMAP objectives. Similarly, the National Airports Development Plan.</p> <p><b>Provincial Planning Tools:</b> What does the PLTF say in relation to the Stellenbosch Municipality?</p> <p><b>Stellenbosch Local Municipality IDP:</b> "Safest Valley: The provision of traffic and transport law enforcement and the improvement of road safety." These aspects do not seem to be adequately addressed in this CITP (no road safety figures/ no critical assessment etc.).</p>			<p>Relevant text inserted in Chapter 2, Section 2.2</p> <p>Relevant text inserted in Chapter 2, Section 2.2</p> <p>Road User Safety is listed as a strategy in the DOR Minimum Requirements for CITP's. This aspect was not included in the brief for the current CITP and will have to be held over to the next CITP update.</p>

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			<p><b>2.3. LOCAL TRENDS, CHALLENGES AND OPPORTUNITIES</b></p> <p>This section includes an overview of the Transport Elements and Dimensions; New Spatial Vision (informed by the Stellenbosch SDF and the Stellenbosch Qua Vadts 2015). Key Policy Shifts and Trends and the Issues and Concerns.</p> <p>While the Issues and Concerns identifies population growth; low income population growth, high growth in traffic volumes, increase in through traffic, inadequate NMT infrastructure and high demand for parking it is recommended that this section be expanded to include the following "drivers" of these Issues and Concerns:</p> <ul style="list-style-type: none"> <li>a) Location between the N1 and N2 and the regional road network (road network generates regional through traffic).</li> <li>b) Role of the university, colleges, training institutions and schools in generating regional traffic.</li> <li>c) Impact of the location of the university, colleges and schools in peak period</li> </ul>			Relevant text included as suggested.

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			<p>traffic congestion (e.g. schools located at major intersections along R44).</p> <p>d) Role of property values in Stellenbosch in generating regional traffic from surrounding towns such as Somerset-West, Strand, Kuilsrivier, Brackenfell and Durbanville (more affordable housing opportunities).</p> <p>e) Impact of the topography and travel distance on potential NMT.</p> <p>While the SDF highlights Transport Orientated Development (TOD) and densification for the Stellenbosch Municipality, much of the area's transport challenge is created by residential development outside the municipal area (e.g. in Somerset-West and Kuilsrivier) which could be described as "dormant growth" and result in increasing traffic congestion. The daily commuter travel (including travel to schools) and freight movement (destination freight and through movement) combine to create congestion on the local and regional road network. The Stellenbosch CITP needs to reflect in more detail on traffic generation within and beyond the municipal boundaries as this</p>			Text to this effect is inserted in section 8.3.1 of the Chapter 8: Infrastructure Strategy

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			<p>must inform the approach to traffic management, the TDM Strategy and NMT</p> <p><b>2.3.4 Issues and Concerns</b>  <b>High demand for parking:</b> It is not clear where the demand is and for which type of parking. This is potentially an area to target if it is parking demand by students or commuters from out of town by creating secure park and rides. Also, through a progressive charging policy on parking.  <b>Availability of Transport Services:</b> See transport Register – GABS routes.</p> <p><b>2.5 STELLENBOSCH CITP VISION AND OBJECTIVES</b>  The vision statement contains a number of concepts which result in a very long and complex vision statement which should rather be dealt with as objectives and expanded in more detail. The vision statement itself can then be more streamlined with greater clarity. The themes of Investment, Integrated Planning, Sustainability and Safety should be identified as Focus Areas apart from the Vision and Objectives</p>			<p>The issue of Parking is dealt with in Section 8.6 of Chapter 8: Infrastructure Strategy. A detailed CBD Parking Study is proposed.</p> <p>The transport Vision (Chapter 2, section 2.5) could be shortened as follows by accepting the principles of sustainability (section 2.4):</p> <p><b>"A demand-managed, sustainable, balanced and equitable transport system that provides allows for the basic mobility needs of individuals, to be met, is affordable, operates efficiently, offers choice of transport modes, supports a vibrant</b></p>

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			<p>"Alleviation of the traffic congestion along the R44" – If this is through the introduction of additional road capacity then there will be unintended consequences which will contradict the Green Municipality objectives.</p> <p>"Ensure Municipal – Provincial planning alignment" – also Functional Region Planning alignment.</p> <p>The Objectives have no measurement of performance against KPA's, no measure of sustainability goals, equity, access etc. There is also no timeframe for delivery of objectives and no accountability mentioned.</p>			<p><b>economy and operates seamlessly within and across the municipal boundaries"</b></p> <p>Noted. It is accepted that such a solution must include Public Transport and NMT options.</p> <p>Noted – wording changes as suggested (page 26)</p> <p>New Table 2-3 – KPI's for the CITP inserted in Chapter 2:- Vision and Objectives.</p>
		<p><b>CHAPTER 3: TRANSPORT REGISTER</b></p>	<p><b>3.2 DEMOGRAPHIC AND SOCIO-ECONOMIC OVERVIEW</b> Figures should say if the values presented are</p>			

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			<p>per annum.</p> <p>Surely, the student sector contributes to the economy of the municipality and supports it from other sources rather than creating pressure on the population contributing to the GDP.</p> <p><b>3.5. DESCRIPTION OF OTHER PUBLIC TRANSPORT SERVICES</b></p> <p>The Stellenbosch Local Airport (it should rather be described as an airfield) used for general aviation is included in the Register with a brief description of location, runway surface and use. However, this section needs to be expanded to include the lease period, future desirability, aircraft storage capacity and issues related to noise and safety. A comprehensive investigation into general aviation in the functional region identified the need for a new general aviation airfield in the region.</p> <p><b>3.6 MODAL SPLIT</b></p> <p>Modal split must include rail patronage. Therefore passenger numbers would be of benefit - they will assist in capacity requirement assessments.</p>			<p>Date references added.</p> <p>Wording of section 3.2.4 changes to reflect this.</p> <p>No further information is available at this time.</p> <p>The modal split is given for road based modes only. Only 24 hour passenger figures for rail are available so rail cannot be included in the peak modal split calculation. A note to this effect is included in the text (section 3.6)</p>

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			<p><b>3.8 ROADS AND TRAFFIC</b></p> <p>A number of road sections were identified that are operating beyond their capacity which should be investigated to determine the appropriate intervention to deal with the long term growth of the town. It is important that the local and regional function of these roads be considered as the congestion experienced may relate to origin/ destination outside of Stellenbosch.</p>			Note to this effect was included in section 3.8.
		<p><b>CHAPTER 4: SPATIAL DEVELOPMENT FRAMEWORK</b></p>	<p>The SDF suggests that "measures to reduce the number of cars on the road are implemented such as the development and promotion of non-motorised transport and public transport". This is supported.</p> <p><b>4.6 DEVELOPMENT PROPOSALS</b>  <b>Proposed New Development Areas:</b> Is there a development contributions policy?          What about densification of existing development rather than just 'brownfield/new'?</p> <p><b>4.7 IMPLICATIONS FOR TRANSPORT</b>          "The projected growth may call for increased road corridor capacities" – This statement seems to contradict the aim / objectives of the</p>			<p>Noted.</p> <p>Does Stellenbosch have a development contributions policy? – to be determined.</p> <p>The SDF included densification within the urban edge as a strategy.</p> <p>Improved NMT and cycling are also mentioned. The emphasis is on a basket of measures not just road network improvements.</p>

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			SDF, i.e. NMT and PT rather than providing more road capacity. Network operations can also be analysed to improve the "greenness" of the Municipality.			The suggestion has been included in the text.
		<b>CHAPTER 5: TRANSPORT NEEDS ASSESSMENT</b>	<p><b>The need for a high quality, sustainable public transport system:</b> Links to Regional transport systems to be identified, MyCiti etc. Investigate the potential increase in capacity of these links? Investigate the provision of feeder routes to rail and other PT interchanges? Develop a progressive parking policy &amp; TDM to reduce single occupancy vehicles (SOV's).</p> <p><b>Re-location of the Railway Stations:</b> The financial ask to move the Stellenbosch railway station will be immense. A public transport shuttle service from the station to town should be investigated.</p> <p><b>Project Prioritisation:</b> How are projects prioritized?</p>			<p>Links to MiCiti are identified in Chapter 6.</p> <p>The proposed public transport network in Chapter 6 interfaces with the rail stations.</p> <p>Noted. A CBD Parking Policy Study is proposed.</p> <p>The relocation of rail stations is a part of the TOD strategy and is a long term proposal that is linked with other major land use developments and changes. A full economic and financial evaluation will have to be done.</p> <p>A prioritisation process based on agreed criteria and weightings was not carried out for the CITP due to time and budgetary constraints. Rather the priority decided on by the Western Cape Government and the Stellenbosch Municipality in compiling their own budgets was accepted since these</p>

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			<p><b>Growth in Passenger Rail numbers:</b> "There has been an average growth in the utilisation of passenger rail of between 6-7% between 2007 and 2012." – Is this still the case given all the recent problems experienced by PRASA?</p>			<p>bodies had already approved their budgets and it makes little sense to proposed alternative spending patterns and timeframes that are not in line with the approved budgets and cannot be achieved in any case.</p> <p>The latest available information from PRASA has been used. A note was inserted that new surveys are required.</p>
		<p><b>CHAPTER 6: PUBLIC TRANSPORT OPERATIONAL STRATEGY</b></p>	<p>The Public Transport Operational Strategy includes a Framework for a Public Transport Service Network with proposed short distance and long distance routes and services. While the need for an Operational Plan and a Business Plan is identified in the Strategy, the operational costs for public transport services must be determined.</p> <p>a) Engage with the TCT: MyCiti team to ensure lessons learned from the MyCiti system is incorporated for the IPTN of Stellenbosch. The following lessons learned are relevant:</p> <ul style="list-style-type: none"> <li>• Headways of 90s may be impossible to achieve in mixed</li> </ul>			<p>Noted.</p> <p>Noted.</p> <p>Noted. This represents ultimate capacity only (theoretical)</p>

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			<p>traffic systems (refer to Table 6-2 on page 109 – Corridor Capacity)</p> <ul style="list-style-type: none"> <li>• The spacing of stops – is 400m too short?</li> </ul> <p>b) Consider combining the short distance routes for the PT service with the Stellenbosch University routes.</p> <p>c) Integration of the Stellenbosch PT system with the Cape Town system. Where will interchanges be etc.?</p> <p>d) It is encouraging to see that the PT system will be a bus operated system without going straight for a BRT type system. The incremental approach towards Public Transport for Stellenbosch is supported.</p> <p>Fig. 6-9 : Would it be better to amend the proposed route to the Airport to be via Polkadraai to connect to Kuilsrivier. Also no MyCiti feeder routes shown.</p>			<p>A distance between stops of 800m has been used ie a max walking distance of 400m.</p> <p>The to route networks were integrated in the proposed route network.</p> <p>Interchanges are indicated on figure 6-10.</p> <p>Noted.</p> <p>The route to the Airport uses Polkadraai via Kuils River.</p> <p>The MiCiti feeder routes are indicate in the background on Figure 6-10. A clearer map of the long term MiCiti routes was not readily available.</p>
		<b>CHAPTER 8: TRANSPORT INFRASTRUCTURE STRATEGY</b>	<p>a) Instead of investigating the construction of new road links, it is proposed that the implementation of the NMT network together with the TDM strategy be</p>			<p>It is stated in the vision of the CITP and in the Needs Assessment that the strategy is to promote public transport and NMT and not to rely on massive road infrastructure to solve traffic problems in Stellenbosch.</p>

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			<p>implemented. The impact of these strategies and plans on the proposed Road Masterplan need to be taken into account before decisions are made to build more roads for private vehicle connections.</p> <p>b) Improving the choices of people in terms of available transport modes will have an impact on the overall transport system, which in return could have savings on the construction of new road links.</p>			Noted and agreed.
		<p><b>CHAPTER 9: TRAVEL DEMAND MANAGEMENT STRATEGY</b></p>	<p>The Travel Demand Management Strategy includes a range of small-scale and large-scale interventions. Considering the regional origin of peak period traffic, it is recommended that development of remote park 'n ride facilities (e.g. undeveloped land at the intersection of the R44 and Van Rheeде) on the perimeter of town be considered and that park 'n ride facilities at rail stations be developed. Koelenhof Station, situated close to the R304 and the intersection with the Bottelary Road, is well located for this purpose.</p>			<p>Parking is discussed in section 8.6, where proposals are made for conducting a CBD Parking Study and the provision of Park and Ride facilities.</p>

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			<p>The recommendations from the TDM strategy should be developed as a matter of urgency. The following quotation from the TDM strategy says it all:</p> <p><i>"Cycling should be considered a transport mode that is eminently suitable for much of Stellenbosch, because of the relatively flat terrain, the strong student presence, overseas tourists who are used to cycling around cities, and the low cost of cycling for poorer residents. Many internal trips are also too short for public transport."</i></p> <p>(Stellenbosch CITP, page 185)</p>			Noted.
		<p><b>CHAPTER 11: OTHER TRANSPORT STRATEGIES 11.1 NON- MOTORISED TRANSPORT</b></p>	<p>a) As stated in the Stellenbosch ITP, approximately 80% of the workforce employed in the town also live in the town of Stellenbosch and have trips of less than 5km in distance. This is an ideal distance for NMT facilities. The proposed Cycle Network as shown in Figure 11-7 provides a network of cycle lanes with good connectivity for Stellenbosch town. Stellenbosch town has the potential to become a world-</p>			Noted and agreed.

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			<p>class cycling city supporting green sustainable principles. <i>From a transport perspective, start with the Cycling Network and Pedestrian Network as the base of the Stellenbosch transport plan and then add the Public Transport.</i></p> <p>b) The Stellenbosch University provides an opportunity to increase the non-motorised transport users in town. Currently only 19% of the student walk and 3% cycle. (from Table 11-2). There is great potential for the improvement of NMT users. Focus on the University students to change behavior and promote the cycling and walking routes. Investigate storage facilities for the student's vehicles outside of town which can be accessed by bicycle or public transport if it a long distance trip needs to be made.</p> <p>c) The barriers to cycling have been identified as traffic dangers, lack of facilities and personal safety. These barriers need to be overcome to increase the cycling in town. The behaviour of people needs to change. It</p>			

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			<p>also provides an opportunity to positively influence the look and feel of the town.</p> <p>d) The three target groups for the use of NMT modes are Low income groups, University student and Scholars. By improving the NMT network in Stellenbosch, social upliftment for vulnerable groups will be done.</p> <p>e) The prioritisation of NMT interventions should follow the performance indicators as identified in paragraph 11.1.8 of the Stellenbosch ITP. The indicators in order of priority are: value of safety improvement, network completion, network enhancement, improving community life, ease of implementation and cost of implementation</p>			
		<b>11.2 PUBLIC TRANSPORT SAFETY AND SECURITY</b>	<p>a) The Public Transport safety and security strategy has valuable proposals to improve the public transport and non-motorised transport plans for Stellenbosch. These proposals should be implemented alongside any NMT infrastructure projects.</p>			Noted and agreed.

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		<b>CHAPTER 12: FUNDING STRATEGY AND SUMMARY OF PROPOSALS AND PROGRAMMES</b>	The Budget Project and Programme contains an extensive list of projects with budget allocation over future financial years. It is recommended that a short (1-3 year) to medium term (3-5 year) priority projects and programmes be developed.			The CITP budget indicated in Table 12-3 indicated both the short term 1-3 year projects and the 3-5 year project list. The financial requires per year and the funding sources per year are shown. This is deemed to be sufficient rather than create two separate tables.
		<b>CHAPTER 13: STAKEHOLDER CONSULTATION</b>	<p>The top three outcomes of the public participation processes relating to transport was:</p> <ul style="list-style-type: none"> <li>• Implement a local scheduled public transport service</li> <li>• Build new roads to provide alternative routes and relieve congestion</li> <li>• Create more parking. This should be done in conjunction with a Park and Ride strategy which can support the public transport service.</li> </ul> <p>It is encouraging to see that the main outcome of the public participation is to implement public transport. However, it is imperative for the community to realise that the building of new roads and providing more parking would only increase private vehicle usage. Stellenbosch</p>			Noted and agreed. The proposed three scenarios are not mutually exclusive. At best a package of interventions including affordable infrastructure provision, public transport improvements and NMT are proposed in the CITP.

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			town has the potential to become a world-class NMT town and the town is at cross-roads of an important decision. Propose three alternative transport network scenarios to the community and illustrate what the outcome of each scenario would be, i.e. a car-based town or NMT town.			
		<b>TRANSPORT WORKING GROUP – TCT</b>	<p><b>Overview</b></p> <ol style="list-style-type: none"> <li>1. It seems as though there is some confusion in the document relating to the vision for Stellenbosch as presented in the spatial and IDF frameworks (the vision of the 'greenest valley'/compact walkable centres etc.) and the roads proposals in terms of congestion relief and by-passing presented in the CITP.</li> <li>2. The strategic objectives of the Western Cape Infrastructure Framework (2013) are: to invest in public transport and NMT infrastructure; prioritise general freight over bulk freight; shift freight traffic from road to rail and along major routes; and achieve an optimised transport scenario with rail usage increasing substantially and private car usage reducing to 40% of the mode share by 2040. The</li> </ol>			<p>A package of interventions including affordable infrastructure provision, public transport improvements and NMT are proposed in the CITP.</p> <p>Noted and agreed, however a long term set of alternatives to improve the road network has also been proposed for the purpose of identifying future corridors to relieve traffic congestion in the town centre by diverting through traffic onto routes on the periphery of Stellenbosch, while in the short term improving NMT and Public Transport within the town is a package of proposals.</p>

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			<p>Western Cape PSDF (2014) sets out the principles on which to base an integrated approach to land use and transport planning. The objectives should therefore be to promote PT and NMT over the private car and to promote rail freight.</p> <p>3. There seems to be a lack of integration between the Municipality's transport plans and the University's. Given that this institution has a major impact on transport provision/need in Stellenbosch; it is surprising that alternative plans have been drawn up in the CIP for short distance PT, which in some instances overlap, rather than proposing a combined PT system. And given that a significant proportion of students reside outside of the municipal boundary it would be beneficial to, for instance, consider extensions of the MyCiti network by mutual consent rather than the procurement of new services.</p> <p>4. From a functional region perspective, the following should be noted/ incorporated (as it relates to the municipality):</p>			<p>A combined system is proposed. Text further explaining this has been added to Section 6.4.2.</p> <p>During the detailed planning phase, negotiations to extend the MiCiti services to be entered into.</p>

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			<p><b>Intermodal Regional Services</b>            Priority regional transport and freight logistics initiatives in the study area, as identified by the Functional Region Sub-committee of the Intermodal Planning Committee (IPC) (CCT CIP Review Report, 2014), are as follows:</p> <ul style="list-style-type: none"> <li>• Freight rail along the Fisantekraal line between Cape Town and Saldanha IDZ</li> <li>• High order passenger rail or BRT extension from Atlantis to Saldanha Bay</li> <li>• Extension of passenger rail services from one per day between Malmesbury and Bellville/Cape Town</li> <li>• Regional public transport links, in terms of the Integrated Public Transport Network (IPTN), between: - Stellenbosch – Somerset West - Stellenbosch - Bellville (via Kuilsriver) - Stellenbosch – Bellville/Durbanville (via Kraaifontein)</li> <li>• Road upgrade of the R44 between Somerset West and Stellenbosch to incorporate public transport lane/facilities</li> <li>• Issuing of Operating Licenses for trips between Stellenbosch and various Cape Town nodes</li> </ul> <p>• Upgrading PRASA services for trips to/from Paarl and Stellenbosch in lieu of N1 upgrade.</p>			<p>This does not affect the Stellenbosch CIP.</p> <p>This does not affect the Stellenbosch CIP.            This does not affect the Stellenbosch CIP.</p> <p>These links are shown in Chapter 6: Public Transport Operational Strategy – discussion needed with TCT to determine an implementation programme.</p> <p>This proposal has been added to Section 8.7.2 in Chapter 8: Infrastructure Strategy</p> <p>Routes between Stellenbosch and Bellville and Somerset West have been included in the OLS. The method of evaluation of other application for "long distance" services is dealt with in Table 7-10 – Matters to be considered when valuating an OL application.</p> <p>Future rail proposals are dealt with in Chapter 8: Infrastructure Strategy – Section 8.7.1 Commuter Rail</p>

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			<ul style="list-style-type: none"> <li>• Improving freight/goods movement between agricultural hinterland and processing industry in the functional region.</li> </ul> <p>5. From a freight perspective, the development of a strategic freight network should be undertaken in conjunction with WCG and with due consideration of TCT's Freight Management Strategy. Further it needs to identify and promote the use of rail freight especially from Franschhoek and to carry large volumes of seasonal liquid bulk.</p>			Freight is dealt with in Chapter 10, A proposal has been made to carry out a more detailed Freight Masterplan for Stellenbosch that can be included in future CITP updates. A line item has been included in the CITP budget for this purpose. The issue of rail vs road transport for freight will be looked at in this study. It is however understood that the rail line to Franschhoek is disused.

## 5. COMMENTS FROM SPIER WINE ESTATE

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			<p>1. As a stakeholder reading this, and understanding it is a sector plan of the IDP and that all the various other guiding documents, planning tools and frameworks are well articulated. It requires in the executive summary with an easier integration of all the guiding principles, legislative requirements etc. An If.... This is our landscape in Stellenbosch that we are guided by then this is our response.</p>	Heidi Newton-King (Spier)		<p>Not sure how to deal with this in the document. It seems that the respondent wants the document to be restructured in some way, but I am not sure how. We have followed the DOT Minimum Requirements. Perhaps it starts there?</p> <p>The CITP Steering Committee indicated that the CITP is not intended to be an executive summary of all aspects and only deals with transport.</p>

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			<p>2. For proper engagement with all stakeholders and valuable feedback the integration and positioning needs to be a lot clearer so that stakeholders can then dig deep on critical issues having a clear sense of the overall.</p> <p>3. This doesn't mean that the various responses and implementations are not well detailed in the plan however having a proper integration and overview of response is not easy as reader. This then requires paging backwards and forth to try and see how things fit and therefore how the budget addresses this.</p> <p>4. Terms of reference are critical for a document of this nature especially as they relate to key terms being used in the Stellenbosch Transport vision, objectives and key focus areas. There are places where terms are unpacked and others not and it would be useful that the critical terms are well articulated so everyone is reading it with the same meaning. Even being clear about what would be considered Integrated planning.</p> <p>5. As an example after reading this document I am not clear what the Municipalities position is on energy efficiency – although I see it articulated in various places and there is budget for it under the safely home section of the budget? What is the municipalities position on</p>			

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			street lighting? What are the future guidelines to ensure low energy lighting, robots etc. 6. With the amount of information to go through in a document of this nature the participation process is thin. Sending out this document in December for a January reply doesn't allow for sufficient feedback and just the sheer volume of the information could be properly split up and reviewed once the integration and overview is clearer?			There are budget line items dealing with street lighting, and there is a substantial budget to address Energy Efficiency. All traffic lights have been converted to energy efficient LED's and more efficient street lights have been installed. The provision of solar energy for street light is not financially viable.

6. **COMMENTS FROM FRANSCHHOEK TRUST AND RATEPAYERS ASSOCIATION: Contact - Siegfried Schäfer 082 391 5327 info@franschhoektatler.co.za**

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		<b>General Remarks</b>	<p>The Franschhoek Trust and Ratepayers Association (the Trust) has limited its comments to aspects that are specific to its area of interest (Wards 1,2 &amp; 3 as demarcated for the 2011 Local Government Elections) and does not see itself as competent to comment on specific issues outside this area.</p> <p>Having said this the Trust is disappointed at how little attention is paid to issues in this area, although some of this may be attributed to the fact that it is not clear to the Trust how the CITP relates to ICE Boland's 2011 Franschhoek Transport Master Plan (FTMP).</p> <p>The CITP also clearly reflects the absence of any consultation with the Trust, Franschhoek Wine.</p>	<p>Noted.</p> <p>The Franschhoek TMP is a supporting document to the CITP. It is not the intention to duplicate, however the recommendations of the TMP should be taken into consideration in the CITP. A list of the recommendations will be included in the Chapter on Needs Assessment 5.3.3 and provision has been made in the CITP budget where appropriate.</p> <p>A consultation process was carried out and all relevant organisations were invited to attend the public meetings. In</p>

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			<p>Valley and the local ward committees. How the consultants could claim adequate public participation without consulting these well-known institutions, which all hold similar views, is perplexing in the extreme.</p>	<p>addition a questionnaire was circulated to all Ward Committees. The outcome is documented in a separate report and only a summary of the main conclusions was included in the CITP. This may have led to the conclusion that Franschhoek was not consulted at all.</p>
	CHAPTER 3: TRANSPORT REGISTER	Sub section 3.4.3 Minibus Taxis	<p>Table 3-4: Minibus Taxi Routes and Numbers, clearly illustrates the shortcomings of minibus taxi service in the Stellenbosch Municipal area.</p> <p>Specifically that there are no direct minibus taxi routes from Stellenbosch to Paarl or from Franschhoek to Stellenbosch. The latter is of particular concern as there are no other modes of public transport that link Franschhoek and Stellenbosch.</p> <p>Franschhoek residents have to travel to Stellenbosch to access many municipal services and Stellenbosch Provincial Hospital. Indeed Franschhoek is rife with stories of both patients and patients' visitors having to remain in Stellenbosch overnight because they have no way to get back to Franschhoek.</p> <p>More efficient public transport linkages within WC024 will not only promote access to municipal services, it will also improve access to economic opportunities.</p> <p>Table 3-6: Traffic Count Location and Dates and Times (p41) raises some concerns. While the stated survey times probably provide an accurate depiction of minibus taxi volumes it would not do so for private passenger vehicles. In Franschhoek much of this type of traffic is tourism related and leads to secondary peak flows in the mid/late</p>	<p>While it appears to be a fact that there are no existing direct routes between Stellenbosch and Paarl and between Franschhoek and Stellenbosch (passengers would have to change routes at Pniel), there are direct routes planned as a part of the proposed rationalised PTSN. Possibly, if there is a demand, there also needs to be a direct route between Franschhoek and Paarl. There will be no difficulty in adding this route to the proposed network. This will meet the request.</p> <p>The traffic survey carried out for the Franschhoek Plan has shown that the weekday and weekend traffic volumes are very similar, but the distinguishing fact may be that weekday traffic have more varied destinations, and therefore disperse more quickly from the Main Road, whereas the lion's share of the weekend traffic is bound for the main road, causing traffic to back up. However the point is taken that more comprehensive traffic counts may be required.</p>

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			<p>morning and mid/late afternoon. Traffic counts only focussing on normal morning and afternoon peak periods provide a very inaccurate view of traffic patterns in Franschhoek and should be supplemented by a midday count in peak tourist season.</p> <p>Franschhoek's taxi rank is under utilised and the layby over utilised. (p56) The businesses most frequented by minibus taxi users have over the past decade moved north in the main road – away from the taxi rank. This necessitated the creation of the layby in Main Road.</p> <p>The layby is however on the western side of Main Road, meaning that taxis dropping off commuters on their way into Franschhoek from Groendal and elsewhere have to turn around in Main Road to access the layby. This is extremely dangerous and consequently most taxis stop on the eastern side of the road, opposite the layby, to drop off passengers. This is unsafe in itself as these taxis obstruct traffic entering the village and many of the arriving commuters have to cross the busy Main Road to get to their final destinations. (There are no pedestrian crossings in either Huguenot Street or Main Road, Franschhoek!)</p> <p>It may be true (p56) that there is sufficient lighting at the layby, but the 2 unsightly 'shelters' provide virtually no protection from the elements to commuters</p>	<p>Funding has been provided on the CITP budget PT002 Taxi Rank Franschhoek, in 2016/17 that can be used to fix this problem.</p>
	CHAPTER 4: SPATIAL DEVELOPMENT FRAMEWORK		<p>It should be pointed out that although, so far as the Trust is aware, no draft development guidelines or parameters have yet been published for the proposal, which has not been properly thought</p>	<p>Noted.</p>

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			<p>through, to include 56 ha between Franschoek and Groendal to the north of the R45 within Franschoek's Urban Edge in the latest SDF this area is currently only accessible via Dirkie Uys Street – a narrow historic residential street.</p> <p>The absence of such any other linkage between this area and Groendal perpetuates apartheid spacial planning and the segregation of Franschoek North and South and will result in applications for upmarket developments in this 56 ha area rather than for the purposes given in the SDF for its inclusion Franschoek's Urban Edge.</p>	
	CHAPTER 5: TRANSPORT NEEDS ASSESSMENT		<p><i>"The biggest issue in Franschoek is freight. The Municipality must plan freight routes, mobility routes and economic routes. Alignment of these plans must take place with Province or vice versa." (p86)</i></p> <p>While the above point is the only one specifically referring to Franschoek, it should be said that many of the other points raised in the chapter apply equally to Franschoek and, no doubt, several of the other settlements in WC024.</p>	Noted.
	CHAPTER 6: PUBLIC TRANSPORT OPERATIONAL STRATEGY		<p>The envisaged Public Transport Service Network (PTSN) would be welcomed, particularly the creation of a direct Franschoek-Stellenbosch route – even more so in the absence of a direct Franschoek-Stellenbosch minibus taxi route.</p> <p>Connections to Paarl and Klapmuts stations should also be considered. From a Franschoek perspective these rail connections are of particular</p>	Noted. Direct routes between Franschoek and Paarl and Klapmuts should be considered on their merits.

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
			<p>importance to school leavers attending tertiary institutions such as CPUT and Boland College. They will also have employment opportunities in a much wider area if they have such access to the rail network.</p>	
	CHAPTER 7: OPERATING LICENCE STRATEGY	Subsection 7.2.2 Public Transport Facilities	<p>This subsection fails to mention the bus parking area at the southern end of Huguenot Street at the Huguenot Monument.</p> <p>1.1 Table 7-8: New Routes / Additional Authorities Under Consideration</p> <p>The creation of a direct Stellenbosch-Franschhoek minibus taxi route would go a long way to improving service delivery and will be broadly welcomed.</p>	<p>Text added to the table in section 7.2.2</p> <p>Noted.</p>
	CHAPTER 8: TRANSPORT INFRASTRUCTURE STRATEGY	Subsection 8.3.1: Long Term Road Network Improvements	<p><i>"[The creation of a] Primary Arterial on the alignment of the Robertsvlei Road to the south of Franschhoek (not shown on Figure 8-1) intended to provide an alternative route for freight. (p175)</i></p> <p>While there is merit to the above recommendation implementing it will not only be (prohibitively?) expensive, it also fails to address the second half of Franschhoek's heavy goods vehicle problem; i.e. that it is unsafe for most heavy goods vehicles to use the Franschhoek Pass as they occupy both lanes of the road when negotiating the hairpin bends. What makes this even more dangerous is that these hairpins are often blind corners.</p> <p>A far more cost effective solution to both aspects of the problem is to implement an axle restriction on</p>	<p>This problem needs to be the subject of a more detailed investigation, provision for which has been made on the CITP budget. The introduction of an axle mass restriction will have pros and cons that need careful consideration. The deficiencies of the CITP in this respect are noted and will be attended to in the next CITP update.</p>

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			<p>the Franschhoek Pass, i.e. no vehicles with more than 4 axles allowed. Number of axles is a good proxy for weight and using that as the restrictive measure removes the requirement for a weighbridge – another very expensive piece of infrastructure.</p>	
		Section 8.6 Parking	<p><i>“Loading / off- loading of goods on-street exacerbates the problem and the Stellenbosch Municipality intends preparing a Parking and Loading Standards / Guideline Manual in order to control loading operations.” (p181)</i></p> <p>This section fails to mention Franschhoek at all. On a smaller scale the same issues facing Stellenbosch are faced by Franschhoek. There is a shortage of parking in the CBD (along Huguenot Street) and the creation of ‘Park &amp; ride’ parking areas at the entrances to the village should be considered.</p> <p>As in Stellenbosch parking problems are exacerbated by loading / off- loading of goods on streets or in badly designed parking areas that double as loading zones – e.g. La Rochelle Street / Erf 714</p>	Section 8.6 amended to reflect the situation.
	CHAPTER 9: TRAVEL DEMAND MANAGEMENT STRATEGY	Subsection 9.3.3: Policy and Urban Management	<p><i>“Enforce traffic regulations. Many of the inconveniences experienced by pedestrians and cyclists are a result of people driving or parking illegally. However this is not only an issue of enforcement, but also of design – often when compliance is persistently low, there are strong reasons why people behave inappropriately, and street design (including parking, loading, street furniture and other elements) should be reconsidered.” (p191)</i></p>	These are design issues that should be taken up by the Stellenbosch Municipality when implementing intersection improvements in Franschhoek as per the CITP budget.

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			<p>Both street design and law enforcement are relevant in Franschoek; not only with regard to pedestrian and cyclist safety, but also general traffic safety. Sightlines at several intersections along Huguenot Street are frequently blocked because of illegal parking. Insufficient law enforcement means that drivers aren't discouraged from parking illegally. A design/engineering intervention such as broadening the sidewalk at these intersections would not only eliminate the immediate problem of illegal parking by making it impossible to park so close to the intersection, it would also create 'visual pinch points' along Huguenot Street that would encourage drivers to slow down too.</p> <p>Another aspect that is insufficiently policed relates to tourist coaches using Dirkie Uys Street in contravention of the 3.5 tonne weight restriction and then parking on the old tennis courts (Erf 1538) behind the town hall.</p>	
	CHAPTER 10: FREIGHT TRANSPORT STRATEGY		<p><i>"In Franschoek, approximately 29% of heavy vehicles are through traffic on the main road. Although an alternative heavy vehicle route may alleviate some pressure on the Franschoek main road, the majority of heavy vehicle traffic is generated in the town and the surrounding farms and will continue to make use of the main road."</i> (p195)</p> <p>The creation of a by-pass is an expensive option that only addresses one part of the heavy goods vehicle problem. While it may reroute some HGVs from Huguenot Street, which is to be welcomed, it fails entirely to address the safety concerns posed by HGVs using both lanes of the Franschoek Pass to negotiate blind hair-pin bends.</p>	Noted as per section 8.3.1.

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			<p>This statement has to be viewed in the context of serial town planning blunders, such as the one that approved of the creation of a parking area that is also a loading zone in La Rochelle Street and results in a situation where La Rochelle Street, just off the busy thoroughfare of Huguenot Street, now has to be used by pedestrians, light vehicles and heavy vehicles creating a chaotic and dangerous situation. This blunder has also led to heavy vehicles increasingly using Dirkie Uys Street with impunity despite the 3.5 tonne weight restriction.</p> <p><i>PROPOSED INTERVENTIONS</i></p> <p><i>"Investigate the use of alternative / preventative measures to deter heavy haul vehicles from using the Franschoek pass as an alternative to the current Huguenot Tunnel and potentially the N1 Winelands." (p195)</i></p> <p>The CITP reduces what, from a Franschoek perspective the most important possible intervention – limiting the use of the Franschoek Pass by heavy goods vehicles, to nothing more than a suggestion for further investigation. This clearly shows that the consultants have not come to grips with the transport realities of Franschoek or consulted nearly wide enough.</p> <p>Deterring heavy vehicles from using the Franschoek Pass and Huguenot Street/Main Road is the single most cost-effective way of comprehensively addressing the heavy vehicle problem in the area – both in terms of the problems experienced in the main road (safety and tourist</p>	<p>Section 1;0.5.4 amended to mention the safety hazard. A full freight study was not prepared in conjunction with this CITP due to time and budget constraints. The needs to be corrected in future updates of the CITP.</p>

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			<p>utility) and safety on the Franschoek Pass.</p> <p>The report fails to mention the severe safety risk posed by heavy vehicles occupying both lanes of the Franschoek Pass as they negotiate the hairpin bends. This safety concern should in itself be enough reason to institute a weight/length restriction on vehicles using the Franschoek Pass.</p> <p><i>"Improve law enforcement and overload control" (p195)</i></p> <p>While this would be welcomed, based on past experience, the community has very little faith that this will, in fact, happen. The Trust therefore supports 'engineered solutions' such as traffic circles and speed bumps over promises of improved law enforcement.</p>	<p>Noted, however this need to be taken up through the correct channels. There is no reason why effective law enforcement cannot be introduced.</p>
	Chapter 11: OTHER TRANSPORT STRATEGIES	Table 11-5: Projects identified in the Stellenbosch Municipal Towns	<p>The Trust generally supports the projects identified in this table, especially the provision of sidewalks along routes where there is high potential for pedestrian/vehicle conflict.</p> <p>The Trust is particularly concerned about the stretch of road between Groendal and Franschoek. In view of the high number of entrances on this section the Trust believes the speed limit here should be reduced from 80 km/h to 60km/h. Furthermore it believes the speed limit passing through the village should be reduced to 40km/h instead of the current 60km/h.</p>	<p>Noted.</p> <p>The investigation of speed limits needs to be taken up in the Road Safety Audit project that has been included in the CITP budget.</p>
		Subsection 11.1.9: NMT Projects	<p>The CITP does not state what traffic calming measures are planned for Franschoek, thus it is impossible to comment on them.</p>	<p>The Stellenbosch Municipality intends to prepare Traffic Calming masterplan for which provision has been made on the CITP budget. This will result in a prioritised list of projects for</p>

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		Planned		implementation, including Franschhoek.
	Chapter 12: FUNDING STRATEGY AND SUMMARY OF PROPOSALS AND PROGRAMMES	Table 12-3: Comprehensive Integrated Transport Plan: Five Year Budget 2015/16 – 2019/2020	<p>Project No. TM 021: As should already be clear at this point the Trust is not convinced that project No TM021 (Franschhoek Freight Bypass Design) is the optimal solution to the heavy goods vehicle problem in the valley. The Trust would insist on further consultation with Stellenbosch Municipality before this project is started.</p> <p>Project No. SH011: The Trust finds it unacceptable that no funding is committed or envisaged for traffic calming in Franschhoek during the next 5 years. The section of Dirkie Uys Street between Reservoir Street East and Church Street is of particular concern in this regard.</p> <p>Project No. PT002: No detail of this project is provided. Nevertheless the Trust recognises the need for improvements to the Franschhoek Taxi Rank/Layby.</p>	<p>Noted and agreed.</p> <p>Project SH009 provides an amount for traffic calming. This will be spent in line with the prioritised list resulting from the Traffic Calming Masterplan.</p> <p>Noted. This funding needs to be spent in consultation with the local stake holders.</p>
	NOTABLE OMISSIONS		<p>The CITP does not address:</p> <ul style="list-style-type: none"> <li>• Traffic safety on the Franschhoek Pass, with particular reference to its dangerous and illegal use by heavy goods vehicles (crossing barrier lines in blind hairpin bends), or</li> <li>• Traffic and pedestrian safety in Huguenot Street – the primary tourism area of the village where there inexplicably isn't a single pedestrian crossing. There is also no mention of the problems heavy goods vehicles have in</li> </ul>	<p>As addressed above.</p> <p>As addressed above.</p>

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			<p>passing each other in Huguenot Street. Not only do they bring all other traffic to a near standstill, they've also been known to scratch and dent parked vehicles.</p>	
	Franschhoek Transport Master Plan 2011		<p>The CITP largely fails to address the majority of issues and proposed remedies identified in the FTMP. Many of these warrant repeating:</p> <ul style="list-style-type: none"> <li>• Stellenbosch Municipality should ensure that space is reserved for the northwestward extension of Dirkie Uys Street to Beaucoup de L'eau Street</li> <li>• Properties at the south-eastern termination point of Beaucoup de L'eau Street should not be developed.</li> <li>• Stellenbosch Municipality should consider the need for a link between the R45 and Dirkie Uys Street extension when any developments along the R45 are evaluated in future.</li> <li>• Properties blocking the link between Davids Street and Upper Lea Smith Street should not be developed.</li> <li>• The one-way bridge where Robertsviel Road crosses the Berg River should be widened (particularly as this is the only viable by-pass road).</li> <li>• Provide roundabout at Main Road / Uitkyk Street / Cabriere Street intersection</li> <li>• Investigate roundabout at R45 / Le Roux Street intersection</li> </ul>	<p>The Franschhoek Transport Masterplan has been consulted. The projects have been categorised and listed and included in the CITP budget.</p> <p>The Franschhoek Ratepayers should work with the Stellenbosch Municipality to prioritise the projects in light of available funds and ensure implementation.</p>

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
			<ul style="list-style-type: none"> <li>• Stellenbosch Municipality should ensure that space is reserved for the possible future extension of Bagatelle Road to MR 5618</li> <li>• Investigate possibility of a scheduled taxi service on the R45 between Wemmershoek, La Motte and Franschhoek.</li> <li>• Provide public transport stops on the R45 after the Robertsylei Road intersection (both directions) and after the R301 intersection (both directions).</li> <li>• Consider the widening of the footpath along the R45 to incorporate a cycle lane for recreational and commuter cyclists.</li> <li>• Continue with the provision of sidewalks along Class 4 roads in Groendal / Langrug / Mooiwater.</li> <li>• Provide paved footway and bicycle lane on Bergendal Road and Robertsylei Road down to the R45 as part of the La Motte development project.</li> <li>• Provide bus embayments on both sides of the R301 opposite Wemmershoek</li> <li>• Primary School, with sidewalks along a section of the road on either side of the bus stops. The roadway between the stops may be paved with textured or coloured paving (not raised) to mark the hazardous location.</li> <li>• Provide off-street parking to the north-east of the Franschhoek town centre at Cabriere</li> </ul>	

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
			<p>Street [open land next to Franschhoek Cellars], or Fabriek Street [municipal depot]</p> <p>The construction of traffic circles at several intersections was also addressed in the FTMP. One of these, at the R45/Uitkyk Street intersection is already reflected in the municipal budget. With regard to the proposed traffic circle at the Huguenot / Lambrechts Street intersection the Trust has agreed with the Engineering Services Directorate that this intersection isn't a high priority and that there are far more cost effective ways to upgrade this intersection than a traffic circle.</p> <p>After the R45/Uitkyk Street traffic circle the next highest priority should be the R45/Le Roux Street intersection. As stated in the FTMP <i>"the proposed infill development between Franschhoek and Groendal will increase traffic volumes at the R45/Le Roux Street intersection . . . It is suggested that the provision of a roundabout should also be investigated at this intersection. Such a roundabout will improve service levels, and will reduce speeding along that section of the R45."</i> Since the compilation of the FTMP traffic volumes have grown substantially and the section of the R45 between Groendal and Franschhoek has become more dangerous than ever. A traffic circle at the Le Roux Street/R45 intersection will not only improve safety at this intersection by increasing its capacity and slowing down traffic on the section of the R45 between Groendal and Franschhoek it will also provide motorists with an 'arrival point' as they reach Franschhoek.</p> <p>The FTMP aptly states that <i>"The ideal for an</i></p>	

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			<p><i>attractive tourist centre such as Franschhoek would have been to limit traffic and parking on the main road, and to make the road environment more suited to non-motorised transport." It continues to state that "A further proposal to make Huguenot Street even more pedestrian friendly, is to provide alternative parking space close to the north-western entrance to Franschhoek, from where the majority of tourists enter the town. Visitors can then park at this location and walk to the town centre." This approach is strongly supported by the Trust.</i></p>	

**7. COMMENTS FROM STELLENBOSCH RATEPAYERS ASSOCIATION: Contact - André Pelser  
info@stellenboschratedpayers.**

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
		General Remarks	<p><b>1. Introduction</b></p> <p>The SRA wishes to thank the Municipality in allowing the opportunity for formal comment on the CITP. Also the SRA is encouraged at the focus being placed on the range of very important transport issues facing the Municipality and in aiming to develop a plan going forward. We hope that the comments that the SRA raise below are taken on board as being constructive and advancing the overall cause of sustainable transport development for the Municipality. We are at a critical stage where the correct courses of</p>	Noted.

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			action must be taken	
			<p><b>2. Lack of a Clear Strategy for How Real Transport Improvements will be achieved</b></p> <p>Whilst the document may tick the boxes in terms of compliance with national legislation, in terms of its structure and broad reference across various transport themes, there is an absence of a clear strategic approach which addresses the critical access and mobility issues that the Municipality has been facing for some time.</p> <p>The draft CITP is heavy on content and in providing context around the current situation and outlining a myriad of wide ranging considerations, but falls short of articulating succinctly up front how the Municipality will actually make clear strategic choices and select priority interventions towards a much more sustainable and balanced future transport situation. This is the dominant point the SRA wishes to stress and many of the points of view below serve to elaborate on this theme.</p> <p>Further the draft document fails to identify organisational responsibilities and phased programmes for implementation. The deteriorating transport situation in the Municipality demands a greater sense of urgency with clear-cut directives for integrating the often conflicting visions, silo mentalities and bureaucratic aspirations of the Municipality, Western Cape Provincial</p>	<p>Noted and accepted. Although not a statutory requirement, the Stellenbosch Municipality should consider preparing a Implementation Plan for the CITP in which the following can be articulated:</p> <ul style="list-style-type: none"> <li>• Goals and objectives</li> <li>• Organisation Structure</li> <li>• Financial Resources</li> <li>• Programmes and Timeframes</li> <li>• Strategic Priorities</li> <li>• Consultation and Stakeholders</li> <li>• Supporting mechanisms and by-laws.</li> </ul> <p>The above will serve to establish an framework for the implementation of the CITP an the strategic approach to be adopted.</p>

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			Government and public transport enterprises like PRASA.																					
			<p><b>3. Road Network Capacity Enhancement versus Sustainable Travel Demand and Traffic Management Approaches</b></p> <p>In the report's Vision and Objectives (Chapter 2) the CITP report outlines the principle Sustainable Transport Strategy and distinct from the "Business as Usual" type of transport planning, table 2.1 is copied below.</p> <table border="1" data-bbox="714 632 1329 1113"> <thead> <tr> <th data-bbox="714 632 1019 683">Business as Usual</th> <th data-bbox="1019 632 1329 683">Sustainable Transport</th> </tr> </thead> <tbody> <tr> <td data-bbox="714 683 1019 720">High mobility &amp; quantity</td> <td data-bbox="1019 683 1329 720">Accessibility &amp; quality</td> </tr> <tr> <td data-bbox="714 720 1019 757">Emphasizes one mode</td> <td data-bbox="1019 720 1329 757">Multi-modal</td> </tr> <tr> <td data-bbox="714 757 1019 794">Lack of good connections</td> <td data-bbox="1019 757 1329 794">Inter-mobility</td> </tr> <tr> <td data-bbox="714 794 1019 831">Accommodates &amp;</td> <td data-bbox="1019 794 1329 831">Interrupts &amp; reverse</td> </tr> <tr> <td data-bbox="714 831 1019 911">Forecasted demand (predict &amp; provide)</td> <td data-bbox="1019 831 1329 911">Work backward from preferred vision to planning &amp; provision</td> </tr> <tr> <td data-bbox="714 911 1019 991">Expands roads responding to travel demand</td> <td data-bbox="1019 911 1329 991">Manages transport or mobility demand</td> </tr> <tr> <td data-bbox="714 991 1019 1028">Ignores social &amp;</td> <td data-bbox="1019 991 1329 1028">Incorporates "full" costs</td> </tr> <tr> <td data-bbox="714 1028 1019 1065">"Silo" planning</td> <td data-bbox="1019 1028 1329 1065">Integrated planning</td> </tr> <tr> <td data-bbox="714 1065 1019 1113"></td> <td data-bbox="1019 1065 1329 1113"></td> </tr> </tbody> </table> <p>The Municipalities "Vision" for transport as set down is certainly a commendable long term aim, yet the plan contains some major conflicting objectives that leave the chosen course of action unclear and as a result impact on the attainment of a desired</p>	Business as Usual	Sustainable Transport	High mobility & quantity	Accessibility & quality	Emphasizes one mode	Multi-modal	Lack of good connections	Inter-mobility	Accommodates &	Interrupts & reverse	Forecasted demand (predict & provide)	Work backward from preferred vision to planning & provision	Expands roads responding to travel demand	Manages transport or mobility demand	Ignores social &	Incorporates "full" costs	"Silo" planning	Integrated planning			<p>The concerns raised have been noted. The CITP attempts to present a balanced approach, while long term alternative road proposals are made to remove through traffic from the Stellenbosch town road network, this is but a part of the overall strategy.</p> <p>Of major significance are the proposals for the introduction of a new public transport system. This may have its own issues and costs, but it is a radical departure from the existing unorganised informal taxi system. The availability of safe and convenient public transport will unlock interventions such as remote park and ride sites, the pedestrianisation of streets for use by NMT modes, the banning of vehicles on the University campus etc.</p> <p>The SRA viewpoint is thus supported as part of an overall plan that considers all alternatives.</p>
Business as Usual	Sustainable Transport																							
High mobility & quantity	Accessibility & quality																							
Emphasizes one mode	Multi-modal																							
Lack of good connections	Inter-mobility																							
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Forecasted demand (predict & provide)	Work backward from preferred vision to planning & provision																							
Expands roads responding to travel demand	Manages transport or mobility demand																							
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"Silo" planning	Integrated planning																							

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			<p><i>"sustainable, balanced and equitable transport system."</i> Of crucial concern is the reference made in the document to the importance of road network capacity increases to relieve congestion. (See Chapter 5 Transport Needs Assessment) Further, in the summary statement for the Transport Infrastructure Strategy it explicitly refers to further studies in the feasibility for a western by-pass road. There is very little opportunity for adding to the capacity of roads for general traffic that will have any net positive system-wide benefits. There is irrefutable evidence worldwide that relief, if any, is only short lived and the enhanced capacity merely supports increased private vehicle trip generation and ever worsening congestion at downstream pinch points. The widening of the M25 London orbital road from three to four to five lanes in some areas is a case in point. National transport policy advocates for the promotion of public transport, non-motorised transport and strategies to contain and manage travel demands. Such policy must result in positive and sustainable investment in place of the traditional response of general road network capacity enhancement.</p> <p>There is a big concern of further "silo" planning continuing with more Provincial road expansions taking place in the Municipality. The Provincial Roads Department continues</p>	

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			<p>to allocate very significant budgets on Provincial Roads in Stellenbosch Municipality including for major capacity increases. A section of the R310 road between Spier Estate to south of Lyndoch was recently widened along with the major upgrade and surfacing of the parallel access road via Vlottenburg. The CITP references an intended duelling of the R304 between Khayamandi and the N1.</p> <p>The SRA strongly challenges the claimed merit and cost benefit of these schemes. Spending several hundred millions rands on roads carrying ever more private traffic towards Stellenbosch town for that traffic then to congest even worse once on the fringes and throughout town is a seriously flawed approach. The volume of very strong objections to the planned R44 Somerset West to Stellenbosch road developments, which proposed inclusion of grade separated intersections, clearly outline the level of discontent and the flawed procedural process on which these projects are assessed.</p> <p>If a small proportion of the recent and planned Provincial investment into such road schemes were re-assigned to the improvement of travel demand management, walking, cycling, traffic safety, speed reductions, elimination of dangerous crossings and public transport enhancements, it could bring huge benefits particularly to the core urban areas and</p>	

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			especially Stellenbosch town.	
			<p><b>4. Locating Future Development and Integrating Spatial Development and Transport.</b></p> <p>The assumption being made is that the commercial expansion within Stellenbosch is a good thing and that transport interventions should support the further growth and economic expansion of Stellenbosch Municipality. From a regional and provincial perspective indeed increased sustainable economic activity is clearly a vital and central development thrust. However the strategy for the location of growth is of critical importance. If, as is the case today, the town of Stellenbosch is struggling to cope with the existing traffic pressures of current trip attractions then the spatial and economic development planning must ensure a balance.</p> <p>Similarly, the CITP all but ignores the existing backlog in road and other infrastructure caused by the growth aspirations of the town's biggest developer, Stellenbosch University. The municipality is on record that the pressure on infrastructure increases by up to one third when the university is in session. The provision of spare capacity has to be funded by the town's ratepayers; this underlines "Holistic Cost Accounting" as an imperative in transport planning</p>	<p>The CITP is guided by the Spatial Development Plan that is under review. The SDP takes on board the proposals and projects outlined in the CITP in particular, public transport, NMT and the road network, in order that development has good accessibility in the right place at the right time and that affordable transport is available. These issues are dealt with in the CITP.</p> <p>The traffic created by the University of Stellenbosch has been considered. Plans are being formulated to provide short and long distance public transport services to the University. The University itself has proposed the introduction of a public transport system to serve students and staff. As stated above, the availability of alternatives to the used of the private car will open opportunities to reduce parking and car use on campus.</p> <p>Furthermore, the Municipality has prepared a cycle masterplan to encourage the use of cycles amongst students along wit the provision of the necessary infrastructure.</p>

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			<p>(Transport Vision and Objectives, page 2-19). There should therefore be closer and real integrated/sustainable planning and implementation between University and Municipality.</p> <p>Currently there is a lack of harmony between the future transport plans for Stellenbosch Municipality and the spatial development plan, when there needs to be very clear alignment. There appear to be two conflicting plans for future land use intensification, namely a Mega-City proposal running northwards along the R304 and the proposal for expanding in the southern area. The CITP ought to comment on the issues these schemes as these schemes do not comply with the principles of the SDF and will if implemented exceed the carrying capacity of Stellenbosch. Put plainly, the infrastructure of this town cannot cope with un-sustainable development.</p> <p>The feasibility of land swaps and brownfield developments to improve urban density and obviate unrealistic projects like the R44 Megacity needs thorough investigation. The precinct incorporating Stellenbosch prison and the Department of Home Affairs is an example of land suitable for densification</p>	

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			<p><b>5. Public Transport Development Aims</b></p> <p>The current CITP document references the National Public Transport Strategy document of 2007 and to some of the key requirements of a fully integrated formalised public transport system. The Funding Strategy (Chapter 12) reflects significant contributions accessed through the Public Transport Network and Operations Conditional Grant, over R100m annually, commencing in 2018 to implement such a system. However, it is important to provide context in the CITP of the current status of the rollout of improved public transport across the country and comments on the most appropriate and likely way forward for the Stellenbosch Municipality.</p> <p>So far only two metropolitan areas nationally have initial corridors of their proposed Integrated Public Transport Network in operation and a third metro area has a limited starter service operating. The town of George is the only non-metro area with a portion of its formal public transport service that has commenced operation, and it relies on extensive operational subsidy. These funds in due course will need to be sourced mainly from local sources, and affordability is a massive concern with the shrinking national fiscus. The institutional complexity of implementing these systems and the financial costs of capital works and ongoing</p>	<p>Noted and agreed.</p> <p>The financial implications of the proposed IPTN are a key matter that will receive consideration.</p> <p>The experience of the George Municipality will be heavily relied on and a visit to the Town will be high on the agenda.</p> <p>The WCG has made known its initiative to assist municipalities. A summary of the Provincial Public Transport Institutional Framework has been include in the later draft of the CITP and the WCG will be part of the public transport planning team.</p>

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			<p>operational support has prompted the National Department of Transport to question and bring under review the type of interventions that can realistically be implemented given the many constraints. Away from main metropolitan areas the interventions that will be supported are likely to require a clear incremental improvement strategy.</p> <p>The CITP should cross reference recent work done by the Western Cape Province entitled Provincial Public Transport Institutional Framework (2015) for their emerging strategy on the tactical and progressive improvement towards sustainable transport in the major towns of the Province. The document sets out priorities and the progression towards more sustainable transport solutions for provincial towns and in all cases prioritise walking and cycling interventions and investment are recommended as a first step.</p>	
			<p><b>6. Preserving Stellenbosch the Town</b></p> <p>Stellenbosch is the oldest town in SA. The town's urban fabric is of fine grain, it is sensitive. The special character of the Town and the surrounding areas are disappearing and traffic problems are a major cause. If we keep on providing for the demands of private motor cars and do not seriously implement travel demand measures and the sustainable modes of transport the towns' character</p>	<p>Noted and agreed. The heritage of the Town of Stellenbosch is first and foremost and the objective is to incentivise the shift away for private transport.</p>

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
			<p>will be lost forever.</p> <p>The capacity of roads is not determined by the width of the roads but by the capacity of the intersections. But in the case of Stellenbosch there is also an <u>environmental capacity</u> to consider. Dorp Street, the town's only remaining truly historic street, has an environmental capacity far lower than its design capacity and <u>present traffic</u> volume.</p>	
			<p><b>7. Traffic Management and NMT Successes and the need for Extensions</b></p> <p>There is no mention of the need to reduce traffic speeds in the urban areas and neighbourhood zones and the calming of traffic as a basis to much safer communities. The urban realm and walkability of the town of Stellenbosch, which is under great threat, has benefited substantially from the recent provision and expansion of walkways in and around the urban core and by the riverside with several addition crossing points. These are small gains, but worth mention. In general car traffic in the core of town today now yield for pedestrians at the numerous crossing points, motorists are far more aware of pedestrians in the central zones and traffic speeds have reduced as a result. This positive result and the opportunity should be outlined in the plan and provides the base for expansion across the urban zones.</p> <p>In a similar fashion the R310 road rehabilitation through Pniel and Kylemore has illustrated what is possible for traffic</p>	<p>The Stellenbosch Municipality intends preparing Road Safety Audits and a Traffic Calming Masterplan to identify and prioritise projects to reduce speeds and improve safety. This is in parallel to the improvement of NMT facilities and the improvement of public transport to reduce car reliance.</p>

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
			management and speed reduction through a built up area whilst providing for safer walking and cycling. The Groenvlei - Franschoek stretch and R44 from Welgevonden to Stellenbosch merit similar interventions.	
			<p><b>8. Non-Motorised Transport and the promotion of Utility Cycling</b></p> <p>References to cycling in the document are included under the heading of NMT. The report states that "Non-Motorised Transport is available to everyone". This is by no means the case. The market survey undertaken in the Cycling Master Plan for the Town of Stellenbosch (2015) clearly indicated that over 80% of low income households have no access to a bike. The Cycle Plan prepared for the town goes beyond infrastructure provision, to include bicycle distribution, traffic calming, road traffic management and traffic speed reduction proposals, communication plans and events. Bicycle sharing schemes like Boris/Santander bikes in London, Velolib in Paris and many others in innovative cities around the world, provide further options. The university's initiative with Matie Bikes needs support in the form of safe municipal lock-up parking facilities and better integration with the SU Mobility Plan. Organisationally speaking, NMT is very much a stepchild that merits single management focus and significantly</p>	<p>Noted and agreed</p> <p>It is for these reasons that the Stellenbosch Municipality has prepared a cycling masterplan and has provided funding in the CITP budget for its implementation.</p> <p>The Stellenbosch Municipality is well aware of the many projects locally and overseas to incentivise and make possible the use of bicycles for example car free days and the provision of reconditioned bicycles to the community, financed by international grants.</p> <p>The location of interventions and the provision of infrastructure will be planned in consultation with the Stakeholders in compliance with the cycle masterplan.</p>

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
			<p>more investment.</p> <p>The vast opportunity to promote and increase the volume of local trips by bicycle as a mode of choice is not adequately reflected and brought to the forefront of the plan. Nor are the budget estimates for a comprehensive implementation set down in the Cycle Master Plan reflected in the CITP.</p> <p>80% of all trips in Stellenbosch are generated locally indicating a huge potential market for increased walking and cycling. As we've noted, students make up a large proportion of the local population and almost 70% of all Stellenbosch students live in the town. However a mere 2%-3% of students and staff cycle as a mode of travel. There is a huge opportunity for this sector to radically increase these volumes to 25%- 30%+ through strong University leadership on travel policy for students especially and so profoundly improve the travelling environment in the town. Schools and local businesses must follow suit with encouragement and incentives for walking and cycling.</p> <p>At key intersections of arterial routes in the town whole communities are essentially severed unless travelling by motor vehicle. The locations that <u>urgently</u> need much improved solutions for safe crossings and prioritised walking and cycling are as follows:</p> <ul style="list-style-type: none"> <li>• Die Boord - R44 Van Rheede,</li> </ul>	

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
			<ul style="list-style-type: none"> <li>• Idas Valley – R310 Helshoogte Road close to Cluver Street</li> <li>• Cloetesville and Khayamandi at the Bird Street Intersection with the R44</li> <li>• Lower Dorp Street crossing of R44</li> </ul> <p>These locations with possible treatments are reflected in the Cycle Master Plan and ought to feature explicitly in the CIPT plan.</p>	
			<p><b>9. Parking Provision in Stellenbosch Centre</b></p> <p>The CIP refers to stakeholder feedback on the need for more parking in central Stellenbosch. The SRA comment is that for a progressive, sustainable and vibrant town Stellenbosch needs less parking in the central area and not more and that the emerging transport strategy needs to reflect this. What parking that is available needs to be better managed and charged appropriately. Travel demand management approaches, promotion of cycling, walking, future public transport, remote parking and park-and-ride or all part of the package of solutions that enable a less traffic dominated core. The expectations of a car user to have parking available a few metres from their central area destination is simply not feasible and is in conflict with a sustainable, balanced and equitable transport system. The Transvalia Public Parking between Plet. Relief Street and</p>	<p>Noted and agreed. A parking study has been carried out and further planning for parking will be done as part of the urban regeneration study.</p> <p>The provision of an upgraded public transport system will provide an alternative to the use of cars and will enable the development of remote park and ride.</p>

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
			<p>Noordwal is a short walk less than 200m from the heart of the town centre. However it is operating far below capacity with many vacant spaces throughout the working week. Meanwhile vehicles park all day for free at many locations across the town. There are serious anomalies that need to be brought into a clear strategy.</p> <p>The Municipality's hesitation in rolling out a user pays/paid parking system to heavily used park-all-day-for-free-streets like Marais, Die Laan, Noordwal Oos &amp; - Wes etc. is depriving it from substantial and much needed revenue.</p>	
			<p><b>10. The impact of the University on the traffic and parking problems of the town.</b></p> <p>This point has already been partially covered in the sections above. Put very bluntly, the continued growth of the University and student accommodation without having a very strict policy and effective implementation to drastically reducing the opportunity for students to use and park cars within Stellenbosch must change immediately. Most student journeys by car are completely unnecessary and avoidable. 35 years ago local Stellenbosch students did walk and cycle and journey lengths have not changed. Many similar University towns across the world have <u>"no-car-on-campus policies for students"</u> and the vast majority of short distance travel is by foot and by bicycle. Stellenbosch Municipality is seen as ineffective in having made any strategic input into the dynamics of the rapid growth in student numbers in the town; it's actions have been purely</p>	<p>Agreed. This has been commented on above.</p>

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP
			reactive, often to the detriment of ratepayers.	
			<p><b>11. Heavy Goods Vehicle (HGV) Impacts in Franschhoek – but also in Stellenbosch</b></p> <p>A solution for the negative impact on Main Street, Franschhoek and over the Franschhoek Pass of cut-through HGV's using the R45 to avoid paying Tunnel fees, deserves urgent attention. It is suggested that a simple measure like placing a limit on the axle numbers (six e.g.) of vehicles crossing Franschhoek Pass, will provide immediate relief to the congested Main Street and be more cost effective than the proposed Robertsvlei bypass feasibility study favoured by the CITP.</p> <p>In Stellenbosch the delays and congestion caused by HGV's delivering to Checkers in Dorp Street and to the Eikestad Mall in Andringa Street require urgent intervention by the Municipality.</p>	<p>Noted and agreed. A detailed Freight Strategy Study is planned that will address this issue and the economic impact of deviating freight onto other routes. This study was not yet available for inclusion in the CITP.</p>
			<p><b>12. Roundabouts vs Traffic Signals</b></p> <p>The CITP omits the crucial issue of successful intersection control. Many of the traffic lights (robots) currently surrounding the town should be replaced by roundabouts (traffic circles) or mini-roundabouts to improve traffic flow. This is the preferred form of intersection management in developed economies and has many advantages over the stop-start control of traffic signals. Replacing traffic signals with roundabouts on the town's main approach roads will greatly alleviate the tailback</p>	<p>The benefits of traffic circles are well documented and the Stellenbosch Municipality will always consider using an effective traffic circle design where appropriate in terms of traffic conditions.</p> <p>A major consideration is the road classification and the road capacity and number of traffic lanes. For example a four lane road will required at least a two lane traffic circle. In Many locations, especially in the Stellenbosch town centre, the road reserve is just too narrow to accommodate a traffic circle of sufficient diameter and number of lanes and it is not possible to expropriate addition land.</p> <p>In each case, intersection design is tested using the latest software to ensure that the intersection will operate at the</p>

Page no.	Section	Paragraph	Comment	Action Taken to include in CITP									
			<p>congestion and waste of time currently experienced by commuting traffic. One example, observation of traffic on the R44 from Somerset West to Stellenbosch confirms that there is free flow of traffic up to the first traffic signal at Moolberge. From there the tailback effect takes over as free traffic flow is increasingly impeded by the traffic signals at De Zalze, Technopark, Van Reede Street, Dorp Street etc. The traffic signals at the R44/R310 intersections and at Welgevonden have a similar detrimental effect.</p> <p>There are several examples in the Western Cape of roundabouts – even with imbalanced traffic volumes – working exceptionally well, and the question arises why the very effective traffic circle with world-class NMT layout at the Cluver/Merriman intersection is not replicated at other intersections? Even the mini-roundabouts in Dorp and Piet Retief Streets have led to vastly improved traffic flows. Taxpayers cannot understand why road engineers spend millions to design a R44 super highway, when low cost, traffic calming, aesthetically pleasing solutions are self-evident. To summarise:</p> <table border="1" data-bbox="703 1213 1324 1332"> <tr> <td>Roundabouts</td> <td>vs</td> <td>Traffic signals (Robots)</td> </tr> <tr> <td>Allocate road space</td> <td></td> <td>Allocate time</td> </tr> <tr> <td>Aesthetically pleasing</td> <td></td> <td>Do not fit in the</td> </tr> </table>	Roundabouts	vs	Traffic signals (Robots)	Allocate road space		Allocate time	Aesthetically pleasing		Do not fit in the	<p>desired level of service taking into account the location and the available road reserve width. The most efficient design, be it a traffic circle or traffic signal, will always be considered.</p> <p>Provision has been made on the CITP budget for traffic circles at several locations.</p>
Roundabouts	vs	Traffic signals (Robots)											
Allocate road space		Allocate time											
Aesthetically pleasing		Do not fit in the											

Page no.	Section	Paragraph	Comment	Action Taken to include in CIP															
			<table border="1" data-bbox="710 289 1329 458"> <tr> <td>Reduce speed (calming)</td> <td></td> <td>Do not reduce speed</td> </tr> <tr> <td>Direct through flow</td> <td></td> <td>Do not stop a vehicle</td> </tr> <tr> <td>Serious accidents seldom</td> <td></td> <td>Fatal accidents</td> </tr> <tr> <td>Very low maintenance</td> <td></td> <td>High maintenance costs</td> </tr> <tr> <td>Not dependent on</td> <td></td> <td>Eskom-dependant</td> </tr> </table> <p data-bbox="710 494 1318 674">The SRA proposes that provincial and municipal road engineers adopt a more holistic and integrated approach when planning traffic flow, and at the same time become more receptive to modern developments in more advanced countries.</p>	Reduce speed (calming)		Do not reduce speed	Direct through flow		Do not stop a vehicle	Serious accidents seldom		Fatal accidents	Very low maintenance		High maintenance costs	Not dependent on		Eskom-dependant	
Reduce speed (calming)		Do not reduce speed																	
Direct through flow		Do not stop a vehicle																	
Serious accidents seldom		Fatal accidents																	
Very low maintenance		High maintenance costs																	
Not dependent on		Eskom-dependant																	
			<p data-bbox="710 705 902 733"><b>13. Conclusions</b></p> <p data-bbox="710 766 1318 882">In the end a plan has to be specific to be meaningful, and it has to be backed by realistic resources to become reality. <b>The shrinking per capita tax base of the town is a reality.</b></p> <p data-bbox="710 882 1318 1148">Or in Peter Drucker speak: <i>"Unless commitment is made there are only promises and hopes – but no plans" AND "It is meaningless to speak of short-range and long-range plans. There are plans that lead to action today – and they are true plans, true strategic decisions. And there are plans that talk about action tomorrow – they are dreams, if not pretexts for non-thinking, non-planning, non-doing."</i></p> <p data-bbox="710 1148 1318 1325">The CIP is vague and indecisive when it has to be bold; it is out of sync with the Municipal SDF and places too much emphasis on forecasting and future scenarios; it does not provide a framework for plans and action that will make a difference today. In the end, true plans and true strategic decisions</p>	<p data-bbox="1355 697 2081 756">Noted. Concerns relating to Municipal capacity and funding should be taken up through the office of the Municipal Manager.</p>															

Page no.	Section	Paragraph	Comment	Action Taken to include in CIP
			<p>made by the Municipality will determine its outcome - whether these decisions will lead to "action today or talk about action tomorrow."</p> <p>Moreover, the success of the final product will be determined by the capacity of the Municipality to commit the necessary human and financial resources. The inability of the Municipality to expertly negotiate with Province and the University in solving the town's transport problems remains a cause for concern. The inefficiency of the municipal organisation, currently functioning without a Municipal Manager and a Director of Engineering, is of extreme concern; past experience has shown that it is in no position "to initiate action today" or to turn a CIP into reality. The SRA is seriously concerned about the regression of management capacity at the Municipality and its concomitant effect on strategic decision-making. In not solving strategic issues, Council is guilty of neglecting the confidence and mandate given to them by the town's ratepayers.</p> <p><b>14. The SRA urges the Municipality to take these vital points on board and initiates focussed, decisive action that shifts transport and spatial development onto a truly sustainable path urgently and aggressively.</b></p>	

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**8.2 MFMA SECTION 116(3) – PROPOSAL TO RENEW ALL ICT CONTRACTS ANNUALLY AT THE SOLE DISCRETION OF THE MUNICIPALITY FOR A THREE YEAR PERIOD, EFFECTIVE FROM 01 JULY 2016 TO 30 JUNE 2019**

*File number* : 13/6 x 6/4/1

*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"/>

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**1. PURPOSE OF REPORT**

The dynamic nature of Information and Communications Technology, as well as investments made in ICT related services and systems warrant a continuous re-assessment of such investments and system functionalities to ensure that value for money is achieved at all times.

**The purpose of this report is to:**

- a) Inform Council of the strategic intent of the Municipality to research and assess alternative ERP solutions to assimilate the functionalities of the various disparate legacy ICT systems within one Enterprise Resource Plan;
- b) Inform Council of the intent to renew all ICT contracts terminating on 30 June 2016, annually at the discretion of Supply Chain Management, for a period of three years effective from 01 July 2016 to 30 June 2019, to allow the Municipality sufficient time to do the necessary research and assessments to establish the anticipated Enterprise Solution Framework, and in doing so,
- c) Comply with the prescriptive provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) enabling local government institutions to amend contracts with service providers under certain conditions.

Provision is made in the Municipal Supply Chain Management Policy, clause 4.2.4 (b) "except where provided otherwise in these Regulations, does not apply in respect of the procurement of goods and services contemplated in section 110(2) of the Act, including:

- the acquisition of services of information and communication technology as well as financial systems and services”.

## 2. BACKGROUND

### 2.1. Disparate Business Application Systems

The annual payment of license fees and support fees to multiple service providers for legacy systems that are totally disparate in terms of systems architecture and integration requirements cannot continue indefinitely.

Data Integration between disparate Business Application Systems remains the single major organisational risk to be resolved by the ICT Department, but with the assistance of the various Departments making use of these systems in its daily operations and decision making processes:

- a) The complexities of such manual systems integration, increases the dependency on external service providers to assist with such integration efforts and mostly at the expense of the Municipality;
- b) Manual integration between different systems is very much dependant on the interpretation of individuals and without proper automated data validation rules, the integrity of the municipal data is always at risk;
- c) Manual integration provides management information based on historic data and there for inhibits decision making on **“information that is current at any given time and from anywhere.”**

A seamless and real-time integration between ICT Systems are in line with best practice in the ICT industry, as well as the strategic intent of National Government to encourage Local Government Institutions to establish a more cost effective and sustainable portfolio of ICT Business Applications Systems.

### 2.2. Intent to Re-contract

It is the intent of the Municipality to consult with ICT service providers to enter into an Agreement with Stellenbosch Municipality, effective from 01 July 2016 till 30 June 2019, but under the following terms and conditions:

- a) Regardless of the effective date of this agreement and any of its Annexures, this Agreement will terminate not later than 30 June 2017;
- b) The Municipality, at its sole discretion will have the option to extend this Agreement for a subsequent periods of twelve months, for a maximum of two annual extensions effective from 01 July 2017 till 30 June 2018 and then again from 01 July 2018 till 30 June 2019;
- c) The term in respect of each Service Agreement and/or License Agreement shall be specified in each Agreement separately as applicable to that Agreement specifically and;
- d) Notwithstanding any term expressed in any Agreement or Annexure to such an Agreement (or as it may be renewed), shall not extend beyond the termination or cancellation of this Agreement.

The above terms and conditions will be included as an Addendum to all ICT Service Provider Contracts and Service Level Agreements effective from 01 July 2016.

**3. DISCUSSION****3.1. Regulatory Requirements from National Treasury**

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

**3.2. MFMA Circular 57 dated 20 October 2011**

MFMA Circular 57 Issued by National Treasury states: *"It is imperative that municipalities operate effectively and utilise financial applications optimally to present credible information on a timely basis for internal and external use"*.

**3.3. mSCOA Implications**

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

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

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

**3.4. MFMA Compliance Requirements**

The proposed amendment to the contract term with for the relevant Service Providers will be done in compliance the terms of the MFMA Act 56 of 2003, Section 116 (3), whereby:

"local government institutions may amend contracts with service providers under certain conditions, being:

- i. The reasons for the proposed amendment have been tabled in the council of the municipality, and*
- ii. The local community been given reasonable notice on the intention to amend the contract or agreement, and*
- iii. Has been invited to submit representations to the municipality."*

### 3.5. ICT Alignment with Strategic Objectives

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

#### 3.5.1. Legacy ICT Systems

Various business applications systems with similar functionalities are currently deployed in the Stellenbosch Municipality, **resulting in ongoing increases in, and payment of annual licensing fees and support fees without receiving any substantive value added services or functionalities as part of the existing Agreements.** Also, ongoing data integration between disparate business application systems results in increased complexities whilst attempting to maintain data integrity between systems.

#### 3.5.2. Multiple ICT Vendor Contracts

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

#### 3.5.3. Deployment of an ERP Solution in the Municipality

The building blocks to establish a long term and sustainable portfolio of ICT Systems and Services in the Stellenbosch Municipality, which will require very specific objectives and goals to be achieved:

Due to the complexities inherent to such an organisational transformation venture, a best practice methodology must be followed over the next three budget cycles, being, 2016/2017, 2017/2018 and 2018/2019, to deploy an ERP solution that will be operationally efficient and will be strategically aligned with the goals and objectives of the municipality as well as the statements of direction from National Government.

The best approach will be to develop a Business Architecture Framework and establish an ICT Business Systems Architecture Framework, collectively being an ERP Solution, that is highly flexible and sustainable over the medium to longer term.

***Refer APPENDIX 1 to this submission.***

## 4. LEGAL IMPLICATION

(The following Legal Comments were received on 2016-03-08):

Council should consider the reasons for the proposed amendments. The Legal Department supports the item subject to the following recommendations, namely:

(i) that Council advertise its intention to amend all one year contractual agreements for ICT-related systems and services for a period of three (3) years for public input, and

(ii) that, should any public comment be received, same be considered by Council before a final decision is made.

**5. FINANCIAL IMPLICATION**

The vendor contracts currently being considered to be amended to remain in effect for a period of three years are as indicated in the table below:

<b>Service Providers</b>	<b>Scope of Services</b>
<b>Bytes Universal Systems</b>	SAMRAS is the Core Financial System for the Stellenbosch Municipality.
<b>Payday</b>	HR Management and Payroll System for the Stellenbosch Municipality
<b>Business Engineering</b>	Data and Workflow System with Document Archiving Capabilities
<b>Ignite</b>	Strategic and Corporate Services - Performance and Compliance Management System
<b>IMQS</b>	Support and Information System to Manage and Report on Municipal infrastructure Assets
<b>Avalon</b>	Data Network Management and Support Services
<b>ABC Holdings</b>	Property Evaluation and Rates
<b>Barnowl</b>	Risk Management and Compliance System
<b>CATS</b>	Meter Reading System
<b>Teammate</b>	Audit Management system
<b>ValuProp</b>	Valuation System
<b>GEODEBT System</b>	Credit Control System
<b>PBS</b>	Multifunctional Printing Services

The ICT Budget for the next three years for the funding ICT related Services and Systems are as indicated in the schedule below:

<b>Extract from ICT Budget: 2015/2016 to 2017/2018 and other Departmental Budgets</b>				
<b>VOTE NO.</b>	<b>COST ITEMS</b>	<b>2015/2016</b>	<b>2016/2017</b>	<b>2017/2018</b>
1/ 9910/ 0927	SERVICE LEVEL AGREEMENTS	R 240 000	R 254 400	R 279 840
1/ 9910/ 0928	CONSULTING AND PLANNING FEES	R 250 000	R 280 000	R 308 000
1/ 9910 /0942	MSP IMPLEMENTATION	R162 860	R 172 640	R 189 904
1/ 9910/ 0946	ICT LICENCES:	R 4 500 000	R4 800 000	R5 280 000
	<b>TOTAL BUDGET</b>			<b>R6 057 744</b>

**Note: The Budget for 2017/2018 has been calculated at an estimated increase of 10% per annum.**

The Financial implications to establish an ERP solution is currently unknown. However, it is most certain there will be trade-offs between the ERP investment costs and the savings to be realised from the consolidation of ICT Systems and Services under one Business Systems Architecture Framework.

**6. COMMENTS FROM OTHER STAKEHOLDERS**

Finance: Finance support the item – response emailed on 2/03/2016.

SCM: SCM support the item – response emailed on 2/03/2016.

**6.1 National Treasury**

This proposed approach by the Municipality to extent all contracts for ICT related services and systems from one year to three years are fully supported by National Treasury and also aligned with the strategic objectives of National Treasury:

*“It is indeed our view that the intended route you are proposing is aligned with the strategic objective of mSCOA and specifically in light of the following pronouncements made at various forums:*

*It is the hope and view of Treasury that all service providers are fully compliant by one July 2017;*

*It is not the intention of Treasury to interfere with the municipality's ICT choice or vendor relationships; and*

*We believe that critical evaluation of your business processes required by the mSCOA reform will illuminate duplication, redundancies as well as gaps in your systems environments;*

*We are extremely confident that most of the system vendors are compliant with minimum mSCOA compliancy i.e. (Budgeting and transacting across the segments of mSCOA and extracting and supplying data to LG database.) The reluctance to pronounce on the above is due to the accounting cycle and integration conditionality's that emerged from the research we were conducting during the piloting.*

*I therefore fully support and applaud your current way forward and believe it is best practice even without mSCOA as a backdrop for this decision or intent.”*

(Andre Bossert: Chief Directorate; Local Government Budget Analysis).

**RECOMMENDED**

- (a) that Council take note of this proposed amendment of all one year contractual agreements for ICT related systems and services, to be in effect for a period of three years at the sole discretion of Supply Chain Management, the reason being:
- (i) The strategic intent of the Stellenbosch Municipality to research and assess alternative ERP solutions over the next three financial years that will enable the Municipality to establish a Business Systems Architecture Framework and then to assimilate the functionalities of the various disparate legacy ICT systems within a single Enterprise Resource Plan.
- (b) that Council take note of the prescriptive provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) enabling local government institutions to amend contracts with service providers under certain conditions, being:

- 
- i. The reasons for the proposed amendment have been tabled in the council of the municipality, and*
  - ii. the local community been given reasonable notice on the intention to amend the contract or agreement, and*
  - iii. has been invited to submit representations to the municipality.*
- (c) that Council take note of the special terms and conditions to be introduced for ICT related Agreements effective from 01 July 2015, to ensure full compliance to all regulatory compliance requirements:
- (i) Regardless of the effective date of this Agreement and any of its Annexures, this Agreement will terminate not later than **30 June 2017**;
  - (ii) The Municipality, at its sole discretion will have the option to extend this Main Agreement for a subsequent period of twelve months, for a maximum of two extensions effective from 01 July 2016.
  - (iii) The term in respect of each Service Annexure, and/or Service shall be specified in the Service Annexure and;
  - (iv) Notwithstanding any term expressed in any Service Annexure (or as it may be renewed), shall not extend beyond the termination or cancellation of this Main Agreement.

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

**FINANCE AND STRATEGIC AND CORPORATE SERVICES COMMITTEE:  
2016-03-08: ITEM 5.1.1**

**RECOMMENDED**

- (a) that Council take note of this proposed amendment of all one year contractual agreements for ICT-related systems and services, to be in effect for a period of three years at the sole discretion of Supply Chain Management, the reason being:
  - (i) The strategic intent of the Stellenbosch Municipality to research and assess alternative ERP solutions over the next three financial years that will enable the Municipality to establish a Business Systems Architecture Framework and then to assimilate the functionalities of the various disparate legacy ICT systems within a single Enterprise Resource Plan.
- (b) that Council take note of the prescriptive provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) enabling local government institutions to amend contracts with service providers under certain conditions, being:
  - (i) *The reasons for the proposed amendment have been tabled in the council of the municipality, and*



- 
- (ii) *the local community been given reasonable notice on the intention to amend the contract or agreement, and*
        - (iii) *has been invited to submit representations to the municipality.*
  - (c) that Council take note of the special terms and conditions to be introduced for ICT-related Agreements effective from 01 July 2015, to ensure full compliance to all regulatory compliance requirements:
    - (i) Regardless of the effective date of this Agreement and any of its Annexures, this Agreement will terminate not later than **30 June 2017**;
    - (ii) The Municipality, at its sole discretion will have the option to extend this Main Agreement for a subsequent period of twelve months, for a maximum of two extensions effective from 01 July 2016.
    - (iii) The term in respect of each Service Annexure, and/or Service shall be specified in the Service Annexure and;
    - (iv) Notwithstanding any term expressed in any Service Annexure (or as it may be renewed), shall not extend beyond the termination or cancellation of this Main Agreement, and
  - (d) that Council advertise its intention to amend all one year contractual agreements for ICT-related systems and services for a period of three (3) years for public input, and that any public comment received must be considered by Council before a final decision is made.

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

# APPENDIX 1

## Annexure 1 – ENTERPRISE RESOURCE PLAN FRAMEWORK FOR THE STELLENBOSCH MUNICIPALITY

### 1. BACKGROUND

It should by now BE realised that the MSCOA implementation strategy by National Treasury is not only about enhancing the systems functionalities of our financial systems:

- a) It is essentially about establishing a fully integration Enterprise Architecture Framework for all local government institutions.

Over the past number of years there was a growing awareness and understanding that well-structured business processes in an organisation, to provide the foundation for ICT Business Systems as an enabler of quality service delivery to clients as well as improved operations between the various departments in an Organisation:

- a) ICT Business Applications Systems that are functionally aligned with well-structured business processes remains the single most critical missing link to achieve success in most Organisations of today.
- b) Ideally, business processes must be developed first and then procure an ERP solution that is aligned with the business needs of the Organisation.

Today there are many different definitions of what an ERP System entails. For the purposes of this submission the following two definitions will suffice:

#### a) **ERP: Definition 1**

Source: Foldoc – Free Online Dictionary of Computing

“Any software system designed to support and automates the business processes of an organisation”.

#### b) **ERP: Definition 2**

Source: Jodi Leoni; Febr. 2012

An Enterprise Resource Planning System is a set of business software tools designed to facilitate the flow of information between all Departments or functions in the business.

A well designed ERP solution has the ability to process information from every part of the Organisation and any type of transaction, within a single integrated

solution, which can track (in real-time) business operations and provide timely and accurate information to business managers.

## 2. DISCUSSION

From the above statements it is clear that a best practice ERP consist of two separate but inter-dependent frameworks:

### 2.1. Business Systems Architecture Framework

It is the strategic intent of the Stellenbosch Municipality to research, assess and establish a Business Systems Architecture Framework to assimilate all required business system functionalities within on a single Systems Software platform the will enable a seamless and real-time integration between all Business application systems at transactional level as well as at Management reporting level.

### 2.2. Business Architecture Framework

It should specifically be noted that a Business Systems Architecture Framework on its own will not resolve the day-to day operational inefficiencies imbedded in the municipal service delivery value chain.

A best practice ERP also requires a re-design of all existing operational processes and communication methodologies throughout the municipal service delivery value chain, also embracing our resident and communities. The following functional components form an integral part of a Business Systems Architecture Framework:

#### 2.2.1. Business Processes

Circular No.57 from National Treasury dated August 2012, underlines one of the most mis- understood principles in establishing a robust and sustainable Business Systems Architecture:

*“Service delivery is the by-product of effective, cost effecient economical processes that are informed by strategic direction, resource planning and implementation.” This foundation is integral to ensuring that software applications generate credible information and can be used effectively by municipalities.”*

#### 2.2.2. Standard Operating Procedures

Well designed business processes defines **what must be done** and **by whom it must be done** to ensure synergy and alignment across functional lines in an Organisation.

Business processes must at all times be supported by well defined **Standard Operating Procedures** for all tasks to be performed in the Municipality in a proficient and ethical manner.

### 2.2.3. Customer Care Services

The most important stakeholders in our service delivery value chain are our residents and communities.

It will require a multi-dimensional strategy to embrace the changes needed to make a measurable improvement in our service delivery efforts and to exploit all available toolsets and technologies to establish collaborative and trusted relationships with our residents and communities:

- a) The municipality must **establish a centralised Customer Service Desk** that is fully integrated with all our back office ICT systems to respond timeously to all service related enquiries;
- b) The municipality must **exploit opportunities within the Social Media** to communicate and collaborate with our communities and citizens in a bi-directional way.
- c) The **municipal Public Wi-fi** will not only empower our communities and residents to remain informed on all service related matters, but will also enhance the **“goal of an all-inclusive information society that can enjoy the benefits associated with Broadband in both urban and rural areas”** as envisaged by the Western Cape Provincial Government.

### 2.2.4. ERP Research Methodologies

To establish such an envisaged ERP solution will require a best practice research methodology to ensure that the ERP solution of choice will be cost-effective and will remain compliant with the growth strategies of the Stellenbosch Municipality over the medium to longer term. To research, assess and select an ERP solution that is **“fit for purpose”** for an Organisation, also requires:

- a) An in-depth understanding of the methodologies and selection criteria to ensure that future investments in ICT solutions are based on established and well founded principles;
- b) Cohesive and strong executive leadership to drive the Organisational change management processes inherent to such a venture.

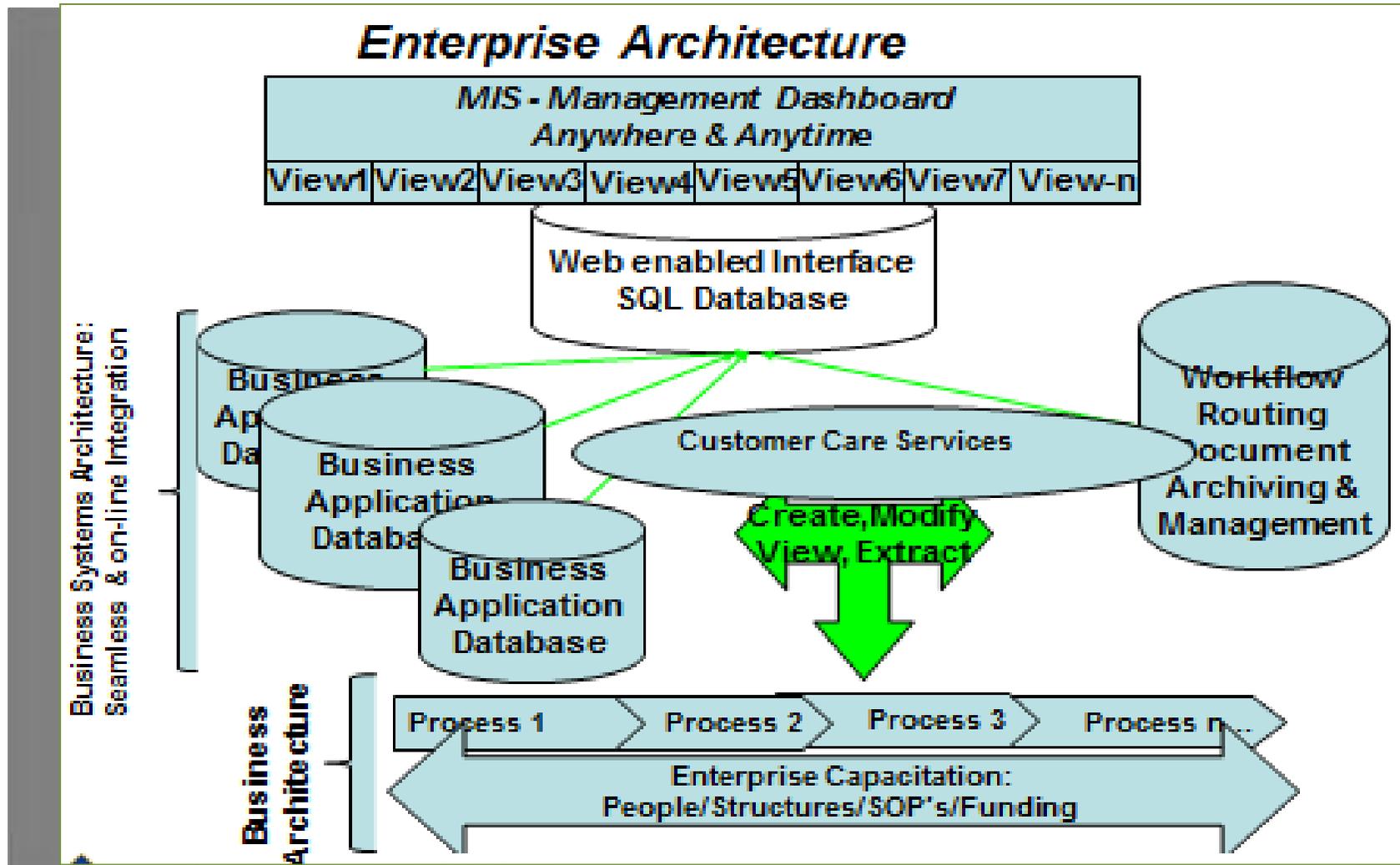


Figure 1: Enterprise Architecture Resource Plan

# APPENDIX 2



# STELLENBOSCH

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

<b>ADVERTISED IN:</b>	MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE, EIKESTAD NUUS		
<b>DATE PUBLISHED:</b>	18 MARCH 2015	<b>NOTICE NO :</b>	20/2016

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

CONTRACT NO:	DESCRIPTION	REASON FOR AMENDMENT
<b>DEPARTMENT:</b>	<b>STRATEGIC &amp; CORPORATE SERVICES</b>	
<b>INFORMATION SYSTEM &amp; SERVICES</b>	<ul style="list-style-type: none"> <li>Bytes Universal (SAMRAS)</li> <li>PAYDAY (HR Payroll)</li> <li>IGNITE (Performance Management)</li> <li>GEODEBT (Creditors Control)</li> <li>PBS (Printing &amp; Scanning)</li> <li>IMQS (Infrastructure &amp; Assets)</li> <li>Avalon (Network Management)</li> <li>ABC (Evaluations &amp; Rates)</li> <li>Barnowl (Risk Management)</li> <li>CATS (Meter Reading)</li> <li>Teamamate (Audit System)</li> <li>Valuprop (Valuation System)</li> <li>Business Engineering (Collaborator)</li> </ul>	<p>Due to the complexities inherent to such application systems conversions, a best practice research methodology will be followed over the next three financial years (2016/2017, 2017/2018 and 2018/2019) commencing 01 July 2016, to enable the Stellenbosch Municipality to assess the functional viability and cost effectiveness to assimilate the similar functionalities of the various business application systems into a single integrated business systems architecture framework (ERP).</p>

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

<b>CLOSING DATE:</b>	05 APRIL 2016	<b>AT THE TIME:</b>	No later than 12H00
<b>ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		<b>ANY ENQUIRIES REGARDING THE COMMENT PROCEDURE MAY BE DIRECTED TO:</b>	
<b>Section:</b>	Information Systems & Services	<b>Section:</b>	Supply Chain Management
<b>Contact Person:</b>	Mr. B Mkaza	<b>Contact Person:</b>	Mr. I Saunders
<b>Tel:</b>	E-mail enquiries only	<b>Tel:</b>	E-mail enquiries only
<b>Email:</b>	<a href="mailto:brian.mkaza@stellenbosch.gov.za">brian.mkaza@stellenbosch.gov.za</a>	<b>Email:</b>	<a href="mailto:israel.saunders@stellenbosch.gov.za">israel.saunders@stellenbosch.gov.za</a>
<b>Authorised by:</b>	Mr. R Bosman	<b>MUNICIPAL MANAGER</b>	

# APPENDIX 3

**ANNEXURE 3 – SPECIAL CONDITIONS OF CONTRACTING FOR THE DELIVERY OF INFORMATION TECHNOLOGY RELATED SERVICES AND SYSTEMS (SCC- ICT)**



**STELLENBOSCH**

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**SPECIAL CONDITIONS OF CONTRACTING FOR THE DELIVERY OF INFORMATION TECHNOLOGY RELATED SERVICES AND SYSTEMS (SCC- ICT)**

Between:

**STELLENBOSCH MUNICIPALITY**

**hereinafter referred to as ("Municipality") and herein represented by:**

.....

And

**XXXXXXXXXX Co. (pty) Ltd hereinafter referred to as ("Service Provider") and herein represented by:**

.....

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## 1. Recordal

To ensure synergy and full understanding between the Parties of all the statutory and regulatory requirements by which the Agreement between Service provider and Municipality must be governed and managed, the following is recorded:

- 1.1. The Municipal Finance Management Act, 56 of 2003, Section 116 (MFMA) states the following compliance requirements when contracting with external Service Providers:
  - 1.1.1. Contracts must be in writing;
  - 1.1.2. Day-to-day contract and service delivery management;
  - 1.1.3. Monthly performance reviews;
  - 1.1.4. Periodic contracts reviews;
  - 1.1.5. Any other matters as may be required;
  - 1.1.6. Take reasonable steps to ensure that contract is enforced;
  - 1.1.7. Dispute mechanisms must be in place;
  - 1.1.8. Termination of contract in case of under performance.
- 1.2. The Preferential Procurement Policy Framework Act 5 of 2000, section 15 (PPPFA) states the terms and conditions:
  - 1.2.1. When penalties may be raised against a Service Provider for consistent under-performance;
  - 1.2.2. For early termination of the Contract or part of the Services, and
  - 1.2.3. For the possible blacklisting of Service Providers in case of fraudulent or corrupt activities.
- 1.3. The Municipality's Supply Chain Management Policy specifically references both MFMA) and the PPPFA to give full effect and to ensure full compliance in the execution of the procurement processes in the Municipality;
- 1.4. The General Conditions of Contracting (GCC) published by National Treasury and as amended from time, is attached by reference to this SCC-ICT. The purpose of this GCC is to:
  - 1.4.1. Draw special attention to certain general conditions applicable to government Bids, contracts and orders; and
  - 1.4.2. To ensure that clients be familiar with regard to the rights and obligations of all parties involved in doing business with government.
  - 1.4.3. The GCC further states:
    - 1) The General Conditions of Contract (GCC) will form part of all Bid documents and may not be amended; and
    - 2) Special Conditions of Contract (SCC) relevant to a specific Bid should be compiled separately for every Bid (if applicable) and will supplement the GCC. Whenever there is a conflict, the provisions in the SCC shall prevail.
- 1.5. Service Provider acknowledges and agrees, that the requirements as set out above and all measures to enforce such compliance requirements, should form an integral part of the Service Delivery Agreement for all Services and

Systems to be provided and supported by the Service provider during the term of this Contract.

- 1.6. To give full effect to the above compliance requirements in terms of the Agreement, both parties will provide the required resources, at their own cost, to ensure that applicable communication structures and management forums will be established between Service Provider and Municipality to *“take reasonable steps to ensure that the contract is enforced”*.
- 1.7. Copies of any Acts, Regulations or Policy Frameworks referenced in this Agreement are available on the Municipality Web-site and/or the National Treasury Web-site for perusal by Service Provider.

## 2. Definitions and Interpretations

Unless a contrary intention appears, the following expressions shall have the indicated meanings and cognate expressions have corresponding meanings.

Definitions and interpretations included in the General Conditions of Contracting will stand as if also be included in this Agreement:

- 2.1. "Agreement" or "Main Agreement" has the same meaning as "Contract" or "Main Contract" and is used interchangeably for the form and structure of sentences.
- 2.2. "Business Day" means any day other than a Saturday, Sunday or South African Public Holiday;
- 2.3. "Commercially Reasonable Effort" means, with respect to any objective referred to in this Agreement, prompt, accurate, complete, appropriate, responsive and diligent effort, made in a professional and workmanlike manner, using properly qualified individuals and, in any event, a level of effort to achieve such objective equal to or exceeding the level of effort to achieve the same or similar objectives generally used by other professional Information Technology companies providing similar services as the Services referred to in this Agreement and its Annexures;
- 2.4. "Corrupt practice" means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or contract execution;
- 2.5. "CPI" means the CPI average percentage as per the official Statistics South Africa information for the three months prior to the annual review date of the Main Agreement or Service Annexure as the case may be;
- 2.6. "Data" means all Business Records of Municipality stored in digital format on magnetic, optical or other media and maintained by the Service Provider;
- 2.7. "Day" means any Calendar day unless specifically specified otherwise in this Agreement;
- 2.8. "Delivery" means delivery in compliance with the conditions of this Agreement and its Service Annexures.
- 2.9. "Effective Date" means **01 July 2016**, notwithstanding the date of signature hereof;
- 2.10. "General Conditions of Contracting" (GCC) means the General Conditions of Contracting as prescribed by National Treasury as applicable to all Suppliers and Service Providers of goods and services to Local Government institutions and is also included by default as part of the terms and conditions of this Main Agreement;
- 2.11. "Intellectual Property" means all patents, trademarks, service marks, design rights, copyright, know-how, trade or business names and other similar rights or obligations, whether or not registered or application for registration thereof has been made, used in or in connection with the Services;

- 2.12. "Main Premises" means Stellenbosch Municipality head office at The Town House Complex, Plein Street, Stellenbosch, Western Cape, South Africa, Code 7600.
- 2.13. "Nominated Service Representatives" mean the persons from both parties appointed for each party in terms of clause 11.
- 2.14. "Prime Rate" means the publicly quoted prime rate announced every quarter by the Reserve Bank of the Republic of South Africa, expressed as a nominal annual compounded monthly rate, calculated on a 365 (three hundred and sixty five) day factor;
- 2.15. "Parties" means Municipality and the Service Provider, and "Party" means either one of them;
- 2.16. "Public Holiday" means any official public holiday in the Republic of South Africa;
- 2.17. "SCC-ICT" means Special Conditions of Contracting for ICT related Services and Systems as specified in this document;
- 2.18. "Service" or "Services" means a Service to be provided by the Service Provider to Municipality, being a Service contained in a Service Annexure to be monitored on a monthly basis to ensure on going performance and compliance by the Service Provider;
- 2.19. "Service Annexure" means an Annexure to this Agreement which, among other things, provides: detailed descriptions of Services to be provided by the Service Provider; detailed pricing for Services; specific exclusions of certain services that will not be provided as part of the contracted Services; Key performance areas of Service Provider; service levels for each Service; Objective measures to monitor the quality of Services delivered; reporting requirements and all matters directly related to the Services as contracted;
- 2.20. "Service Level" means the qualitative and quantitative standards of performance according to which the Services are to be provided in terms of this Agreement and as specified in each Service Annexure;
- 2.21. "Work Product" means reports, plans, diagrams, schematics, flowcharts, studies, software, software programmes and all other documents or information or products specifically developed and provided by the Service Provider for Municipality in connection with the provision of the Services or at the request of Municipality and all amendments thereto.

Unless a contrary intention appears –

- 2.22. This SCC-ICT contains the special provisions applicable to the provision of all the Services. Requirements for the provision of a specific Service must be documented in the applicable Service Annexures and other Annexures attached hereto;
- 2.23. A number of days shall be counted exclusive of the first day and inclusive of the last day, provided that in the case of Business Days, if the last day is not a Business Day then the last day shall be the day immediately following the Business Day;

- 2.24. Except in the case of Business Days, references to days, weeks, months or years shall mean calendar days, months or years commencing on the first day of a month or year and on a Monday in the case of a week;
- 2.25. Words importing any one gender include the other genders, the singular include the plural and vice versa; reference to this Agreement also includes the Schedules and Annexures thereto and the documents referred to therein.

### **3. Presentations and Undertakings by Service Provider**

#### **3.1. Presentations by Service Provider**

Service Provider presents and warrants that it has adequate resources and the necessary skills and competencies to:

- 3.1.1. Be able to provide the Services contemplated in this Agreement on a sustainable basis during the term of this Agreement;
- 3.1.2. Ensure a secure and reliable Information Systems and/or Services to the Municipality;
- 3.1.3. Provide the necessary innovative leadership and consultation when migration strategies are contemplated to improve service delivery to all our communities. Cognisance to be taken of latest industry trends and regulatory requirements to ensure a best practice approach when new architectures and/or technologies are considered.

#### **3.2. Undertakings by Service Provider**

Continuing throughout the term of the Main Agreement and each Service Annexure term, the Service Provider undertakes that it will at all time:

- 3.2.1. Use proven and current methodologies and technology of the best practice in the ICT industry to provide the Services to the extent reasonably required by Municipality, to take advantage of technology, and other advancements that will enable Municipality to provide an efficient and sustainable service to all its stakeholders and residents;
- 3.2.2. Comply with all of the policies, procedures and standards of Municipality during the term of this Agreement;
- 3.2.3. Continuously improve, enhance and supplement the Services to make optimum use of technological advancements and developments, relevant to the provision of the Services and in so doing, achieve economies of scale.

### **4. Service Provider Duties and Obligations**

The Municipality appoints the Service Provider to provide the Services in terms of this Agreement and the applicable Service Annexures and any Schedules hereto as it may be amended from time to time. Service Provider must discharge its duties and obligations as listed below with due skill, care and diligence, and according to the standards required by the Municipality and any Service Annexure attached hereto.

#### **4.1. User Groups**

- 4.1.1. Service Provider agrees that the Municipality may establish a User Group consisting of Service Provider's client base, using any of its systems and services in government institutions;
- 4.1.2. Service Provider will be obliged to make known the contact details of its client base at the request of Municipality;
- 4.1.3. Service Provider also agrees to participate in such User Group meetings if so requested by Municipality;

#### **4.2. Minimum Requirements for Service Annexures**

To ensure compliance to the MFMA requirements as stated in Section 116, all Services and pricing for such Services must be documented in Service Annexures and in sufficient detail to enable Municipality to determine the quantum and scope of Services received and paid for.

#### **4.3. Cost Savings**

Service Provider shall use its best endeavors to maximize cost efficiencies and cost savings in the provision of the Services, through all reasonable means, including:

- 4.3.1. Obtaining economies of scale through volume purchases or by allowing Municipality to participate in the procurement of equipment, facilities and licensing to ensure that the most cost effective pricing is obtained in respect thereof;
- 4.3.2. Exploiting the benefits of synergies resulting from the provision of the same or similar services to other clients.

#### **4.4. Cooperation between Parties and with Third Parties**

- 4.4.1. At the reasonable request of Municipality, the Service Provider undertakes to fully cooperate with Municipality or any other contracted party or other entity nominated by Municipality, and also procure the same from its sub-contractors, to give full effect to this Agreement, its Services and its Annexures attached hereto;
- 4.4.2. If Municipality contracts with a third party (being any person other than a Party to this Agreement) to provide any service to it, other than the Services, then for as long as the services and activities of the third party do not interfere with the Services, and do not affect the Service Provider financially, then Service Provider shall co-operate with Municipality and such third party to the extent reasonably required for the provision of those services by that third party.

#### **4.5. Ownership of Data and Access to Data**

- 4.5.1. Municipality will at all times retain ownership of all data maintained in systems, databases or in any media under license or jurisdiction of the Service Provider;
- 4.5.2. At the sole discretion of Municipality, Service Provider will allow nominated employees or third parties access to all such data to extract, export and transpose data to any other media for whatever reason;
- 4.5.3. As part of the Services, and where such data is in the possession or control of Service Provider, Service Provider will provide the required assistance and means to enable the nominated employees or third parties to extract any such data, or all the data, as may be required from time to time;

4.5.4. At expiry of this Agreement, Service Provider will deliver to Municipality a full and complete set of all data maintained by Service Provider during the term of this Agreement, in a readable and auditable format, in an electronic medium, as required by Municipality for the transitioning of the data to another systems platform or medium.

#### **4.6. Minimum Requirements for Management Information Reporting**

As part of the Services the parties must review and agree from time to time, what management reports will be provided by Service Provider as part of the Services described in the relevant Annexures.

#### **4.7. Application Systems and Data Backup and Recovery**

The processes and responsibilities for all applications systems and data backup and recovery to be processed must be reviewed by both parties at least annually as part of the Technology Roadmap review.

#### **4.8. Statutory and Regulatory Compliance**

- 4.8.1. As part of the Services under this Agreement, the Service Provider shall ensure at all times full compliance of all its Services, Systems and facilities with all applicable legal, statutory and regulatory requirements, and obtaining and maintaining all applicable licences, authorizations, accreditations and permits as may be required from time to time to provide the Services;
- 4.8.2. Service Provider shall have financial responsibility for, and shall pay all applicable fees to ensure continued compliance of all its Services, Systems and facilities with all applicable legal, statutory and regulatory requirements, except where the software utilised is provided by the Municipality, or by a third party, or is part of the operating software or equipment provided by the Municipality;
- 4.8.3. At the request of the Municipality, Service Provider shall provide proof of compliance with all the above provisions.

#### **4.9. Provide a Complete Service**

In providing the Services, the Service Provider shall supply, perform and do all such things necessary to complete the entire function required to provide each Service, notwithstanding that each part or component of, or making up a specific Service is not referred to or described in any detail, unless where explicitly excluded from the Services.

#### **4.10. Conflict of Interests**

In providing the Services, the Service Provider shall use its best endeavours not to do, or omit to do anything, knowingly or negligently, nor permit a situation to arise whereby a conflict may be created between the interests of The Municipality (or any of its employees) and those of Service Provider, and/or any other third party.

**4.11. Financial and System Audits**

The Municipality will from time to time inform the Service Provider of any audit that it requires to be performed in respect of the system and payments made to Service Provider for Services rendered and all other matters relating to the Services pursuant to this Agreement. The Service Provider shall participate in such audit to be performed by the persons appointed by the Municipality;

**4.12. Systems Performance Monitoring Tools**

4.12.1. As part of the Services throughout the term, and at no additional cost to The Municipality, the Service Provider shall consult and assist the Municipality, as it may be applicable to the Service, to procure and implement monitoring tools and procedures necessary to verify and measure the performance of the Service and use of agreed technology and software and compare such performance and use to that warranted in terms of this Agreement and by the Service Annexures.

**4.13. Benchmarking and Auditing of Services and Systems**

- 4.13.1. From time to time the Municipality and the Service Provider may agree to engage an independent consultant, to measure and/or benchmark: the quality of the Services; performance of the systems in use and its architectures; or methodologies used by Service Provider; adherence to Service Levels, the costs of the Services and the use of the Services provided by Service Provider;
- 4.13.2. Such consultant may not be in competition with the Service Provider or its holding company and must be approved by the Service Provider which approval will not be withheld unreasonably;
- 4.13.3. The Service Provider and the Municipality shall discuss in good faith any recommendations made by the consultant, to assess the effort and costs to implement such recommendations;
- 4.13.4. The costs and time frames to implement any recommendations made by the consultant should be mutually agreed between The Municipality and Service Provider, but mat not extend beyond twelve months after the findings have been made public.

**4.14. Key Staff Assigned by Service Provider**

- 4.14.1. When a key employee of the Service Provider is re-assigned, or when the employment of a key employee is terminated or he resigns, the Service Provider shall promptly replace such person with another person at least as well qualified as the person so replaced.
- 4.15.2. When a key employee of the Service Provider goes on leave, Service Provider shall duly inform the nominated representative of the Municipality and agree on arrangements for ongoing support during the absence of the key employee.

**4.15. Appointment of Sub-contractors**

- 4.15.1. The Service Provider may not utilise a sub-contractor or enter into a sub-contract with any person (other than an employee of the Service Provider or Affiliate of the Service Provider) for the provision of all or any part of the

Services without the Municipality's prior written consent, which may not be unreasonably withheld or delayed, provided that all the provisions as set out in this Agreement and tender documents are complied with;

- 4.15.2. The Service Provider shall not be relieved of any of its duties in terms of this Agreement or any Service Annexure by entering into any agreement with a sub-contractor, and the Service Provider shall be liable for any acts performed by, or omissions by a sub-contractor and its employees to the same extent as if the Service Provider employee had so acted, and for purposes of this Agreement such act shall be deemed an act performed by the Service Provider;

## **5. Term of Agreement and Service Annexures**

- 5.1. Regardless of the effective date of this Agreement and any of its Annexures, this Agreement will terminate not later than **30 June 2017**;
- 5.2. The Municipality will not be bound to give prior notice to terminate this Main Agreement or any Services to be delivered as provided for in any Service Annexure attached hereto;
- 5.3. The Municipality, at its sole discretion will have the option to extend this Main Agreement for a subsequent period of twelve months, for a maximum of two extensions effective from 01 July 2017.
- 5.4. The term in respect of each Service Annexure, and/or Service shall be specified in the Service Annexure and;
- 5.5. Notwithstanding any term expressed in any Service Annexure (or as it may be renewed), shall not extend beyond the termination or cancellation of this Agreement.

## **6. Additional Services or Changes to Existing Services**

### **6.1. Need for Additional Services**

It is agreed and accepted by both Parties that during the term of this Agreement:

- 6.1.1. Business needs might change which might also require changes to the existing Services and/or to this Agreement;
- 6.1.2. The Municipality may at its sole discretion, appoint any third party to provide the envisioned additional service to it, or provide it internally.
- 6.1.3. From time to time the Municipality and Service Provider may enter into an Agreement in respect of projects to change existing Services or implement new Services. All such projects will be defined in detail in a project charter and the project execution will be deemed to be a Service in terms of this Agreement.

## **7. Service Failure Events**

To ensure that this Agreement and all Services under this Agreement are managed effectively on a day-to-day basis, specific measures need to be established and mutually agreed between the nominated Service Representatives of both parties.

### **7.1. Central Call Logging System**

All Service failures, its root cause, corrective actions and preventative measures to minimize re-occurrences of Service failures, should be logged in the centralised Call Logging System, as mutually agreed between the Parties.

## **7.2. Service Failure Resolution**

When a Service failure occurs and when such failure has been brought to the Service Provider's attention by the Municipality, Service Provider shall, at its own cost and without limiting the right of the Municipality to any other remedies in terms of this Agreement:

- 7.2.1. promptly commence to investigate the root cause(s) of the failure and communicate to The Municipality such root cause(s) as identified;
- 7.2.2. promptly advise The Municipality of the status of such corrective efforts;
- 7.2.3. complete correction of any failure within time frames mutually agreed between the parties;
- 7.2.4. Update Call Logging System and report to the Municipality when Service failure has been resolved.

## **7.3. Severity of Service Failure Impact**

- 7.3.1. The severity of a Service failure should also be reported by The Municipality to the Service Provider when a Service failure is logged in the Call Logging System. This is to ensure that Service Provider provide the required skills and focus to resolve the Service failure and Services are re-instated in acceptable time-frames as agreed in the relevant Service Annexures;
- 7.3.2. The service level metrics and corrective actions for Service failures are to be documented in the applicable Service Annexures and must be mutually agreed to between the Nominated Service Representatives for both parties prior to the effective date of the Service Annexure.

## **7.4. Service Credits for Service Failures**

- 7.4.1. Service Provider agrees that its failure to provide Services as required in terms of this Agreement, and/or to meet Service Levels, may have a material and adverse impact on the business and operations of the Municipality and that the damage from Service Provider's failure to meet its Service Levels is not susceptible to precise determination;
- 7.4.2. Accordingly, in the event that Service Provider consistently fails to meet Service Levels, then the Municipality may elect, but will not be obliged, to recover service credits as a percentage of the total monthly service fees as set out in the applicable Annexures;
- 7.4.3. Should there be no applicable monthly Service fee for the Service, then the appropriate annual fees will be apportioned to a monthly fee for the purpose of calculating the service credits;
- 7.4.4. Nothing in this clause shall be construed as a limitation of any of the Municipality's other rights and remedies in the event that the Service Provider defaults, including the right to cancel this Agreement;
- 7.4.5. Service Credits must not be construed with penalties as may be applicable for non-delivery or non-compliance during project developments or implementation of

additional Services. Penalties for such events will be agreed separately between Service Provider and The Municipality on a case-by-case basis;

7.4.6. Any dispute which arises concerning the failure to meet Service Levels, or the quantum of any Service Credits, such disputes shall be settled by an expert mutually agreed to by both parties appointed in terms of this Agreement;

7.4.7. The expert shall be an impartial person mutually agreed upon between the Service Provider and The Municipality.

#### **7.5. Excused Performance**

If any failure to meet a Service Level is directly or solely attributable to a Force Majeure Event, or a third party service provider to the Municipality not under management control of Service Provider, or a failure of the facilities or equipment provided by the Municipality or a breach by the Municipality of this Agreement or a Service Annexure, then the Municipality shall not be entitled to a Service Credit, or any other remedy, to the extent and for the period of such occurrence.

### **8. Disaster Events**

8.1. When an event occurs and is of such a nature that either one of the Parties consider the event to be a disaster, the parties shall communicate, on-site, telephonically or otherwise, in good faith within 2 hours to:

8.1.1. Assess the scope and impact on the delivery of the Services;

8.1.2. Agree on alternative work methods and processes to mitigate the impact of such an event;

8.1.3. Agree on an overall strategy to re-instate Services using commercially reasonable efforts by both parties;

8.2. Payment for services rendered by the Service Provider pursuant to a disaster event and which does not form part of the Services, the Service Provider will be remunerated for all direct expenses and costs at rates for ad hoc services as specified in the relevant Service Annexure.

### **9. Service Reporting**

#### **9.1. Service Performance Reporting**

To assist The Municipality to effectively monitor, assess and measure the performance of Services on a monthly basis, Service Provider shall submit to the Municipality, in a manner and format reasonably required by the Municipality, and not less frequently than monthly, alternatively with every invoice submitted for payment, a report setting out full details of:

9.1.1. Services delivered and performance and compliance of the Service Provider in respect of the provision of all the Services in terms of each Service Annexure in the preceding period;

9.1.2. Current status and progress of all new service requests submitted to the Service Provider;

9.1.3. Current status and progress on time-lines and deliverables with projects managed by the Service Provider, or projects in which the Service Provider participates;

- 9.1.4. Any foreseeable risks, specific constraints and scope changes identified with compliance with the provisions of this Agreement, its Services, new service requests and projects. Propose alternative solutions to eliminate constraints and minimise risks for all Services to be delivered;
- 9.1.5. The Service Provider shall, in terms of this Agreement, and the Service Annexures, submit any additional service reports as may reasonably be requested by the Municipality, from time to time.

## **9.2. Technology Roadmap - Forward Planning**

- 9.2.1. The municipality has a strategic ICT architecture development approach that is aligned with its business strategies. This approach ensures that all ICT infrastructures, systems and business applications that are implemented in the municipality must adhere to an agreed architecture framework;
- 9.2.2. To ensure continued alignment with industry trends, the Municipality future strategies and forthcoming budget plans of the Municipality, the Service Provider shall compile and submit to the Municipality, in a manner and format reasonably required by the Municipality during the period from September to November of each year and for the Parties to meet and jointly review and agree:
- a) A technology roadmap in respect of current and anticipated ICT industry developments relating to the Services and their availability in respect of present and emerging technologies
  - b) The scope of Services and all matters specified in the Service Annexures, the processes of how the Services are to be rendered and the technical specifications and the ICT infrastructure requirements applicable to the rendering of Services;
  - c) The costs for the provision of the Services with a view to adjusting such costs as may be required in terms of this Agreement;
  - d) A development/migration plan in the form of a proposal, including costs, in respect of current and anticipated changes to, and developments in the Services provided;
  - e) An updated Disaster Recovery Plan to enable continuity of services should a disaster event occur;

## **9.3. Exit Management and Plan**

- 9.3.1. As part of the annual review of the Technology Roadmap the Parties must also review the Exit Management Plan and associated costs to determine the impact of a possible termination either during the term of this Agreement or at the end of the Agreement period. The Exit Plan should also include any additional costs, such as licensing costs and any assets at book value, which might be impacted by such a termination.
- 9.3.2. The objectives of the Exit Management Plan are to:
- 1) Deal with matters incidental to the termination, cancellation or expiry of the Main Agreement or a Service Annexure;
  - 2) Ensure effective planning for the continuation of the Service or Services at the end of the Agreement or a Service for whatever reason;

- 3) Determine the provisions, roles and responsibilities of both parties, to ensure the ongoing continuity and stability of Services for a period as mutually agreed between the parties;
  - 4) Ensure that the Municipality has a full understanding of the financial and operational implications as well as the potential risks should the Services be terminated for whatever reason.
- 9.3.3. The format and structure of the Exit Management Plan will be dependent on the scope and type of Services to be delivered by Service Provider. The format and content of the Exit Management Plan will be mutually agreed by the Parties prior to the first anniversary date of the Agreement, at the time when the first Exit Management Plan should be developed.

## **10. Facilities and Equipment**

- 10.1. Except for the facilities and equipment provided by the Municipality as expressly provided for in this Agreement, or in a Service Annexure, or as otherwise agreed in writing from time to time, the Service Provider shall provide, at its own expense, all of the facilities, personnel, software, services and any other resources necessary to provide the Services;
- 10.2. When this Agreement or a part thereof terminates, the Service Provider must return any facilities and equipment to The Municipality in the same condition as received, with reasonable fair wear and tear accepted.

## **11. Contract Governance and Services Management**

### **11.1. Representatives for Agreements and Services**

- 11.1.1. Service Provider and the Municipality shall each designate a representative known as its Nominated Service Representative whose purpose, in addition to what is set out elsewhere in this Agreement shall be to serve as a channel for communication and escalation to ensure that, at all times, matters of mutual interest relating to this Agreement, including disputes, are promptly brought to the attention of the appropriate persons;
- 11.1.2. The Nominated Service Representatives shall also have the authority to act on behalf of the Parties with respect to all matters relating to the day-to-day delivery of Services included in the Service Annexures and related Annexures for which they are appointed.

### **11.2. Service Provider Key Performance Areas**

- 11.2.1. In compliance to the MFMA Act 56 of 2003, Section 116, requirements to do "Monthly performance reviews" of the Services provided, the Parties shall agree on a set of pre-defined Key Performance Indicators (KPI's) to be implemented to serve as an objective measure to monitor the ongoing quality of the Services to be delivered by Service Provider;
- 11.2.2. The KPI's must be documented in the relevant Service Annexures as applicable for each Service separately, prior to the effective date of this Agreement.
- 11.2.3. For any additional Services agreed after the effective date of the Main Agreement, the KPI's for such additional Services must be documented in the

relevant Service Annexures as applicable for each Service separately, prior to the effective date of such additional Services.

**11.3. Monthly Service and Performance Review Meetings**

- 11.3.1. As part of the Services and for the duration of this Agreement, the Nominated Service Representatives shall maintain a monthly Service and Performance Review meeting to monitor and assess, on an ongoing basis, the overall quality of Services and performance of Service Provider, as well as the progress and status of new service requests and projects;
- 11.3.2. Agendas, attendance registers, minutes of meetings and all relevant documentation must be kept by The Municipality for all such Service and Performance Management Meetings for audit purposes.

**12. Invoices and Payment for Services**

All payments to Service Provider will only be processed when in compliance with the applicable Municipal policies for such payments to be made;

**12.1. Service Credits and Penalties**

To the extent the municipality elects a Service Credit or is entitled to any other credit or penalty pursuant to this Agreement or any Service Annexure, Service Provider shall issue a separate credit note in favour of the Municipality, and will not be reflected on the same invoice as fees due for Services delivered.

**12.2. Payments in Dispute**

If the municipality disputes in good faith any portion of an invoice, the municipality shall pay the undisputed amount of such invoice when due to Service Provider and transfer the disputed portion into an internal account under the control of the Director; Finance pending resolution of the dispute. Upon resolution of the dispute in favor of Service Provider, The municipality shall pay to Service Provider such portion, if any, of the disputed amount determined to be owing to Service Provider.

**12.3. Annual Increases in Service Fees**

- 12.3.1. Should Service Provider consider an increase in its service fees, such increases shall be reviewed as part of the Technology Roadmap each year from September to November, and
- 12.3.2. and mutually agreed and signed by both parties at least three months prior to the next anniversary date of the Agreement;
- 12.3.3. Annual increases in Service fees will be, where possible limited to CPI or 10%, whichever is the lowest during the month of the review;
- 12.3.4. Annual increase documentation should be viewed as an addendum to the Main Agreement and must be mutually agreed and signed by both parties;
- 12.3.5. Increases in Value Added Tax or any other taxes or regulatory fees, will become applicable as and when introduced by Government.

**13. Work Products**

- 13.1. The Parties agree that Service Provider may use any Work Product specifically developed by the Service Provider for the municipality to deliver or provide any service, to any of its clients or customers at any time without The municipality's prior consent;
- 13.2. Service Provider agrees that economies of scale will be applied when such Work Products will be made available to other clients in the local government.

#### **14. Information Security and Confidentiality**

- 14.1. The Service Provider will at all times comply with the Municipality's Information Security Policy and Non-Disclosure Agreement which are annexed by reference to this Agreement by reference;
- 14.2. Service Annexures may contain additional requirements concerning security and confidentiality as may be specifically applicable for certain Services.

#### **15. Risk of Loss and Insurance**

Each party shall be responsible for its own insurance to cover any risks under this Agreement as may be applicable.

#### **16. No Assignment**

Neither Party may not cede or assign its rights and/or duties in terms of this Agreement without the prior written consent of the other Party, which consent may be withheld or provided on such conditions as the other Party in its discretion deems appropriate.

#### **17. Indemnification and Limitation of Liabilities**

Except in cases of criminal intent or willful misconduct:

- 17.1. Both parties hereby agree that neither party shall hold the other party liable, whether under this Agreement or otherwise, for any indirect or consequential loss or damages, loss of production or loss of profits or interest costs, provided that this exclusion does not apply to any obligation under this Agreement to pay penalties or damages to the other party for Services not provided in terms of this Agreement;
- 17.2. Subject only to the limitations set forth in this clause, a Party who breaches any of its duties under this Agreement or any Service Annexure shall be liable to the other party for direct damages actually incurred by the other party as a result of such breach provided that for any claim or number of claims, each Party's aggregate liability shall be limited to the annual contract value of the Services provided under this Agreement. Direct damages shall include the following and neither party shall assert that they are consequential, indirect or special damages to the extent they result from a Party's failure to fulfil its duties in accordance with this Agreement:

- 17.2.1. Costs to recreate or reload any of The municipality's lost or damaged information utilising the latest available back-up data;
- 17.2.2. Costs to implement a work around in respect of a failure to provide the Services, including salaries of employees for overtime worked;
- 17.2.3. Costs to replace lost or damaged equipment, hardware, software or other materials;
- 17.2.4. Costs and expenses incurred to correct errors in hardware or software maintenance and enhancements or modifications, if any, provided as part of the Services;
- 17.2.5. Costs and expenses incurred to procure the Services from an alternate source.
- 17.3. Service Provider hereby indemnifies and shall hold harmless The municipality:
- 17.3.1. Against all third party claims of infringement of trade-marks, industrial design, use of confidential information, or intellectual copy or patent rights, arising out, or in connection with the Services or any misappropriation by the Service Provider or any of its sub-contractors;
- 17.3.2. Unless otherwise expressly stated herein, the Service Provider shall be solely responsible for, and shall indemnify The municipality against all sub-contractor claims for costs, losses and expenses of the Service Provider necessary to meet the Service Provider's duties arising under this Agreement and the Service Annexures;
- 17.4. Each Party shall have a duty to mitigate damages for which the other Party is liable.

## **18. Termination for Default**

### **18.1. Service Provider Event of Default**

- 18.1.1. The municipality, without prejudice to any other remedy for breach of this Agreement, by written notice of an event default sent to the Service Provider, may terminate this Agreement in whole or in part, If the Service Provider:
  - a) Committed an act of insolvency within the meaning of section 8 of the Insolvency Act, 1936 or section 344 of the Companies Act, 1973. In this event, the terms as stated in the GCC, Clause 26, and as applicable to all Service Providers and Suppliers, will come into effect;
  - b) Consistently breaches this Agreement or any Service Annexure in a manner which reflects failure, whether through unwillingness, inability or otherwise, including, without limitation, a consistent failure to achieve the required Service Levels;
  - c) In the judgement of The municipality, has engaged in corrupt or fraudulent practices in competing for, or in executing this Agreement or any of the Services under this Agreement;

### **18.2. Consequences in an Event of Default**

In terms of the MFMA, Act 56 of 2003, Section 15, and pursuant to the General Conditions of Contracting, Clause 23, as required by National Treasury shall apply when a Service Provider event of default occurs.

**19. Force Majeure**

- 19.1. Neither Party shall be liable for any failure or delay in the performance of its duties under this Agreement or any Service Annexure to the extent such failure or delay is caused, directly or indirectly, without fault by such Party, by force majeure or any other similar cause beyond the reasonable control of such Party which could not have been prevented by reasonable precautions and could not reasonably be circumvented by the non-performing Party., such event being a “Force Majeure Event”;
- 19.2. If a Force Majeure Event causes a failure or delay in the provision of any Services for more than two (2) consecutive days, The municipality may, at its sole discretion, and in addition to any rights The municipality may have pursuant to this Agreement, procure such Services from an alternate Service Provider until the Service Provider is again able to provide such Services;
- 19.3. The Service Provider shall be liable for the cost incurred to procure such Services not provided by it;
- 19.4. If the Service Provider does not pay such other provider of the Services in terms of its payment requirements, The municipality may pay such provider and deduct any amount so paid from any amount due to the Service Provider;
- 19.5. Notwithstanding any other provision of this clause, a Force Majeure Event shall not relieve the Service Provider of its duty to implement successfully all of the Services relating to the Services that are included in any Service Annexure within the time period described in such Service Annexure;
- 19.6. The municipality shall have the option, but not the duty, to cancel this Agreement, or one or more affected Service Annexures, or parts thereof, or categories of Services, to the extent that the Service Provider fails to provide any Services in any material respect because of the occurrence of a Force Majeure Event.

**20. Non-Solicitation**

The Parties agree that for the duration of this Agreement and in the twelve months after expiration or cancellation thereof a Party may not, without the prior written consent of the other Party offer employment to, or employ persons employed by the other Party, save where such offer to employ is made or such employment is pursuant to a general recruitment advertisement and not on the basis of or initiated through a personal approach.

**21. Expert Determination**

- 21.1. If any dispute arises as to whether or not a Service Level has been met, or as to whether or not the standard of performance required by any provision of this Agreement or any Service Annexure has been met by the Service Provider and it cannot be resolved between the two parties, same shall be determined by an expert appointed in terms of this clause;
- 21.2. The expert shall be an impartial person mutually agreed upon between the Service Provider and The municipality.

## 22. Conflicts in Documents

For the avoidance of any doubt, in the event of a conflict between this Special Conditions of Contracting and the Service Level Agreement submitted by Service Provider, the order of preference is as indicated below:

- 22.1. The Special Conditions of contracting and then its associated Annexures will in all matters take preference;
- 22.2. Secondly, the General Conditions of Contracting will take preference;
- 22.3. Thirdly, any other Agreements and additional Annexures submitted by the Service Provider and as attached to this Special conditions of Contracting.

## 23. Arbitration and Applicable Law

This Agreement shall be interpreted in accordance with South African law and any dispute arising from or in connection with this Agreement shall be finally resolved in The municipality, Western Cape, South Africa in accordance with the rules of the Arbitration Foundation of Southern Africa by an arbitrator or arbitrators appointed by the Foundation. This clause shall however not prevent a Party from approaching a competent court in the Republic of South Africa (or other jurisdiction where the Services may be rendered if relief is required in such jurisdiction) for urgent or interlocutory relief. The Parties submit and agree to the jurisdiction of the Cape of Good Hope Provincial Division of the High Court of South Africa.

## 24. Domicilium Citandi Et Executandi

- 24.1. A written notice to a Party in terms of this Agreement or any Service Annexure will be valid only if it is also given to the representatives listed in clause 11.1 designated by that party in terms of this Agreement;
- 24.2. Any Party may, by giving notice to the other Party change the physical address chosen as its domicilium citandi et executandi to another physical address where postal delivery occurs in the Republic of South Africa, or its postal address or its telefax number;
- 24.3. The Parties choose as their domicilia citandi et executandi for all purposes under this Agreement, whether in respect of court process, disputes, notices or other documents or communications of whatsoever nature, the following addresses and contact details:

### **Stellenbosch Municipality**

ATT: Contract representative; The Director; Strategic and Corporate Services.  
 Physical Address: Town House Complex, Plein Street, Stellenbosch, Code 7600.  
 Postal: P O Box 17, Stellenbosch. Code 7600  
 Telefax: (021) 808 8111  
 e-mail: [contact.stellenbosch@stellenbosch.gov.za](mailto:contact.stellenbosch@stellenbosch.gov.za)

### **XXXXXX Co (Pty) Ltd**

ATT: Contract representative; Designation  
 Physical: .....  
 Postal: .....  
 Telefax: .....  
 e-mail: .....

24.4. Any notice or communication required or permitted to be given in terms of this Agreement shall be valid and effective only if in writing;

25. Any notice to a Party –

25.1.1. sent by prepaid registered post in a correctly addressed envelope to an address chosen as its domicilium citandi et executandi to which post is delivered shall be deemed to have been received on the 10th Business Day after posting; delivered by hand to contract representative during ordinary business hours at the physical address chosen as its domicilium citandi et executandi shall be deemed to have been received on the day of delivery; or sent by telefax or e-mail to its chosen telefax number or e-mail address, shall be deemed to have been received on the first Business Day following the date of despatch (unless the contrary is proved).

**26. General**

- 26.1. This Main Agreement and any Annexures thereto contains the entire Agreement between the Parties in relation to the subject matter hereof;
- 26.2. No failure by a Party to enforce any provision of this Agreement shall constitute a waiver of such provision or affect in any way a Party's right to require the performance of such provision at any time in the future, nor shall a waiver of a subsequent breach nullify the effectiveness of the provision itself;
- 26.3. No agreement to vary, add to or cancel this Agreement shall be of any force and effect unless reduced to writing and signed on behalf of the Parties to this Agreement by their Nominated Contract Representatives;
- 26.4. If any provision of this Agreement, which is not material to its effectiveness as a whole, is rendered void, illegal or unenforceable in any respect under any law, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby;
- 26.5. Each Party will be responsible for its own costs which arise directly or indirectly out of or in connection with the negotiation, preparation and implementation of this Agreement.

**27. Acceptance and Sign-off**

SIGNED by the Parties duly authorised on the following dates and at the following places respectively:

Signature on behalf Stellenbosch Municipality  .....	Date:
	Place: <b>Stellenbosch</b>
Name of signatory:	
Capacity of signatory:	
Signature of witness  .....	
Surname and first full name of witness:	

Signature on behalf of XXXX Company Name  .....	Date:
	Place:.....:
Name of signatory:	
Capacity of signatory:	
Signature of witness  .....	
Surname and first full name of witness:	

# APPENDIX 4

**ANNEXURE 4 – MEASUREMENT CRITERIA FOR ALL SERVICES**

➤ Refer Clause 4.16 in the Agreement for details regarding minimum requirements for Key Performance Areas

<i>Service Provider:</i>		<i>Performance Review Period:</i>	
<i>Service Provider Service Representative:</i>		<i>Municipality Representative:</i>	<i>Service</i>
<b>Ratings</b>	<b>Performance Rating</b>	<b>Objective Measures to Assess Service Provider Performance</b>	
<b>3</b>		<b>Quality of Service delivery as agreed; Deviations are managed as mutually agreed:</b> <ul style="list-style-type: none"> <li>➤ Compliance to most undertakings, duties and obligations and requirements as set out in the Main Agreement and Annexures;</li> <li>➤ Progress with all projects and new service requests are on target;</li> <li>➤ All Service failure events during month resolved within agreed time frames and preventative measures are proposed by Service Provider.</li> </ul>	
<b>2</b>		<b>Quality of Service delivery not in compliance with Agreement; Requires more management and focus from Service Provider:</b> <ul style="list-style-type: none"> <li>➤ Non-compliance to most undertakings, duties and obligations as set out in the Main Agreement;</li> <li>➤ Progress with projects and new service requests are on not on target; Service failure events are not resolved in agreed time frames and preventative measures for implementation are not proposed by Service Provider.</li> </ul>	
<b>1</b>		<b>Quality of Service delivery totally unacceptable; Consider termination of Agreement and all Services.</b> <ul style="list-style-type: none"> <li>➤ Non-compliances, progress with projects and new service requests and service failure events worse than for rating 2;</li> <li>➤ Commitment from Service Provider to resolve outstanding issues is lacking;</li> <li>➤ Skills and resources to deliver a quality service are inadequate;</li> <li>➤ Participation in contract governance, service management and effective communication is lacking or inadequate.</li> </ul>	
<b>Comments on Performance Rating</b> (i.e. Projects progress; New service requests; Service failure events, Corrective measures & response times; Change Management procedures; Ongoing liaison and communication)			
<b>Sign off and Acceptance by Service Representatives</b>			
<b>Stellenbosch Municipality. Date:.....</b>		<b>Service Provider. Date:.....</b>	

# APPENDIX 5

**ANNEXURE 5 – SERVICE FAILURE EVENTS, SERVICE CREDITS & TERMINATION EVENTS**

➤ Service metrics, criteria and %’s to be mutually agreed between the Parties)

Severity	Definition of Service Delivery Failure Event and Impact	Service Metrics to Resolve Incident (Office Hours)	Level after the problem was identified	Service Credit Criteria	Service Credits: % of Monthly Service Fee Or Annual Pro-rata	Service Termination Events
1	The Service, or certain functions in the Service, are disfunctional and <b>services to the community and the Municipality are severely impacted</b> . Services cannot not be delivered.	4 working hours after the problem was identified	Level after the problem was identified	Service failure occurred two times or more in any calendar month		Service level failure events in 3 consecutive months
2	The Service or certain functions in the Service are disfunctional and <b>critical services to the community and the Municipality are impacted</b> but services can still be delivered making use of alternative systems or work processes.	4 working hours after the problem was identified	Level after the problem was identified	Service failure occurred two times or more in any calendar month		Service level failure events in 3 consecutive months
<b>Comments on Failure events, Service Credits and Terminations events (i.e. Corrective measures Change Management procedures; Ongoing liaison and communication)</b>						
<b>Agreed and Signed by Service Representatives</b>						
Stellenbosch municipality. Date: .....				Service Provider: Date: .....		

**8.3 MFMA s116(3) AMENDMENT TO INSURANCE AGREEMENT**

*File number* : 8/1/Financial  
*Compiled by* : Manager: Treasury Office  
*Report by* : Chief Financial Officer  
*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 obtain approval from council to follow the process stipulated in Section 116(3) of the MFMA in order to amend the short term insurance agreement and extend it by a period of two years.

**2. BACKGROUND**

During the previous financial year of 2014/15 a tender process as stipulated by SCM processes was followed in order to obtain the most advantageous short term insurance for the municipality.

Three bids were received and after a thorough evaluation, the short term insurance tender was awarded to AON for the period 1 July 2015 – 30 June 2016.

**3. DISCUSSION**

As the short term insurance agreement with AON expires on 30 June 2016, it has become necessary to commence with a new process with the view of ensuring that Council assets are sufficiently ensured as of 1 July 2016.

When conducting initial research in this regard, it became apparent that the claims lodged with AON are already at 159% of the total premiums paid for the financial year.

Claims history of the previous three years is one of the major factors considered by insurance companies when calculating and quoting new premiums and excess payments.

It stands to reason then that the relatively poor claims history of the municipality during the current financial year will have a substantial effect on premiums and excess payments for the next financial year which will be to the detriment of the municipality.

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

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

*1. the reasons for the proposed amendment have been tabled in council of the municipality or in the case of a municipal entity in the council of the of its parent municipality AND*

*2. the local community (a) has been given reasonable notice of the intention to amend the contract or agreement AND*

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

Legislation allows for the insurance agreement with AON to be amended and given the circumstances, it is believed that it would be the most advantageous for council to adopt this approach rather than going out on tender and having to pay significantly higher premiums and excesses.

When the market was tested during the previous competitive bidding process, AON premiums were found to be significantly lower than its competitors. Premiums quoted were as follows for 2015/16:

TENDERER	PRICE
AON	R2 974 021
INDWE	R3 484 195
MARSH	R3 596 612

By amending the current agreement and extending it by a period of two years, the municipality would ensure that its insurance premiums remain competitive and as low as possible.

Excess payments in the event of claims as quoted by AON were also the lowest amongst the three bidders.

#### 4. LEGAL IMPLICATION

Section 116(3) of the MFMA allows for contracts or agreements to be amended, provided the stipulated process is followed.

#### 5. FINANCIAL IMPLICATION

Amending the insurance agreement will in all likelihood ensure substantial savings for the municipality as the recent claims history will significantly impact on premiums when new tenders are obtained for the 2016/17 financial year.

Extending the agreement by a further two years will also ensure a continuous relationship between the municipality and its broker as well as lower premiums over the long run. It is a known fact that insurance companies quote lower premiums for longer term appointments.

#### 6. COMMENTS FROM OTHER RELEVANT DEPARTMENTS

Not requested.

**7. CONCLUSION**

Amending the existing short term insurance agreement with AON for a further period of two years is provided for by legislation and all indications are that it would be the most beneficial route for the municipality to follow in ensuring prudent financial management.

**RECOMMENDED**

that council note that the short-term insurance agreement with AON Insurance Brokers be amended and extended for a further period of two years ending on 30 June 2018 after duly following the process as stipulated in Section 116(3) of the MFMA.

**(CHIEF FINANCIAL OFFICER TO ACTION)**

**FINANCE AND STRATEGIC AND CORPORATE SERVICES COMMITTEE:  
2016-03-08: ITEM 6.1.3****RECOMMENDED**

- (a) that Council note that the short-term insurance agreement with AON Insurance Brokers be amended and extended for a further period of two years ending on 30 June 2018 after duly following the process as stipulated in Section 116(3) of the MFMA; and
- (b) that Council advertise its intention to amend and extend the AON insurance agreement for public input, and that any public comment received must be considered by Council before a final decision is made.

**(CHIEF FINANCIAL OFFICER TO ACTION)**

**MAYORAL COMMITTEE MEETING: 2016-03-23: ITEM 5.1.8****RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that Council note that the short-term insurance agreement with AON Insurance Brokers be amended and extended for a further period of two years ending on 30 June 2018 after duly following the process as stipulated in Section 116(3) of the MFMA; and
- (b) that Council advertise its intention to amend and extend the AON insurance agreement for public input, and that any public comment received must be considered by Council before a final decision is made.

**(CHIEF FINANCIAL OFFICER TO ACTION)**

**8.4 PROPOSED DISPOSAL OF VARIOUS CHURCH SITES IN KLAPMUTS**

*File number* : 17/4/4/2  
*Report by* : Director: Planning, HS and Property Management  
*Compiled by* : Manager: Property Management  
*Delegated Authority* : Council

**Strategic intent of item**

Preferred investment destination	<input checked="" 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 the market values of the various erven and to approve the disposal thereof.

**2. BACKGROUND****2.1 In principle decision to dispose of portions of a number of church sites in Klappmuts**

On 2014-08-20 Council considered a report, recommending the disposal of various sites in Klappmuts.

Having considered the report, and after taking into account the recommendations of the Mayoral committee, i.e. not to dispose of erven 1082; 2413; 2593 and 2905, Council resolved as follows:

- “(a) that the erven mentioned in par.3 (supra) be identified as property not needed to provide the minimum level of basic municipal services, i.e surplus properties;*
- (b) that Council, in principle, approve the disposal of the properties listed in par. 3 (supra); excluding erven 1082, 2413, 2893 and 2903 earmarked for businesses and crèches;*
- (c) that the minimum prices be determined by two (2) independent valuations (weighted average);*
- (d) that the Municipal Manager be authorised to approve the evaluation criteria and place the necessary notices, calling for tenders for the properties listed in paragraph 3;*
- (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; and*

- (f) *that Council approve the disposal of properties zoned for institutional (eg. churches) in Klapmuts and that preference be given to the local previously disadvantaged residents in Klapmuts and also provide discount on the market related prices within the framework of the relevant legislation”.*

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

## 2.2 Valuations

Following the above decision two independent valuers were appointed to determine the fair market value of the property. Attached hereto as **APPENDICES 2** and **3** are copies of the said valuation.

They valued both properties as follows:

### Pendo property valuers:

Description	Extent	Estimated	Value in terms of NPO market value Policy (25% of market value)
Erf 913	649m <sup>2</sup>	R80 000	R20 000
Erf 932	1006m <sup>2</sup>	R120 000	R30 000
Erf 2414	2518m <sup>2</sup>	R300 000	R75 000

### Knight Frank

Description	Extent	Estimated	Value in terms of NPO market value Policy (25% of market value)
Erf 913	649m <sup>2</sup>	R50 000	R12 500
Erf 932	1006m <sup>2</sup>	R75 000	R18 750
Erf 2414	2518m <sup>2</sup>	R150 000	R37 000

### Weighted Average:

Erf 913	R 65 000	R16 250.00
Erf 932	R 97 500	R24 375.00
Erf 2414	R 225 000	R56 250.00

## 2.3 Invitation for Bids

In March 2015 a notice was published in the Burger and Argus, calling for bids for the sale of the various erven in Klapmuts. A copy of the Tender Notice is attached as **APPENDIX 4**.

**2.4 Tender Evaluation points**

The following points system was applicable:

Status which includes race, gender, disability and locality.	20
Development concept	10
Bidders capacity and capability which entails Economic and Financial Standing and readiness	20
Size of local congregation	20
Price	30
Total	100

**2.5 Bid received**

The closing date for bids was 13 April 2015 at 12.00. At the closing date various bids were received, the highest bidders offering the following:

Erf 913, Klappmuts	:	R 57 000.00
Erf 932, Klappmuts	:	R 75 000.00
Erf 2414, Klappmuts	:	R125 000.00

**3. DISCUSSION****3.1.1 Reserve price**

In terms of of the Tender Document, the following reserve prices were set, based on the weighted average of the two (2) valuations.

Erf 913: R13 000

Erf 932: R19 500

Erf 2414:R45 000

The offers received, were in excess of the reserve prices.

**3.2 Conditional award of bid**

On 2015-07-31 the Bid Adjudication Committee considered the matter and decided to award the bids to the only bidders, scoring the highest points as the offer received were higher than the reserve price. This award, however were conditional upon Council approving the disposal in terms of section 14 of the MFMA.

**3.3 Legal requirements**

In terms of section 14(1) a municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

In terms of subsection (2), a municipality may transfer ownership or otherwise dispose of a capital asset other than those contemplated in subsection (1), but only after the municipal council, in a meeting open to the public-

- (a) has decided on reasonable grounds that **the asset is not needed to provide the minimum level of basic municipal services\***; and

- (b) has considered the **fair market value** of the asset and the **economic and community value** to be received in exchange for the asset.

**\*Please note** that Council has already made the determination contemplated in (a) (*supra*), when they considered the matter on 2014-08-20

Council must, however, still consider the **fair market value** of the assets, as contemplated in (b) (*supra*).

### 3.3.2 Asset Transfer Regulations (ATR)

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

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

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

**\*Please note** that Council has made this a condition, i.e. that a floor price be based on the weighed average of two independent valuers.

### 3.3.36 SCM Policy

In terms of Paragraph 5.4 of the Supply Chain Management Policy, assets may be disposed of by sale or other agreement, after a process which is fair, equitable, transparent and competitive, an which may include a tender process.

## 4. INPUTS BY OTHER DEPARTMENTS

### 4.1 CFO

Finance supports the Item.

### 4.2 Legal Services

The item and recommendations are supported.

## 5. CONCLUSION

From the above it is clear that the bids received comply with the minimum requirements (floor prices) set by Council.

## RECOMMENDED

- (a) that Council determine the fair market value of the properties based on the weighted average of the two (2) independent valuations as follows:

Erf 913, Klapmuts: R16 250.00

Erf 932, Klapmuts: R24 375.00

---

Erf 2414, Klapmuts: R56 250.00

- (b) that Council authorise the disposal of erven 913, 932 and erf 2414, Klapmuts; and
- (c) that the Bidders be responsible for all costs associated with and incidental to the transfer of the properties.

**(DIRECTOR: HUMAN SETTLEMENTS TO ACTION)**

**ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING:  
2016-03-02: ITEM 5.1.1**

**RESOLVED** (nem com)

that the evaluation criteria be attached as an **ANNEXURE** to the agenda item, for information of Council.(see **APPENDIX 5**)

**RECOMMENDED**

- (a) that Council determine the fair market value of the properties based on the weighted average of the two (2) independent valuations as follows:

Erf 913, Klapmuts: R16 250.00

Erf 932, Klapmuts: R24 375.00

Erf 2414, Klapmuts: R56 250.00

- (b) that Council authorise the disposal of erven 913, 932 and erf 2414, Klapmuts; and
- (c) that the Bidders be responsible for all costs associated with and incidental to the transfer of the properties.

**(DIRECTOR: HUMAN SETTLEMENTS TO ACTION)**

**MAYORAL COMMITTEE MEETING: 2016-03-23: ITEM 5.1.2**

**RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that Council determine the fair market value of the properties based on the weighted average of the two (2) independent valuations as follows:

Erf 913, Klapmuts: R16 250.00

---

Erf 932, Klapmuts: R24 375.00

Erf 2414, Klapmuts: R56 250.00

- (b) that Council authorise the disposal of erven 913, 932 and erf 2414, Klapmuts; and
- (c) that the Bidders be responsible for all costs associated with and incidental to the transfer of the properties.

**(DIRECTOR: HUMAN SETTLEMENTS TO ACTION)**

# APPENDIX 1

## 7.8 PROPOSED DISPOSAL OF VARIOUS SITES IN KLAPMUTS BY WAY OF A PUBLIC TENDER

*File number* : 7/2/2/1

*Compiled by* : *Acting Director: Human Settlements and Property Management*

*Report by* : *Municipal Manager*

*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 authorize the Municipal Manager to dispose of a number of Council-owned properties in Klapmuts by way of a public tender process.

### **2. BACKGROUND**

Hereunder is a list of undeveloped properties in Klapmuts, earmarked for churches, crèches and business.

<b>Erf Number</b>	<b>Zoning</b>
932	Institutional Zone II (church)
913	Institutional Zone II (church)
1082	Institutional Zone I (crèche)
2413	Business
2414	Institutional Zone III (Church)
2893	Institutional Zone I (crèche)
2903	Institutional Zone I (crèche)

### **3. DISCUSSION**

#### **3.1 Location and context**

**3.1.1 Erf 932, Klapmuts**

Erf 932, measuring 1006m<sup>2</sup> in extent, is located in Jojo Street Klapmuts, as shown on Fig 1 and 2, respectively.



**Fig 1: Location: Erf 932**



**Fig 2: Extent: Erf 932**

**3.1.2 Erf 913, Klapmuts**

Erf 913, measuring 649 m<sup>2</sup> in extent, is located at the corner of Van Niekerk street and William Street, as shown on Fig 3 and 4, respectively.



**Fig 3: Location: Erf 913**



**Fig 4: Extent : Erf 913**

**3.1.3 Erf 1082, Klapmuts**

Erf 1082, measuring 324m<sup>2</sup> in extent, is located at the corner of Williams street and Smith street, as shown on Fig 6 and 7, respectively.



**Fig 5: Location: Erf 1082**



**Fig 6: Extent: Erf 1082**





Erf 2903, measuring 231m<sup>2</sup> in extent, is located at the corner of Nongwe and A Lily street, as shown on Fig 13 and 14, respectively.



**Fig 13: Location and context: Erf 2903**



**Fig 14: Extent: Erf 2903**

## 3.2 Legal requirements

### 3.2.1 Asset Transfer Regulations

In terms of Regulation 5 (1) (b) of the Asset Transfer Regulations, a municipal Council may transfer or dispose of a non-exempted capital asset only after the Municipal Council:-

- (i) has made the determination required Section 14(2)(a) and (b); and
- (ii) has, as a consequence of such determination, approved in principle that the asset may be disposed of.

In terms of Regulation (7), when considering any disposal as contemplated above, a council must take into account:-

- (a) *whether the capital asset may be required for the municipality's own use at a later date;*

- (b) *the expected loss or gain that is expected to result from the proposed transfer or disposal;*
- (c) *the extent to which any compensation to be received in respect of the proposed transfer or disposal will result in a significant economic or financial cost or benefit to the municipality;*
- (d) *the risks and rewards associated with the operation or control of the capital asset that is to be transferred or disposed of in relation to the municipality's interests;*
- (e) *the effect that the proposed transfer or disposal will have on the credit rating of the municipality, its ability to raise long-term or short-term borrowings in the future and its financial position and cash flow;*
- (f) *any limitation or conditions attached to the capital asset or the transfer or disposal of the asset, and the consequences of any potential non-compliance with those conditions;*
- (g) *the estimated cost of the proposed transfer or disposal;*
- (h) *the transfer of any liabilities and reserve funds associated with the capital asset;*
- (i) *any comments or representations on the proposed transfer or disposal received from the local community and other interested persons;*
- (j) *the interests of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community; and*
- (k) *compliance with the legislative regime applicable to the proposed transfer or disposal.*

In considering the above, the following information should be taken into account:

- a) The erven mentioned above will not be needed for our own use, as it was earmarked for development as church, crèche and business sites;
- b) The expected gain would be limited, as the tender prices would probably be less than market value;
- c) The compensation will not result in a significant economic or financial benefit to the municipality, as it is earmarked for community benefit;
- d) There are no risks associated with the proposed disposal of the sites;
- e) The transactions will have no negative impact on the credit rating of the municipality or its ability to raise long-term loans;

- f) Seeing that the church- and crèche sites will be sold at below market value, there should be a reversionary clause, should it not be used for the purpose that it was disposed for. Further, a condition should be included, stating that the property be developed within a period of 3 years from date of transfer, failing which the ownership will revert back to the municipality
- g) The cost of transfer will be borne by the buyers;
- h) There are no liabilities or reserved funds associated with the assets
- i) No comment were received from the public
- j) No organ of state is affected by the proposed transactions;
- k) All legal requirements will be met; i.e. the properties will be sold by way of a public competitive process.

Regulation 11 authorise a Council to approve conditions, when considering an in principle disposal, such as:

- (a) the way in which an asset is to be disposal of (e.g. tender, call for proposal, etc.);
- (b) a floor price or minimum compensation;
- (c) whether the capital asset may be transferred/disposal of for less than its fair market value (in which case the council must first consider the criteria set out in Regulation 13 (2))

Regulation 13(2) provides that if a municipality or municipal entity on account of the public interest, in particular in relation to the plight of the poor, intends to transfer a non-exempted capital asset for less than its fair market value, the municipality or entity must, when considering the proposed transfer, take into account –

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

Further in terms of Regulation 13, any such disposal must be in accordance with Council's disposal management system (SCM), irrespective of the value of the asset.

### **3.1.3 SCM Policy**

In terms of paragraph 5.3 of the SCM Policy, immovable property may only be sold at market-related prices, except when the public interest or plight of the poor demands otherwise. "*Public interest*" is described as, *inter alia*, the promotion of welfare and charitable as the needs of the people that are vulnerable and unable to meet their socio-economic needs independently.

In terms of paragraph 5.4, assets may be disposed of by way of:-

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

## **4. COMMENTS BY RELEVANT DEPARTMENTS**

### **4.1 Planning & Development**

None

### **4.2 Engineering Services**

The Directorate: Engineering Services (Civil Engineering Section) has in principle no objection to the selling of the erven.

Water and sewer services are available.

Owner has to apply for the installation of the water meter before construction may start. Cost of installation is for the account of the owner/applicant.

### **4.3 Legal Services**

The properties listed under this Item are not high value capital assets (i.e in excess of R50 million or one percent of the total value of the capital asset of the municipality or an amount determined by resolution of the Council of the municipality, which are less than the aforementioned). In light of the aforementioned no public participation are required. The determination in terms of Section 14(2)(a) and (b) needs to be made by Council. As far as Regulation 7 is concerned, Regulation 7(l) is also applicable and must also be considered as part of the Item.

Regulation 13(1) provides that the compensation payable to a municipality or municipal entity for the transfer of a non-exempted capital asset must, subject to sub regulation (2) –

- (a) be consistent with criteria applicable to compensation set out in the disposal management system of the municipality or municipal entity; and
- (b) if regulation 12(2)(b) applies to the transfer, reflect fair market value.

Regulation 12(2)(b) provides that the disposal management system of a municipality does not apply to the transfer of a non-exempted capital asset if the municipality appoints a private sector party or organ of state through a competitive bidding process as the service provider for the performance of a commercial service and capital asset is transferred to that service provider as an integral component of the performance of that commercial service. This matter does not relate to the above and Regulation 12(2)(b) in our view is not applicable to this Item.

Regulation 13(2) provides that if a municipality or municipal entity on account of the public interest, in particular in relation to the plight of the poor, intends to transfer a non-exempted capital asset for less than its fair market value, the municipality or entity must, when considering the proposed transfer, take into account –

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

The Stellenbosch Municipality Supply Chain Management Policy general principles are that immovable property may only be sold at market-related prices and let at market related rates except when the public interest or plight of the poor demands otherwise and provided that all charges, rates, tariffs, scales of fees or other charges. In light of the above, property must be sold at fair market value. Fair market value will be calculated as the average of the valuations sourced from two service providers. Two valuations with regard to the properties should be obtained to determine the fair market value of same.

“Public interest” means disposal or letting *inter alia* to:

- (a) promote the achievement of equality by taking measures to protect or advance persons or categories of persons, disadvantage by unfair discrimination;
- (b) afford black people who are South African citizens a preference in respect of the disposal and letting of immovable property as envisaged in section 9(2) of the Constitution;
- (c) promote BEE through disposal and letting;
- (d) ensure and promote first time home ownership and enterprise development of black people including but not limited to ensuring that people that qualify in terms of the Municipality's GAP housing policy have access to adequate housing on a progressive basis. "Plight of the poor" means the need of the people that are vulnerable and unable to meet their social-economic needs independently or to support themselves and their dependents and are in need of social assistance.
- (e) Black people in terms of the Supply Chain Management Policy who are South Africans will be afforded a preference in respect of the disposal and letting of immovable assets as envisaged in section 9(2) of the Constitution regardless of whether it is sold or let at market related prices or rates or not.

The Municipality may sell property at less than fair market value if the public interest or plight of the poor requires same.

The rest of the Item is supported.

#### **4.4 Financial Services**

Finance supports the Item.

#### **5. CONCLUSION**

The properties listed in par.3 (*supra*) is not needed to provide the minimum level of basic municipal services, and may therefore be disposed of subject to the prescribed (public competitive) process.

The disposal of the properties does not pose any risks to the municipality.

#### **RECOMMENDED**

- (a) that the erven mentioned in par.3 (*supra*) be identified as property not needed to provide the minimum level of basic municipal services, i.e surplus properties;
- (b) that Council, in principle, approve the disposal of the properties listed in par. 3 (*supra*);
- (c) that the minimum prices be determined by two (2) independent valuations (weighted average)

- (d) that the Municipal Manager be authorised to approve the evaluation criteria and place the necessary notices, calling for tenders for the properties listed in paragraph 3; and
- (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.

**(ACTING DIRECTOR: HUMAN SETTLEMENT TO ACTION)**

**ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE  
MEETING: 2014-08-06: ITEM 5.1.5**

**RECOMMENDED**

- (a) that the erven mentioned in par.3 (*supra*) be identified as property not needed to provide the minimum level of basic municipal services, i.e surplus properties;
- (b) that Council, in principle, approve the disposal of the properties listed in par. 3 (*supra*);
- (c) that the minimum prices be determined by two (2) independent valuations (weighted average)
- (d) that the Municipal Manager be authorised to approve the evaluation criteria and place the necessary notices, calling for tenders for the properties listed in paragraph 3; and
- (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.

**(ACTING DIRECTOR: HUMAN SETTLEMENT TO ACTION)**

**MAYORAL COMMITTEE MEETING: 2014-08-13: ITEM 5.1.8**

**RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that the erven mentioned in par.3 (*supra*) be identified as property not needed to provide the minimum level of basic municipal services, i.e surplus properties,
- (b) that Council, in principle, approve the disposal of the properties listed in par. 3 (*supra*); excluding erven 1082, 2413, 2893 and 2903 earmarked for businesses and crèches
- (c) that the minimum prices be determined by two (2) independent valuations (weighted average)

- (d) that the Municipal Manager be authorised to approve the evaluation criteria and place the necessary notices, calling for tenders for the properties listed in paragraph 3; and
- (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.

**(ACTING DIRECTOR: HUMAN SETTLEMENT TO ACTION)**

**22<sup>ND</sup> COUNCIL MEETING: 2014-08-20: ITEM 7.8**

During debate on the matter, SCA requested a caucus, which the Speaker allowed.

After the meeting resumed, it was

**RESOLVED** (nem con)

- (a) that the erven mentioned in par.3 (*supra*) be identified as property not needed to provide the minimum level of basic municipal services, i.e surplus properties;
- (b) that Council, in principle, approve the disposal of the properties listed in par. 3 (*supra*); excluding erven 1082, 2413, 2893 and 2903 earmarked for businesses and crèches;
- (c) that the minimum prices be determined by two (2) independent valuations (weighted average);
- (d) that the Municipal Manager be authorised to approve the evaluation criteria and place the necessary notices, calling for tenders for the properties listed in paragraph 3;
- (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; and
- (f) that Council approve the disposal of properties zoned for institutional (eg. churches) in Klapmuts and that preference be given to the local previously disadvantaged residents in Klapmuts and also provide discount on the market related prices within the framework of the relevant legislation.

**(ACTING DIRECTOR: HUMAN SETTLEMENTS TO ACTION)**

# APPENDIX 2



## VALUATION REPORT

VALUATION OF:

**ERVEN 913, 932, 1082, 2413, 2414, 2893 & 2903 KLAPMUTS**

**PAARL REGISTRATION DIVISION**

**WESTERN CAPE**

Client:

**STELLENBOSCH MUNICIPALITY**

9 October 2014

Compiled by:

**Johan Klopper**

Professional Valuer

Member of the SA Institute of Valuers

BCom Law (University of Stellenbosch), NDip: Property Valuation (UNISA)

# VALUATION REPORT

## SECTION A: GENERAL INFORMATION

### 1. Instructions & Purpose of Valuation

Instructions were received from the Stellenbosch Municipality, to determine to market values and fair discounted values of Erven 913, 932, 1082, 2413, 2414, 2893 and 2903 Klapmuts, located in Paarl Registration Division, Western Cape (hereinafter referred to as the subject properties), as at the effective date mentioned in paragraph 3.

### 2. Date of Inspection

9 October 2014

### 3. Effective Date of Valuation

9 October 2014

### 4. Definition of Market Value

The Market Value can be defined as the estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in a arms' length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion. (*International Definition – International Valuation Standards Council*)

### 5. Valuation Methodology

The Comparable Sales Method is the preferred valuation method. This approach is based on the principle of comparability and substitution. The assumption is that if similar assets in a similar market place have been sold at a particular value, then the comparable asset will also sell at a similar price.

### 6. Restrictive Conditions

Information regarding the subject and comparable properties were received from the Stellenbosch Municipality and third parties. This information was received in good faith and it is assumed that the supplied information is correct. Information provided by property owners, parties to sale and others are assumed to be reliable but the accuracy thereof is not guaranteed.

In this report, the market value and all other values referred to exclude VAT.

We did not take into account any possible contamination of the subject property as a result of an environmental incident, nor did we examine the cost of any remedial measures involved.

Neither all nor any part of this report shall be conveyed to the public or anybody other than the addressee or their principles through advertising, public relations, news sales or any other media without the written consent of the author.

This valuation was performed for the purpose as stated in this report and should not be used for any other purpose.

## SECTION B: DESCRIPTION OF SUBJECT PROPERTY

### 7. Title Deed Information

Description	Title Deed No	Registered owner	Reg. date	Extent
Erf 913 Klapmuts	T58522/2000	Stellenbosch Municipality	2000/07/14	649 m <sup>2</sup>
Erf 932 Klapmuts	T58522/2000	Stellenbosch Municipality	2000/07/14	1006 m <sup>2</sup>
Erf 1082 Klapmuts	T58522/2000	Stellenbosch Municipality	2000/07/14	324 m <sup>2</sup>
Erf 2413 Klapmuts	T9879/2012	Stellenbosch Municipality	2012/03/05	1188 m <sup>2</sup>
Erf 2414 Klapmuts	T9879/2012	Stellenbosch Municipality	2012/03/05	2518 m <sup>2</sup>
Erf 2893 Klapmuts	T9879/2012	Stellenbosch Municipality	2012/03/05	664 m <sup>2</sup>
Erf 2903 Klapmuts	T9879/2012	Stellenbosch Municipality	2012/03/05	231 m <sup>2</sup>

Refer to **Annexure A** for title deed extracts and **Annexure B** for S.G. Diagrams.

### 8. Local Government Information

Description	Local Authority	Zoning / Usage	Municipal Valuation
Erf 913 Klapmuts	Stellenbosch Municipality	Institutional Zone II (Church)	R 30 000
Erf 932 Klapmuts	Stellenbosch Municipality	Institutional Zone II (Church)	R 40 000
Erf 1082 Klapmuts	Stellenbosch Municipality	Institutional Zone I (Crèche)	R 20 000
Erf 2413 Klapmuts	Stellenbosch Municipality	Business	None
Erf 2414 Klapmuts	Stellenbosch Municipality	Institutional Zone III (Church)	None
Erf 2893 Klapmuts	Stellenbosch Municipality	Institutional Zone I (Crèche)	None
Erf 2903 Klapmuts	Stellenbosch Municipality	Institutional Zone I (Crèche)	None

### 9. Physical Characteristics

#### 9.1 Location

The subject properties are located in Klapmuts within the Stellenbosch Local Municipality. It is a rural hamlet located approximately 50km from Cape Town and is in close proximity (approximately 15km) to the towns of Paarl, Stellenbosch and Franschoek and surrounded by the rural areas commonly referred to as the Cape Winelands. It is located adjacent to the N1 (between Cape Town and Paarl) and the R44 (between Stellenbosch and Paarl).

Klapmuts can be described as a lower income residential node. The subject properties are spread across Klapmuts and have been identified for community purposes, i.e. church sites, crèche sites and a business site.

See location map below indicating the subject properties.



- Erf 913
- Erf 1082
- Erf 932
- Erf 2414
- Erf 2903
- Erf 2413
- Erf 2983

**9.2 Description of the subject properties**

Description	Extent	Remarks
Erf 913 Klapmuts	649 m <sup>2</sup>	This site is currently utilised as a children’s playground. It comprises a rectangular shaped, level tract of land.
Erf 932 Klapmuts	1006 m <sup>2</sup>	Relatively flat site traversed by telephone lines. Some informal structures have been erected on the southern portion of this site.
Erf 1082 Klapmuts	324 m <sup>2</sup>	Relatively small, rectangular shaped tract of vacant land.
Erf 2413 Klapmuts	1188 m <sup>2</sup>	Relatively flat vacant business site with a rectangular shape.
Erf 2414 Klapmuts	2518 m <sup>2</sup>	Relatively flat, oblong shaped tract of land. Some informal structures have been erected on the site.
Erf 2893 Klapmuts	664 m <sup>2</sup>	Vacant tract of land with a level gradient.
Erf 2903 Klapmuts	231 m <sup>2</sup>	Relatively small, rectangular shaped tract of vacant land with a level gradient.

See photograph of the subject properties below.



Erf 913



Erf 932



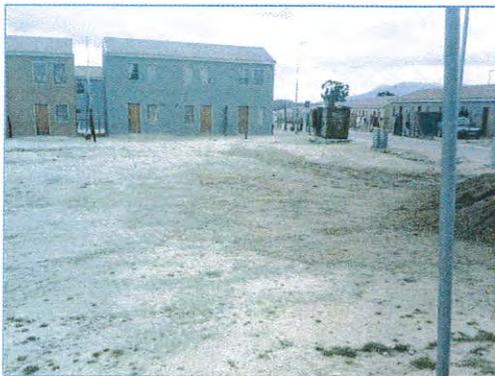
Erf 1082



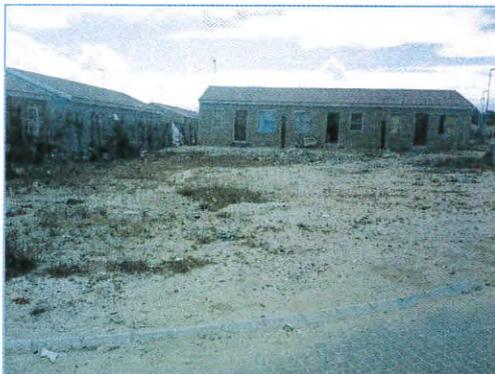
Erf 2413



Erf 2414



Erf 2893



Erf 2903

## SECTION C: DETERMINATION OF MARKET VALUE

### 10. Highest and Best Use

Highest and Best Use is defined under the International Valuation Standards (IVSC) as “The most probable use of an asset which is physically possible, appropriately justified, legally permissible, financially feasible and which results in the highest value of the asset being valued”.

The subject properties represent sites identified for community purposes, with an Institutional zoning. The properties were therefore based on sales of properties sold for similar purposes.

### 11. Market Information and Valuation

#### 11.1 Comparable Sales

We liaised with the Cape Town Deeds Office to determine the recent sales and transfers in the direct vicinity of the subject property. Comparisons were then made in terms of size, utilisation and potential of the land and date of sale, after which the necessary adjustments were made.

The following transactions were applied in the valuation process:

	Description	Sales date	Purchase Price (Ex VAT)	Extent	R/m <sup>2</sup>	Usage
1	Erf 37069 Khayelitsha	2013/09/11	R28,000	851 m <sup>2</sup>	R33	Church
2	Erf 27397 Strand	2012/01/31	R98,022	2155 m <sup>2</sup>	R45	Church
3	Erf 25622 Kraaifontein	2011/05/31	R 27,500	1067 m <sup>2</sup>	R26	Church
4	Erf 28409 Kraaifontein	2011/02/28	R 33,000	1230 m <sup>2</sup>	R27	Church
5	Erf 25450 Kraaifontein	2011/02/04	R27,500	1094 m <sup>2</sup>	R25	Crèche
6	Erf 2105 Klapmuts	2010/05/24	R 4,500,000	4002 m <sup>2</sup>	R1124	Business

The transactions will subsequently be discussed in more detail to highlight the value forming characteristics and to determine rates for certain land components.

**Sale 1:** This property is located in Khayelitsha, in a relatively similar node to Klapmuts. The property, with an Institutional zoning, was disposed by the City of Cape Town for church purposes at 25% of the market value. The market rate for this property was calculated as approximately R132/m<sup>2</sup>, with the property sold at the discounted rate of approximately R33/m<sup>2</sup>.

**Sale 2:** Vacant land with an Institutional Zoning (Church). It is located in the Nomzamo suburb of the Strand, which is considered inferior to Klapmuts. It was sold by the developer to a church group. An upward adjustment would be justified for the subject properties.

**Sale 3:** This property is located in the Wallacedene suburb of Kraaifontein, in relative close proximity to Klapmuts. The property, with an Institutional zoning, was disposed by the City of Cape Town for church purposes at 25% of the market value. The market value was based on a rate per opportunity of R22,000. The market rate for this property was therefore calculated as approximately R103/m<sup>2</sup>, with the property sold at the discounted rate of approximately R26/m<sup>2</sup>.

**Sale 4:** This property is located in the Wallacedene suburb of Kraaifontein, in relative close proximity to Klapmuts. The property, with an Institutional zoning, was disposed by the City of Cape Town for church purposes at 25% of the market value. The market value was based on a rate per opportunity of R22,000. The market rate for this property was therefore calculated as approximately R107/m<sup>2</sup>, with the property sold at the discounted rate of approximately R27/m<sup>2</sup>.

**Sale 5:** This property is located in the Wallacedene suburb of Kraaifontein, in relative close proximity to Klapmuts. The property, with an Institutional zoning, was disposed by the City of Cape Town for crèche purposes at 25% of the market value. The market value was based on a rate per opportunity of R22,000. The market rate for this property was therefore calculated as approximately R101/m<sup>2</sup>, with the property sold at the discounted rate of approximately R25/m<sup>2</sup>.

**Sale 6:** This vacant business site is located adjacent to the R44 at the entrance to Klapmuts. This location is considered vastly superior to the subject property. As downward adjustment would therefore be justified for the rate to be applied to Erf 2413.

## 11.2 Conclusion on comparable sales & valuation

The sales listed above compare well with the subject properties in terms of size and location, and indicate to an underlying market value for the church and crèche sites of between R100/m<sup>2</sup> to R133/m<sup>2</sup>, while they were generally sold at a discounted price of 25% of the market value to be utilised for community purposes. Based on the above market information, and after making the necessary adjustments, the valuer is of the opinion that a rate of R120/m<sup>2</sup> can be applied to the church and crèche sites, while a rate of R300/m<sup>2</sup> could be applied to the business site.

The value can therefore be calculated as follows:

Description	Current zoning	Size	Rate per m <sup>2</sup>	Value	Rounded
Erf 913	Institutional Zone II (Church)	649 m <sup>2</sup>	R120/m <sup>2</sup>	R77,880	R80,000
Erf 932	Institutional Zone II (Church)	1006 m <sup>2</sup>	R120/m <sup>2</sup>	R120,720	R120,000
Erf 1082	Institutional Zone I (Crèche)	324 m <sup>2</sup>	R120/m <sup>2</sup>	R38,880	R40,000
Erf 2413	Business	1188 m <sup>2</sup>	R300/m <sup>2</sup>	R356,400	R360,000
Erf 2414	Institutional Zone III (Church)	2518 m <sup>2</sup>	R120/m <sup>2</sup>	R302,160	R300,000
Erf 2893	Institutional Zone I (Crèche)	664 m <sup>2</sup>	R120/m <sup>2</sup>	R79,680	R80,000
Erf 2903	Institutional Zone I (Crèche)	231 m <sup>2</sup>	R120/m <sup>2</sup>	R27,720	R30,000

## 11.3 Sales below market value

In terms of the Supply Chain Management Policy immovable property may only be sold at market related prices, except when the public interest or plight of the poor demands otherwise. If the properties are sold at below market value a reversionary clause should be included, with ownership of the property reverting back to Council if the property is not utilised for the purpose for which it was disposed.

The discount afforded to NGO's and similar institutions vary. As a general rule, the policy of the City of Cape Town, to dispose properties at 25% of the market value in such instances, can be seen as a yardstick.

Description	Size	Estimated market value	Proposed discounted value for NGO's
Erf 913	649 m <sup>2</sup>	R80,000	R20,000
Erf 932	1006 m <sup>2</sup>	R120,000	R30,000
Erf 1082	324 m <sup>2</sup>	R40,000	R10,000
Erf 2413	1188 m <sup>2</sup>	R360,000	R90,000
Erf 2414	2518 m <sup>2</sup>	R300,000	R75,000
Erf 2893	664 m <sup>2</sup>	R80,000	R20,000
Erf 2903	231 m <sup>2</sup>	R30,000	R7,500

## 12. Valuation Certificate

I, the undersigned Johan Klopper, herewith certify that the property described below was inspected on 9 October 2014. The mandate for this valuation is to determine the market value and fair discounted value of the subject properties as on 9 October 2014. No values were influenced or implied, and to the best of my knowledge all declarations and opinions expressed herein are correct. As a result of my inspection, research and evaluation it is my opinion that the fair market value of the below-mentioned properties on 3 October 2014 are as follows:

Description	Extent	Estimated market value	Proposed discounted value for NGO's
Erf 913 Klapmuts	649 m <sup>2</sup>	R80,000	R20,000
Erf 932 Klapmuts	1006 m <sup>2</sup>	R120,000	R30,000
Erf 1082 Klapmuts	324 m <sup>2</sup>	R40,000	R10,000
Erf 2413 Klapmuts	1188 m <sup>2</sup>	R360,000	R90,000
Erf 2414 Klapmuts	2518 m <sup>2</sup>	R300,000	R75,000
Erf 2893 Klapmuts	664 m <sup>2</sup>	R80,000	R20,000
Erf 2903 Klapmuts	231 m <sup>2</sup>	R30,000	R7,500

Signed at STELLENBOSCH on this the 9<sup>th</sup> day of October 2014.



**Johan Klopper**

Professional Valuer (6372/0)

Member of the SA Institute of Valuers

BCom (Law); NDip (Property Valuation)

## ANNEXURES:

## A. TITLE DEED INFORMATION

Deeds Office Property		Printed: 2014/10/01 14:19	
KLAPMUTS, 913, 0 (CAPE TOWN)		<b>windeed</b> <small>wherever is our business</small>	
GENERAL INFORMATION			
Deeds Office	CAPE TOWN		
Date Requested	2014/10/01 14:18		
Information Source	DEEDS OFFICE		
Reference	-		
PROPERTY INFORMATION			
Property Type	ERF		
Erf Number	913		
Portion Number	0		
Township	KLAPMUTS		
Local Authority	STELLENBOSCH MUN		
Registration Division	PAARL RD		
Province	WESTERN CAPE		
Diagram Deed	DU 1000/800		
Extent	649 0000SQM		
Previous Description	-		
LPI Code	C05500040000001300000		
OWNER INFORMATION			
<b>Owner 1 of 1</b>			
Person Type	LOCAL AUTHORITY		
Name	MUN STELLENBOSCH		
Registration Number			
Title Deed	T58522/2000		
Registration Date	2000/07/14		
Purchase Price (R)	G/P		
Purchase Date	-		
Share			
Microfilm Reference	2000 0492 5365		
Multiple Properties	NO		
Multiple Owners	NO		
ENDORSEMENTS (1)			
#	Document	Institution	Amount (R) Microfilm
1	GENERAL PLAN FROM	TOWN KLAPMUTS ,ERF 912 ,PRTN 0	UNKNOWN -
HISTORIC DOCUMENTS			
No documents to display			
DISCLAIMER			
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Printed: 2014/10/01 14:17

## Deeds Office Property

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KLAPMUTS, 932, 0 (CAPE TOWN)

**GENERAL INFORMATION**

Deeds Office           CAPE TOWN  
 Date Requested       2014/10/01 14:17  
 Information Source     DEEDS OFFICE  
 Reference             -

**PROPERTY INFORMATION**

Property Type         ERF  
 Erf Number           932  
 Portion Number       0  
 Township             KLAPMUTS  
 Local Authority       STELLENBOSCH MUN  
 Registration Division  NOT AVAILABLE  
 Province             WESTERN CAPE  
 Diagram Deed         DU 1000/600  
 Extent                1000.0000SQM  
 Previous Description   -  
 LPI Code             C05500040000093200000

**OWNER INFORMATION**

**Owner 1 of 1**  
 Person Type           LOCAL AUTHORITY  
 Name                  MUN STELLENBOSCH  
 Registration Number   T58522/2000  
 Title Deed            -  
 Registration Date     2000/07/14  
 Purchase Price (R)    G/P  
 Purchase Date         -  
 Share                 -  
 Microfilm Reference   2000 0492 5365  
 Multiple Properties    NO  
 Multiple Owners       NO

**ENDORSEMENTS (1)**

#	Document	Institution	Amount (R)	Microfilm
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**HISTORIC DOCUMENTS**

No documents to display

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## Deeds Office Property

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KLAPMUTS, 1082, 0 (CAPE TOWN)

**GENERAL INFORMATION**

Deeds Office           CAPE TOWN  
 Date Requested       2014/10/01 14:19  
 Information Source     DEEDS OFFICE  
 Reference             -

**PROPERTY INFORMATION**

Property Type         ERF  
 Erf Number           1082  
 Portion Number       0  
 Township             KLAPMUTS  
 Local Authority       STELLENBOSCH MUN  
 Registration Division  NOT AVAILABLE  
 Province             WESTERN CAPE  
 Diagram Deed         DU 1000/800  
 Extent                324.0000SQM  
 Previous Description   -  
 LPI Code             C05500040000108200000

**OWNER INFORMATION**

**Owner 1 of 1**  
 Person Type           LOCAL AUTHORITY  
 Name                 MUN STELLENBOSCH  
 Registration Number   T58522/2000  
 Title Deed            -  
 Registration Date     2000/07/14  
 Purchase Price (R)    G/P  
 Purchase Date         -  
 Share                 -  
 Microfilm Reference   2000 0492 5365  
 Multiple Properties   NO  
 Multiple Owners       NO

**ENDORSEMENTS (1)**

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**HISTORIC DOCUMENTS**

No documents to display

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## Deeds Office Property

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KLAPMUTS, 2413, 0 (CAPE TOWN)

**GENERAL INFORMATION**

Deeds Office CAPE TOWN  
 Date Requested 2014/10/01 14:19  
 Information Source DEEDS OFFICE  
 Reference -

**PROPERTY INFORMATION**

Property Type ERF  
 Erf Number 2413  
 Portion Number 0  
 Township Klapmuts  
 Local Authority STELLENBOSCH MUN  
 Registration Division PAARL RD  
 Province WESTERN CAPE  
 Diagram Deed DU 1000/800  
 Extent 1188.0000SQM  
 Previous Description -  
 LPI Code C05500040000241300000

**OWNER INFORMATION****Owner 1 of 1**

Person Type LOCAL AUTHORITY  
 Name MUN STELLENBOSCH  
 Registration Number  
 Title Deed T9879/2012  
 Registration Date 2012/03/05  
 Purchase Price (R) G/P  
 Purchase Date -  
 Share  
 Microfilm Reference  
 Multiple Properties NO  
 Multiple Owners NO

**ENDORSEMENTS (1)**

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**HISTORIC DOCUMENTS**

No documents to display

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## Deeds Office Property


  
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KLAPMUTS, 2414, 0 (CAPE TOWN)

**GENERAL INFORMATION**

Deeds Office           CAPE TOWN  
 Date Requested       2014/10/01 14:20  
 Information Source     DEEDS OFFICE  
 Reference             -

**PROPERTY INFORMATION**

Property Type         ERF  
 Erf Number           2414  
 Portion Number       0  
 Township             KLAPMUTS  
 Local Authority       STELLENBOSCH MUN  
 Registration Division  PAARL RD  
 Province             WESTERN CAPE  
 Diagram Deed         DU 1000/800  
 Extent                2518.0000SQM  
 Previous Description   -  
 LPI Code             C05500040000241400000

**OWNER INFORMATION**

Owner 1 of 1  
 Person Type           LOCAL AUTHORITY  
 Name                 MUN STELLENBOSCH  
 Registration Number   T9878/2012  
 Title Deed            2012/03/05  
 Registration Date     G/P  
 Purchase Price (R)   -  
 Purchase Date         -  
 Share                 -  
 Microfilm Reference   -  
 Multiple Properties   NO  
 Multiple Owners       NO

**ENDORSEMENTS (1)**

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**HISTORIC DOCUMENTS**

No documents to display

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## Deeds Office Property

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KLAPMUTS, 2893, 0 (CAPE TOWN)

**GENERAL INFORMATION**

Deeds Office CAPE TOWN  
 Date Requested 2014/10/01 14:20  
 Information Source DEEDS OFFICE  
 Reference -

**PROPERTY INFORMATION**

Property Type ERF  
 Erf Number 2893  
 Portion Number 0  
 Township Klapmuts  
 Local Authority STELLENBOSCH MUN  
 Registration Division PAARL RD  
 Province WESTERN CAPE  
 Diagram Deed DU 1000/800  
 Extent 664.0000SQM  
 Previous Description -  
 LPI Code C05500040000289300000

**OWNER INFORMATION**

Owner 1 of 1  
 Person Type LOCAL AUTHORITY  
 Name MUN STELLENBOSCH  
 Registration Number  
 Title Deed T9879/2012  
 Registration Date 2012/03/05  
 Purchase Price (R) G/P  
 Purchase Date -  
 Share  
 Microfilm Reference  
 Multiple Properties NO  
 Multiple Owners NO

**ENDORSEMENTS (1)**

#	Document	Institution	Amount (R)	Microfilm
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**HISTORIC DOCUMENTS**

No documents to display

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## Deeds Office Property

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KLAPMUTS, 2903, 0 (CAPE TOWN)

**GENERAL INFORMATION**

Deeds Office           CAPE TOWN  
 Date Requested       2014/10/01 14:21  
 Information Source     DEEDS OFFICE  
 Reference              -

**PROPERTY INFORMATION**

Property Type         ERF  
 Erf Number           2903  
 Portion Number       0  
 Township             KLAPMUTS  
 Local Authority       STELLENBOSCH MUN  
 Registration Division  PAARL RD  
 Province             WESTERN CAPE  
 Diagram Deed         DU 1000/800  
 Extent                231.0000SQM  
 Previous Description   -  
 LPI Code             C05500040000290300000

**OWNER INFORMATION**

**Owner 1 of 1**  
 Person Type           LOCAL AUTHORITY  
 Name                  MUN STELLENBOSCH  
 Registration Number   -  
 Title Deed            T9878/2012  
 Registration Date     2012/03/05  
 Purchase Price (R)    G/P  
 Purchase Date         -  
 Share                 -  
 Microfilm Reference   -  
 Multiple Properties    NO  
 Multiple Owners       NO

**ENDORSEMENTS (1)**

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**HISTORIC DOCUMENTS**

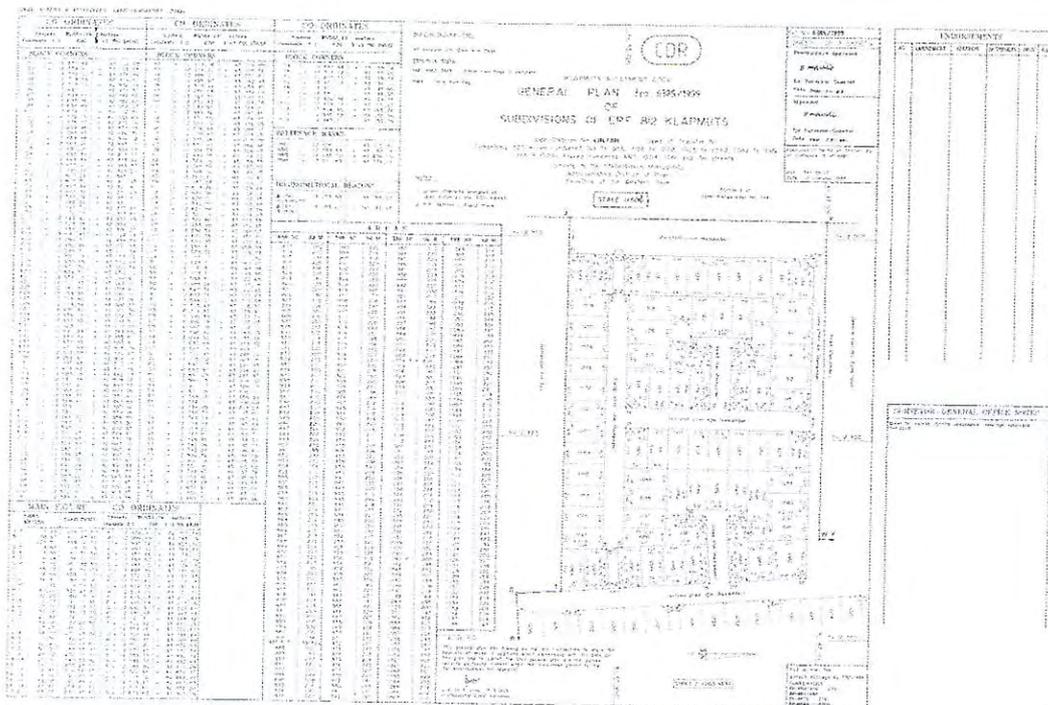
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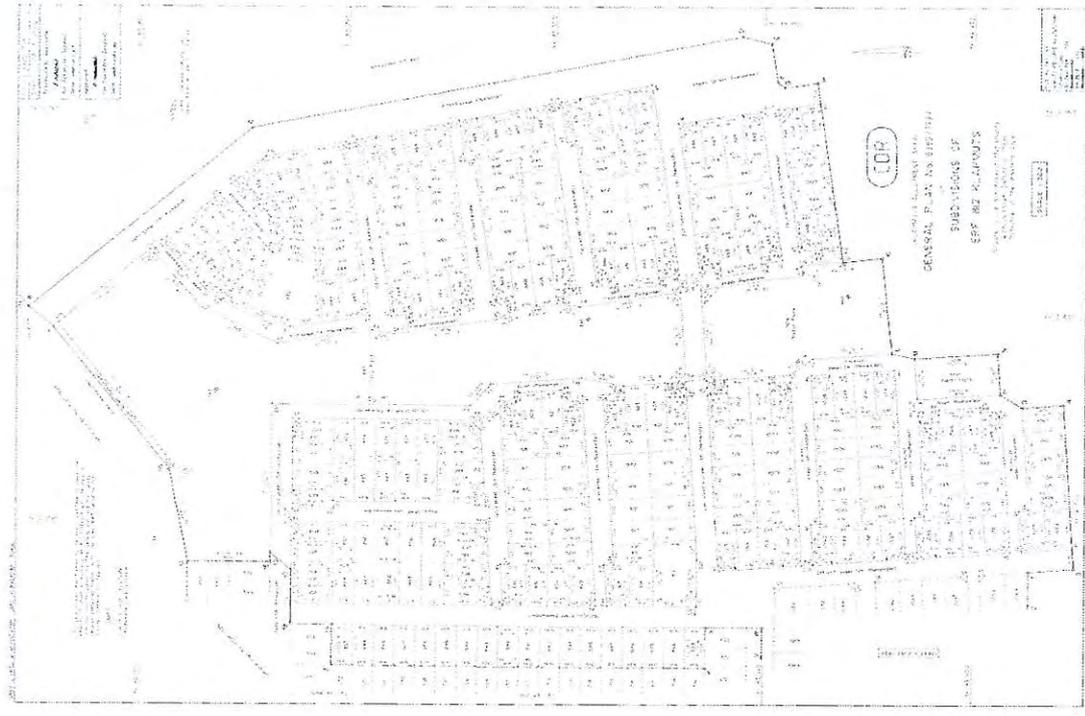
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5385/1979 (SHT. II)



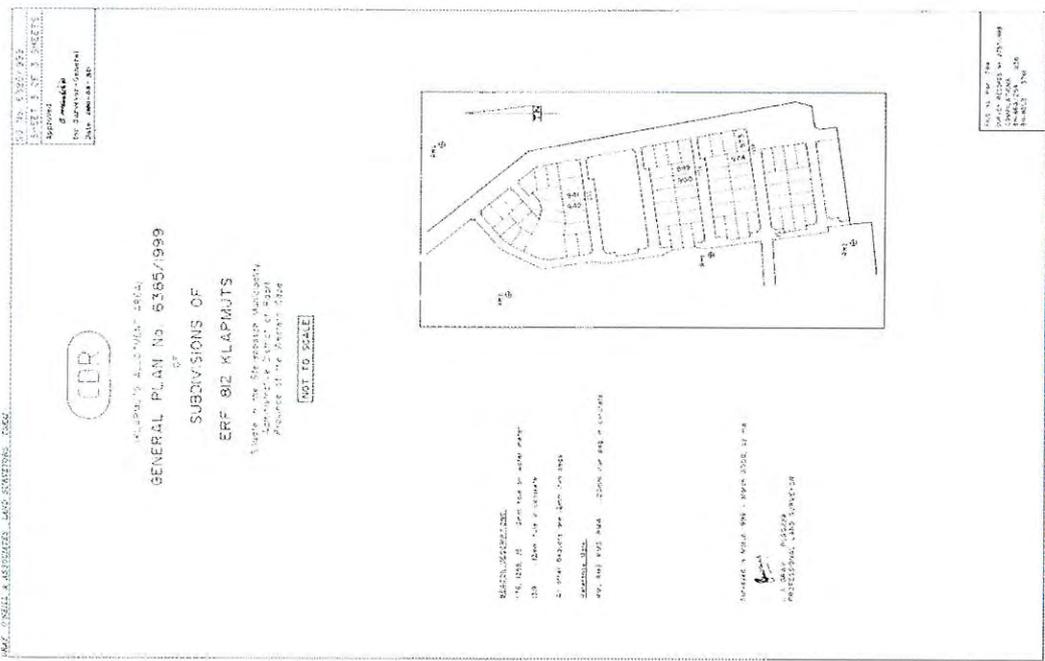
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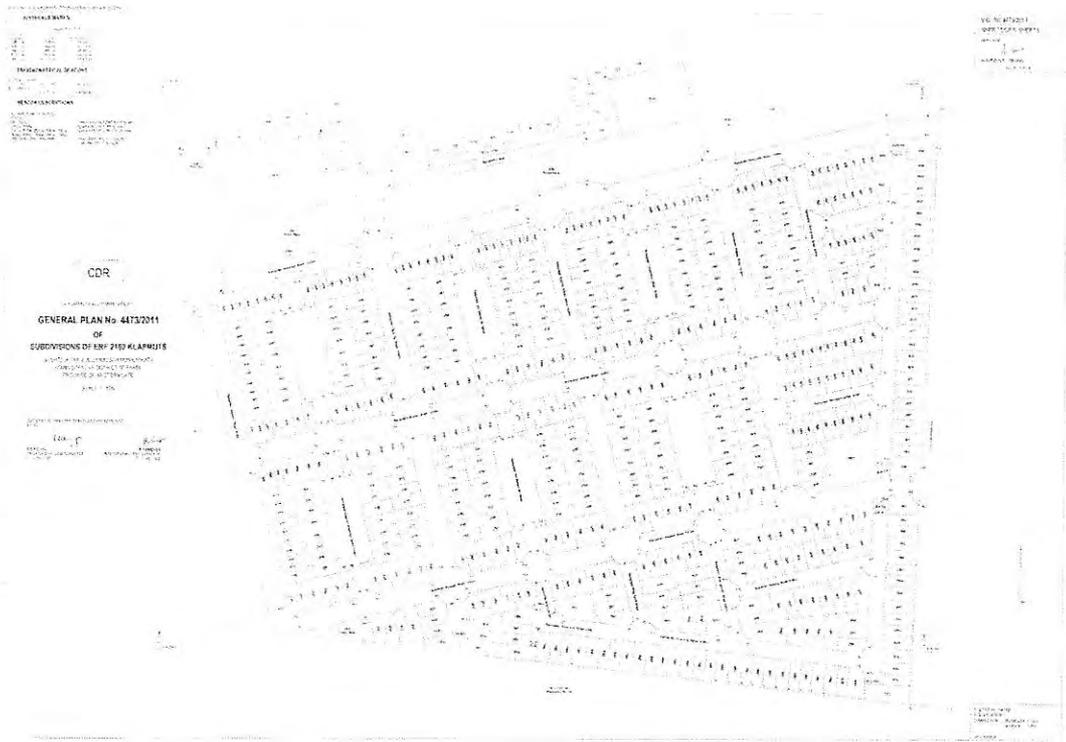
F











# APPENDIX 3

**Knight Frank**



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**KLAPMUTS – VALUATION OF VARIOUS ERVEN**

932,913,1082,2413,2414,2893,2003

**VALUATION REPORT**

PREPARED FOR PROPERTY MANAGEMENT DEPARTMENT  
STELLENBOSCH MUNICIPALITY

FEBRUARY 2015

---

**Knight Frank**



23rd February 2015

Stellenbosch Municipality  
Department of Property Management  
3<sup>rd</sup> Floor, ABSA Building  
Plein Street  
Stellenbosch 7599

**Attention: Mr Piet Smit**

Dear Sir,

KLAPMUTS- VALUATION OF VARIOUS ERVEN-  
932,913,1082,2413,2414,2893,2003

Further to your instructions to advise on the value of sites in Klapmuts for the following uses:

- a) Business/Commercial
- b) Church
- c) Creche

and we have also been requested to advise on both the Market Value (assuming Highest and Best Use) and also to advise on the price/value assuming the property is purchased by a Non Profit Organisation (NPO).

**OWNERSHIP AND DESCRIPTION OF PROPERTY**

The various erven are all owned by Municipality of Stellenbosch registered under either Title Deed T58522/2000 or T9879/2012 except for Erf 2003 which is owned by Bill Trade 102 CC under Title Deed T16425/2009. The erven all comprise vacant land situated in residential areas, the size and location of each erf is given below together with photographs and the location of each is outlined on location plans in Annexure

- |  |  |
|--|--|
| 1. <u>Erf 932 -1006 m<sup>2</sup></u>  | (Situated in Jojo St)                      |
| 2. <u>Erf 913- 649m m<sup>2</sup></u>  | (Situated in Meintjies St)                 |
| 3. <u>Erf 1082 -324 m<sup>2</sup></u>  | (Situated in Meintjies St)                 |
| 4. <u>Erf 2413 -1188 m<sup>2</sup></u> | (Situated in Grass St)                     |
| 5. <u>Erf 2414- 2518 m<sup>2</sup></u> | (Situated cnr of Grass & Yaya St)          |
| 6. <u>Erf 2893 – 664m<sup>2</sup></u>  | (Situated in Nongwe St)                    |
| 7. <u>Erf 2003 – 404m<sup>2</sup></u>  | (Situated in Rozenmeer Residential Estate) |

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All the erven except Erf 2003 are situated in low cost residential areas. Erf 2003 is situated in Rozenmeer Estate a new middle income residential area situated on the N1 side of the R101.



Erf 932 Klapmuts



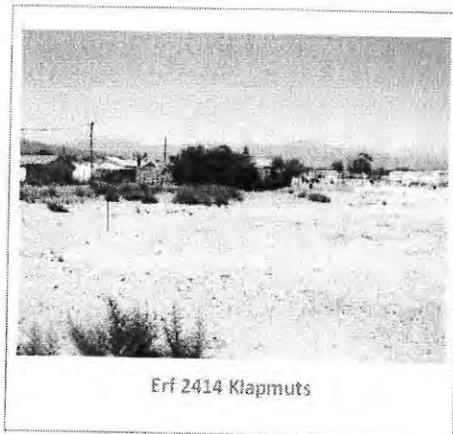
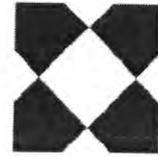
Erf 913 Klapmuts



Erf 1082 Klapmuts



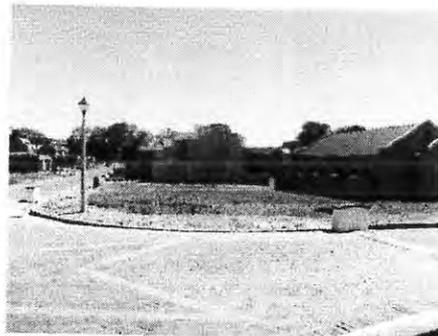
Erf 2413 Klapmuts



Erf 2414 Klampmuts



Erf 2893 Klampmuts



Erf 2003 Klampmuts in Rozenmeer, typical houses in Estate behind.

### **KLAMPMUTS- NEIGHBOURHOOD AREA**

Klampmuts has been identified as a growth node being well situated between Cape Town, Paarl and Stellenbosch and with good access to transport routes both road and rail.

It is changing from a small rural mainly residential town with relatively few job opportunities to a town with industrial and commercial developments and with residential developments which are both entry level housing and also lower to middle income housing.



### KLAPMUTS- SALES EVIDENCE

We have carried out extensive research of sales of both vacant and improved erven in Klapmuts in recent years and we list these below:

No	Erf	Size (m <sup>2</sup> )	Sale Date	Price(R)	R/m <sup>2</sup>	Remarks
1	2104	2.07 ha	1.4.2009	9 438 744	456	Shoprite/Checkers
2	2106	4002	24.5.10	4 500 000	1124	Engen- PFS site
3	2116	2.77 ha	28.10.13	18 959 112	684	Vinimark Distr Centre
4	2108,09,10	2498	2014	3 200 000	1281	Storage RSA
5	2124	1.6892ha	10.2010	4 845 000	286	Koel Park-low cost houses
6	809	356	1.8.13	25 810	n/a	Sale by Prov Govt
7	42	353	10.4.13	250 000	708	Part improved, Beyer St
8	311	714	22.7.14	350 000	n/a	House in Bell St
9	725	200	10.6.14	160 000	n/a	Low cost hse, Merchant St
10	3437	147	16.10.13	228 000	1551	Pinotage Villas
11	1342	325	25.7.14	200 000	615	Plot. Rozenmeer
12	1976	439	2.12.14	292 000	665	Plot. Rozenmeer
13	1371	538	15.12.14	480 000	892	Plot. Rozenmeer
14	1985	439	12.11.14	1 887 500	n/a	House Rozenmeer
15	1361	439	25.8.14	1 300 000	n/a	House Rozenmeer

### KLAPMUTS- SALES DISCUSSION

#### Commercial/Business Sites

Sale No's 1 to 4 above are in the new industrial/commercial area in Klapmuts and indicate land values in the range of R456/m<sup>2</sup> to R1300/m<sup>2</sup> depending on date of sale and land extent. We have also spoken to brokers selling commercial land in this area who inform us that currently sites are available generally in the range of R1300/m<sup>2</sup> to R1600/m<sup>2</sup>.

#### Residential Sites

The balance of the above sales are of residential erven; Sale No's 5 to 10 are sales in low cost housing areas in Klapmuts while Sale No's 11 to 15 are in the middle income Rozenmeer Estate where the subject erf 2003 is situated.

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Sale No 5 at R286/m<sup>2</sup> is for 1.7 ha known as Koel Park which has been subdivided into Erven 3270 to 3374 of plots of around 100m<sup>2</sup> developed with semi-detached low cost housing which has been sold at R100 351 (i.e Erf 3362)

Sale No 6 one of a number of sales of semi- detached houses in Bell St to the occupier by W.Cape Provincial Govt, all at the same price of R25 810. We do not know the background to these sales, the amount appears not to be market related and is nearer to the plot value only.

Sale No's 7 & 8 are situated in the older part of Klapmuts and although a lower income area are superior to the subject erven (except Erf 2003); taking account for the contribution of the improvements being at least 66% and 75%, the plot element equates to around R100/m<sup>2</sup> to R150/m<sup>2</sup>

Sale No 9 is a small plot with poor house but situated moderately close to the subject erven and allowing a contribution for the house of around R125 000 indicates a value of R30 000 to R35 000 for the land.

Sale No 10 comprises an erf in Pinotage Villas, this was originally Erf 2119 which has been subdivided in terms of General Plan 2676/2013 into erven 3425-3525. The erven are very small but what is being sold is a house of around 50m<sup>2</sup> built to quite a high standard in a security estate for an all in price of R500 000 to R600 000 depending on actual size. The price recorded for the erf is not considered relevant on its own.

Sale No's 11 to 15 are vacant plots and houses in Rozenmeer Estate.  
Plot prices are typically R400 000 to R500 000.

### **VALUE CONCLUSIONS (HIGHEST AND BEST USE)**

#### **Erven 932,913,1082,2413,2414,2893**

The above erven are all situated in a similar low cost housing area of Klapmuts and we are of the view that the highest and best use is for residential use.

The sales evidence indicates a price of around R100/m<sup>2</sup> for the smaller erven and we have used this as a base value for adjusting for size and position. We conclude the following Market Values:

Erf 932 – 1006m <sup>2</sup>	R75 000.00
Erf 913 – 649m <sup>2</sup>	R50 000.00
Erf 1082- 324m <sup>2</sup>	R35 000.00
Erf 2413 -1188m <sup>2</sup>	R80 000.00
Erf 2414 -2518m <sup>2</sup>	R150 000.00
Erf 2893 -664m <sup>2</sup>	R50 000.00

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# Knight Frank



### Erf 2003 Klapmuts (Rozenmeer Estate)

The most recent sale of Erf 1371 in Rozenmeer Estate at R480 000 is in a superior position to the subject erf 2003 which is near the main entrance gate and will experience more traffic; we accordingly value Erf 2003 at **R450 000**

### VALUE CONCLUSIONS (Purchase by Non Profit Organisation)

It is the policy of the City of Cape Town to sell properties to such NPO's as a Church or Creche at 25% of the Market Value.

We therefore summarise our values on this basis below:

### VALUATION CERTIFICATE

No	Erf	Extent (m <sup>2</sup> )	Highest and Best Use	Market Value	Value in terms of NPO Policy
1	932	1006	Residential	R75 000.00	R18 750.00
2	913	649	Residential	R50 000.00	R12 500.00
3	1082	324	Residential	R35 000.00	R8 750.00
4	2413	1188	Residential	R80 000.00	R20 000.00
5	2414	2518	Residential	R150 000.00	R37 500.00
6	2893	664	Residential	R50 000.00	R12 500.00
7	2003 2403	404	Residential	R450 000.00	R112 500.00

We trust that we have fulfilled your instructions and will be glad to answer any queries

DAT WHITE MRICS FIVSA MRICS  
Chartered Valuation Surveyor  
Registration No 1770  
Cape Town

23.2.2015

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**Knight Frank**



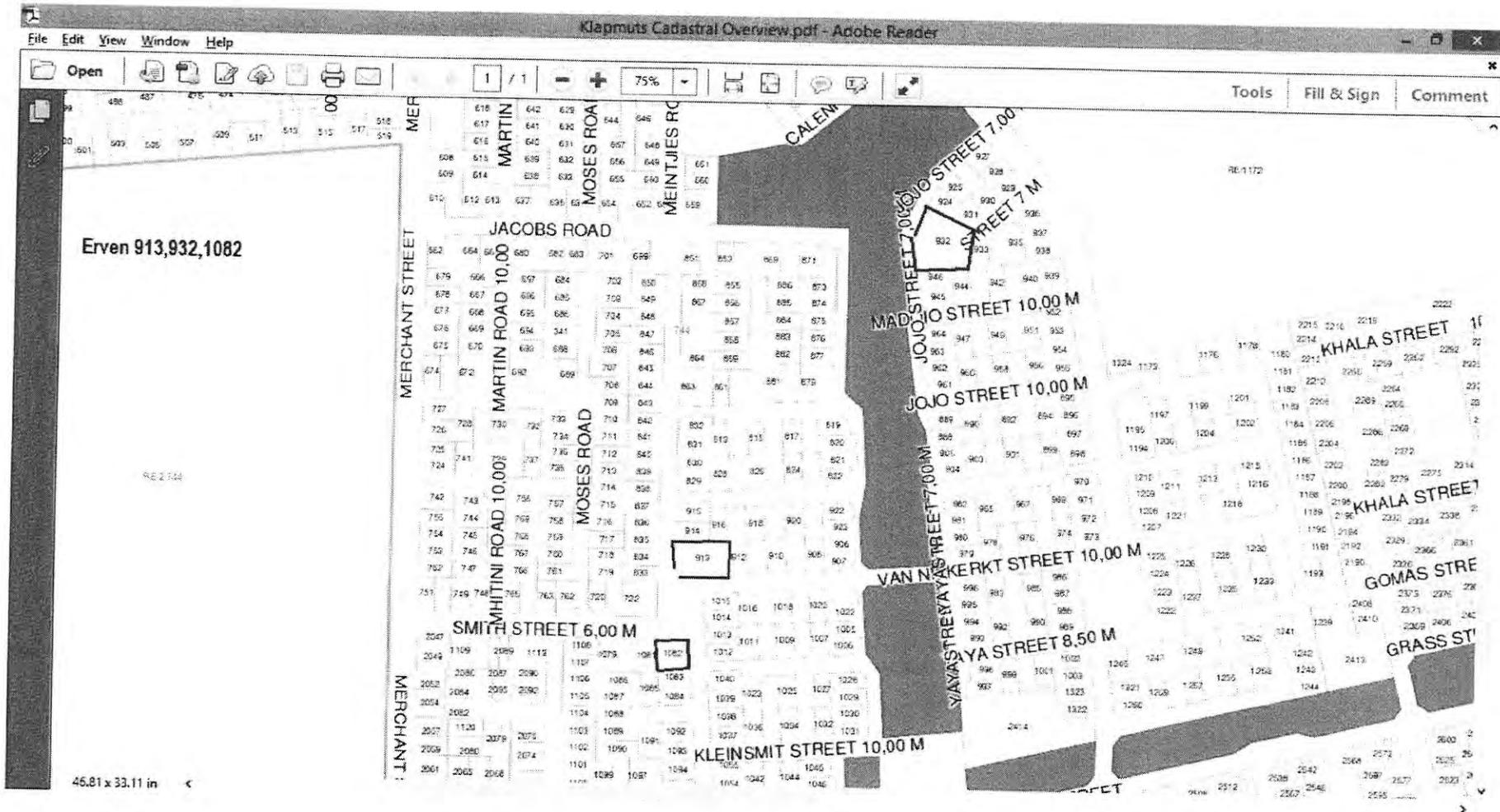
**ANNEXURES**

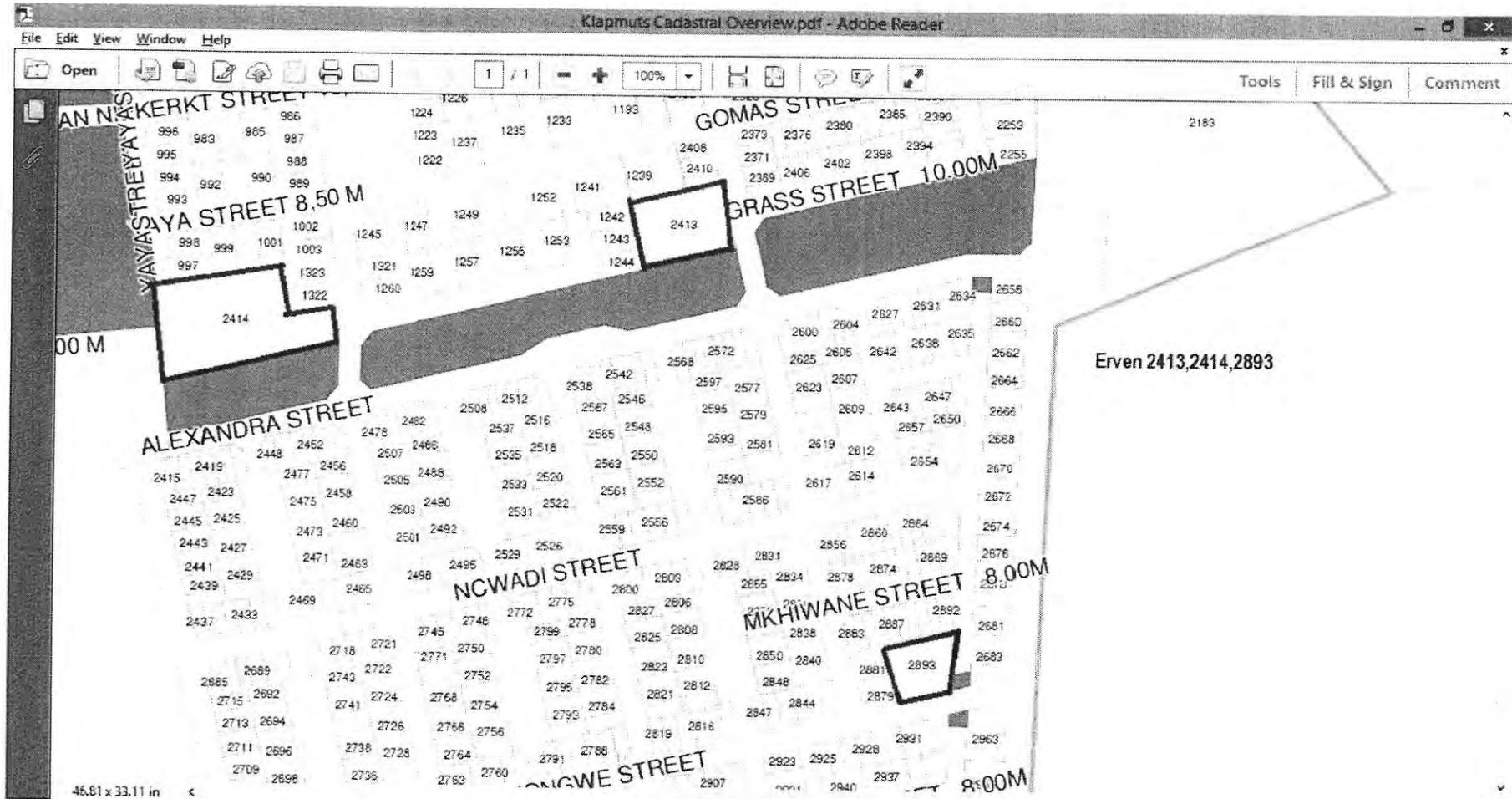
LOCATION PLANS (3)

1. Erven 913,932,1082

2. Erven 2413,2414,2893

3. Erf 2003







# APPENDIX 4



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## STATUTORY NOTICE

### INVITATION TO SUBMIT WRITTEN TENDERS: DISPOSAL OF VARIOUS COUNCIL - OWNED PROPERTIES (CHURCH SITES) IN KLAPMUTS

#### TENDER NOTICE: BSM...../15

Stellenbosch Municipality hereby invites interested parties and or persons to submit tenders for the disposal of the following council - owned properties:

Property description	Extent	Zoning
1. Erf 913, Klapmuts	649 m <sup>2</sup>	Institutional Zone II (church)
2. Erf 932, Klapmuts	1006 m <sup>2</sup>	Institutional Zone II (church)
3. Erf 2414, Klapmuts	2518 m <sup>2</sup>	Institutional Zone II (church)
4. A portion of Erven 313 and 314, Stellenbosch	100m <sup>2</sup>	Public Road

Tender documents will be available as from 10:00 on February 2015 at the Supply Chain Management Unit, Municipal Building, Pleinstreet, Stellenbosch. A non-refundable fee of R.....including VAT will be payable for each Tender document.

Sealed proposals, clearly marked "BSM...../15", followed by the erf number of the specific property, must be placed in the tender box at the Pleinstreet Offices, Stellenbosch by not later than 10.00 on .....March 2015.

A non-compulsory briefing session will be held at the Committee room of the Housing Department, 3<sup>rd</sup> Floor, Oude Bloemhof building (Absa Building) Pleinstreet, Stellenbosch at 24 on March 2015.

Please note the following conditions:

- a) Stellenbosch Municipality reserves the right not to accept the highest or any tender;
- b) Tenders not submitted on the Tender document will lead to disqualification of such tender(s);
- c) Tenders submitted after the closing date and time, faxed, e-mailed, unsigned or unsealed tenders will not be accepted nor considered;

Further particulars can be obtained during office hours (Mondays-Fridays 08.00-16.30) from the Manager: Property Management, 3<sup>rd</sup> floor, Oude Bloemhof Building, Pleinstreet, Stellenbosch. E-mail: [piet.smit@stellenbosch.gov.za](mailto:piet.smit@stellenbosch.gov.za)

Tel: 021-8088189

Cell: 0845065065

This notice is published in terms of Stellenbosch Municipality's Supply Chain Management Policy, read with Section 14 of the Municipal Finance Management Act, no 56 of 2003.

CHRISTA LIEBENBERG  
MUNICIPAL MANAGER  
PO BOX 17  
STELLENBOSCH  
7600

Date: .....2015

# APPENDIX 5

**EVALUATION CRITERIA:CHURCH SITES IN KLAPMUTS**

3.1 The objective of the selection process is to assess the responses to the Bids submitted and select potential Bidders.

The information supplied \* will be checked for completeness and compliance before responses are evaluated.

**\* See section 6 below.**

3.2 Selection criteria will be a combination of both financial and non-financial factors.

The awarding of Bids, shall be adjudicated on a maximum one hundred (100) points system, set out as follows:

- (a) **Status:** Twenty (20) points maximum, which shall be measured and compiled as follows:
- (i) Ten (10) points maximum for black people and legal entities owned by black people. Points for legal entities will be proportionally allocated according to the percentage ownership by black people.
  - (ii) Three (3) points maximum for women and legal entities owned by women. Points for legal entities will be proportionally allocated according to the percentage ownership by women.
  - (iii) Two (2) points maximum for disabled people or legal entities owned by disabled people. Points for legal entities will be proportionally allocated according to the percentage ownership by disabled people.
  - (iv) Five (5) points maximum for local residents, or organisations serving the local community which shall be measured and adjudicated as follows:
    - (i) Persons residing in Klapmuts or organisations serving the community of Klapmuts: Five (5) points.
    - (ii) Persons residing in Ward 18, or organisations serving the community of Wards 1 and 2: Three (3) points.
    - (iii) Persons residing in the Municipal area of Stellenbosch Municipality, or organisations serving the community of the Municipal area: One (1) point.
- (b) **Price:** Thirty (30) points maximum. The highest financial offer shall score Thirty (30) points with lower offers scoring proportionally in relation to the highest offer.

- (c) **Development concept:** Ten (10) points maximum, which shall be measured and adjudicated as per the following:
- (i) Five (5) points maximum for design concept: The extent to which the proposed development is in line with the development parameters, set out in Section 4;
  - (ii) Five (5) points maximum for functionality: The extent to which the proposed development will enhance the functional/optimal use of the property, i.e to what extent the proposal will cater for the broader community's social needs.
- (d) **Bidders capacity and capability:** Twenty (20) points maximum, which shall be measured and adjudicated as per the following criteria:
- (i) Ten (10) points maximum for Economic and Financial Standing: The extent to which the Bidder is in a sound financial position to participate in a development of this size. This may entail independent financial checks; and
  - (ii) Ten (10) points maximum for Bidders readiness: The extent to which the Bidder is able to demonstrate his readiness to commence with the construction of the improvements within 12 months from date of awarding the tender. This may entail financial records, showing the availability of funds as well as the availability of concept building plans approved by the congregation.
- (e) **Size of local congregation:** Twenty (20) points maximum, which shall be measured and adjudicated as per the following criteria.
- (i) 0-100 : 2 points
  - 101-500 : 5 points
  - 501-1000 : 15 points
  - 1001 and more: 20 points

Failure to provide a satisfactory response, if so required, to any of these questions may result in the Council not proceeding further with the Bid.

**8.5 COMMENT ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED VLOTTENBURG VILLAGE DEVELOPMENT***File number* : P 387 S*Compiled by* : Manager: Spatial Planning, Heritage & Environment*Report by* : Director: Planning, Economic and Community Development*Delegated Authority* : Council**Strategic intent of item**

Preferred investment destination	
Greenest municipality	
Safest valley	
Dignified Living	
Good Governance	X

**1. PURPOSE OF REPORT**

To recommend a delegated process for consideration of environmental authorisation applications. There is no clear delegation in the approved system of delegations. It is impractical to submit this item (and any others) to Council, due to time constraints imposed by the relevant legislation.

In the absence of a clear delegation permitting this Department to comment on applications submitted in terms of the National Environmental Management Act, 107 of 1998 (NEMA) the below comment on the Draft Environment Impact Report (EIR) for the proposed Vloottenburg Village Development is submitted for the Committee's consideration.

The process of enquiring Environmental Authorisation in terms of NEMA pre-empts a land use application in terms of the applicable municipal planning legislation which will be submitted to Council for consideration.

The below comment represents this Department's input in the NEMA process as per invitation by the relevant Environmental Assessment Partitioner (EAP) and the Department of Environmental Affairs & Development Planning's requested to submit comment. This Department's comment is premised on formally approved municipal policy.

**2. PROPOSED VLOTTENBURG VILLAGE DEVELOPMENT**

The Preferred Layout Alternative 1 contained in the above EIR for the proposed Vloottenburg Village mixed-use development, recommended by the EAP for approval, includes the following components<sup>1</sup>:

- Residential:
  - Single Erf (600m<sup>2</sup>) with 2 storey Free Standing Houses [55 units];
  - Single Erf (450m<sup>2</sup>) with 2 storey Free Standing Houses [225 units];

<sup>1</sup> Draft Environmental Impact Assessment Report and Environmental Management Programme (Withers Environmental Consulting, 2015)

- Single Erf (300m<sup>2</sup>) with 2 storey Row Housing [75 units];
- Group Housing (60-90m<sup>2</sup>) with 2 storey Apartment Buildings [150 units];
- Single Erf (300m<sup>2</sup>) with 2 storey Duplex Housing [25 units];
- Group Housing (45m<sup>2</sup>) with 2 storey Walk-Up Buildings [100 units];
- Retail Centre;
- Hotel School (accommodation and skills centre);
- Medical Centre (community medical facility with clinic, consultation rooms, pharmacy and parking);
- Mixed Use Buildings (retail and crafts, restaurants and deli's, showrooms and galleries, live/work studios, offices and apartments);
- Hotels (boutique hotel and 150 key hotel);
- Education Facilities (new private school and sports fields);
- Community Facilities (church, community centre and sports club house);
- Sport and Recreation;
- Green Open Space;
- Parking; and
- Associated Infrastructure i.e. potable water supply, bulk sewage infrastructure, storm water management infrastructure, external and internal roads and bulk electricity infrastructure.

The EIR summarizes the following potential negative impacts associated with the proposed development:

- Impact on the scenic rural context and landscape as a result of development on agricultural land;
- Visual change from an open, rural area to a built area with an urban character, visual intrusion on the Vredenheim and Neethlingshof historic homesteads/ access gateways, visibility from sensitive receptors and visual intrusion of night lighting on the rural landscape.
- Impact on sense of place for current and future residents of the surrounding area, due to a relatively large and higher density development within a rural setting;
- Impact on traffic flows with large numbers of additional vehicles using access routes that are already experiencing high traffic flows during peak hours;
- Bulk infrastructure requirements, with essential upgrades related to potable water, sewerage and road intersections;
- Potential increase in crime levels, which is already a problem due to unemployed residents in the area; and
- With respect to cumulative impacts, the potential negative impacts would be compounded if additional developments were introduced in the immediate and surrounding areas.

The most significant positive impacts associated with the proposed development are the following:

- Large contribution towards employment and local economy income during both the construction and operational phases.
- With respect to cumulative impacts, the employment and economic income benefits of a number of developments in the greater Vloottenburg

area could also be compounded, especially with regard to the provision of housing and social development of communities in the area.

- The economic benefits of new employment opportunities, economic income and the associated social benefits of embarking on the project are significant given the nature and scope of the proposed Vlottenburg Village development.
- The rehabilitation of severely degraded river corridors and ongoing monitoring and maintenance of the riparian and wetland vegetation on the development site will have a positive long term impact on freshwater features.

The relevant Environmental Assessment Practitioner has recommended the authorisation of the proposed Vlottenburg Village Development under the condition that the mitigation measures as described in the Environmental Management Plan submitted along with the EIR be implemented and that regular audits in this regard be undertaken to ensure compliance.

### 3. COMMENTS

- 3.1 Vlottenburg is indicated in Stellenbosch's Municipal Spatial Development Framework (MSDF) as one of fourteen (14) interconnected urban nodes within Stellenbosch Municipality. This is due to its located at the intersection of the R310, Vlottenburg Road and the railway line. Vlottenburg is therefor recognised for urban development.

This Department, however, is concerned about the proposed development in its current form. This is due to the following factors:

- 3.2 Substantial portions of the proposed development are planned to occur outside of the demarcated urban edge of Vlottenburg. The current proposal represents urban sprawl. Whilst Vlottenburg is identified in the MSDF as a rural node, development around Vlottenburg should not occur laterally, but instead be densified within the current footprint and designated urban edge of Vlottenburg, in particular along Vlottenburg Road and the existing railway station.
- 3.3 In terms of the Draft Stellenbosch Development Framework that expands on the MSDF Vlottenburg forms one of several urban nodes built around integrated public transport services. Vlottenburg has immense potential in this regard with particular reference to the existing railway station within Vlottenburg and its location next to the railway line. The current proposal does not support or enhance this principle but remains dependant on private transport modes.
- 3.4 The development in its current form seems to have been planned in isolation with reference to Polkadraai Smallholdings and the proposed Woodmill development.
- 3.5 The current proposal is exclusive rather than inclusive and will not address the housing backlog in the municipality where the greatest need is for affordable housing and security of tenure. Provision should be made for a spectrum of housing typologies that include and integrate all income groups. This includes gapp housing, social housing and possibly farm worker housing.
- 3.6 The scale and characteristics of the current proposal, i.e. sprawl, low density, private vehicle orientated development makes the proposed development a suburb of Stellenbosch rather than a consolidation and a development of a rural village or hamlet that are self-sustaining as is envisaged by the MSDF.

- 3.7 The above EIR states that with respect to cumulative impacts, the potential negative impacts would be compounded if additional developments were introduced in the immediate and surrounding areas. However, the current Spatial Development Plan of Stellenbosch Municipality does not suggest any further/additional development earmarked for the Vlottenburg area. The MSDF already does not make provision for the development of Vlottenburg to the extent proposed. This Department therefore has to consider the increase of development pressure on the agricultural, yet vacant land between Vlottenburg and Stellenbosch and the unintended consequence of the development of a Vlottenburg Village as is currently proposed.
- 3.8 This Department does not support the proposed Vlottenburg Village development in its current form due to the above. This Department will support a development proposal that is in line with the intended character and scale of Vlottenburg rural node, a plan that will be less costly in terms of transportation and social equity and a plan that supports the achievement of an integrated, compact, high density urban area inclusive of housing opportunities for forum workers and lower income (primarily tenants) citizens.

**RECOMMENDED**

- (a) that Delegation be granted to the Director: Planning and Economic Development to submit comment on environmental authorization applications to the competent authority in instances where no substantive objections were received to the proposal and to the Planning and Economic Development Committee in instances where substantive objections were raised; and
- (b) that the above comment be submitted in response to the invitation for comments on the Draft Environmental Impact Report for the proposed Vlottenburg Village Development submitted in the terms of the National Environmental Management Act, 107 of 1998.

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

**PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE: 2016-03-01: ITEM 5.1.1****RECOMMENDED**

- (a) that Delegation be granted to the Director: Planning and Economic Development to submit comment on environmental authorization applications to the competent authority in instances where no substantive objections were received to the proposal and to the Planning and Economic Development Committee in instances where substantive objections were raised; and
- (b) that the above comment be submitted in response to the invitation for comments on the Draft Environmental Impact Report for the proposed Vlottenburg Village Development submitted in the terms of the National Environmental Management Act, 107 of 1998.

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

**MAYORAL COMMITTEE MEETING: 2016-03-23: ITEM 5.1.1**

**RESOLVED**

that the Concept Plan on the Vlotenburg Village Development be submitted to the Council meeting scheduled for 2016-03-30 for information.

**RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that Delegation be granted to the Director: Planning and Economic Development to submit comment on environmental authorization applications to the competent authority in instances where no substantive objections were received to the proposal and to the Planning and Economic Development Committee in instances where substantive objections were raised;
- (b) that the above comment be submitted in response to the invitation for comments on the Draft Environmental Impact Report for the proposed Vlotenburg Village Development submitted in the terms of the National Environmental Management Act, 107 of 1998;
- (c) that Council be informed of any administrative comments, decisions and outcomes on the matter on a quarterly basis until concluded.

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

**FURTHER COMMENTS BY THE DIRECTOR: PLANNING AND ECONOMIC  
DEVELOPMENT**

Subsequent to the Mayoral Committee resolution above, the Concept Plan on the Vlotenburg Village Development is hereby attached as **APPENDIX 1**.

**FOR CONSIDERATION**

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

**8.6 STELLENBOSCH RIVER COLLABORATIVE**

*File number* : 8/1/1 Engineering Services  
*Compiled by* : Manager: Transport, Roads and Stormwater  
*Report by* : Acting Director: Engineering Services  
*Delegated Authority* : Council

**Strategic intent of item**

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

**1. PURPOSE OF REPORT**

For Council to note the existence of the Stellenbosch River Collaborative and to commit to participate in this initiative.

**2. BACKGROUND**

The condition of the Plankenbrug River is of serious concern and will lead to environmental and health risks for the community. The river is highly polluted by industrial run-off, raw sewerage, polluted stormwater and solid waste. As a landowner and a Local Authority the Municipality has the responsibility to intervene and remedy the situation.

Mrs Charon Marais, a Stellenbosch University student from the Business School, is studying governance of complex societal systems and how governance approaches can integrate with local ecology from a system perspective as part of her doctorate thesis. Her research forms part of the Sustainable Stellenbosch Initiative doctorate programme with TsamaHUB at the School of Public Leadership partnering with the Sustainability Institute.

Her research is action-based, participating with influencers and decision-makers across sectors on different scales to develop a collective understanding about deteriorating condition of the Plankenbrug River and the inability of all spheres of Government to address the problem as her field of study. Through this process a workgroup was formed that later became known as the Stellenbosch River Collaborative (SRC). The SRC approaches these issues in partnership to improve governance approaches through improved relationships.

The purpose of this group is: The Stellenbosch River Collaborative is a collaborative of like-minded organisations and people concerned about the deteriorating water quality and riverine environment of the rivers in the Eerste River catchment. As stewards of this space the Directorate's aim is to develop a collaborative governance response to the water quality issues and the environment in the catchment. Guided by this long-term view, this Directorate will investigate and implement agreed actions and adopt a "learning by doing" approach to meet the action orientation of the group.

---

The SRC has compiled a Terms of Reference (TOR) (**APPENDIX 1**). The TOR dictates the purpose, mandate, composition, functions, responsibilities and administrative functioning of the SRC

During the past year, the collaborative has had numerous engagements and successes i.e.:

- Developing a community of practice by forcing relationships between the relevant Government Departments and various sector departments;
- Learning journey with WWF and DUCT in Howick, and learn more about eco-champion system and street theatre education in mPopomeni informal settlement, various education and awareness initiatives to monitor Duzi-Ungeni pollution and work with governance agencies;
- Learning journey in Kayamandi and Enkanini with Kim Kieser, visitor guest of SUWI, to learn more about the Jukskei River initiative.
- Forced partnerships with Livinglands, Wildlands and Isidima  
Projects underway to address pollution challenges in Kayamandi/Enkanini and the Plankenbrug River are:
  - Plankenbrug Restorer project
  - Alien-clearing
  - Rehabilitation of the water-quality
  - Monitoring of sources of water pollution
  - River restoration
  - Eco-awards in collaboration with the Municipality

### 3. DISCUSSION

This initiative is in line with Council's strategic goals of:

- Dignified living
- Greenest Valley
- Safest Valley
- Preferred invest destination

The SRC has been formulated as such that projects can be done by the individual parties and/or by groups of organizations. The municipality is therefore not obliged to partake in any project should it not be priority for the municipality. It was discussed that all projects that will take place on Council owned land will be submitted to the Municipality for approval.

This initiative is supported. In order to build on the success of this group it is important to involve all roleplayers in the municipality to ensure that projects are planned in an integrated approach.

### 4. BENEFITS

The benefits for Council to partake in this initiative can be summarized in the following key points:

- Foster community participation
- Integrated planning between all stakeholders
- Action led involvements

- Shared resources
- Potential external resources
- Links to Million Trees project
- In line with Councils strategic goals

## **5. COMMENTS FROM OTHER RELEVANT DEPARTMENTS**

### **5.1 Director Corporate and Strategic Services – Legal (Elizabeth Williams)**

Item is supported. Thought the municipality is not obligated to participate, due consideration ought to be given to various funding options for the projects listed in point 2 and that the municipality apply for same if it did not do so to date for possible job creation. It is furthermore recommended that a representative from the LED section be nominated to partake in this Collaborative. It is imperative that if the projects are implemented and the municipality obtain funding that there is adherence to the legislative framework and that the process is open and transparent.

### **5.2 Finance Department**

Finance supports the item. Implementation is budget dependent.

### **5.3 Director Public Safety and Community Services (Gerald Esau)**

Community & Protection Services supports the item. Note should be taken that the Department Community Services will be a partner in the Collaborative and will be able to support projects with resources available to their disposal

### **5.4 Directorate: Human Settlements & Property Management (Piet Smit)**

The recommendations contained are supported.

## **RECOMMENDED**

- (a) that the Municipality participate in the Stellenbosch River Collaborative;
- (b) that the Municipal Manager assigns representatives of the following Departments to the Collaborative:
  - Community Services
  - Housing
  - Transport, Roads and Stormwater
  - Water and Waste Water
  - Spatial Planning, Heritage and Environment; and
- (c) that all projects that will take place on Council owned land be submitted to the Municipal Manager for consideration in terms of delegated authority.

**(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)**

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**ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING:  
2016-03-02: ITEM 6.1.1****RECOMMENDED**

- (a) that the Municipality participate in the Stellenbosch River Collaborative;
- (b) that the Municipal Manager assigns representatives of the following Departments to the Collaborative:
  - Community Services
  - Housing
  - Transport, Roads and Stormwater
  - Water and Waste Water
  - Spatial Planning, Heritage and Environment; and
- (c) that all projects that will take place on Council owned land be submitted to the Municipal Manager for consideration in terms of delegated authority.

**(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)**

**MAYORAL COMMITTEE MEETING: 2016-03-23: ITEM 5.1.3****RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that the Municipality participate in the Stellenbosch River Collaborative;
- (b) that the Municipal Manager assigns representatives of the following Departments to the Collaborative:
  - Community Services
  - Housing
  - Transport, Roads and Stormwater
  - Water and Waste Water
  - Spatial Planning, Heritage and Environment; and
- (c) that all projects that will take place on Council owned land be submitted to the Municipal Manager for consideration in terms of delegated authority.

**(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)**

# APPENDIX 1



## TERMS OF REFERENCE

### 1. PURPOSE

The Stellenbosch River Collaborative (hereafter referred to as "SRC") is a collaborative of like-minded organisations and people concerned about the deteriorating water quality and riverine environment of the rivers in the Eerste River catchment. As stewards of this space our aim is to develop a collaborative governance response to the water quality issues and the environment in the catchment. Guided by this long-term view, we will investigate and implement agreed actions and adopt a "learning by doing" approach to meet the action orientation of the group.

### 2. MANDATE

The SRC will be an overarching and interactive group that will provide input and guidance into other projects, structures, processes that assist in fulfilling our purpose.

Over and above the influencing and consultative role there will be a strong focus on the identification and implementation of relevant catchment specific projects

### 3. COMPOSITION AND STRUCTURE

The SRC will consist of two structures; a steering committee (SRC-SC) and a broader stakeholder forum (SRC-SF).

#### 3.1 Steering committee (SRC-SC)

The steering committee is a formal structure and will consist of influencers and decision makers that can/will strategically collaborate in fulfilling our purpose and mandate.

The Steering committee will initially consist of representatives of the following founding member organizations (hereafter referred to as “members”):

- o Spier
- o Distell
- o WWF
- o Stellenbosch Municipality
- o University of Stellenbosch
- o Department of Water and Sanitation
- o Department of Agriculture (Provincial)
- o Department of Environmental Affairs and Development Planning
- o Cape Nature
- o Wynland Water - Water user associations

A Chairperson and Co- Chairperson of the Steering Committee will be elected by the members of the Steering committee. The Chairperson and Co-Chairperson will hold office for a maximum of 2 years after which new office bearers must be elected.

### **3.2 Stakeholder forum (SRC-SF)**

The stakeholder forum is a broader grouping of stakeholders that are interested in and or affected by the water quality and riverine environment of the Eerste River catchment. This forum is open to all Interested and Affected Parties (IAP's) wishing to take part, provide input or make a contribution towards the purpose of the SRC. Any stakeholder forum member who shows through their commitment and ability to influence a process that could assist the SRC to fulfill their purpose and mandate could be invited by the SRC-SC to join the SRC- SC. This forum will meet quarterly where the SRC-SC will communicate progress made in terms of their mandate. SRC-SF stakeholders will have the opportunity to provide input following the agreed procedure.

## **4. FUNCTIONS**

The functions of the SRC-SC will be to –

- Implement our mandate by or through the identification of processes, projects or structures through which we could collaborate to assist us in fulfilling our purpose. i.e. CMA development, the IIC and Berg River Partnership;
- The SRC-SC will identify a responsible person to represent it at the identified process, project or structures;
- Identify priority areas for river rehabilitation, restoration and water quality improvement within the catchment;
- Identify, facilitate and develop implementation projects/opportunities on management of river rehabilitation programmes;
- Manage and direct the activities of the secretariat;

- Guide implementation or project agents e.g. Living Lands, Wildlands Conservation Trust others in line with the purpose and mandate of the SRC as well as within the framework of any formal third part agreements;
- Create awareness and provide education; and
- Source funding to fulfill the mandate.

## 5. GENERAL RESPONSIBILITIES

The members of the SRC- SC are expected to:

- Be a custodian of the rivers;
- To participate equally with the other SRC-SC member in the execution of the mandate of the SRC-SC
- Act in good faith, and be constructive in their participation in the activities and discussion of the SRC - SC;
- Afford all members an equal opportunity to raise and discuss issues;
- Reach decisions by consensus;
- Support decision reached and recommend that their institutions support the execution of decisions adopted at meetings understanding that a decision taken at the SRC- SC is not binding on the represented institutions;
- Instil and promote good governance practices promoting sound financial and operational management through its transparency, participation, responsiveness, oversight, and accountability;
- Keep a level of confidentiality of matters discussed, and respect requests for complete confidentiality on matters to remain amongst member institutions;
- Attend meetings of the SRC- SC, however, in the event that members are unable to attend, they are to tender their apologies or allow for a representative to attend through a notice to the secretariat of the SRC - SC;
- Provide relevant information required/requested by the SRC-SC accurately and timeously;
- Give regular feedback to the institutions being represented on the activities of the SRC- SC.

## 6. STANDING RULES OF ORDER

The SRC-SC shall allow for adaptation of its rules as required.

### 6.1 Chairmanship

6.1.1 The Chairpersons of the SRC-SC and SRC-SF will be elected by the SRC-SC.

6.1.2 The SRC-SC has the discretion to co-opt additional members to serve on the SRC-SC, either as permanent members or to render specialist advice/support as the need arises. Please refer to 3.2.

6.1.3 If either of the Co-Chairs are absent or unable to act for any reason, a nominated member of the SRC-SC will stand in to assist.

## 6.2 Secretariat

6.2.1 A member organization of an external entity may be appointed to perform the secretariat function. Funding will be sourced to finance the secretariat.

The secretariat is required to ensure they have the capacity and skills sets required to deliver the following services:

- (i) Calendar Management
- (ii) Give written notice of meetings;
- (iii) Keep an attendance register;
- (iv) Write and send out minutes;
- (v) Draw up an agenda in line with the order of business;
- (vi) Ensure flow of information between members, and
- (vii) Deal with correspondence and communication in line with SRC-SC's position/decisions.
- (viii) Facilitate and organize workshops, field trips and communication of events and learning under the direction of the SRC-SC
- (ix) Assist the SRC-SC in identifying collaboration opportunities, identification of new relationships, funding partners and implementation partners
- (x) Develop and manage stakeholder mapping.
- (xi) Manage the linkages between the projects
- (xii) Provide the capacity in the process for the completion of the PHD Research Project that initiated the SRC.

## 7. SCHEDULING OF MEETINGS

7.1 Meetings are to be hosted as determined by the Chairperson in conjunction with the members to execute it duties as set out in the Terms of Reference Document. Quarterly meeting will be held for the SRC-SF and minutes circulated within two weeks after the meeting(s) to expedite action in the field.

7.2 Specific meetings can be convened to address URGENT matters.

7.3 Apologies or non-attendance of scheduled meetings should be made in writing to the secretariat.

## 8. PROCEDURE FOR MEETINGS

- 8.1 The SRC-SC will agree on the procedure considering normal acceptable meeting procedure and principles.
- 8.2 The SRC-SC and SRC-SF is not a bargaining forum, hence decisions will be made by consensus, but in the absence of consensus the majority vote will apply.
- 8.3 The chairperson must facilitate the discussions at the meeting and the time allowed for each agenda point. He/she will see that "sufficient" discussions take place before a decision is made, repeat the decision for the secretary to minute and close discussions on that item. It is his/her responsibility to regulate the time spent for the meeting to be efficient and effective.
- 8.4 The SRC-SC secretariat will be responsible for proper recording of proceedings, attendance of meetings and resolutions adopted by the SRC-SC.
- 8.5 Each member organisation will have one vote. Special attendees and guests will not be eligible to vote.

## 9. ORDER OF BUSINESS

9.1 The order of business of the meeting will be as follows:

1. Opening
2. Present and apologies
3. Adoption of the Agenda
4. Adoption of the minutes of the previous meeting
5. Matters arising from the minutes of the previous meeting
6. Business issues
7. Feedback Reports from Implementation Agents and Project Managers
8. Feedback from all Organisations represented
9. Additional matters placed on the agenda by SRC-SC members
10. Date of next meeting
11. Closure

9.2 The Chairperson may give preference to any item on the agenda with the consent of the meeting.

9.3 The Chairperson may as a matter of urgency or necessity accept a request to discuss a matter not on the agenda with the agreement of the meeting.

**10. CODE OF CONDUCT**

All members are expected to:

- 10.1 Actively participate in all meetings.
- 10.2 Declare and disclose any interest (financial or other) pertaining to projects listed for consideration. The Chairperson may request any member to be excused from the discussion of any matter where such an interest has been declared, with the consent of the meeting.
- 10.3 Have a "Cabinet Approach" to decisions taken at the meeting – members have to go out and speak the same language and refer to Task Team decisions and not individual opinions.
- 10.4 Respect all views and contributions.
- 10.5 Come prepared; give constructive inputs in order to add value to the discussions.

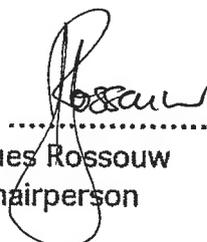
**11. AMMENDMENTS TO THIS DOCUMENT**

This document will be reviewed annually and amended when needed by the SRC-SC members.

**12. APPROVAL OF TERMS OF REFERENCE**

The Terms of Reference was approved by the members of the SRC-SC on 21 January 2015 at Spier in Stellenbosch.

  
.....  
Heidi Newton-King  
Co- Chairperson

  
.....  
Jacques Rossouw  
Co-Chairperson

**8.7 PREFERENTIAL PROCUREMENT POLICY**

*File number* : 6/4/3  
*Report by* : Chief Financial Officer  
*Compiled by* : Chief Financial Officer  
*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**

1.1 To inform Council of a draft Preferential Procurement Policy.

**2. DISCUSSION**

The draft policy will form part of the Draft Budget Related policies for public comment to serve before Council in April and for Council's final approval at the Council meeting at the end of May 2016.

**RECOMMENDED**

that Council note this report.

**(CHIEF FINANCIAL OFFICER TO ACTION)**

**FINANCE AND STRATEGIC AND CORPORATE SERVICES COMMITTEE:  
2016-03-08: ITEM 6.1.2**

**RECOMMENDED**

that Council note this report.

**(CHIEF FINANCIAL OFFICER TO ACTION)**

**MAYORAL COMMITTEE MEETING: 2016-03-23: ITEM 5.1.7**

**RECOMMENDED BY THE EXECUTIVE MAYOR**

that the report on the Preferential Procurement Policy, be noted.

**(CHIEF FINANCIAL OFFICER TO ACTION)**

# APPENDIX 1

**STELLENBOSCH MUNICIPALITY**  
**Draft Preferential Procurement Policy**

**DRAFT**

## PART 1: PREAMBLE

1. The Constitution of the Republic of South Africa, 1996 in section 217 requires an organ of state to contract for goods or services in accordance with a procurement system which is fair, equitable, transparent, competitive and cost effective and to grant preferences within a framework prescribed by National Legislation.
2. A National Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000)- [PPPFA] was promulgated in response to the Constitutional provision and allow for an organ of state to develop a preferential procurement policy and to implement such policy within the PPPFA framework.

From the preamble from the Constitution:

*We therefore, through our freely elected representatives, adopt this Constitution as **the supreme law of the Republic** so as to*

- *Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;*
- ***Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;***
- ***Improve the quality of life of all citizens and free the potential of each person; and***
- *Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.*

From Chapter 7 of the Constitution:

**152. Objects of local government**

**1. The objects of local government are -**

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

**2. A municipality must strive, within its financial and administrative capacity, to achieve the objects set out in subsection (1).**

**153. Developmental duties of municipalities**

*A municipality must*

- a. structure and manage its administration, and budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community; and*
- b. participate in national and provincial development programmes.*

**PART 2: FOREWORD**

The policy of Stellenbosch Municipality – in respect of Preferential Procurement is that:

- 2.1. State expenditure is recognised as an instrument of government policy to achieve economic, socio-economic and development objectives
- 2.2. Procurement can be applied as an instrument of secondary redistribution to alter primary income distribution and as a means to address historic imbalances by means of creating employment and business opportunities for historically disadvantaged groups in the South African society
- 2.3. Preferential Procurement is recognised as a valid instrument for such social reform.
- 2.4. It is recognised that preferential procurement cannot be applied without cost and that such cost should be subject to the Municipal Budget and the prioritization processes applicable to all Municipal expenditure.
- 2.6. Ultimately, preferential procurement could go some way to providing a springboard to encourage redistribution and reducing economic concentration, which in turn would foster competition and promote effective and appropriate resource allocation.
- 2.7. The Stellenbosch Municipality Preferential Procurement Policy will be reviewed regularly.
- 2.8. This Policy marks the beginning of a long term path the Stellenbosch Municipality intends to walk with the citizens of Stellenbosch and that this Policy represents the first phase of implementation. With the increase in maturity of the Stellenbosch Municipality as well as its suppliers, it is further accepted that this Policy will also mature to the extent that visible socio- and economic benefits can be experienced by all citizens living in Stellenbosch.

### **PART 3: PURPOSE AND OBJECTIVES**

3. The broad purpose of the Preferential Procurement Policy is to:
- 3.1. Validate Stellenbosch Municipality's commitment to Preferential Procurement.
  - 3.2. Ensure effective and efficient application of resources.
  - 3.3. Promote accountability, transparency and fairness.
  - 3.4. Create opportunities for local small, medium and micro enterprises.
  - 3.5. Enhance quality of services.
  - 3.6. Stimulate socio-economic development.
  - 3.7. Eliminate and counter corruption.
  - 3.8. Contribute towards reduction of unemployment, especially within the Stellenbosch Municipal Area.
  - 3.9. Broadening the tax base within the Stellenbosch Municipal Area.
  - 3.10 Encourage linkages between small and large enterprises.
  - 3.11 Promote skills transfer and training of the historically disadvantaged.
  - 3.12 Protect local industry against unfair competition.

### **PART 4: LEGISLATIVE FRAMEWORK**

#### **Constitution, 1996 (Act 108 of 1996)**

- 4.1. Section 217(1) of the Constitution, 1996 (Act 108 of 1996) provides that when contracting for goods and services, organs of state must do so in accordance with a system that is fair, equitable, transparent, competitive and cost effective.
- 4.2 Section 217(2) and (3) of the Constitution allows organs of state to grant preferences when procuring for goods and services within a Framework prescribed by National legislation.

#### **Local Government Municipal Finance Management Act, 2003 (Act 56 of 2003) – [MFMA] and related SCM Treasury Regulations, 2005 [SCM TR]**

- 4.3. The MFMA aims to regulate financial management and Supply Chain Management [SCM] of local government to ensure that all revenue, expenditure, assets and liabilities are managed efficiently and effectively.

- 4.4. Sections 110 – 119 of the MFMA deals with SCM requirements and must be read together with the SCM TR's 1 – 52 issued in terms of section 168 of the MFMA through GG 27636 effective from 30 May 2005. Both these sets of prescripts supports the application of the PPPFA.

#### **Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000) – [PPPFA]**

- 4.5. The PPPFA, 2000 took effect on 3 February 2000. The main thrust of the PPPFA, 2000 is that an organ of state **must determine its preferential procurement policy** and implement such within the preferential procurement framework, the latter which is commonly called the '80/20 or 90/10 principle'.
- 4.6. The National Treasury, in consultation with the Department of Trade and Industry, reviewed the Regulations issued in terms of the PPPFA, in 2001, and issued new Regulations that become effective on 7 December 2011

#### **ART 5: PRINCIPLES**

- 5.1. The principles that underpin this policy are as follows:
- 5.1.1 Sound commercial principles will underlie all transactions. There will be no compromise on quality, service delivery or any other commercial aspects related to the delivery of business objectives.
- 5.1.2 All preferential procurement processes will be transparent and subjected to audit in accordance with sound business principles and practices.
- 5.1.3 Stellenbosch Municipality will only conduct business with service providers that comply with legal requirements (registered with SARS; municipal taxes are not in arrears for more than three months; not on the restricted suppliers or tender defaulters lists; suppliers not deemed as in the service of the State, etc.)
- 5.2. The Policy is founded upon the following core principles:
- 5.2.1. Value for money**
- Price alone is often not a reliable indicator and will not necessarily obtain the best value for money by accepting the lowest price offer that meets mandatory

requirements. Best value for money means the best available outcome when all relevant costs and benefits over the procurement cycle are considered.

#### **5.2.2. Open and effective competition**

All procurement laws, policies, practices and procedures must be readily accessible to all parties involved in the procurement process. The procurement process must be open and transparent and reasons must be provided for decisions in terms of current legislation.

#### **5.2.3. Ethics and fair dealing**

All procurement officials must comply with the municipal ethical standards to promote mutual trust and respect and an environment where business can be conducted in a fair and reasonable manner. The following is regarded as an acceptable ethical behaviour:

- Open, honest and co-operative business relations.
- Confidentiality of commercial information.
- Avoidance of conflict of interest or a perception of bias.
- Disclosure of conflict of interest as soon as they arise.
- Fair dealing and impartiality in the conduct of tender evaluations.
- Avoidance of combative or collusive practices.

#### **5.2.4. Accountability and reporting**

Procurement officials and other officials involved in SCM must be answerable for their decisions and actions to the public.

#### **5.2.5. Equity**

Stellenbosch Municipality will at all times strive to enhance the development of SMME's and B-BBEE enterprises' to allow them to contribute meaningfully in the economy of the Stellenbosch Municipal Area.

## **PART 6: POLICY STATEMENTS**

### **6.1 Application**

6.1.1. This Policy will apply to all active industry sectors in the Stellenbosch Municipal Area. It is accepted that through the population of reliable data, trends will be evident which will continuously require a review of the Policy to ensure its relevance of all active industry sectors.

6.1.2. This Policy must be read with the Stellenbosch Municipality's SCM Policy

6.1.3. Construction tenders will also have to adhere to the requirements of the CIDBA.

### **6.2. Targeting**

6.2.1. Targeting will be regarded as a specific goal identified by Stellenbosch Municipality and will be reflected in Part 7 to this Policy.

6.2.2. These targets will be determined prior to the invitation of tenders and reflected as special conditions.

### **6.3. Payment cycles**

6.3.1. The payment of invoices is dependent on timely invoicing, approval of invoices and on the payment administration. Responsible officials must process approved invoices within 30 days of receiving the invoice, unless otherwise provided for in the contract.

6.3.2. Reasons for not approving an invoice must be communicated to the tenderer prior to the lapsing of the said 30 days.

6.3.3. Officials must endeavour to, where feasible, process invoices of SMME's within 7-15 days in order to promote their cash flow position.

## PART 7. PREFERENCE TARGETS IDENTIFIED

7.1 Considering all the data available this Policy for the 2016/17 financial years will strive to achieve the following targets linked to its identified opportunities listed in paragraph 7.1 above:

POLICY OBJECTIVE	TARGET
Improve the <b>local economic market</b>	➤ Obtain 30% quotations from local businesses for appointments below R30,000
Employment of local <b>semi-&amp; unskilled workers</b>	➤ Identify 10% of SCM tenders that include specific conditions of a practical content of local semi-& unskilled workers from LED database / Indigent list and to registered EPWP workers.

Methodology to achieve targets in the short term is to include specific conditions in the SCM documents for Formal Quotations and Bids similar to the following two example:

### Example No1:

Monitoring will be based on the following methods by the End user dept.

1. Local Municipal accounts / Affidavits with ID numbers certified
2. Training and skills development certificates issued

**Example No 2:****TENDER DATA: SPECIAL CONDITIONS RELEVANT TO PROJECT.**

The following Conditions shall be adopted as per the Municipal PPPFA Policy

<b>SPECIAL CONDITIONS OF TENDER</b>		
	<b>Com ply Y/N</b>	<b>Ref in propo sal</b>
<b>A. CONDITIONS APPLICABLE TO THE PROMOTION OF MUNICIPAL LOCAL AND SOCIO-ECONOMIC DEVELOPMENT</b>		
<p>The full portion budgeted for unskilled labour will be executed by unskilled, unemployed labourers who are beneficiaries of this project. The service provider must provide evidence of the identity and addresses of these labourers within 14 days after award of the contract. Minimum prescribed wages must be paid. In the event that this condition cannot be adhered to the contractor must obtain prior approval from the Municipality.</p>		
<p>All materials procured for this project <b>MUST</b> be sourced from local suppliers In the event that this condition cannot be adhered to the contractor must obtain prior approval from the Municipality.</p>		
<p>Use a local EME sub-contractor in for all manual labour in regards to excavations, filling and compaction of cable trenches, pole holes road crossings etc. Suppliers must submit sub-contracting agreement with the tender proposal, together with an indication of the payment arrangements. In the event that this condition cannot be adhered to the contractor must obtain prior approval from the Municipality.</p>		
<p>Suppliers must submit sub-contracting agreement with the tender proposal, together with an indication of the payment arrangements</p>		
<b>B. CONDITIONS APPLICABLE AFTER CLOSING OF TENDER BUT BEFORE A SELECTED SERVICE PROVIDER IS ANNOUNCED</b>		
<p>Any additional information upon request must be submitted in writing within 48 hours of receipt.</p>		
<b>C. CONDITIONS APPLICABLE AFTER AWARDING OF THE TENDER</b>		
<p>The service provider must provide the Municipality with a completed list of local labourers to be used, within 14 days after final award of the tender for approval by the Municipality.</p>		

SPECIAL CONDITIONS OF TENDER		
	Com ply Y/N	Ref in propo sal
<p>The aforesaid list must be updated and submitted together with the service providers progress report and invoice, inclusive of the following details:</p> <ul style="list-style-type: none"> <li>a. Salary / wages spent on local employees versus total wages / salary budget at site</li> <li>b. Number of local employees employed versus per total workforce at site</li> <li>c. Payments made to the subcontractor and his performance</li> </ul> <p>Any amendments prior approval from the Municipality. The service provider must provide local labourers with basic on-the-job training and provide them with a reference letter after completion of their services.</p>		

DRAFT

## **PART 8: IMPLEMENTATION**

- 8.1. This Policy is effective from 1 July 2016.
- 8.2. It is the responsibility of the Office of the CFO and various Line Department Managers to bring the content of this Policy to the attention of all parties concerned.
- 8.3. This Policy marks the beginning of a long term path the Stellenbosch Municipality intends to walk with the citizens of Stellenbosch and that this Policy represents the first phase of implementation. With the increase in maturity of the Stellenbosch Municipality as well as its suppliers, it is further accepted that this Policy will also mature to the extent that visible socio- and economic benefits can be experienced by all citizens living in Stellenbosch.
- 8.4. In order to achieve the above, the following immediate implementation steps are required:

### **By 30 August 2016:**

- a. Increased capacity in the Office of the CFO and the SCM Unit.
- b. Identification and appointment of a PPPFA Champion.

## **PART 9: DEFINITIONS**

The words in this policy shall bear a meaning as prescribed and/or ascribed by applicable legislation, and in the event of a conflict, the meaning attached thereto by National Legislation shall prevail.

- 9.1. "Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000);

- 9.2 “Black people” as defined in the Broad-Based Black Economic Empowerment Act, 2003 (Act No 53 of 2003), is a generic term which means Africans, Coloured and Indians.
- 9.3 “B-BBEE” means broad-based black economic empowerment defined as the economic empowerment of all black people including women, workers, youth, people with disabilities and people living in rural areas through diverse but integrated socio-economic strategies that include, but are not limited to
- Increasing the number of black people that manage, own and control enterprises and productive assets;
  - Facilitating ownership and management of enterprises and productive assets by communities, workers cooperatives and other collective enterprises;
  - Human resource and skills development;
  - Achieving equitable representation in all occupational categories and levels in the workforce;
  - Preferential procurement; and
  - Investment in enterprises that are owned or managed by black people.
- 9.4 “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act.
- 9.5 “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No 53 of 2003);
- 9.6. “Collusion” means an intentional and unlawful agreement by two or more companies/firms which is intended or calculated to misrepresent facts or defraud with the sole purpose of influencing the procurement process thereby prejudicing the interests of the service provider;

- 9.7. "Companies and Shares" shall be read so as to include Close Corporations and members interests mutatis mutandis;
- 9.8. "Comparative price" means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration;
- 9.9 Consortium or Joint Venture" means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 9.10 "Contract" means the agreement that results from the acceptance of a tender by an organ of state;
- 9.11 "CFO" means Chief Financial Officer
- 9.12 "Disability" means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being;
- 9.13 "Executive Management Committee" shall mean a committee comprising the Agency's Heads of Divisions and any other Manager so invited.
- 9.14 "Firm price" is the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of a law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 9.15 "Individual" an individual shall mean a natural person;
- 9.16 "Indigent" any person who appears on the Municipality's indigent register as of 1 July of the year under consideration;

- 9.17 "Local Labour" means South African residents who permanently resides in the Stellenbosch Municipal area;
- 9.18 "Local Business" means an enterprise which has its sole office or head office located within the Stellenbosch Municipal area;
- 9.19 "Local Content" means local manufacturing as contemplated in PPPFA Regulations 2011, Regulation 1;
- 9.20 "Local economic development" means local and socio-economic development as contemplated in section 152 of the Constitution, 1998;
- 9.21 "Management" in relation to an enterprise or business, means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director;
- 9.22 "Non-firm prices" means all prices other than "firm" prices;
- 9.23 "Person" includes reference to a juristic person;
- 9.24 "Rand value" means the total estimated value of a contract in Rand denomination which is calculated at the time of tender invitations and includes all applicable taxes and excise duties;
- 9.25 "Sub-Contracting" means the primary contractor's assigning or leasing or making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 9.26 "Nominated Sub-contractor" means contractors accredited on the Municipal database for construction related work as contemplated in the CIDBA.
- 9.27 "Tender" means a written offer or bid in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services or goods;

9.28 "Tender format/strategy" means the special conditions describing the tender strategy approach in order to achieve identified targets.

9.29 "Trust" means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and

9.30 "Trustee" means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

DRAFT

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**9. CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER****9.1 MOTION BY COUNCILLOR F ADAMS: REQUEST FOR HONORARY CITIZENSHIP**

*File number* : 3/4/1/4

*Report by* : Office of the Speaker

*Compiled by* : Office of the Speaker

*Delegated Authority* : Council

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A Notice of a Motion, dated 2016-03-10 was received from Councillor F Adams regarding a request for honorary citizenship.

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

**FOR CONSIDERATION**

# APPENDIX 1



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT  
OFFICE OF THE SPEAKER

**MEMORANDUM**

**TO:** TO WHOM IT MAY CONCERN  
**RE:** MOTIONS / QUESTIONS

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Herewith approval that Motions/Questions No: *M81*..... be placed on the Council agenda for the date of *March 30<sup>th</sup>*, 2016

Regards

**CLLR C P JOOSTE**  
**SPEAKER**

# Stellenbosch People's Alliance

P.O.Box 12445  
Die Boord  
7613



10 Februarie 2016

Vir Aandag: Die Speaker : Clr. C. Jooste

Stellenbosch Munisipaliteit



**In sake: Mosie- Toekenning van Ereburgerskap.**

Ek versoek dat hierdie mosie moet dien in terme van ons Orde Reels by die Februarie Raads vergadering 2016.

**Mosie:**

Ek versoek die Raad om die toekenning van Ereburgerskap aan die volgende persone toe te ken vir hulle uitsonderlike en onbaatsugtelike bydrae wat hulle gelewer het om eenheid en demokrasie in Stellenbosch te bewerkstellig. Ek verwys spesifiek na die geskiedkundige proses, nl. Die Stellenbosch Besprekings Forum.

1.Ds. Simon Adams

2.Mnr. Victor Honey

3.Prof. Laurens du Plessis

**Motivering:** Ek verwys na die inhoud van die mosie, nl. Vryheid van die Dorp in die agenda van Raads vergadering, 24 Oktober 2013.

Ek verwys ook na my oorspronklike aansoek, gedateer 27 Maart 2012, sowel in 2014. Toekenning Ereburgerskap, soos ingedien by die Burgemeester's kantoor.

**Aanbeveling:**

Ek bevel hiermee aan, dat die Raad n positiewe besluit sal maak rakende hierdie redelike versoek.

By voorbaat dank.

Rdl. Franklin Adams

Secunder  
Ch. D.A. Hendriksse



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**9.2 MOTION BY COUNCILLOR F ADAMS: DEBATE THAT FOCUS ON RACISM, DISCRIMINATION AND XENOPHOBIA WITHIN THE GREATER STELLENBOSCH**

*File number* : 3/4/1/4  
*Report by* : Office of the Speaker  
*Compiled by* : Office of the Speaker  
*Delegated Authority* : Council

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A Notice of a Motion, dated 2016-03-10 was received from Councillor F Adams regarding a debate that focus on racism, discrimination and xenophobia within the Greater Stellenbosch.

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

**FOR CONSIDERATION**

# APPENDIX 1



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT  
OFFICE OF THE SPEAKER

**MEMORANDUM**

**TO:** TO WHOM IT MAY CONCERN  
**RE:** MOTIONS / QUESTIONS

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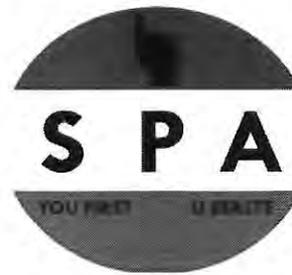
Herewith approval that Motions/~~Questions~~ No: M82..... be placed on the Council agenda for the date of 30 March 2016

Regards

**CLLR C P JOOSTE**  
**SPEAKER**

# Stellenbosch People's Alliance

P.O.Box 12445  
Die Boord  
7613



10 March 2016

For Attention : The Speaker

Clr. C Jooste

Stellenbosch Municipality

**Re: Notice of Motion:**

I herewith submit the following Motion in terms of the Rules of Order to serve before the next scheduled Council meeting in March 2016.

**Motion: A Debate , that focus on Racism, discrimination and Xenophobia within the Greater Stellenbosch.**

**NB: On the 21 March, it is the International Day for the Elimination of Racism.**

**Motivation: The abovementioned issues stand to be some of the biggest challenges this town face and pose a threat to stability and nation building.**

**I think, that all parties in this council will agree, that we have a collective responsibility to address this issues as a matter of urgency.**

**We need to come up with innovative ideas to address these issues to the well being off the town and its residents.**

**Recommendation : I propose that all Political Parties participate and get at least 5 minutes to participate in this debate.**

Regards,

  
Clr. Franklin Adams.

Seconder:

  
U. D. A. HEWDRITSE

CC: The Speaker : Clr. C.Jooste

Please, also find attached the STAR WAR-2016 Programme for Stellenbosch

“ ALUTA CONTINUA”

MUNICIPALITY - MUNISIPALITEIT STELLENBOSCH	
M82	10 MAR 2016
OFFICE OF THE SPEAKER	
RECEIVED BY: 	

10. CONSIDERATION OF MOTIONS OF EXIGENCY

NONE

11. MATTERS FOR INFORMATION

11.1 REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE MAYORAL  
COMMITTEE AND STANDING COMMITTEES FOR THE PERIOD MARCH 2016  
(3/5/2/5)

NONE

11.2 DECISIONS TAKEN IN TERMS OF DELEGATED AUTHORITY BY THE EXECUTIVE  
MAYOR FOR THE PERIOD MARCH 2016

NONE

12. OTHER URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

NONE

13.1 CONSIDERATION OF REPORTS SUBMITTED BY THE SPEAKER

13.1.1 REPORT ON DISCIPLINARY HEARINGS

**KINDLY NOTE: THE FULL REPORT ON THE OUTCOMES OF THE  
DISCIPLINARY HEARINGS WILL BE DISTRIBUTED UNDER  
SEPARATE COVER IN DUE COURSE.**

13.2 CONSIDERATION OF REPORTS SUBMITTED BY THE EXECUTIVE MAYOR

NONE

14. MATTERS TO BE CONSIDERED IN-COMMITTEE

NONE