



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2016-04-22

## NOTICE OF THE 40<sup>TH</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY TUESDAY, 2016-04-26 AT 15:00

**TO** The Speaker, Alderman CP Jooste [Chairperson]  
The Executive Mayor, Alderman CJ Sidego  
The Deputy Executive Mayor, Cllr MG Smuts

**ALDERMEN** DC Botha  
V Fernandez (Ms)  
EL Maree (Ms)  
JP Serdyn (Ms)

**COUNCILLORS**

F Adams	N Mananga-Gugushe (Ms)
DS Arends	C Manuel
NM August	NE McOmbring (Ms)
HC Bergstedt (Ms)	XL Mdemka (Ms)
PW Biscombe	C Moses (Ms)
A Crombie (Ms)	P Mntumni (Ms)
JA Davids	RS Nalumango (Ms)
R du Toit (Ms)	MM Ngcofe
JSA Fourie	N Ntsunguzi (Ms)
AR Frazenburg	WC Petersen (Ms)
E Groenewald (Ms)	PJ Retief
DA Hendrickse	L Ronoti
JK Hendriks	P Sitshoti (Ms)
N Jindela	LN Siwakamisa (Ms)
MC Johnson	Q Smit
DD Joubert	LL Stander
S Jooste (Ms)	AT van der Walt
SJ Louw (Ms)	M Wanana

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that a Special meeting of the Council of Stellenbosch Municipality will be held in the Council Chamber, Town House, Plein Street, Stellenbosch on **Tuesday, 2016-04-26 at 15:00.**

**ALDERMAN CP JOOSTE  
SPEAKER**

**A G E N D A**  
**40<sup>TH</sup> MEETING OF THE COUNCIL**  
**OF STELLENBOSCH MUNICIPALITY**  
**2016-04-26**

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1.	<b>APPLICATION FOR LEAVE OF ABSENCE</b>	<b>(3/4/2/3)</b>
2.1	<b>DECLARATION OF INTEREST</b>	<b>(3/6/2/2)</b>
2.2	<b>PRESENTATION</b>  NONE	<b>(8/1/4/2/6)</b>
2.3	<b>COMMUNICATIONS</b>	<b>(3/4/1/6)</b>
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2.3.3	<b>COMMUNICATION BY THE MUNICIPAL MANAGER</b>	<b>(3/4/1/6)</b>
3.	<b>CONFIRMATION OF THE MINUTES</b>	<b>(3/4/1/5)</b>
3.1	<b>CONFIRMATION OF THE MINUTES OF THE 39<sup>TH</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2016-03-30</b> <b>(3/4/1/5)</b>	
	The minutes of the 39 <sup>th</sup> Meeting of the Council of Stellenbosch Municipality held on 2016-03-30 were previously distributed.	
	<b>FOR CONFIRMATION</b>	
4.	<b>INTERVIEWS WITH DEPUTATIONS</b>  NONE	<b>(3/4/1/7)</b>
5.	<b>STATUTORY BUSINESS</b>  NONE	<b>(3/4/1/7)</b>

6. **REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS  
TAKEN AT PREVIOUS MEETINGS OF COUNCIL (3/4/1/5)**

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

**FOR INFORMATION**

# **APPENDIX 1**

## OUTSTANDING COUNCIL RESOLUTIONS 20 APRIL 2016

Council Meeting		Resolution	Resolution Date	Date Closed	Task Status	Allocated To	% Feedback	Feedback Comment
321657	EMERGENCY HOUSING POLICY	<p>4TH COUNCIL MEETING: 2011-10-27: ITEM 7.9</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council recognizes the need for the adoption and implementation of an Emergency Housing Policy;</p> <p>(b) that Council notes the draft Emergency Housing Policy presented to it;</p> <p>(c) that Council is advised that the aforesaid Policy is based on the directions given by the Supreme Court of appeal in the case of Johannesburg Metropolitan Municipality v Blue Moonlight Properties 39 (Pty) Ltd. Council is furthermore advised that this case is currently on appeal to the Constitutional Court and that this judgment may alter the directions given by the Supreme Court of Appeal; and</p> <p>(d) that in view of the aforesaid, Council deems it to be prudent to let this matter stand over until the judgment of the Constitutional Court has been handed down and the current draft policy can be considered by Council having due regard to this judgment.</p> <p>(Dir: Planning, IHS &amp; Prop Man)</p>	2011-10-27		IN PROGRESS	DUPREL	50.00	Item recently submitted by DIHS&P - subsequent to decision the functions were split and it is now with Director Tabiso Mfeya. Manager: SPH&E will prepare and submit relevant report to directors for discussion in consultation with IHS&P by November 2015. Submitted to Mayco . April Council.
330468	POLICY ON HOME OCCUPATIONAL PRACTICE WITHIN THE STELLENBOSCH MUNICIPALITY (WC024):	<p>7.4 POLICY ON HOME OCCUPATIONAL PRACTICE WITHIN THE STELLENBOSCH MUNICIPALITY (WC024)</p> <p>12TH MEETING OF COUNCIL: 2013-02-28: ITEM 7.4</p> <p>RESOLVED (nem con)</p> <p>that the Draft Home Occupational Practice Policy dated December 2012, as amended, be recommended to Council for consideration/comments prior to it being advertised for public participation.</p> <p>(D: PED)</p>	2013-02-28		IN PROGRESS	DUPREL	30.00	Forms part of the IZS in terms of SPLUMA / LUPA. Becomes bylaw which can be enforced with SM Law Enforcement and Municipal Court. Due June 2016.

## OUTSTANDING COUNCIL RESOLUTIONS 20 APRIL 2016

352092	ELECTRICITY SUPPLY TO THE MUNICIPAL AREAS OF STELLENBOSCH	<p>25TH COUNCIL MEETING: 2014-11-26: ITEM 7.5</p> <p>RESOLVED (nem con)</p> <p>(a)that a preliminary investigation be conducted by the Directorate: Engineering Services (Electrical Services) into the possibility and feasibility of taking over the electricity supply from Drakenstein Municipality;</p> <p>(b)that billing cooperation be implemented between Drakenstein and Stellenbosch Municipality to implement more effective debt collection; and</p> <p>(c)that SALGA be requested to expedite the Eskom process through political intervention.</p> <p>(DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>	2014-11-26		IN PROGRESS	JOHANNESC	80.00	AWAITING FOR COUNCIL DECISION FROM DRAKENSTEIN MUNICIPALITY
367122	APPLICATION TO EXTEND THE TERM OF THE LEASE AGREEMENT BETWEEN THE MUNICIPALITY AND STELLENBOSCH VliegVeld MAATSKAPPY	<p>8.5 APPLICATION TO EXTEND THE TERM OF THE LEASE AGREEMENT BETWEEN THE MUNICIPALITY AND STELLENBOSCH VliegVeld MAATSKAPPY</p> <p>29TH COUNCIL MEETING: 2015-04-30: ITEM 8.5</p> <p>During debate on the matter, the DA requested a caucus which the Speaker allowed.</p> <p>After the meeting resumed, it was</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council confirm in terms of Section 14 of the MFMA that the land, unregistered Portion L of Stellenbosch Farm 502, is required for the provision of essential services (the on-going operation of an airport) and that the extension of the long term lease of the land be actively pursued for airport operational purposes;</p> <p>(b) that the Municipal Manager be authorised to conduct the required public participation and other processes for the disposal of unregistered Portion L of Stellenbosch Farm 502 for airport operational</p>	2015-04-30		IN PROGRESS	DUPREL	66.00	<p>Matter referred to external legal support - will be ready for Council cycle in June 2016 after consultation with the external legal advisors.</p> <p>Rescinding of Council resolution at Council meeting of April 2016 in order for a new process to commence.</p>



## OUTSTANDING COUNCIL RESOLUTIONS 20 APRIL 2016

		<p>purposes through a long term lease;</p> <p>(c) that Council confirms the market related rental value of unregistered Portion L of Stellenbosch Farm 502, is R70 988,59 (2015) per annum plus all costs incidental and annual increases; and</p> <p>(d) that the Directors: Planning and Economic Development and Settlements and Property Management be jointly tasked with the management of the project and that quarterly feedback on progress be given to Council.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors F Adams; AT van der WALT and M Wanana.</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT + DIRECTOR: HUMAN SETTLEMENTS TO ACTION)</p>						
367230	Application for approval of Jonkershoek SDF	<p>7.2 APPLICATION FOR APPROVAL OF JONKERSHOEK SPATIAL DEVELOPMENT FRAMEWORK</p> <p>29TH COUNCIL MEETING: 2015-04-30: ITEM 7.2</p> <p>RESOLVED (majority vote with 11 abstentions)</p> <p>that Council approve the Draft Jonkershoek Spatial Development Framework in terms of the Land Use Planning Ordinance, 15 of 1985 and the Municipal Systems Act, 32 of 2000 as Draft Policy for public participation, before the Policy is finally approved.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors F Adams; DA Hendrickse; AT van der Walt and M Wanana.</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)</p>	2015-04-30		IN PROGRESS	DUPREL	95.00	Revised and amended SDF received from the consultant. Agenda item was prepared and is circulating to all departments together with the revised SDF for comments for submission to Standing Committee end of May 2016.

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367234	WRITING-OFF OF IRRECOVERABLE DEBT: MERITORIOUS CASE	7.3 WRITING-OFF OF IRRECOVERABLE DEBT: MERITORIOUS CASE  29TH COUNCIL MEETING: 2015-04-30: ITEM 7.3  RESOLVED (nem con)  that this matter be referred back to the Administration for further investigation.  (CHIEF FINANCIAL OFFICER TO ACTION)	2015-04-30		IN PROGRESS	ANDRET	90.00	More information has been obtained, but other, vital information is still outstanding and is to be obtained from the lawyer who dealt with the transfer of the property to its current owners.
373715	FRAUD AND CORRUPTION POLICY AND THE FRAUD RESPONSE COMMITTEE (FRC) TERMS OF REFERENCE	8.3 FRAUD AND CORRUPTION POLICY AND THE FRAUD RESPONSE COMMITTEE (FRC) TERMS OF REFERENCE  31ST COUNCIL MEETING: 2015-06-24: ITEM 8.3  RESOLVED (nem con)  (a) that Council in principle approve the Fraud and Corruption Policy and that same be advertised for public comment. Should any comments be received same should be considered by Council prior to final approval;  (b) that Council in principle approve the Fraud Response Committee (FRC) Terms of Reference and that same be advertised for public input. Should any comments be received same should be considered before final approval by Council; and  (c) that the Chief Risk Officer be mandated to conduct the necessary stakeholder engagement and communication in relation to the Policy.  (MUNICIPAL MANAGER TO ACTION)	2015-06-24		IN PROGRESS	HELENAP	50.00	Both documents have been forwarded to the relevant to the Communications department with regards to advertising the policy and terms of reference for public participation. After due process has been followed it will be submitted to council again for approval.
383875	MOTION BY CLLR F ADAMS: PROCESS FOR THE RENAMING OF STREETNAMES:	7.2 PROCESS FOR THE RENAMING OF STREETNAMES  33RD COUNCIL MEETING: 2015-08-25: ITEM 7.2  RESOLVED (majority vote with 7 abstentions)	2015-08-25		IN PROGRESS	DUPREL	80.00	Council decision executed - feedback on advertising process will be submitted to Council by June 2016.

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		<p>(a) that the Director: Planning &amp; Economic Development be commissioned to place an advert in the local community newspapers and to place notices at public places to invite written submissions for the renaming of streets over a 60 day window period;</p> <p>(b) that the Director: Planning &amp; Economic Development be commissioned to place an advert in the local community newspapers and to place notices at public places to invite nominees for the establishment of a Panel of Experts to advise Council on proposal for the renaming of streets.</p> <p>(c) that the terms of reference for the panel of experts as summarized in the report, be approved.</p> <p>(DIRECTOR: PLANNING &amp; ECONOMIC DEVELOPMENT TO ACTION)</p>						
383887	PROGRESS REPORT – POLICY FOR SELF GENERATION OF ELECTRICITY	<p>7.9 PROGRESS REPORT : POLICY FOR SELF-GENERATION OF ELECTRICITY</p> <p>33RD COUNCIL MEETING: 2015-08-25: ITEM 7.9</p> <p>RESOLVED (nem con)</p> <p>that this matter be referred back to allow the Administration to submit a Progress Report to Council as mentioned in the item.</p> <p>(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>	2015-08-25		IN PROGRESS	JOHANNESC	80.00	DOCUMENTATION IN PROCESS
388210	COMMITMENT TO POSSIBLE ACQUISITION OF LAND FOR HOUSING PROJECT: KLAPMUTS	<p>7.1 COMMITMENT TO POSSIBLE ACQUISITION OF LAND FOR HOUSING PROJECT: KLAPMUTS</p> <p>34TH COUNCIL MEETING: 2015-09-23: ITEM 7.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council confirm its commitment to buy remainder portion of Farm 744/2, measuring ±11ha in extent at a cost of ±R7.7m, subject to budget</p>	2015-09-23		IN PROGRESS	PSMIT	80.00	A consultant has been appointed to apply for funding to PHB.

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		<p>provisions, which will be included in the IDP Budget Process of 2016/17 to 2018/19; and</p> <p>(b) that Council explore possibilities of further acquisition of land in WC024 to relieve the housing need.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors JA Davids; S Jooste (Ms); DA Hendrickse; C Moses (Ms); N Mananga-Gugushe (Ms); P Mntumni (Ms); RS Nalumango (Ms); MM Ngcofe; N Ntsunguzi (Ms); L Ronoti; LN Siwakamisa (Ms); AT van der Walt and MM Wanana.</p> <p>(DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT TO ACTION)</p>						
391355	UNDEVELOPED ERVEN IN KAYAMANDI 1: WAY FORWARD	<p>7.2 UNDEVELOPED ERVEN IN KAYAMANDI: WAY FORWARD</p> <p>34TH COUNCIL MEETING: 2015-09-23: ITEM 7.2</p> <p>RESOLVED (majority vote with 1 abstention)</p> <p>(a) that the properties are not required to provide the minimum level of basic municipal services;</p> <p>(b) that the Municipal Manager be authorised to act with the various categories of properties, as set out in paragraph 3.3 (supra);</p> <p>(c) that, following the notice periods referred to in paragraph 3.3 (supra), a progress report be submitted to Council, whereafter the tender process can be attended to;</p> <p>(d) that in the meantime, valuations be obtained from two independent valuers, with the view of determining a market value for the various properties (weighted average);</p> <p>(e) that public participation processes be followed</p>	2015-09-23		IN PROGRESS	ANNELENER	90.00	Although a progress report was compiled, the item could not be placed on the agenda of the April Standing Committee due to outstanding comment/inputs by other Directorates. The item will now serve at the May Standing Committee.

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		<p>which should include local newspapers, ward committees, libraries, notice boards and public platforms; and</p> <p>(f) that a feedback report be submitted to Council in February 2016.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>DA Hendrickse; AT van der Walt and MM Wanana.</p> <p>(DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT TO ACTION)</p>						
394113	Stellenbosch River Stewardship	<p>7.5 RIVER STEWARDSHIP ACTION</p> <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 7.5 RESOLVED (majority vote)</p> <p>that Council acknowledge the Stellenbosch River Stewardship Action initiative described above as well as the Position Paper attached and express support for the initiative before the private sector is formally approached to take up stewardship in terms of the initiative.</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)</p>	2015-10-28		IN PROGRESS	BERNABYB	100.00	Project implementation ongoing
394114	Investigation with regards to the various residential properties in Mont Rochelle Nature Reserve	<p>7.6 INVESTIGATION WITH REGARD TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE</p> <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 7.6 RESOLVED (majority vote)</p> <p>(a) that Council rescind its resolution taken at the meeting dated, 2014-01-16, with regard to Item 7.2;</p> <p>(b) that the funds allocated to be spent on conducting the proposed investigation rather be spent on consolidating the 46 unsold erven with</p>	2015-10-28		IN PROGRESS	DUPREL	5.00	Consultant to implement Council decision appointed.

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		<p>Mont Rochelle Nature Reserve and negotiating with the owners of the 14 sold (but undeveloped) erven (the priority being erven 342, 307, 314, 322, 355, 336, located in a visually sensitive area north-eastern slope of "Du Toits Kop" facing the Franschhoek valley) regarding the possibility to exchange current erven within Mont Rochelle Nature Reserve with erven in a more suitable area (suitable in terms of environmental, visual and service delivery perspective); and</p> <p>(c) that any other feasible alternative that can limit the impact on the nature reserve that might be identified in the process be considered.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms); P Mntumi (Ms); RS Nalumango (Ms); P Sitshoti (Ms); AT van der Walt and M Wanana.</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)</p>						
394117	MUNICIPAL REGULATIONS ON FINANCIAL MISCONDUCT PROCEDURES AND CRIMINAL PROCEEDINGS	<p>8.7 MUNICIPAL REGULATIONS ON FINANCIAL MISCONDUCT PROCEDURES AND CRIMINAL PROCEEDINGS</p> <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 8.7</p> <p>During deliberations on the matter, the DA requested a caucus, which the Speaker allowed.</p> <p>After the meeting resumed, it was</p> <p>RESOLVED (majority vote with 10 abstentions)</p> <p>(a) that Council review and rescind its resolution taken in this regard on 2014-11-26;</p> <p>(b) that Council take note of the progress made by Stellenbosch Municipality with regard to the implementation of the Municipal Regulation on Financial Misconduct Procedures and Criminal Proceedings;</p>	2015-10-28		IN PROGRESS	FAIZH	50.00	Awaiting SALGA opinion on the board's establishment. Will be submitted to May 2016 Council Meeting.

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		<p>(c) that Council establish the Disciplinary Board pending the direction SALGA and/or National Treasury in line with these regulations;</p> <p>(d) that the Disciplinary Board has as its members the following:</p> <p>(i) The Chief Audit Executive</p> <p>(ii) A member of the Audit Committee as elected by the Audit Committee</p> <p>(iii) A senior manager from the legal division as determined by the Director: Corporate and Strategic Services</p> <p>(iv) A representative from Provincial Treasury as nominated by Province;</p> <p>(v) A retired senior legal expert, e.g. judge or advocate resident in the area with knowledge of the related field.</p> <p>(e) that Council designate the Chief Audit Executive as the designated official to whom reports on alleged financial offences against Councillors should go.</p> <p>(ACTING MUNICIPAL MANAGER TO ACTION)</p>						
395788	PROPOSED DISPOSAL OF 68 SERVICED SITES IN MOOIWATER	<p>7.9 PROPOSED DISPOSAL OF 68 SERVICED SITES IN MOOIWATER</p> <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 7.9</p> <p>RESOLVED (majority vote)</p> <p>(a) that the erven listed in paragraph 3.1 be identified as land not needed to provide the minimum level of basic municipal services;</p> <p>(b) that the fair market value of the sites be determined as the weighted average of two independent valuations;</p> <p>(c) that the values so determined be set as a reserve/floor price;</p> <p>(d) that the (Acting) Municipal Manager be authorised to determine the evaluation criteria with the view of giving preference to qualifying local</p>	2015-10-28		IN PROGRESS	PSMIT	90.00	Tender notice was published. Tenders will close on 15 April 2016.

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		<p>residents who falls within the description of a previously disadvantaged individual;</p> <p>(e) that the (Acting) Municipal Manager be authorised to dispose of the erven listed in paragraph 3.1 by way of a public tender process subjected to the criteria depicted in paragraph 3.5;</p> <p>(f) that the proceeds be dealt with in terms of Part 3 of the National Housing Code of 2009; as set out in paragraph 4.3 of the report;</p> <p>(g) that a tenderer other than a resident from ward 1 or 2 from previously disadvantage group must indicate the beneficiaries in the tender documents.</p> <p>(DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT TO ACTION)</p>					
401581	7.3 PROPOSED DISPOSAL OF CHURCH AND CRECHE SITES IN WATERGANG, KAYAMANDI	<p>7.3 PROPOSED DISPOSAL OF CHURCH AND CRECHE SITES IN WATERGANG, KAYAMANDI</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 7.3 RESOLVED (majority vote)</p> <p>(a) that erven 3739 and 3740, Kayamandi be identified as property not needed to provide the minimum level of basic municipal services, i.e surplus properties;</p> <p>(b) that Council, in principle, approve the disposal of erven 3739 and 3740, Kayamandi;</p> <p>(c) that the minimum prices be determined by two (2) independent valuations (20% of weighted average of fair market value)</p> <p>(d) that the (Acting) Municipal Manager be authorised to approve the evaluation criteria and place the necessary notices, calling for tenders for the properties; and</p> <p>(e) that, following the conditional awarding of tenders, a report be submitted to Council to decide on the final disposal of the properties in question, taking into account that tenders may well be below</p>	2015-11-25	IN PROGRESS	PSMIT	50.00	Tender documents have been submitted to SCM for placement



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		<p>market value.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms); RS Nalumango (Ms); MM Ngcofe; N Ntsunguzi (Ms); L Ronoti; P Sitshoti (Ms); LN Siwakamisa (Ms) and AT van der Walt.</p> <p>(DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT TO ACTION)</p>						
401722	<p>9.4 QUESTION BY CLLR DA HENDRICKSE: FAILURE OF THE ADMINISTRATION TO, FOR THE PAST 4 YEARS, BRING REPORTS BEFORE COUNCIL IN TERMS OF SECTION 116(2)(d) OF THE MFMA</p>	<p>9.4 QUESTION BY CLLR DA HENDRICKSE: FAILURE OF THE ADMINISTRATION TO, FOR THE PAST 4 YEARS, BRING REPORTS BEFORE COUNCIL IN TERMS OF SECTION 116(2)(d) OF THE MFMA</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 9.4 RESOLVED (nem con)</p> <p>that it be noted that Councillor DA Hendrickse was not satisfied with the response provided in respect of the question posed, and posed a follow-up question, namely:</p> <p>“Why did the Auditor-General not pick up that for four years no statutory report served before Council.”</p> <p>The Acting Municipal Manager responded that this will be rectified and a report will be submitted to Council regularly.</p> <p>(ACTING MUNICIPAL MANAGER TO ACTION)</p>	2015-11-25		IN PROGRESS	MARIUSW	30.00	The position for Contracts and Compliance has been advertised and the recruitment is under way. This position will then compile the required report.
401723	<p>9.14 MOTION BY COUNCILLOR R DU TOIT (MS): ADJUSTMENT OF SASSA BENEFICIARIES AND SENIOR CITIZENS' RENT OF MUNICIPAL</p>	<p>9.14 MOTION BY COUNCILLOR R DU TOIT (MS): ADJUSTMENT OF SASSA BENEFICIARIES AND SENIOR CITIZENS' RENT OF MUNICIPAL PROPERTY</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 9.14</p> <p>The Speaker allowed Councillor R du Toit (Ms) to put her Motion, duly seconded. After the Motion</p>	2015-11-25		IN PROGRESS	CHARLOTTEL	98.00	Awaiting input to the item from Finance where after the an item will serve before Council.

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	PROPERTY	<p>was motivated, the Speaker allowed debate on the matter.</p> <p>The matter was put to the vote yielding a result of 26 votes for and 9 against.</p> <p>RESOLVED (majority vote)</p> <p>that the rent of SASSA beneficiaries and senior citizens be calculated on a sliding scale according to their income.</p> <p>(CHIEF FINANCIAL OFFICER TO ACTION)</p>						
402103	RECONSTITUTION OF DISCIPLINARY COMMITTEE IN RELATION TO DISCIPLINARY HEARING OF COUNCILLOR CP JOOSTE	<p>13.2.1 RECONSTITUTION OF DISCIPLINARY COMMITTEE IN RELATION TO DISCIPLINARY HEARING OF COUNCILLOR CP JOOSTE</p> <p>36TH COUNCIL MEETING: 2015-11-25: ITEM 13.2.1</p> <p>Because the Speaker is implicated in the matter, he requested nominations for an Acting Speaker for the duration of this item. Councillor Q Smit was elected as Acting Speaker. Councillor CP Jooste recused himself and left the Chamber and Councillor Q Smit took the Chair as Acting Speaker.</p> <p>The Acting Speaker RULED that, after an amendment is put on the screen, he will allow debate. At this juncture, Councillors Hendrickse and van der Walt both raised a point of order with reference to the procedure that an amendment can only be put after a matter has been discussed and/or debated. Councillor F Davids requested a point of clarity on whether debate on a matter should not in fact precede the amendment. The Acting Speaker upheld his earlier ruling that he will allow debate only after the amendment is displayed on the screen. Councillor AT van der Walt did not submit to the Acting Speaker's ruling, and was ordered by the Acting Speaker to leave the Chamber at 21.45. Councillors F Adams and DA Hendrickse also left the Chamber at 21.45.</p> <p>The ANC requested a caucus, which the Acting Speaker allowed.</p>	2015-11-25		IN PROGRESS	RAYMONDE	20.00	Matter referred to MEC;

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		<p>When the meeting resumed, the ANC reported that they will also leave the Chamber. The ANC left the Chamber at 21:55). The ANC's objection relates to procedural aspects of electing the Acting Speaker.</p> <p>RESOLVED (majority vote with 1 abstention)</p> <p>that Council do not support the recommendations depicted above, but request the MEC for Local Government to do an investigation in terms of Section 14.4 of the Code of Conduct for Councillors.</p> <p>(ACTING DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>						
406719	DRAFT POLICY FOR THE MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND	<p>37TH COUNCIL MEETING: 2016-01-27: ITEM 7.9 During deliberations on the matter, the Speaker undertook to allow more time for debate on the Policy in the next Council meeting. On a request by Councillor AT van der Walt to rectify mistakes in the Policy, the Speaker reiterated that he will not allow further debate on the Policy, but urged the Councillor to submit his inputs to the Acting Municipal Manager for inclusion in Mayco and for further debate in the Council meeting at the end of February 2016.</p> <p>RESOLVED (nem con)</p> <p>(a) that the Draft Agricultural Land Reform Policy be adopted, in principle;</p> <p>(b) that the legal inputs be obtained before this Policy go for public comment; and</p> <p>(c) that the said Policy be advertised for public comment, whereafter same be re-submitted via Mayco to Council by end February 2016 for consideration and conclusion.</p> <p>(DIRECTOR: PLANNING, ECONOMIC AND COMMUNITY DEVELOPMENT TO ACTION)</p>	2016-01-27		IN PROGRESS	DUPREL	80.00	Comments on the policy was received from Legal Services. The policy has been advertised for public comments in the Gazette of the 12th April 2016 and the Eikestad of the 14th April 2016.
406924	7.1 TABLING OF THE 2014/15 ANNUAL REPORT	7.1 TABLING OF THE 2014/15 ANNUAL REPORT FOR THE STELLENBOSCH MUNICIPALITY IN ACCORDANCE WITH SECTION 121 OF THE	2016-01-27		IN PROGRESS	ANNELIER	100.00	Annual Report: Final Annual report has been submitted to council with the MPAC oversight report. The Report was

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	<p>FOR THE STELLENBOSCH MUNICIPALITY IN ACCORDANCE WITH SECTION 121 OF THE MUNICIPAL FINANCE MANAGEMENT ACT (MFMA), ACT 56 OF 2003, READ TOGETHER WITH SECTION 46 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, ACT 32</p>	<p>MUNICIPAL FINANCE MANAGEMENT ACT (MFMA), ACT 56 OF 2003, READ TOGETHER WITH SECTION 46 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, ACT 32 OF 2000</p> <p>37TH COUNCIL MEETING: 2016-01-27: ITEM 7.1 As per the Council Agenda of 2016-01-27, the recommendations of the Mayco meeting that was held earlier on 2016-01-27 was distributed during the Council meeting. The Speaker allowed for a 5 minute break to allow Councillors to familiarize themselves with the Mayco recommendations. RESOLVED (majority vote) (a) that Council take cognizance of the 2014/15 Draft Annual Report for the Stellenbosch Municipality; (b) that the Draft Annual Report be made public for comment on the official website of the Stellenbosch Municipality and local print media for a period of 21 days; (c) that the Municipal Public Accounts Committee (MPAC) be appointed as the Oversight Committee in terms of Sections 33 and 79 of the Municipal Structures Act, Act 117 of 1998, to assist the Council with its statutory role to consider and evaluate the content of the Draft Annual Report and make recommendations to Council; (d) that the Oversight Committee abide by the following schedule of meetings and provide the Council with an Oversight Report to be considered together with the Draft Annual Report, not later than 30th March 2016; and Date Agenda Venue Time 01 February 2016 Orientation re Annual Report Stellenbosch Council Chamber 14:00 08 February 2016 Chapters 1 and 2 Stellenbosch Council Chamber 14:00 22 February 2016 Chapter 3 Stellenbosch Council Chamber 14:00 29 February 2016 Chapters 4, 5 and 6 Stellenbosch Council Chamber 14:00 07 March 2016 -Public Hearing -Preparation for Discussions with and feedback from Directors and MM Stellenbosch Council Chamber 09:00- 14:00 11 March 2016 Feedback and discussions: Municipal Manager, Executive Mayor and Directors Stellenbosch Council Chambers 09:00</p>					<p>accepted without any reservations.</p>
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		<p>(45 min sessions with 15 min breaks) 14 March 2016 Finalizing Oversight Report Stellenbosch Council Chamber To be confirmed</p> <p>(e) that, should the Municipal Public Accounts Committee (MPAC) elect to co-opt members of the public with expertise in specific fields to assist and advise the Committee when deliberating before it, the following recommendation in terms of tariff and number of co-opted members shall apply:</p> <p>Tariff Number of co-opted members Not exceeding no of hours Remuneration Per hour tariff for attendance of meeting</p> <p>Once-off Tariff for duties performed in preparation 2</p> <p>2 40 hours</p> <p>4 hours R400.00</p> <p>R1500 (for four hours)</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors F Adams; DA Hendrickse; AT van der Walt and M Wanana.</p> <p>(ACTING DIRECTOR STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>						
413627	7.3 PROGRESS REPORT : ELECTRICAL SERVICES MASTER	7.3 PROGRESS REPORT: ELECTRICAL SERVICES MASTER PLAN 38TH COUNCIL MEETING: 2016-02-24: ITEM 7.3	2016-02-24		IN PROGRESS	ENGSUPPORT	90.00	Consultant to be invited to workshop awaiting date- Appendix to be submitted to next PC meeting

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	PLAN	<p>The Speaker RULED</p> <p>(a) that this matter be referred back to allow the Administration to arrange a workshop for Councillors before the end of March to discuss the item; and</p> <p>(b) that the Administration provide the appendix in readable print whereafter same be resubmitted at the next meeting of Council scheduled for 2016-03-03.</p> <p>(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>						
413637	8.2 STELLENBOSCH MUNICIPAL DISABILITY POLICY	<p>8.2 STELLENBOSCH MUNICIPAL DISABILITY POLICY</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 8.2</p> <p>RESOLVED (nem con)</p> <p>(a) that Council approve the draft Universal Access Policy Framework as per APPENDIX 4 with incorporation of the comments submitted by the public in principle; and</p> <p>(b) that the draft Universal Access Policy Framework be advertised for public comment whereafter same be resubmitted to Council for final consideration and subsequent approval.</p> <p>(DIRECTOR: PLANNING, ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE TO ACTION)</p>	2016-02-24		IN PROGRESS	DUPREL	100.00	Submitted via collab for April Council Meeting on 8/4/16
413638	8.1 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR CP JOOSTE	<p>8.1 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR CP JOOSTE</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 8.1</p> <p>Although the Speaker was implicated in this matter, Council agreed that the Speaker remain as Chairperson for this item.</p> <p>RESOLVED (majority vote)</p>	2016-02-24		IN PROGRESS	VERNONB	40.00	The appropriate manner (event) for the conferral of the aldermanship will take place in late-May / mid-June.

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		<p>(a) that, in terms of Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law promulgated in Provincial Gazette 5859 of 19 April 2002, Aldermanship be conferred upon Councillor CP Jooste; and</p> <p>(b) that, following the approval of Council, the Executive Mayor, as patron of the Stellenbosch Municipal Honours, confer the honour on Councillor CP Jooste in an appropriate manner.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors DA Hendrickse; AT van der Walt and MM Wanana. (DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>						
413640	9.1 MOTION BY COUNCILLOR JK HENDRIKS: SUPPORT FOR INDIGENT PEOPLE IN RURAL AREAS	<p>9.1 MOTION BY COUNCILLOR JK HENDRIKS: SUPPORT FOR INDIGENT PEOPLE IN RURAL AREAS</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 9.1 The Speaker allowed Councillor JK Hendriks to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter. The matter was put to the vote yielding a result of all in favour. RESOLVED (nem con) (a) that the Administration be tasked to investigate to what extent rural indigent residents, especially those residing on farms, can be assisted with electricity, health and social services by the local-, provincial- and national spheres of government; (b) that any further recommendations and findings that could improve the quality of life of indigent residents be considered for implementation and support to rural indigent residents; (c) that a report with recommendations for implementation pertaining to the above be tabled for consideration at the next Council meeting scheduled for 2016-03-30; and (d) that Council nominate a multi-party delegation to</p>	2016-02-24		IN PROGRESS	ANNELIER	40.00	<p>We are awaiting feedback from CWDM if they are in agreement to consider providing a similar service to other farms if we contribute financially. This will then be in line with their current policy.</p> <p>An item will be submitted to Council in this regard.</p>

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		<p>engage organised agriculture to investigate what the municipality can do to address the situation of the farm workers, in co-operation with the farmers; (e) that the multi-party delegation comprise of the following Councillors:</p> <p>DA = Cllr JP Serdyn (Ms) ANC = Cllr JA Davids SCA = Cllr DA Hendrickse SPA = Cllr F Adams SCA = Cllr DA Hendrickse ACDP = Cllr DS Arends COPE = Cllr HC Bergstedt (Ms); and NPP = Cllr LL Stander</p> <p>(DIRECTOR: STRAT &amp; CORP TO ACTION)</p>						
413674	<p>10.1 MOTION OF EXIGENCY BY COUNCILLOR DA HENDRICKSE: INVESTIGATION WHY THE ADMINISTRATION OBTAINED A COURT ORDER FOR THE SALE OF EXECUTION OF ERF 3291, 17 LUCKHOFF STREET, IDAS VALLEY, STELLENBOSCH</p>	<p>10.1 MOTION OF EXIGENCY BY COUNCILLOR DA HENDRICKSE: INVESTIGATION WHY THE ADMINISTRATION OBTAINED A COURT ORDER FOR THE SALE OF EXECUTION OF ERF 3291, 17 LUCKHOFF STREET, IDAS VALLEY, STELLENBOSCH</p> <p>Councillor DA Hendrickse provided a brief background on the urgency of the matter relating to request an investigation on why the Administration obtained a court order for the sale of execution of Erf 3291 situated at 17 Luckhoff Street, Idas Valley, Stellenbosch (see APPENDIX 1).</p> <p>The required majority vote was obtained for the Motion to serve and it was duly seconded. The Speaker then allowed Councillor DA Hendrickse to motivate the Motion.</p> <p>During deliberations on the matter, the DA requested a caucus which the Speaker allowed.</p> <p>In discussion, some amendments were made to this Motion.</p> <p>RESOLVED (majority vote)</p> <p>that the Administration be tasked to investigate the case of the sale of Execution of the Respondent Roman JF Slade and to report back at the Council</p>	2016-02-24		IN PROGRESS	MERVINW	50.00	The Financial Department is currently dealing with debt collection. Brought under the attention of the CFO.



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		meeting scheduled for 2016-03-30.  (DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)						
421318	6. REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MEETINGS OF COUNCIL	<p>6. REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MEETINGS OF COUNCIL</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 6 RESOLVED (nem con)</p> <p>(a) that the report by the Acting Municipal Manager on outstanding resolutions, be noted; and</p> <p>(b) that the Acting Municipal Manager note the input by Councillors regarding the items as outlined below, and provide responses, where applicable. Issue raised by</p> <p>Page Response by Cllr: DA Hendrickse: Item 8.5 Vliegveld Concerned about the comments by the Director.</p> <p>Cllr: DA Hendrickse: Item 8.7 Financial misconduct This item is outstanding for more than a year. Indicated that it will serve at the March Council meeting, no item on the Agenda.</p> <p>Cllr: DA Hendrickse: Item 9.2 Minimum competency Were informed that it will serve at the March Council meeting, no item on the Agenda.</p> <p>Cllr: DA Hendrickse: Item 10.1 Motion of Exigency Resolved that the Administration should report back at the March Council meeting, no item on the Agenda.</p> <p>Cllr: DA Hendrickse: Item 7.9 Draft Policy on Management of municipal Agricultural Land Resolved that the Administration should report back at the February Council meeting already, but no item on the Agenda. Pg. 8</p> <p>Pg 26 Speaker requested that the items be submitted at</p>	2016-03-30		IN PROGRESS	RICHARDB	100.00	<p>Vliegveld item – item will be rescinded at April Council meeting.</p> <p>Financial Misconduct – Item updated on Collab.</p> <p>Minimum Competency – Item to serve at April Council meeting.</p> <p>Motion of Exigency – Will serve at Portfolio Committee.</p> <p>Agricultural land policy – Item updated on Collab.</p> <p>Streetnames – Item updated on Collab.</p> <p>Undeveloped erven in Kayamandi – item updated, will service at May meeting.</p>

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		<p>the next Council meeting scheduled for April 2016 for closure.  Cllr: JA Davids Items 7.9 Emergency Housing Policy Concerned that this matter is not resolved after 5 years. What is the hold-up?  Cllr: JA Davids Items 7.9 Policy on Home Occupational Practice within the Stellenbosch Municipality WCO24</p> <p>This matter is outstanding for the past 3 years. Why was it not concluded? Pg. 6</p> <p>Speaker requested that the items be submitted at the next Council meeting scheduled for April 2016 for conclusion.</p> <p>Cllr F Adams: Item 7.2 Streetnames  Still at 35% completed since 2012?</p> <p>Cllr F Adams: Item 13.2.1 Disciplinary hearing of Cllr CP Jooste  Still at 20% completed. Where is the fairness? Pg 11</p> <p>Pg 19 Mayor responded that this matter was referred to the MEC who indicated that a Committee/Person will be appointed to investigate. Still awaiting feedback from the MEC on who will be appointed.</p> <p>The matter is still at the Public Protector.</p> <p>Cllr PW Biscombe: Item 9.3 Motion: legal stand flat/dwellings in Rhode/Lang Street  Outstanding since 2015-06-24? Pg 10 Speaker RULED that the MM must follow up on outstanding matters and report back at the next Council meeting in April 2016.</p> <p>Cllr Jindela: Item 7.2: Undeveloped Erven in Kayamandi 1: Way Forward  Not satisfied with the comments. Pg. 14 Speaker RULED that the MM must follow up on outstanding matters and report back at the next Council meeting in April 2016.</p> <p>Cllr DD Joubert: Motions  Ward 5 submitted 2 Motions. What is the status of</p>						
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		<p>the Motions? Speaker RULED that the MM must follow up on outstanding matters and report back at the next Council meeting in April 2016.</p> <p>(ACTING MUNICIPAL MANAGER TO ACTION)</p>						
421319	<p>13.1.1 INVESTIGATION INTO ALLEGATION OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS: COUNCILLOR F ADAMS</p>	<p>13.1.1 INVESTIGATION INTO ALLEGATION OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS: COUNCILLOR F ADAMS</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 13.1.1</p> <p>Before the matter was debated, the Speaker requested Councillor F Adams to recuse himself, as he is implicated in the matter.</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Councillor F Adams is guilty as charged;</p> <p>(b) that a fine of one month's net salary be deducted from the Councillor payable over a consecutive two month period; and</p> <p>(d) that the Administration be mandated to deduct 50% of net salary from his April 2016 salary and 50% from his May 2016 salary.</p> <p>(OFFICE OF THE SPEAKER TO ACTION)</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	<p>Cllr Adams appealed the decision and until considered by the appeal committee the deductions does not take effect.</p>
421321	<p>13.1.3 INVESTIGATION INTO ALLEGATION OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS: COUNCILLOR DA HENDRICKSE</p>	<p>13.1.3 INVESTIGATION INTO ALLEGATION OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS: COUNCILLOR DA HENDRICKSE</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 13.1.3</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Councillor D Hendrickse is guilty on the</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	<p>Matter referred to the MEC in terms of item 4(2)(e) of the Code of Conduct for Councillors</p>

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		<p>three counts as charged;</p> <p>(b) that Councillor D Hendrickse be removed from office as prescribed by the Code of Conduct for Councillors Section 4(2); and</p> <p>(c) that the matter be reported to the provincial MEC for Local Government.</p> <p>(OFFICE OF THE SPEAKER TO ACTION)</p>						
421322	<p>9.2 MOTION BY COUNCILLOR F ADAMS: DEBATE THAT FOCUS ON RACISM, DISCRIMINATION AND XENOPHOBIA WITHIN THE GREATER STELLENBOSCH</p>	<p>9.2 MOTION BY COUNCILLOR F ADAMS: DEBATE THAT FOCUS ON RACISM, DISCRIMINATION AND XENOPHOBIA WITHIN THE GREATER STELLENBOSCH</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 9.2</p> <p>The Speaker allowed Councillor F Adams to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.</p> <p>RESOLVED (nem con)</p> <p>that a Workshop be held to formulate a stance on racism, discrimination and xenophobia.</p> <p>(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	A Workshop is being arranged to formulate a stance on racism, discrimination and xenophobia.
421323	<p>9.1 MOTION BY COUNCILLOR F ADAMS: REQUEST FOR HONORARY CITIZENSHIP</p>	<p>9.1 MOTION BY COUNCILLOR F ADAMS: REQUEST FOR HONORARY CITIZENSHIP</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 9.1</p> <p>The Speaker allowed Councillor F Adams to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.</p> <p>The Speaker RULED</p> <p>that this matter be referred to the existing Advisory</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	Public advert for members to serve on the advisory panel was done.

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		Panel whereafter the Mayor will report back at the next Council meeting scheduled for April 2016.  (DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)						
421325	APPOINTMENT OF TEMPORARY PROJECT MANAGERS : VARIOUS GOVERNANCE PROJECTS	<p>7.6 APPOINTMENT OF TEMPORARY PROJECT MANAGERS: VARIOUS GOVERNANCE PROJECTS</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 7.6</p> <p>RESOLVED (nem con)</p> <p>(a) that the previous Council resolution (d) and (e) (36TH COUNCIL MEETING: 2015-11-25: ITEM 7.5) be rescinded;</p> <p>(b) that Council recognise the need for additional project manager capacity;</p> <p>(c) that due process be followed in terms of the proposed amendments to the approved micro-organisational structure of 2011;</p> <p>(d) that the recruitment and selection process be followed as per the Recruitment and Selection Policy;</p> <p>(a) that the Project Managers be appointed on a six (6) months contract which can be renewable for a further six (6) months, with performance based targets and in line with the Employment Equity Plan as far as possible taking into account the skills required and the applicants received;</p> <p>(b) that an external senior professional person with the required qualifications, skills and expertise be appointed to support the Acting Director: Engineering Services until such time that the Director position is filled, for a period of six (6) months; and</p> <p>(c) that the recommendations also become applicable to the 3x approved Project Managers for Engineering Services (i.e. Waste Water Treatment, Roads and Stormwater, and Transport) as well as to the approved LED Project Manager to drive land reform.</p>	2016-03-30		IN PROGRESS	RAYMONDE	100.00	Advert published Die Burger and Weekend Argus 9 April 2016.

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		(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)						
421329	RECRUITMENT AND SELECTION PROCESS OF THE DIRECTOR ENGINEERING SERVICES	<p>7.5 RECRUITMENT AND SELECTION PROCESS OF THE DIRECTOR ENGINEERING SERVICES</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 7.5</p> <p>RESOLVED (nem con)</p> <p>(a) that Council take note that due to the time period lapsing from the advertisement that was placed in August 2015 as well as the non-permission of the advertisement that was placed in December, it is critical that a new process be started and that a selection panel be appointed by Council;</p> <p>(b) that Council confirm that the position of Director: Engineering is still required;</p> <p>(c) that the Municipal Manager be mandated to advertise the position of Director: Engineering Services as per the Regulations on the appointment and conditions of employment of Senior Managers which was Gazetted on 17 January 2014; and</p> <p>(d) that a selection panel be appointed as per the Regulations on the appointment and conditions of employment of Senior Managers which must consist of at least three but not more than five members, constituted as follows:</p> <ul style="list-style-type: none"> <li>• the municipal manager, who will be the chairperson;</li> <li>• a member of the mayoral committee or councillor who is the portfolio head of the relevant portfolio; and</li> <li>• at least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.</li> </ul> <p>(ACTING MUNICIPAL MANAGER TO ACTION)</p>	2016-03-30		IN PROGRESS	RAYMONDE	100.00	Advert published weekend of 9 – 10 April 2016 in Die Burger and Sunday Times.

## OUTSTANDING COUNCIL RESOLUTIONS 20 APRIL 2016

421331	SOCIAL HOUSING STELLENBOSCH MUNICIPALITY: DEMARCATION OF RESTRUCTURING ZONES AND DRAFT AFFORDABLE RENTAL HOUSING STRATEGY	<p>7.8 SOCIAL HOUSING STELLENBOSCH MUNICIPALITY: DEMARCATION OF RESTRUCTURING ZONES AND DRAFT AFFORDABLE RENTAL HOUSING STRATEGY</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 7.8</p> <p>RESOLVED (nem con)</p> <p>(a) that the demarcated restructuring zones for Stellenbosch be approved;</p> <p>(b) that the draft Rental Housing Strategy and Plan for Stellenbosch be approved in principle;</p> <p>(c) that the draft Rental Housing Strategy and Plan be advertised for public input; and</p> <p>(d) that, should any comment be received, same be considered by Council before a final decision is made.</p> <p>(DIRECTOR: HUMAN SETTLEMENTS)</p>	2016-03-30		IN PROGRESS	LESTERS	50.00	a) Noted. b) Noted. c) Advertisement for public participation has been drafted and will be advertised during the first week of May 2016 in the local newspapers, on notice boards, in libraries and the on the municipal website. d) Noted.
421333	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	<p>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</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 8.2</p> <p>RESOLVED (nem con)</p> <p>(a) that Council take note of the item;</p> <p>(b) that the applicable ICT contracts be extended on a monthly basis to a maximum period of six (6) months pending research and assessment of alternative ERP Solutions in compliance with Treasury Requirements; and</p> <p>(c) that Council advertise its intention to amend all one year contractual agreements for ICT-related systems and services for a period of six (6) months for public input, and that any public comment</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	Advert was placed and closed on 15 April 2016

## OUTSTANDING COUNCIL RESOLUTIONS 20 APRIL 2016

		received must be considered by Council before a final decision is made.  (DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)						
421334	MFMA s116(3) AMENDMENT TO INSURANCE AGREEMENT	8.3 MFMA s116(3) AMENDMENT TO INSURANCE AGREEMENT  39TH COUNCIL MEETING: 2016-03-30: ITEM 8.3  RESOLVED (nem con)  (a) that the current insurance contract be extended by 6 months; and  (b) that the Administration go out on tender and advertise for a new insurance contract.  (CHIEF FINANCIAL OFFICER TO ACTION)	2016-03-30		IN PROGRESS	ANDRET	20.00	To go out on tender end of May.
421341	STELLENBOSCH RIVER COLLABORATIVE	8.6 STELLENBOSCH RIVER COLLABORATIVE  39TH COUNCIL MEETING: 2016-03-30: ITEM 8.6  After deliberations, the Speaker RULED  that this matter be referred back to allow the Municipal Manager to provide further clarifying input, whereafter same be resubmitted at the next meeting of Council scheduled for April 2016.  (ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)	2016-03-30		IN PROGRESS	SILVIAP	20.00	AWAIT GUIDANCE FROM MM BEFORE RESUBMISSION  From: Marius Wust Sent: 19 April 2016 04:29 PM To: Silvia Pretorius Subject: RE: MINUTES: 39TH COUNCIL MEETING: 2016-03-30  Sal hoor dankie  From: Silvia Pretorius Sent: Tuesday, April 19, 2016 3:02 PM To: Marius Wust Subject: FW: MINUTES: 39TH COUNCIL MEETING: 2016-03-30  Marius Onderstaande epos vanaf EJ verwys. Kan jy asb aandui of jy al met MM kon skakel vir leiding met die herindiening:  39TH COUNCIL MEETING: 2016-03-30: ITEM 8.6 After deliberations, the Speaker RULED that this matter be referred back to allow the Municipal Manager



## OUTSTANDING COUNCIL RESOLUTIONS 20 APRIL 2016

							<p>to provide further clarifying input, whereafter same be resubmitted at the next meeting of Council scheduled for April 2016.</p> <p>Dankie eers</p> <p>Silvia Pretorius Head: Administration &amp; Client Services Directorate: Engineering Services</p> <p>T: +27 21 808 8261 • C: +27 82 940 3061 • F: +27 21 883 9874 71 Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599 <a href="http://www.stellenbosch.gov.za">www.stellenbosch.gov.za</a></p> <p>Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link: <a href="http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm">http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm</a></p> <p>From: EJ Wentzel Sent: 05 April 2016 11:46 AM To: Marius Wust Cc: Silvia Pretorius Subject: FW: MINUTES: 39TH COUNCIL MEETING: 2016-03-30</p> <p>Marius,</p> <p>Kan jy asb Item 8.6 – River Collaborative met die MB bespreek en vir my leiding gee met die herindiening.</p> <p>Dankie</p> <p>EJ Wentzel Manager: Transport, Roads and Stormwater Engineering Services T: +27 21 808 8203 • C: +27 84 2221275 • F: +27 21 8839874 71 Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599 <a href="http://www.stellenbosch.gov.za">www.stellenbosch.gov.za</a></p>
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## OUTSTANDING COUNCIL RESOLUTIONS 20 APRIL 2016

421342	PROPOSED DISPOSAL OF VARIOUS CHURCH SITES IN KLAPMUTS	<p>8.4 PROPOSED DISPOSAL OF VARIOUS CHURCH SITES IN KLAPMUTS</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 8.4</p> <p>RESOLVED (nem con)</p> <p>(a) that Council determine the fair market value of the properties based on the weighted average of the two (2) independent valuations as follows:</p> <p>Erf 913, Klapmuts: R16 250.00  Erf 932, Klapmuts: R24 375.00  Erf 2414, Klapmuts: R56 250.00</p> <p>(b) that Council authorise the disposal of erven 913, 932 and erf 2414, Klapmuts; and</p> <p>(c) that the Bidders be responsible for all costs associated with and incidental to the transfer of the properties.</p> <p>(DIRECTOR: HUMAN SETTLEMENTS TO ACTION)</p>	2016-03-30		IN PROGRESS	ANNELENER	50.00	Successful tenderers were informed of the outcome .Await their feedback on payment arrangements and the appointment of transferring Attorneys.
421366	7.1 DRAFT 2016/17 (REVISED) INTEGRATED DEVELOPMENT PLAN, REVISION 4	<p>7.1 DRAFT 2016/17 (REVISED) INTEGRATED DEVELOPMENT PLAN, REVISION 4</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 7.1</p> <p>RESOLVED (majority vote)</p> <p>that the Draft 2016/17 Integrated Development Plan (IDP), Revision 4, be approved as a draft, after which a further consultation and refinement process will follow.</p> <p>The following Councillors requested that their votes of dissent be minuted:  Councillors F Adams; JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms);  P Mntumni (Ms); RS Nalumango (Ms); N Ntsunguzi (Ms); P Sitshoti (Ms);  LN Siwakamisa (Ms); AT van der Walt and M Wanana.</p>	2016-03-30		IN PROGRESS	RAYMONDE	100.00	Public participation process held during April. IDP will be tabled in council in May for approval.

## OUTSTANDING COUNCIL RESOLUTIONS 20 APRIL 2016

		(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)						
421372	7.10 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR EL MAREE (MS)	<p>7.10 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR EL MAREE (MS)</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 7.10</p> <p>RESOLVED (nem con)</p> <p>(a) that, in terms of Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law promulgated in Provincial Gazette 5859 of 19 April 2002, Aldermanship be conferred upon Councillor EL Maree; and</p> <p>(b) that, following the approval of Council, the Executive Mayor, as patron of the Stellenbosch Municipal Honours, confer the honour on Councillor EL Maree in an appropriate manner.</p> <p>(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	One formal ceremony for all aldermanship's is being arranged.
421375	7.11 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR V FERNANDEZ (MS)	<p>7.11 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR V FERNANDEZ (MS)</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 7.11</p> <p>RESOLVED (nem con)</p> <p>(a) that, in terms of Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law promulgated in Provincial Gazette 5859 of 19 April 2002, Aldermanship be conferred upon Councillor V Fernandez (Ms); and</p> <p>(b) that, following the approval of Council, the Executive Mayor, as patron of the Stellenbosch Municipal Honours, confer the honour on Councillor V Fernandez (Ms) in an appropriate manner.</p> <p>(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	One formal ceremony for all aldermanship's is being arranged.

## OUTSTANDING COUNCIL RESOLUTIONS 20 APRIL 2016

421377	7.12 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR JP SERDYN (MS)	<p>7.12 CONFERRAL OF ALDERMANSHIP ON COUNCILLOR JP SERDYN (MS)</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 7.12</p> <p>RESOLVED (nem con)</p> <p>(a) that, in terms of Section 6(4)(c) of the Stellenbosch Municipal Honours By-Law promulgated in Provincial Gazette 5859 of 19 April 2002, Aldermanship be conferred upon Councillor JP Serdyn (Ms); and</p> <p>(b) that, following the approval of Council, the Executive Mayor, as patron of the Stellenbosch Municipal Honours, confer the honour on Councillor JP Serdyn (Ms) in an appropriate manner.</p> <p>(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	One formal ceremony for all aldermanship's is being arranged.
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**7. CONSIDERATION OF MATTERS REFERRED TO COUNCIL VIA THE MAYORAL COMMITTEE MEETING/S**

**7.1 APPROVAL OF TRANSFER OF CESSION OF LEASE AGREEMENT OF FARM 502BH FROM STELLENBOSCH SMALL FARM HOLDING TRUST TO INDIVIDUALS**

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

*Compiled by:* Manager: Local Economic Development

*Report by:* Director Planning & Economic Development

*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 type="checkbox"/>

**1. PURPOSE OF THE REPORT**

- (a) To request the ceding of the lease on Farm 502BH from the Stellenbosch Small Farm Holdings Trust (referred hereafter as the Trust or SSFHT) to the individual Small Farmers currently farming on the land;
- (b) To request Council to write off the arrears accrued for rental and water;
- (c) To mandate the Municipal Manager to sign the individual lease agreements with farmers currently farming on Farm 502 BH.

**2. BACKGROUND**

The Farm 502 BH Project started in 2002 when a group of small farmers from historically disadvantaged backgrounds, moved on to 65 hectares of irrigated municipal commonage land when the original lessee (Spier) decided to close down their organic fresh produce operation. (Currently ten (10) farmers are on the land).

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Whilst at the time of the change of tenancy there was access to water on the land it was only sufficient for viticulture but approximately 30% under the minimum requirement for cash crops. The infrastructure was also built for a commercial operation and did not take into consideration the needs of individual farmers on small lots of land. However, a number of the farmers have since 2002, despite limited financial and other support, and a dire shortage of water, managed to farm on their five hectare allotments - albeit from hand to mouth.

The Stellenbosch Small Farmers Holdings Trust which was established in December 2002 was in keeping with the South African constitutional land reform process of the time. The sole object of the SSFHT was to promote, support and facilitate access to land and use of land on "an equitable basis" for the benefit of the beneficiaries.

On 31 March 2003, with the support of the Municipality, the Trust became the lawful tenant of the land when it superseded the then existing tenant (Spier Holdings Pty Ltd). In terms of the lease with the Municipality, the Trust is the tenant of the land until 2041 and the Trust represents the interest of the beneficiaries.

The Trust entered into individual five year sub-let contracts with the small farmers in 2009. The sub-lease agreements provide that *the SSFHT will relinquish its rights as lessee of Farm 502BH and that the Municipality will provide the following to fulfil its developmental objectives:*

- *Security of tenure – Individual lease agreements and uphold the conditions as set out therein*
- *Water – the water meters as well as the pipeline to be installed*
- *Assist with priority infrastructure which includes fencing and an additional water pipeline to ensure sufficient pressure for irrigation*

The Trust will continue to play a supportive role in pursuit of its objectives amongst its members independently from the Municipality but in collaboration with it. The existing farmers agree to continue leasing the land directly from the Municipality subject to the terms and condition of the lease.

The current lease agreement will cease to exist as soon as the individual lease agreements have been signed between the municipality and the individual farmers. The replacement of the Municipality as lessor does not lessen the rights of the holders; and such further arrangements as may be made between the SSFHT and the Municipality to support the new holders.

### 3. DISCUSSION

The Trust has always indicated their intention to cede the lease agreement with the Municipality to the individual farmers. The objective of the Farm 502

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BH is, among others, to ensure security of tenure which will enable the farmers' access to funding and to assist them to compete on equal footing with commercial farmers.

Furthermore experience has shown that the success of **group** farming enterprises relies on farmers being held **individually** accountable for their rental and water charges by the Municipality.

In June 2015 a Project Coordinator was appointed by the LED Department to assist with the streamlining and coordination of the Stellenbosch Small Farmers project and to ensure all aspects needed for a successful project is achieved. The idea is to devise a generic model to facilitate and support projects of similar nature or an extension of the Farm 502 project. The following issues have specifically been under the magnifying glass:

- a. To whom are we ceding the individual lease agreements?
- b. Dealing with the arrears that have accrued through water usage due to the fact that individual water use could not be measured;
- c. Arrears that accrued with rental of the land due to insufficient water and crop failure;
- d. Initial actions of the Consultant appointed in 2015 impacting on the project: Purchase of water meters and surveying of Farm 502BH.
- e. Day to day operations on Farm 502BH in the absence of institutional arrangements.

Dealing with the non-payment of water charges has been quite a challenging task in the past, since individual water meters were not installed. As a result of this farmers have been reluctant to pay their dues.

The management of the irrigation system will however no longer be a problem, since the municipality has purchased individual water meters to measure the amount of water used by individual farmers. As a result, each farmer will from now on be responsible for their own water account.

Farmers will be held responsible for their own water account as soon as the water meters are installed in the winter of 2016 (During winter farming activities, the disruption of farming activities will be marginal. The appointed consultant will be responsible for the reading of the meters and communication of outstanding fees/rent between the farmers and the municipality.

Attached please find a report on the abovementioned issues as **APPENDIX A**.

**4. INPUTS BY OTHER DEPARTMENTS****PROPERTY DEPARTMENT**

The current contractual arrangement is between Stellenbosch Municipality and the Stellenbosch Small Farm Holdings Trust (SSFHT) in terms of an agreement concluded on 31 March 2003, in terms whereof all rights, liabilities obligations and interest of Spier Holdings (Pty) Ltd (the previous Lessee) were transferred to SSFHT.

SSFHT therefor stepped into the shoes of Spier Holdings (Pty) Ltd for the remainder of the contract period, i.e. until 2014-03-31. In terms of this Agreement, however, Spier was still held accountable "*should the substitute Lessee, for any reason whatsoever, fails to comply with any condition pertaining to the Lease Agreement*".

This situation, however, changed in 2008, when the parties signed a further Agreement, in terms whereof Spier, nor any of its shareholders, were to have any rights and obligations in relation to the Municipality or the SSFHT whatsoever arising from or in connection with the Lease Agreement. As from 1 January 2009 the SSFHT was responsible for all obligations, including the payment of rental and water usage, albeit at a reduced rate of 20% of market value, as approved by Council in December 2007. Subsequently the outstanding debt has risen to R247 536.14 in total, as at 31 January 2015\*

The proposed ceding of the agreement is in terms of the contract, in particular clause 13, which deals with sub-leasing, cession and assignment. In terms hereof the SSFHT may not sub-lease or cede any of their rights without prior written approval from the Municipality.

\*Should Council indeed approve the ceding of the Agreement to the 13 individual farmers, it should be subject thereto that the individual farmers take responsibility for their pro-rate share of the outstanding rental and/or service charges as at the day of the ceding agreement coming into operation. This means that the SSFH Trust will no more be responsible for the outstanding debts. [the agreement reached is that the farmers will be responsible pro rata for the rental ask that the service charges be written off (in part because we can't determine what each farmer owes in the absence of water meters) The current outstanding debt, as at 31 January 2015, is as follows:

Rentals:	R 32 980.57
Water:	R214 305.57
Other:	R 250.00
Total:	R247 536.14 (Latest amounts attached)

This means that the individual farmers will have to take responsibility for R19 022.01, being their pro-rata portion of the outstanding debt as at 31 January 2015.



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Alternatively Council could consider writing off the outstanding debt, or a portion thereof.

The other issue that Council still needs to decide on is whether the SSFHT will still be responsible for the communal infrastructure, such as the water network and communal shed that was constructed some years ago.

Council also needs to decide on how to deal with “vacancies” i.e. should it become necessary to replace any of the individual farmers, for whatever reason. This department would suggest that the SSFHT should still be responsible to “appoint” replacement tenants, to be ratified by Council. Alternatively Council will have to go through a tender process to replace individual Lessees every time that a “vacancy” occurs. [Advisory Ccommittee to deal with it in terms of principles]. Will be in line with new policy].

The Draft Agreement makes provision for a lease period of 9 years and 11 months. This is not in line with the current Lease Agreement, which only lapse in 2041. Under normal circumstances, when ceding an agreement, the substitute Lessee take over all the rights and obligations of the Lessee for the remaining period of the Agreement, i.e until 2041-03-31. [Lease agreements to be until 2041].

#### **FINANCIAL SERVICE DEPARTMENT**

In general, Finance supports the principle of transferring the lease to 13 individual farmers, but with some additional conditions to ensure practicality of implementing the logistics.

1. Each individual lessee must, in addition to a lease agreement, also enter into a consumer agreement with the municipality for the provision of services. This will include the payment of consumer deposit i.r.o. water.
2. The abovementioned will only be applicable if individual meters are installed. [this will be prioritised by the new appointees] Otherwise, Finance does not support the item. Each individual water meter must also have the functionality of being able to be turned off individually. Water consumption will be for agricultural purposes only and as such, water supply will be terminated in the event of non-payment. Debt will not be allowed to escalate out of control as has been the case up to now.
3. Leases must make provision for cancellation in the event of rent OR rates OR water not being paid. (i.e. any outstanding debt in respect of the rental of the land) Included in the principles, lease to be finalised.

Current debt of the SSFHT exceeds R200 000. In this respect, the current farmers have undertaken to pay an amount of R200 per month till such time that the individual leases are in place. What about the period thereafter? At a rate of R200 per month x 13 farmers it will take in excess of 10 years to collect this debt, excluding interest and the cost of administration of this

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account. As soon as the lease is transferred, SSFHT will also be in a position to disband and deny further responsibility to the debt. An offer of R200 per month is not really feasible and council should perhaps consider writing off this debt. Farmers will pay R400 a month towards rental; will ask for water to be written off.

#### **LEGAL SERVICE DEPARTMENT**

Stellenbosch Municipality initially leased Farm 502 BH to Mon Villa (Eiendoms) Beperk which name was amended to Spier Holdings (Pty) Ltd ("Spier"). On 31 March 2003 the Municipality, Spier and the Small Farm Holding Trust ("the Trust") agreed that the Trust would substitute Spier as lessee but that Spier would remain liable in the event that the Trust failed to comply with the lease.

On 4 March 2008 Spier, the Trust and the Municipality entered into an agreement in terms of which the lease agreement between the Municipality and Spier was ceded to the Trust. The Trust entered into the shoes of Spier. In terms of clause 13 of the written lease agreement, the Trust need to obtain the prior written consent of the Municipality before the lease agreement is ceded. The 13 small farmers with the consent of the Municipality will step into the shoes of the Trust and we propose that a new lease agreement be entered into incorporating the comments/conditions of the various departments. The lease agreement should make provision for the cancellation of same, if the lessee fails to pay the rental and water charges. We propose that the filling of vacancies, in circumstances where the lease agreement is terminated, should be overseen by the Trust. The Municipality should ratify/condone the appointments accordingly. With regard to the arrear rental and water charges it is Council's prerogative to resolve that same be paid in full, alternatively that rental and water be written off in part or in full.

Recommendation (a) should be amended from the Executive Mayor in consultation with the Municipal Manager to Council. The rest of the recommendation is supported.

#### **5. CONCLUSION**

Under an individual tenure system farmers will be able to approach financial institutions for loans. They will also be able to get assistance from the Land bank for their ventures. This implies some risk taking by the farmers but also that they will personally invest in the land.

One can expect a certain "pride of ownership" to develop and fencing and demarcation of the properties will become a reality.

**ANNEXURE A****1. Current farmers on the land**

The initial of farmers were:

Braam Botha, Chris Jacobs, Christine Jephtha, Eric Linders, Gerrit Hendricks, Hermanus Booyesen, Neville Cloete, Peter Stone, Roland Meyer, Rudi Hendricks, Simon Opperman; Willem Klaasen; Aurora Cooperatives (c).

Of the original farmers not all are as active as desirable. The situation now is as follows.

Bram Botha	Full time farmer - Active and successful
Chris Jacobs	Full time farmer - Active and successful
Christine Jephtha	Full time farmer - Active and successful
Eric (Morty) Linders	Full time farmer - Active and successful
Gerrit Hendricks	Full time farmer. Due to an old injury to his heel has been inactive for two years. Recently had operation and promise to become active again.
Hermanus Booyesen	Decided that farming was too much trouble at his age of 70+. Gave up
Neville Cloete	Got another job and gave up.
Peter Stone	Full time farmer - Active
Roland Meyer	Full time farmer – Active
Rudi Hendricks	Inactive
Simon Opperman	Deceased
Willem Claasen	Full time farmer - Active and successful
Aurora Cooperatives	Now being farmed successfully by a nominee Magda Stephanus

**2. Individual lease agreements**

Security of tenure is crucial for successful land reform and agricultural development. This will not only motivate the farmers to invest in the land (municipal land, which remains municipal property), but also would allow them to access support from the private sector.

The intention of the individual lease agreements is in the first instance to assist poorer, but eligible families who have experience of farming to earn a living and to become economically independent. Some of the farmers had to turn down many contracts from reputable retail stores such as Woolworths, because they do not have individual lease agreements.

Furthermore, the vacant plots will need to be filled as soon as the Draft Agricultural Land Policy is accepted by Council. Preference should be given to people with a farming background (preferably previously in an overseeing capacity) whom have been residents of Stellenbosch for a period of at least 10 years. Farmers need to have the basic equipment (transport and some capital) and must be able to within a reasonable period be able to till the land. This will be subject

to the approval of a business plan that shows that they understand the challenges and opportunities which is embedded in the use of leasehold land. Farmers need to be prepared to take individual responsibility for rental, water and general management of the property.

**3. Dealing with the arrears that accrued through water usage and rental of the land.**

A total amount of approximately R374.143.21 (end October 2015) **(ANNEXURE B)** in arrear rental and water charges have been accrued. Partly due to the fact that some farmers are using more water than others and also the means to measure the water use, non-payment has become a norm.

Whilst the municipality are strongly opposed to this irresponsible attitude and would have preferred to enforce payment of all outstanding dues, it is nevertheless true that over the past 13 years these farmers have never received substantial and coordinated assistance to put them on a road to success and in a position to make a decent living.

Under the circumstances it is recommend that the total amount (of R374.143.21) in arrears for the water and rental charges be written off. Farmers must also formally be made aware of the consequences should they default in any way. These issues are already addressed by the current draft individual lease agreements which the Trust and the farmers have agreed to sign.

**4. Dealing with individual non-payment of either rental or water usage in future**

In the lease agreement with the farmer's, specific provision is made and strict rules pertaining to on time payment of all dues to the municipality is made. It basically makes provision that individual water meters can be cut off and also that the tenant can be evicted.

These rules will in future be enforced without exception.

**5. Initial actions of the Consultant appointed in 2015 impacting on the project: Purchase of water meters and surveying of Farm 502BH**

As water meters were seen as a priority, the first actions of the Consultants were to install 26 water meters. The water meters will be installed in the month of January 2016.

Farm 502 BH were never formally divided into separate lots in 2002 and therefore it was imperative that a surveyor measure the land and

demarcate the individual pieces of land. This was completed in October 2015.

**6. Day to day operations on Farm 502BH in the absence of institutional arrangements**

The difficulties experienced in terms of the current institutional arrangements are relevant: Two research reports into the project have recommended tiered institutional arrangements that include among others individual lease agreements, payment obligations, criteria for new entrants and a structure to deal with everyday operation, enforcement of terms of conditions of leases etc. These are discussed below.

**a) Management principles**

The criteria for new entrants into the project and the 'use it or lose it' principle will function into the future. The principles that will guide the municipality and will be entrenched in the lease agreements between the Municipality and the individual farmers which include:

- Each farmer will be responsible for his/her individual rental and water charges. Subject to certain conditions and reasonable negotiation, non-payment will be met with the cancellation of the lease.
- Cancellation may also follow non-compliance with the operational rules of Farm 502BH.
- Once a contract is cancelled the municipality will advertise the vacant allotment and leasing will take place in a competitive process as prescribed by the MFMA and the Policy for the Management of Municipal Agricultural Land (currently in draft format).

**b. Strategic Partner: Day to day management**

It is envisaged to recruit a Strategic partner in the future. Currently farmers indicated that they have their own model to manage themselves and only need the following from the municipality:

- *security of tenure – Individual lease agreements and uphold the conditions as set out therein*
- *Water – the water meters as well as the pipeline to be installed*
- *Assist with priority infrastructure which includes fencing and an additional water pipe to ensure appropriate pressure for irrigation*

**c. Billing individual farmers**

Following a series of engagements with the Finance Department, the aforementioned department has given its assurance that it sees no obstacles in collecting rental from the farmers as individual tenants. The assessment and collection of water charges is currently problematic as the allotments are not individually metered and it is therefore impossible to assess individual accounts. This problem shall be solved when individual water meters are installed.

**RECOMMENDED**

- (a) that approval be granted for the ceding of the lease agreement between the municipality and the Trust to the current ten (10) individual farmers on Farm 502BH and;
- (b) that the Municipal Manager be mandated to sign the abovementioned individual lease agreements after it have been scrutinised by Legal Services;
- (c) that the leasing of the remainder allotments be determined by a competitive process as per the MFMA and the Policy for the Management of Municipal Agricultural Land (Currently in draft format);
- (d) that the Municipal Manager to sign future lease agreements for probable further leasehold contracts to new entrants and;
- (e) that the arrears accrued for water and rental, be written off.

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

**PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE: 2016-04-05: ITEM  
6.1.1**

**RECOMMENDED**

- (a) that approval be granted for the ceding of the lease agreement between the municipality and the Trust to the current ten (10) individual farmers on Farm 502BH and;
- (b) that the Municipal Manager be mandated to sign the abovementioned individual lease agreements after it have been scrutinised by Legal Services;

- (c) that the leasing of the remainder allotments be determined by a competitive process as per the MFMA and the Policy for the Management of Municipal Agricultural Land (Currently in draft format);
- (d) that the Municipal Manager to sign future lease agreements for probable further leasehold contracts to new Historical Disadvantaged Individuals (HDI) as entrants and;
- (e) that the arrears accrued for water and rental, be written off.

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

**MAYORAL COMMITTEE MEETING: 2016-04-22: ITEM 5.1.1**

**RECOMMENDED BY THE EXECUTIVE MAYOR**

**KINDLY NOTE: The Mayco recommendation will be distributed under separate cover at the Council meeting on 2016-04-26.**

# **APPENDIX 1**



The initial of farmers were:

Braam Botha, Chris Jacobs, Christine Jephtha, Eric Linders, Gerrit Hendricks, Hermanus Booyesen, Neville Cloete, Peter Stone, Roland Meyer, Rudi Hendricks, Simon Opperman; Willem Klaasen; Aurora Cooperatives (c).

Of the original farmers not all are as active as desirable. The situation now is as follows.

Bram Botha	Full time farmer - Active and successful
Chris Jacobs	Full time farmer - Active and successful
Christine Jephtha	Full time farmer - Active and successful
Eric (Morty) Linders	Full time farmer - Active and successful
Gerrit Hendricks	Full time farmer. Due to an old injury to his heel has been inactive for two years. Recently had operation and promise to become active again.
Hermanus Booyesen	Decided that farming was too much trouble at his age of 70+. Gave up
Neville Cloete	Got another job and gave up.
Peter Stone	Full time farmer - Active
Roland Meyer	Full time farmer -- Active
Rudi Hendricks	Inactive
Simon Opperman	Deceased
Willem Claasen	Full time farmer - Active and successful
Aurora Cooperatives	Now being farmed successfully by a nominee Magda Stephanus

## 2. Individual lease agreements

Security of tenure is crucial for successful land reform and agricultural development. This will not only motivate the farmers to invest in the land (municipal land, which remains municipal property), but also would allow them to access support from the private sector.

The intention of the individual lease agreements is in the first instance to assist poorer, but eligible families who have experience of farming to earn a living and to become economically independent. Some of the farmers had to turn down many contracts from reputable retail stores such as Woolworths, because they do not have individual lease agreements.

Furthermore, the vacant plots will need to be filled as soon as the Draft Agricultural Land Policy is accepted by Council. Preference should be given to people with a farming background (preferably previously in an overseeing capacity) whom have been residents of Stellenbosch for a period of at least 10 years. Farmers need to have the basic equipment (transport and some capital) and must be able to within a reasonable period be able to till the land. This will be subject to the approval of a business plan that shows

that they understand the challenges and opportunities which is embedded in the use of leasehold land. Farmers need to be prepared to take individual responsibility for rental, water and general management of the property.

**3. Dealing with the arrears that accrued through water usage and rental of the land.**

A total amount of approximately R 374. 143.21(end October 2015) (**Annexure B**) in arrear rental and water charges have been accrued. Partly due to the fact that some farmers are using more water than others and also the means to measure the water use, non-payment has become a norm.

Whilst the municipality are strongly opposed to this irresponsible attitude and would have preferred to enforce payment of all outstanding dues, it is nevertheless true that over the past 13 years these farmers have never received substantial and coordinated assistance to put them on a road to success and in a position to make a decent living.

Under the circumstances it is recommend that the total amount (of R374.143.21) in arrears for the water and rental charges be written off. Farmers must also formally be made aware of the consequences should they default in any way. These issues are already addressed by the current draft individual lease agreements which the Trust and the farmers have agreed to sign.

**4. Dealing with individual non-payment of either rental or water usage in future;**

In the lease agreement with the farmer's, specific provision is made and strict rules pertaining to on time payment of all dues to the municipality is made. It basically makes provision that individual water meters can be cut off and also that the tenant can be evicted.

These rules will in future be enforced without exception.

**5. Initial actions of the Consultant appointed in 2015 impacting on the project: Purchase of water meters and surveying of Farm 502BH.**

As water meters were seen as a priority, the first actions of the Consultants were to install 26 water meters. The water meters will be installed in the month of January 2016.

Farm 502 BH were never formally divided into separate lots in 2002 and therefore it was imperative that a surveyor measure the land and demarcate the individual pieces of land. This was completed in October 2015.

**6. Day to day operations on Farm 502BH in the absence of institutional arrangements**

The difficulties experienced in terms of the current institutional arrangements are relevant: Two research reports into the project have recommended tiered institutional arrangements that include among others individual lease agreements, payment

obligations, criteria for new entrants and a structure to deal with everyday operation, enforcement of terms of conditions of leases etc. These are discussed below.

**a) Management principles**

The criteria for new entrants into the project and the 'use it or lose it' principle will function into the future. The principles that will guide the municipality and will be entrenched in the lease agreements between the Municipality and the individual farmers which include:

- Each farmer will be responsible for his/her individual rental and water charges. Subject to certain conditions and reasonable negotiation, non-payment will be met with the cancellation of the lease.
- Cancellation may also follow non-compliance with the operational rules of Farm 502BH.
- Once a contract is cancelled the municipality will advertise the vacant allotment and leasing will take place in a competitive process as prescribed by the MFMA and the Policy for the Management of Municipal Agricultural Land (currently in draft format),.

**b. Strategic Partner: Day to day management**

It is envisaged to recruit a Strategic partner in the future. Currently farmers indicated that they have their own model to manage themselves and only need the following from the municipality:

- *security of tenure – Individual lease agreements and uphold the conditions as set out therein*
- *Water – the water meters as well as the pipeline to be installed*
- *Assist with priority infrastructure which includes fencing and an additional water pipe to ensure appropriate pressure for irrigation*

**c. Billing individual farmers**

Following a series of engagements with the Finance Department, the aforementioned department has given its assurance that it sees no obstacles in collecting rental from the farmers as individual tenants. The assessment and collection of water charges is currently problematic as the allotments are not individually metered and it is therefore impossible to assess individual accounts. This problem shall be solved when individual water meters are installed.

# **APPENDIX 2**



# STELLENBOSCH

STELLENBOSCH • PHEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

BTW Reg No. / VAT Reg No. 4700102181

THE SMALL FARM HOLDINGS TRUST  
C/O GERRIT HENDRIKS  
24 ROLINDA STREET  
JAMESTOWN  
STELLENBOSCH  
7600

ACCOUNT NUMBER	10490419
TAX INVOICE	4890011
ACCOUNT DATE	14/10/2015
RECEIPTS POSTED TO	13/10/2015
VAT	1.23
VALUATION	
PLOT	BDORP 502 BH
BUILDING	SMALL FARM HOLDINGS
LOCATION	
DEPOSIT / GUARANTEE	
DEBT VAT REG No.	

BELASTINGFAKTUUR MAANDELIKSE REKENING

TAX INVOICE MONTHLY ACCOUNT

### ACCOUNT DETAILS

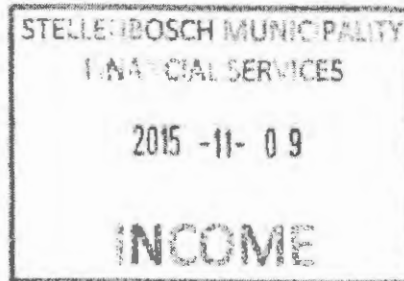
Balance brought forward:	373644.69		
Interest/penalties:	488.52		
Journals: 8449/038	10.00	1.23	

### CURRENT ACCOUNT

\*\* Total monthly: 374143.21

### MESSAGE

" Character is doing the right thing, even when no one is watching "  
Please note that your accounts can from now on be paid at any Pay@ pay point.  
Should a water reading be disputed, you are kindly requested to take a reading.  
The latter will expedite your enquiry.



# STELLENBOSCH

STELLENBOSCH • PHEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Send this portion back with your payment please. Stuur asseblief hierdie gedeelte saam met u betaling.  
RECEIPT VALID ONLY IF PRINTED BY OFFICIAL CASH RECEIPTING FIGURES.  
KWITANSIE GELDIG ALLEENLIK INDIEN DEUR AMPTELIKE KASREGISTERSYFERS GEDRUK.

☐ P.O.Box / Posbus 17, Stellenbosch, 7599.  
☎ 021 808 8111 ☎ 021 808 8574

Name / Naam		Account No. / Rekeningnr.	Period / Tydperk	Date / Datum
THE SMALL FARM HOLDINGS TRUST		10490419	2015/10	14/10/2015
Due Date Datum Verskuldig	Monthly / Maandeliks		Annual / Jaarliks	
	Arrears / Credits Agterstalig / Krediete	07/11/2015	Arrears / Credits Agterstalig / Krediete	
Now Due / Future: Nou Verskuldig / Toekomsig	374133.21	10.00		TOTAL NOW DUE TOTAAL NOU VERSKULDIG 374143.21



>>>>>> 9151 6000 0001 0490 4192



Bank Name ABSA Bank Naam  
Cheque Account Number 4070075635 Tjek rekeningnommer  
Branch Code 63 20 05 Tak Kode  
Swift Code ABSAZAJJ Swift Kode  
Reference Number **Compulsory** Please use your Municipal Account Number only  
Verwysing Nommer **Verpligtend** Gebruik slegs u Munisipale rekening nommer

Please do not use this bank account number for any other municipal payments. - Geen ander munisipale betalings mag in hierdie bankrekening gemaak word nie

# **APPENDIX 3**



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**APPENDIX C**

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**DATE / DATUM : 18 DECEMBER 2015**  
**TO/AAN : PORTFOLIO COMMITTEE: PLANNING AND ECONOMIC DEVELOPMENT**  
**FROM : SENIOR LED OFFICER: RURAL DEVELOPMENT**  
**RE : ITEM TO PORTFOLIO COMMITTEE: PLANNING AND ECONOMIC DEVELOPMENT TO OBTAIN APPROVAL FOR TRANSFER OF CESSION OF LEASE AGREEMENT FROM STELLENBOSCH SMALL FARM HOLDING TRUST (FARM502BH) TO INDIVIDUAL FARMERS**

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The purpose of this memorandum is to provide additional information regarding the abovementioned item to the Portfolio Committee: Planning and Economic Development. The comments in the item provided by (Property Management) refer to accumulated debt which has risen to R247, 536.14 (page 4). At the time the item was first drafted, this was the amount due by the farmers, however, this amount has increased and is currently R347, 143.21 (14 October 2015 – APPENDIX B). Therefore, the account dated 14 October 2015 is attached as evidence. At this stage, there is commitment from the farmers to pay off the debt and have started to do so.

In light of the above, it is also imperative to mention that during the month of October 2015, the farmers experienced a lack of water due to a breakdown in water infrastructure which was eventually fixed on 03 November 2015. To this end, the farmers have been without water for a period of more than 10 consecutive days. As a result of this, the farmers have lost hundreds of rand's due to the loss of produce which they were unable to sell. Over and above the aforementioned, the farmers have experienced tremendous challenges over the years and have been unable to operate optimally. Given, Council's developmental mandate, it is therefore recommended that the debt of these poor farmers are written off and that each farmers be responsible for his/her own water and rental accounts, once individual water meters are installed and approval for cession of the lease agreement from the Stellenbosch Small Farm Holding Trust to the individual farmers is granted.

Lastly, additional comments have been provided by the Property Management Department and therefore, a memorandum (APPENDIX D) has been attached to this item.

**SENIOR LED OFFICER: RURAL DEVELOPMENT**

**CHERYL PERSENSIE**

# **APPENDIX 4**





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## **PROPERTY MANAGEMENT**

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**TO / AAN** : The Director: Planning & Economic Development  
**FROM / VAN** : Manager: Property Management  
**DATE / DATUM** : 2015-10-07  
**RE / INSAKE** : PROPOSED CEDING OF LEASE AGREEMENT TO INDIVIDUAL FARMERS CURRENTLY FARMING ON LEASE AREA

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### **1. PURPOSE**

The purpose of this memo is to provide further inputs/comments on the agenda item dealing with the above.

### **2. BACKGROUND**

#### **2.1 Initial Comments**

During 2014 this Department was requested to provide comments/inputs. At the time the following comments/inputs were made:

*"The current contractual arrangement is between Stellenbosch Municipality and the Stellenbosch Small Farm Holdings Trust (SSFHT) in terms of an agreement concluded on 31 March 2003, in terms whereof all rights, liabilities obligations and interest of Spier Holdings (Pty) Ltd (the previous Lessee) were transferred to SSFHT.*

*SSFHT therefore stepped into the shoes of Spier Holdings (Pty) Ltd for the remainder of the contract period, i.e. until 2041-05-31. In terms of this Agreement, however, Spier was still held accountable "should the substitute Lessee, for any reason whatsoever, fails to comply with any condition pertaining to the Lease Agreement".*

*This situation, however, changed in 2008, when the parties signed a further Agreement, in terms whereof Spier, nor any of its shareholders, were to have any rights and obligations in relation to the Municipality or the SSFHT whatsoever arising from or in connection with the Lease Agreement. As from 1 January 2009 the SSFHT was responsible for all obligations, including the payment of rental and water usage, albeit at a reduced rate of 20% of market value, as approved by Council in December 2007. Subsequently the outstanding debt has risen to R247 536.14 in total, as at 31 January 2014\**

*The proposed ceding of the agreement is in terms of the contract, in particular clause 13, which deals with sub-leasing, cession and assignment. In terms hereof the*

SSFHT may not sub-lease or cede any of their rights without prior written approval from the Municipality.

*\*Should Council indeed approve the ceding of the Agreement to the 13 individual farmers, it should be subject thereto that the individual farmers take responsibility for their pro-rate share of the outstanding rental and/or service charges as at the day of the ceding agreement coming into operation. This means that the SSFH Trust will no more be responsible for the outstanding debts. [the agreement reached is that the farmers will be responsible pro rata for the rental ask that the service charges be written off (in part because we can't determine what each farmer owes in the absence of water meters) The current outstanding debt, as at 31 January 2015, is as follows:*

Rentals:	R 32 980.57
Water:	R214 305.57
Other:	R 250.00
∴ Total:	R247 536.14

*This means that the individual farmers will have to take responsibility for R19 022.01, being their pro-rata portion of the outstanding debt as at 31 January 2015.*

*Alternatively Council could consider writing off the outstanding debt, or a portion thereof.*

*The other issue that Council still needs to decide on is whether the SSFHT will still be responsible for the communal infrastructure, such as the water network and communal shed that was constructed some years ago.*

*Council also needs to decide on how to deal with "vacancies" i.e. should it become necessary to replace any of the individual farmers, for whatever reason. This department would suggest that the SSFHT should still be responsible to "appoint" replacement tenants, to be ratified by Council. Alternatively Council will have to go through a tender process to replace individual Lessees every time that a "vacancy" occurs. [Advisory committee to deal with it in terms of principles which will be in line with criteria identified in new policy which is currently underway].*

*The Draft Agreement makes provision for a lease period of 9 years and 11 months. This is not in line with the current Lease Agreement, which only lapse in 2041. Under normal circumstances, when ceding an agreement, the substitute Lessee take over all the rights and obligations of the Lessee for the remaining period of the Agreement, i.e until 2041-05-31. [Lease agreements to be until 2041]".*

At a later stage the following comments were added:

*"Subject thereto that the individual farmers take responsibility for their pro-rate share of the outstanding rental and/or service charges as at the day of the ceding agreement coming into operation."*

## 2.2 Further comments/inputs

### a) Advisory Committee

Reference is made to an Advisory Committee to be established, comprising of "all stakeholders involved in the project, including the Municipality, Department of Agriculture (Western Cape); Department of Water and Sanitation (?); Department of Rural Development and Land Reform, and any other relevant stakeholders".

The question is whether this Advisory Committee would be appointed in terms of Section 17 (4) of the Municipal Systems Act, No 32/2000, i.e to advise Council on matters within council's competence/ (i.e. allocation of land and related issues)?

If this is indeed the situation, I assume that a further report would be tabled, to deal with the appointment of the Advisory Committee members.

Please note that such an Advisory Committee cannot take any decisions, as Council can only delegate to a political structure, political office bearer and a member of staff. (See Section 59 of the Systems Act, No 32/2000)

### b) Management principles

In par 4 (c) reference is made to an "escalation policy on water and rental" It is unclear what is meant by this.

### c) Outstanding debt

In par. 5 the outstanding amounts, as at 1 January 2015 is listed. This should be updated to show the latest figures.

In recommendation (c) it is recommended that "*the current outstanding water and rentals arrears be dealt with in a separate item*".

This department cannot support this recommendation, as this will result in ceding agreements being concluded without knowing what is going to happen with outstanding rentals and water, i.e whether the individuals will become liable or not. I am of the view that Council\* needs to decide on the outstanding debt **before** any ceding agreements are concluded.

\*Please note that in terms of the System of Delegations the EM can only write off bad debt to the amount of R100 000 per case.

d) **Authority to decide on ceding of Lease Agreement.**

In recommendation (a) it is recommended that the Executive Mayor, **in consultation with the Municipal Manager**, approve the ceding of the Lease Agreement to the individual farmers on Farm 502BH.

In terms of the current System of Delegation, however, the authority to "*consider applications for the cession, assignment or sub-letting of lease (exceeding 10 years)*" is with the Executive Mayor **in consultation with Mayco** (and not the MM, as is currently recommended). The recommendation should be amended accordingly.

In terms of the current recommendations, the 65ha is to be ceded to "*the individual farms on farm 502BH*". According to my knowledge there were 13 individual farmers, but not anymore. The question then remains who is going to decide on the "*replacement*" of those farmers who are no longer on the land? In my view the current Lessee (Stellenbosch Small Farmers Holding Trust) must decide on this, as they are the current Lessee. Further, in my view this should be dealt with **before** any ceding agreements are concluded.

If not being dealt with before hand, it will result in the remainder portion(s) still being leased by the Trust.

e) **Replacement of future Lessees, when defaulting**

In terms of par 4 (c) the Advisory Committee is to advise Council on future "*replacements*", should contract be terminated due to no-performance. This cannot be done in terms of the current SCM Policy, i.e. a public competitive process (tender) must be followed before the awarding of rights.

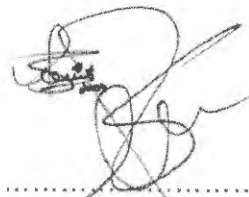
My suggestion would be that all individual Lessees **must** be a member of the Small Farms Holding Trust or another overarching legal entity, failing which their contract would terminate. Should someone have to be replaced, such individual will also have to become a member of such legal entity. (See my original comments/inputs in this regard, recommending that the Trust appoint replacement Lessees, to be ratified by Council).

I suggest that the recommendations be amended to include same.

f) **Amendment to conditions of Lease**

Under normal circumstances, when a contract is ceded, the terms and conditions remains the same. In recommendation (d), however, it is recommended that "*conditions of the lease agreement as discussed in the item be endorsed by Council*". This creates the impression that the "*new*" Lease Agreements should include additional terms and conditions, but it is not clear on the specific conditions to be included. The recommendation should be more specific.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Piet Smit', written over a dotted line. The signature is somewhat stylized and overlaps the text below.

.....  
**PIET SMIT**  
**MANAGER: PROPERTY MANAGEMENT**

**7.2 TRAFFIC CALMING POLICY**

*File number* : 8/1 Engineering Services  
*Compiled by* : Head: Traffic Engineering (Nigell Winter)  
*Report by* : Manager: Transport, Roads and Stormwater  
*Delegated Authority* : Council

**Strategic intent of item**

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

**1. PURPOSE OF REPORT**

To inform Council that the existing Draft Traffic Calming policy as tabled to Council in 2007 has been revised and will be advertised for comment, whereafter a final Traffic Calming Policy will be prepared for Mayco and Council for final approval.

**2. BACKGROUND**

Over the past number of years requests for traffic calming measures were received on a continuous basis. The requests were scrutinized and implemented according to the Draft Traffic Calming policy dated August 1997. The Traffic Engineer was requested to update the policy and submit to this Committee for consideration.

**3. DISCUSSION**

The purpose of this document is to set out the policy for traffic calming for the Stellenbosch Municipality.

The document firstly describes the evaluation procedure to be followed by the Stellenbosch Municipality should it receive requests relating to any traffic problems, i.e. a procedure that commences with a preliminary evaluation and the steps that follow onto a detailed evaluation.

The remainder of the document focuses very specifically on traffic calming and deals with:

- the road hierarchy (from a traffic calming perspective);
- principles for evaluating traffic calming;
- traffic calming techniques;
- warrants.

The **objective** with the introduction of traffic calming measures is to moderate traffic behaviour, through physical and legislative measures, with the aim to reduce the vehicle speeds and/or traffic volumes, thereby improving traffic safety, and quality of life in the urban environment, but with due regard to mobility and accessibility.

The objectives of this policy document are as follows:

- i) to ensure that traffic calming is part of the overall transport strategy for the area;
- ii) to ensure that traffic is accommodated and applied at the correct road hierarchy level;
- iii) to provide communication channels for the public to participate in the “calming” process;
- iv) to improve the efficiency and safety of the road network without compromising costs;
- v) to minimise the extent of pollution and damage caused by motorised vehicles;
- vi) to protect residential areas and the resident from unwanted through traffic and associated dangers;
- vii) to moderate extraneous traffic behaviour;
- viii) to promote road safety;
- ix) to improve traffic flows; and
- x) to ensure that other low order roads are not negatively impacted through the implementation of specific traffic calming measures.

### **Principles of Evaluating Potential Traffic Calming**

The principle philosophy in evaluating potential traffic calming is to eliminate hazards on minor roads and not later alter traffic characteristics on main roads.

Potential traffic calming should be evaluated and prioritized using the following principles:

#### First order priorities:

1. No traffic calming measures are to be imposed on roads classified as Classes 1, 2 and 3.
2. Traffic calming measures should not be considered :
  - on an ad hoc basis;
  - in addressing other social problems ;
  - where it will be detrimental to road safety or
  - where other traffic engineering or alternative procedures could address the problem.
  - on public transport routes

- emergence vehicle routes

Second order priorities:

3. The implementation of appropriate road signs and road markings should be considered before other traffic calming techniques are proposed.
4. Traffic calming measures must not cause traffic to deviate to other minor order roads.
5. Traffic calming measures should only be considered where :
  - there are inherent safety problems caused by road layout, geometrics, sight distances, etc.;
  - these will contribute directly to safety at schools, community centres, etc. when no other methods are possible;
  - where rat-running is causing serious safety problems.

Compliances:

- Traffic calming proposals should be considered with the participation of the Ward Councillor in liaison with the Ward Committee and other residents.
- Where possible upgrading of the existing major road network is to be undertaken in the short or medium term.
- Traffic calming should
  - comply with the Warrants stated in this Policy Document,
  - be in accordance with the National Guideline for Traffic Calming

**Traffic Calming Techniques**

There is a variety of traffic calming techniques, having different applications and serving different functions. The following measures are primarily for speed and capacity reduction

i) Planting/Greening

Tree planting should be an essential part of all traffic calming schemes and its use is applicable on all road types. This contributes to visual side friction.

ii) Narrow Carriageways

The narrowing of any carriageway tends to reduce speeds. This also applies to median islands.



- 
- iii) Optical Width (Visual Narrowing)  
This refers to such measures as tree planting.
  - iv) Footway Extensions  
Footway extensions can be built on all roads of a lower classification than arterial standards wherever there is a surplus carriageway space, at junctions, pedestrian crossings places and bus stops.
  - v) Shared Surfaces  
Shared surfaces (i.e. between vehicles and pedestrians) are suitable to local streets with no through traffic and where traffic flow is below 300 vehicles per hour.
  - vi) Surface Texture/Type/Colour/Location  
Textured surfaces are useful where visual or sensory reinforcement of a situation is required. These measures should not be used on roads where speed limits are higher than 50 km/h.
  - vii) Synchronization  
The synchronization of traffic signals can be used to control speed along such a road but could prove to be detrimental to traffic flow.
  - viii) Electronic Enforcement  
This refers to normal law enforcement.
  - ix) Priority Management  
This refers to the type of control at intersections.
  - x) Road Markings and Signs  
These measures can be used to change lane width thus slowing traffic. Alternatively signs and markings can be used to highlight potentially unsafe conditions for the driver,
  - xi) Small Corner Radii  
The small corner radii are useful at all junctions within residential areas where the speeds of turning movements need to be reduced. Radius design should be appropriate to the classification of roads involved.

xii) Roundabouts

Conventional roundabouts are appropriate for major collectors and arterials where they can reduce accidents and assist traffic flow.

Mini roundabouts should only be used on distributors and minor collectors within residential areas – where they will increase the intersection capacity.

xiii) Carriageway Constrictions

Constrictions are localized measures to reduce the capacity on a road. Constrictions are appropriate for both access streets and mixed priority roads where volumes are less than 500 vph.

xiv) Lateral Shifts in the Carriageway:

- Alternative footway extensions
- Islands and medians in the carriageway
- Alternate angled parking (with permanent features, e.g. planters)

Lateral shifts, which force change in direction and limits the driver's view of the road ahead. These are not suitable for bus routes.

xv) Vertical Shifts in the Carriageway:

These vary according to the severity of the obstacle. i.e. humps, cushions, plateau (tables) and ramps.

These measures are applicable where excessive speeds on local access streets need to be controlled.

When considering the techniques that can be used it is recommended that the use of Road signs and Markings be investigated prior implementing other traffic calming techniques.

For routes that have been identified as emergency routes, traffic calming measures will not be permitted if the measure will negatively impact on emergency response times. It is therefore suggested that traffic calming measures that will not result in vertical deviation (example; speed hump), be considered.

Where traffic calming measures have already been implemented on emergency routes and these measures result in vertical deviation then the measures should be re-evaluated and where justified replaced with an alternative technique.

**Implementation of Traffic Calming Techniques**

The implementation of Traffic Calming proposals is twofold, namely the detailed investigation and design, and the construction of the proposal.

Detailed Investigation & Design

Should a request be evaluated and meets the requirements for progression to the detailed investigation and design stage, the project will require further technical input.

This technical input will involve the following:

- A detailed analysis of the traffic patterns, traffic volumes, intersection geometry, intersection levels of service, alternative routes, unintended implementation consequences (e.g. rat runs) pedestrian and cyclist patterns and environmental aspects of the route.
- A detailed design of the recommended appropriate calming solution, entailing exact location, geometric design, road markings and signage.

**Construction of the Proposal**

Once the investigation and the design have been completed the project will then be placed on a priority program for funding, including any ward funding available. It must be emphasized that should the request not meet the technical warrants for traffic calming, then the construction will not be approved notwithstanding the availability of funding from any source.

**4. LEGAL IMPLICATION**

Refer to legal comments.

**5. FINANCIAL IMPLICATION**

None

**6. COMMENTS FROM OTHER RELEVANT DEPARTMENTS****6.1 DIRECTORATE: PUBLIC SAFETY & COMMUNITY SERVICES (JANINE WALDIS)**

I perused the document and found no further input required, therefore the department supports the draft proposal.

**6.2 DIRECTORATE: STRATEGIC & CORPORATE SERVICES (Snr Legal Advisor EA Williams)**

The National Road Traffic Regulations, 2000 provides for the "free and proper passage of traffic". As such it is incumbent on the Municipality to be

cautious when introducing traffic calming measures on the road networks. There is thus the need to develop a policy to ensure a clear and consistent approach is adopted with regard to traffic calming.

Road safety problems within the municipality must be addressed in such a way that sustainable partnerships between the municipality, the business sector and civil society are formed. An action plan must as such be implemented to improve road safety for all users in WCO24. Special attention must be given to vulnerable road users especially scholars.

Though Legislation does not make specific provision for traffic calming, the municipality may implement traffic calming measures which must meet Constitutional scrutiny and legal scrutiny.

### 6.3 DIRECTORATE: FINANCIAL SERVICES

Finance supports the item.

#### RECOMMENDED

- (a) that the revised Traffic Calming Policy, as amended and attached as **APPENDIX 1**, be accepted as a draft policy;
- (b) that the draft Policy be advertised for public input; and
- (c) that the Director: Engineering Services be requested to finalise the draft Traffic Calming Policy after public input and present it to Council for final approval by February 2016.

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

#### **ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING: 2015-12-01: ITEM 6.1.1**

#### RECOMMENDED

- (a) that the revised Traffic Calming Policy, as amended and attached as **APPENDIX 1**, be accepted as a draft policy;
- (b) that the draft policy be advertised for public input; and
- (c) that the Director: Engineering Services be requested to finalise the draft Traffic Calming Policy after public input and present it to Council for final approval by February 2016.

**(ACTING DIRECTOR: ENGINEERING  
SERVICE TO ACTION)****MAYORAL COMMITTEE MEETING: 2016-01-27: ITEM 5.1.2****RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that the Draft Policy be referred back to allow Administration to incorporate area plans;
- (b) that further consultation with the Ward Committees, Councillors and communities takes place; and
- (c) that the Draft Policy be resubmitted to the Portfolio Committee whereafter same be submitted to Council.

**(ACTING DIRECTOR: ENGINEERING SERVICE TO ACTION)****37<sup>TH</sup> COUNCIL MEETING: 2016-01-27: ITEM 7.8****RESOLVED (nem con)**

- (a) that the revised Traffic Calming Policy, as amended and attached as **APPENDIX 1**, be accepted as a Draft Policy;
- (b) that the Draft Policy be advertised for public input;
- (c) that the Acting Director: Engineering Services be requested to incorporate the public input; and
- (d) that the Draft Policy, with public input, be workshopped, whereafter same be submitted to Council for final approval by April 2016.

**(ACTING DIRECTOR: ENGINEERING SERVICE TO ACTION)****FURTHER INPUT FROM THE DIRECTORATE: ENGINEERING SERVICES**

To inform Council that the Revised Draft Traffic Calming policy (refer to **APPENDIX 1**) dated May 2015 has been advertised on 18 February 2016 in the Eikestadnuus and placed at all municipal libraries within the WC024 and on the municipal website from

18 February 2016 – 11 March 2016. The Traffic Calming Policy is now ready for Council's final approval (refer to **APPENDIX 2**).

During the advertising period, only one (1) comment was received via e-mail whereby input was received for the use of "Armadillos" as a lane divider between vehicle and bicycle lanes. E-mail from Ms Jennifer Mackintosh dated 11 March 2016 is attached as **APPENDIX 3**. Technically, this measure is acceptable but to source local suppliers may be a problem.

**RECOMMENDED**

that the revised Traffic Calming Policy, as amended, attached as **APPENDIX 1**, be accepted and approved by Council.

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

**ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING:  
2016-04-06: ITEM 5.1.1**

It is noted that the Portfolio Committee did not have sufficient time to thoroughly scrutinize the final draft revised Traffic Calming Policy document.

**RECOMMENDED**

that the revised Traffic Calming Policy, as amended, attached as **APPENDIX 1**, be accepted and approved by Council.

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

**MAYORAL COMMITTEE MEETING: 2016-04-22: ITEM 5.1.2**

**RECOMMENDED BY THE EXECUTIVE MAYOR**

**KINDLY NOTE: The Mayco recommendation will be distributed under separate cover at the Council meeting on 2016-04-26.**

# **APPENDIX 1**





## Traffic Calming Policy

Revised Draft – May 2015

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# TRAFFIC CALMING POLICY

## STELLENBOSCH MUNICIPALITY

### 1. INTRODUCTION

#### 1.1. Purpose of document

The purpose of this document is to set out the policy for traffic calming for the Stellenbosch Municipality.

The document firstly describes the evaluation procedure to be followed by the Stellenbosch Municipality should it receive requests relating to any traffic problems, i.e. a procedure that commences with a preliminary evaluation and the steps that follow onto a detailed evaluation.

The remainder of the document focuses very specifically on traffic calming and deals with:

- the road hierarchy (from a traffic calming perspective);
- principles for evaluating traffic calming;
- traffic calming techniques;
- warrants.

#### 1.2. Definition

The objective with the introduction of traffic calming measures is to moderate traffic behaviour, through physical and legislative measures, with the aim to reduce the vehicle speeds and/or traffic volumes, thereby improving traffic safety, and quality of life in the urban environment, but with due regard to mobility and accessibility.

#### 1.3. Objectives

The objectives of this policy document are as follows:

- i) to ensure that traffic calming is part of the overall transport strategy for the area;
- ii) to ensure that traffic is accommodated and applied at the correct road hierarchy level;



- iii) to provide communication channels for the public to participate in the “calming” process;
- iv) to improve the efficiency and safety of the road network without compromising costs;
- v) to minimise the extent of pollution and damage caused by motorised vehicles;
- vi) to protect residential areas and the residents from unwanted through traffic and associated dangers;
- vii) to moderate extraneous traffic behaviour;
- viii) to promote road safety;
- ix) to improve traffic flows; and
- x) to ensure that other low order roads are not negatively impacted through the implementation of specific traffic calming measures.

## **2. MACRO EVALUATION**

Any traffic issue stemming from a request or complaint, regardless of its extent and possible course of action, should firstly follow a preliminary or macro evaluation procedure as set out below.

### **2.1. Receiving the complaint**

All complaints and requests are to be reported to the Stellenbosch Municipality, in writing. This can take the form of a letter, an email or a facsimile message. No verbal requests will be investigated.

### **2.2. Preliminary evaluation**

The preliminary evaluation will follow a four step process:

#### Step 1: The Nature of the request or complaint

The complaint should describe the problem as clearly as possible. Further discussions with the Ward Councillor or Community Representative may be necessary to clarify the request. An assessment will then be made as to whether an Engineering, Enforcement, Education or Combination course of action could be implemented.



Step 2: Planning Assessment

Each complaint/request will be compared to the approved traffic plan for an area, should there be one. If not, only those measures that are reasonably considered safe and are technically feasible and affordable may be used.

Step 3: Qualitative Assessment

If the road is classified as either a R1, R2, R2, U1, U2 or U3 route in terms of Section 4.2 then traffic calming is not permitted. **Table 1** below must be completed to determine if a more detailed assessment is justified.

**Table 1: Qualitative assessment table**

	<b>Aspect</b>	<b>Yes</b>	<b>No</b>
<b>GENERAL</b>			
1	No emergency vehicle route present		
2	Falls within an Area Traffic Calming Plan		
3	Are there bus routes along the route		
4	Did accidents recently occur at the specific location		
<b>SPEED / SAFETY</b>			
5	Cycle/pedestrian paths within roadway		
6	Sharp horizontal curves present		
7	Method of control at intersections not applicable (e.g. yield should be stop)		
8	Spacing of accesses close together		
9	Straight sections on road >180m		
10	Road signs and markings absent or in poor condition		
11	Schools/crèches/old age homes / recreational facilities in proximity		
12	Sub-standard road layout, geometrics and sight distances		
13	Steep grade that encourages speeding		
<b>VOLUMES</b>			
14	Is through traffic possible		
15	Road network – higher order roads with capacity problems result in rat running		
<b>TOTAL NUMBER YES/NO</b>			
<b>QUALITATIVE ASSESSMENT (YES / POSSIBLE YES / NO )</b>			



#### Step 4: Geographical Assessment

The road hierarchy of the problem area will be evaluated and the “traffic calming” class of road established. Physical features such as the surrounding road network, proximity of schools, road safety characteristics will also be evaluated at this point. An assessment will then also be made to whether an Engineering, Enforcement, Education or Combination course of action ( see 2.3 below) is to be implemented.

### **2.3. Courses of action**

The following possible alternative courses of action may be taken once the preliminary evaluation has been completed.

#### Engineering (E1)

This could be one of the following:

- Major engineering in which the problem requires substantive planning, design and construction. It would be proposed for inclusion in future budget programs.
- Traffic Systems Management in which the problem requires improvements to traffic management such as elimination of accident black spots, intersection improvements, traffic lights, etc. It would likewise be proposed for inclusion in future budget programs.
- Traffic calming in which the problem requires calming techniques for specific safety problems, etc. It would be proposed for inclusion on a priority program for detailed evaluation on Traffic Calming Techniques, Principles and Warrants as set out in Chapter 3 of this document.

#### Enforcement (E2)

This could be one or a combination of the following:

- Technical traffic actions such as improvements to road signs and markings, parking prohibitions, etc.
- Traffic enforcement actions such as speed checks and moving violations.
- Patrols such as scholar patrols, traffic wardens, etc.

Any traffic enforcement measures or arrangements, which would solve or reduce the problem, will be proposed.



### Education (E3)

This could be one or a combination of the following:

- Liaison with the local and NGO organisations
- Announcements or notices to schools, sporting centres, etc.
- Limited public involvement with specific institutions such as schools, community development forums (CDF's) etc.
- Open public meetings with ratepayers associations, community based organisations, ward meetings, etc.
- Involvement with organizations such as "DRIVE ALIVE" and "ARRIVE ALIVE"

Any education measures or arrangements, which would solve or reduce problems, will be proposed.

### Combination of E1, E2 and E3

This could be a combination of the above three mechanisms.

## **3. ESTABLISHMENT OF AREA TRAFFIC CALMING PLANS**

### **3.1. Introduction**

The need for traffic calming comes due to a number of reasons:

#### Inappropriate driver behaviour

This inappropriate behaviour prevails in the form of driving at speeds too high for the adjacent environment, drivers using residential roads as shortcuts or to avoid congestion on the major road network and increased potential for pedestrian/vehicle conflicts.

#### Presence of vulnerable road users

Vulnerable road users are young children, scholars, the elderly and the infirm.

The behaviour of these road users can be unpredictable and/or their movement is constrained leading to increased potential for pedestrian/vehicular conflict.



### **3.2. Developing area traffic calming plans (ATCP)**

The process to develop an ATCP set out below:

1. Define the boundaries of the area.
2. Prepare plans showing road classification, land use and identify locations where there are high concentrations of vulnerable road users (schools, hospitals, old age homes/retirement villages, parks, etc.)
3. Consultation with emergency service providers to identify emergency routes into the area. Routes identified as emergency routes are not disqualified from traffic calming measures, but the severity of the measures implemented on the road, if warranted in terms of this policy, should be reduced.
4. Consultation with the affected community together with their Ward Councillor.
5. Moderation of comments received and development of draft ATCP. It is important to note the municipal officials have responsibilities to both the larger road user group and the local community, and the ATCP must reflect the required balance.
6. Submission of draft ATCP to all parties who have contributed to the development of the draft ATCP for acceptance.
7. Submission of ATCP to Council for approval and ratification.
8. Traffic calming measure must be prioritized for implementation based on budgeting constraints. The score achieved through the evaluation process described in Section 5.5 dealing with the warrants will be used as the first level for prioritisation.

### **3.3. Advantages of ATCP's**

The development of ATCP's allows for a structured approach to implementing traffic calming measures. Not all measures requested/investigated need to be incorporated into an ATCP particularly in isolated areas. The advantages of an ATCP are:

1. Assessment of traffic calming requests simplified
2. Emergency routes are identified, typically Class 4 roads (see attached





3. Community participation defines the principles guiding the implementation of traffic calming in their area
4. Acceptance of the plan by the Council will provide positive control for municipal officials responsible for the evaluation and implementation of traffic calming measures.

## 4. FEASIBILITY OF TRAFFIC CALMING

### 4.1. Introduction

Should the macro evaluation described in Chapter 2 indicate that the identified traffic problem or complaint could possibly best be addressed by traffic calming measures; the feasibility of such measures should then be further tested and investigated using the following procedure:

- Step 1: Reconsider information collected as part of “geographical assessment” (Section 2.2) and obtain additional data if necessary.
- Step 2: Determine the road classification for which the traffic calming measures are suggested, refer to Section 4.2 below.
- Step 3: Test the proposed implementation of traffic calming against the first and second order principles given in Section 4.3, also taking into account the pre-requisites for attending to traffic calming aspects as given in this section.
- Step 4: In the event of a proposal complying with the principles (i.e. step 3 above), carry out a detailed evaluation, through selection of an appropriate traffic calming technique (refer to Section 4.4). The collection of data as required and the testing of the proposal against the warrants are given in Section 4.5.

### 4.2. Road Hierarchy

The road hierarchy set out in this section is based on TRH26: South African Road Classification and Access Management Manual and this document should be referred to if further detail is required. The tables below set out the functional road classification and the road access management and features for both rural and urban roads.





Function			Description		Mobility				
Basic Function	Alternate functional descriptions	Determining function	Class No (R_)	Class name	Origin / destination	Through traffic component	Reach of connectivity	% of built km	AADT (average annual daily traffic)
Mobility	Vehicle priority, vehicle only, long distance, through, high order, high speed, numbered, commercial, economic, strategic; route, arterial road or highway.	Movement is dominant, through traffic is dominant, the majority of traffic does not originate or terminate in the immediate vicinity, the function of the road is to carry high volumes of traffic between urban areas	1	Principal arterial*	Metro areas, large cities, large border posts, join national routes	Exclusively	> 50 km	2 - 4% Classes 1 and 2	1000 – 100 000+
			2	Major arterial*	Cities and large towns, transport nodes (harbours and international airports), smaller border posts, join major routes	Exclusively	>25 km		500 – 25 000+
			3	Minor arterial*	Towns, villages and rural settlements, tourist destinations, transport nodes (railway sidings, seaports, landing strips), small border posts, other routes	Predominant	> 10 km	6 - 12% Classes 1, 2 and 3	100 – 2 000+
Access / Activity	Access, mixed pedestrian and vehicle traffic, short distance, low order, lower speed, community / farm, road or street.	Access, turning and crossing movements are allowed, the majority of traffic has an origin or destination in the district, the function of the road is to provide a safe environment for vehicles and pedestrians using access points	4	Collector road	Connect farming districts, rural settlements, tourist areas, national and private parks and mines to mobility routes	Minimal	< 10 km	20 - 25%	< 1 000
			5	Local road	Farm or property access, connection to other routes	Nil Discontinuous	< 5 km	65 - 75%	< 500
			6	Walkway (path or track)	Settlements, farms, transport nodes, water points	n/a			

\* In rural areas, the term distributor may be preferred to arterial

Table 2: Rural Functional Road Classification

RURAL ROAD CLASSIFICATION



Basic Function	Description		REQUIREMENTS				TYPICAL FEATURES (use appropriate context sensitive standards for design)								
	Class No (R_)	Class name	Design typology	Route no.	Access to property	Parking	Speed km/h	Inter-section control	Typical cross section	Roadway / lane width	Road reserve width	Public transport stops and ped. xing.	Pedestrian footways (constructed)	Cycle lanes	Animal drawn vehicles
Mobility	1	Principal arterial	Expressway	Yes (N)	Not allowed*	No (off road rest stops allowed)	120	Grade separate or priority to through	2 / 3 / 4 lane, surfaced shoulders, climbing lanes	3.5 - 3.7 m	60 - 80 m (62 m)	No	No	No	No
	2	Major arterial	Highway	Yes (R: 2 or 3-digit; or N)	Not allowed <sup>**</sup>	No (off road rest stops allowed)	120	Priority or grade separate	2 / 3 lane, surfaced shoulders, climbing lanes	3.5 - 3.7 m	40 - 70 m (48 m)	As required	Isolated	Recreational on shoulder	No
	3	Minor arterial	Main road	Yes (R: 3 or 2-digit)	Not allowed <sup>**</sup>	No (off road rest stops allowed)	100-120	Priority, roundabout	2 lane surfaced, gravel shoulders	4.0 m	30 - 50 m (30 m)	As required	Isolated	Recreational widen roadway both sides	Widen shoulder
Access / Activity	4	Collector road	Collector	Allowed, T (tourist) or D (district)	Yes	No (off road edge or in lay-byes / viewpoints)	80 - 100	Priority	2 lane surfaced or gravel, gravel shoulders	3.5 m	25 m	As required	Rare, isolated	Widen roadway	Widen shoulder
	5	Local road	Farm road	Allowed, T (tourist) or L (local)	Yes	No (on verge or shoulder)	60 - 80	Priority	1 / 2 lane gravel, 600 mm concrete strips in environmental areas		20 m	As required	Rare	Use roadway	Use roadway
	6	Walkway	Track or pathway	No	Yes	n/a							Not constructed, formed by use		

\* Access to properties sufficiently large to warrant a private intersection / interchange can be considered if access spacing requirement met and there is no future need for a public road.

\*\* Low volume farm gate and tourist access (less than 10 vehicles per day) can be considered if no alternative exists.

Table 3: Rural Access Management Requirements and Features



Function			Description		Mobility				Traffic		
Basic Function	Alternate functional descriptions	Determining function	Class No (U_)	Class name	Through traffic component	Distance between parallel roads (km)	% of built km	Reach of Connectivity	Expected range of ADT (average daily traffic)	% of travel veh-km	
Mobility	vehicle priority, vehicle only, long distance, through, high order, high speed, numbered, commercial, economic, strategic; route, arterial road or highway.	Movement is dominant, through traffic is dominant, the majority of traffic does not originate or terminate in the immediate vicinity, the function of the road is to carry high volumes of traffic between urban districts	1	Principal arterial (freeway)	Exclusively	5 - 10 km	5 - 10% Classes U1 and U2	> 20 km	40 000 - 120 000+	40 – 65% Classes U1 and U2	
			2	Major arterial	Predominant	1.5 - 5.0 km		> 10 km	20 000 - 60 000		
			3	Minor arterial	Major	0.8 - 2.0 km	15 - 25% Classes U1, U2 and U3	> 2 km	10 000 - 40 000	65 – 80% Classes U1, U2 and U3	
Access / Activity	Access, mixed pedestrian and vehicle traffic, short distance, low order, low speed, community, street.	Access, turning and crossing movements are allowed, the majority of traffic has an origin or destination in the immediate area, the function of the road is to provide a safe environment for vehicles and pedestrians using access points	4a	Collector street, commercial	Discourage		5 – 10%	< 2 to 3 km	< 25 000	5 – 10%	
			4b	Collector street, residential	Discourage			< 2 km	< 10 000		
			5a	Local street, commercial	Prevent		65 – 80%	< 1 km	< 5 000	10 – 30%	
			5b	Local street, residential	Prevent			< 0.5 km (1 km Max)	< 1 000		
			6a	Walkway, pedestrian priority	Ban						
			6b	Walkway, pedestrian only	Ban						

Table 4: Urban Functional Road Classification

URBAN ROAD CLASSIFICATION



Basic Function	Description		REQUIREMENTS					TYPICAL FEATURES (use appropriate context sensitive standards for design)								
	Class No (U_)	Class name	Design typology	Route no.	Intersection spacing	Access to property	Parking	Speed km/h	Inter-section control	Typical cross section	Roadway / lane width	Road reserve width	Public transport stops and ped. xing.	Pedestrian footways (constructed)	Cycle lanes	Traffic Calming
Mobility	1	Principal arterial	Freeway	Yes (M/R/N)	2,4 km (1.6 km - 3.6 km)	not allowed	No	100-120	Interchange	4 / 6 / 8 lane freeway	3.3 - 3.7 m lanes	60 - 120 m (60 m)	No	No	No	No
	2	Major arterial	Highway	Yes (M/R)	800 m (± 15%)	Not allowed <sup>*/**</sup>	No	80	Co-ordinated traffic signal, Interchange	4 / 6 lane divided, kerbed	3.3 - 3.6 m lanes	38 - 62 m (40 m)	Yes at intersections	Off road	Yes – widen roadway	No
	3	Minor arterial	Main road	Yes (M)	600 m (± 20%)	Not allowed <sup>*/**</sup>	No	70	Co-ordinated traffic signal, roundabout	4 lane divided or undivided, kerbed	3.3 - 3.5 m lanes	25 - 40 m (30 m)	Yes at intersections	Yes	Yes – widen roadway	No
Access / Activity	4a	Collector street, commercial	Commercial major collector	No (A for temp. routing)	> 150 m	Yes (larger properties)	Yes if conditions allow	60	Traffic signal, roundabout or priority	4 lane, median at ped. xing., boulevard, CBD one-way		20 - 40 m (25 m)	Yes at intersections or mid block	Yes	Yes, widen road or on verge	Median for peds, curved roadway
	4b	Collector street, residential	Residential minor collector	No	> 150 m	Yes	Yes if appropriate	50	Roundabout, mini-circle or priority	2 / 3 lane undivided	6 - 9m roadway, < 3.3 m lanes	16 - 30 m (20 m)	Yes anywhere	Yes	Yes, on road or verge	Raised ped, median, narrow lanes
	5a	Local street, commercial	Commercial access street	No		Yes	Yes if conditions allow	40	Priority	2 lane plus parking		15 – 25 m (22 m)	If applicable, anywhere	Normally yes	Use roadway	Raised ped. crossing
	5b	Local street, residential	Local residential street	No		Yes	Yes on verge	40	Mini-circle, priority or none	1 / 2 lane mountable kerbs	3.0 - 5.5 m roadway (two way)	10 - 16 m (14 m)	If applicable, anywhere	Not normally, pedestrians can use roadway	Use roadway	Yes, but should not be necessary
	6a	Walkway, non-motorized priority	Pedestrian priority	No	500 m maximum	Yes	Yes if parking lot or woonerf	15	None, pedestrians have right of way	Surfaced			If applicable, anywhere	Yes or use roadway	Rare	Yes
	6b	Walkway, non-motorized only	Pedestrian only	No	500 m maximum	Yes	No vehicles	peds. 80 m / minute	None, pedestrian signal	Block paving		6 m		Yes	Yes	

\* Access to properties sufficiently large to warrant a private intersection / interchange can be considered if access spacing requirement met and there is no future need for a public road.

\*\* Partial and marginal access at reduced spacing allowed to relieve congestion, reduce excessive travel distances or remove the need for a full intersection

Table 5: Urban Access Management Requirements and Features

#### **4.3. Principles of Evaluating Potential Traffic Calming**

The principle philosophy in evaluating potential traffic calming is to eliminate hazards on minor roads and not later alter traffic characteristics on main roads.

Potential traffic calming should be evaluated and prioritized using the following principles:

##### First order priorities:

1. No traffic calming measures are to be imposed on roads classified as Classes 1, 2 and 3.
2. Traffic calming measures should not be considered :
  - on an ad hoc basis;
  - in addressing other social problems ;
  - where it will be detrimental to road safety; or
  - where other traffic engineering or alternative procedures could address the problem; and
  - on public transport routes;
  - on emergency vehicle routes

##### Second order priorities:

3. The implementation of appropriate road signs and road markings should be considered before other traffic calming techniques are proposed.
4. Traffic calming measures must not cause traffic to deviate to other minor order roads.
5. Traffic calming measures should only be considered where :
  - there are inherent safety problems caused by road layout, geometrics, sight distances, etc.;
  - these will contribute directly to safety at schools, community centres, etc. when no other methods are possible;
  - where rat-running is causing serious safety problems.

##### Compliance's:

- Traffic calming proposals should be considered with the participation of the Ward Councillor in liaison with the Ward Committee and other residents.



- Where possible upgrading of the existing major road network is to be undertaken in the short or medium term.
- Traffic calming should
  - comply with the Warrants stated in this Policy Document,
  - be in accordance with the National Guideline for Traffic Calming

#### **4.4 Traffic Calming Techniques**

There are a variety of traffic calming techniques, having different applications and serving different functions. The following measures are primarily for speed and capacity reduction

i) Planting/Greening

Tree planting should be an essential part of all traffic calming schemes and its use is applicable on all road types. This contributes to visual side friction.

ii) Narrow Carriageways

The narrowing of any carriageway tends to reduce speeds. This also applies to median islands.

iii) Optical Width (Visual Narrowing)

This refers to such measures as tree planting.

iv) Footway Extensions

Footway extensions can be built on all roads of a lower classification than arterial standards wherever there is a surplus carriageway space, at junctions, pedestrian crossings places and bus stops.

v) Shared Surfaces

Shared surfaces (i.e. between vehicles and pedestrians) are suitable to local streets with no through traffic and where traffic flow is below 300 vehicles per hour.

vi) Surface Texture/Type/Colour/Location

Textured surfaces are useful where visual or sensory reinforcement of a situation is required. These measures should not be used on roads where speed limits are higher than 50 km/h.



vii) Synchronization

The synchronization of traffic signals can be used to control speed along such a road but could prove to be detrimental to traffic flow.

viii) Electronic Enforcement

This refers to normal law enforcement.

ix) Priority Management

This refers to the type of control at intersections.

x) Road Markings and Signs

These measures can be used to change lane width thus slowing traffic. Alternatively signs and markings can be used to highlight potentially unsafe conditions for the driver,

xi) Small Corner Radii

The small corner radii are useful at all junctions within residential areas where the speeds of turning movements need to be reduced. Radius design should be appropriate to the classification of roads involved.

xii) Roundabouts

Conventional roundabouts are appropriate for major collectors and arterials where they can reduce accidents and assist traffic flow. Mini roundabouts should only be used on distributors and minor collectors within residential areas – where they will increase the intersection capacity.

xiii) Carriageway Constrictions

Constrictions are localized measures to reduce the capacity on a road. Constrictions are appropriate for both access streets and mixed priority roads where volumes are less than 500 vph.

xiv) Lateral Shifts in the Carriageway:

- Alternative footway extensions
- Islands and medians in the carriageway
- Alternate angled parking (with permanent features, e.g. planters)

Lateral shifts, which force change in direction and limits the driver's view of the road ahead. These are not suitable for bus routes.





xv) Vertical Shifts in the Carriageway:

These vary according to the severity of the obstacle. i.e. humps, cushions, plateaux (tables) and ramps. These measures are applicable where excessive speeds on local access streets need to be controlled. When considering the techniques that can be used it is recommended that the use of Road signs and Markings be investigated prior to implementing other traffic calming techniques.

For routes that have been identified as emergency routes, traffic calming measures will not be permitted if the measure will negatively impact on emergency response times. It is therefore suggested that traffic calming measures that will not result in vertical deviation (example; speed hump), be considered.

Where traffic calming measures have already been implemented on emergency routes and these measures result in vertical deviation then the measures should be re-evaluated and where justified replaced with an alternative technique.

#### 4.5 Warrants

The warrants for determining the need for the implementation of traffic calming techniques are as shown in **Table 6**. To calculate compliance with the warrants the following calculations must be applied to determine the weighted score:

$$TS = \sum_{i=1}^n P_i W_i$$

i = Warrant number

Where

TS = Weighted Total Score

P<sub>1</sub> = Point for Warrant i

W<sub>1</sub> = Weight for Warrant i

N = Number of Warrants



The following weighted score must be used to determine whether the proposed measures are warranted.

Condition 1 : Score below 31 points – Not warranted for implementation.

Condition 2 : Score between 32 and 37. Warranted for implementation only if there are vulnerable road users/sensitive areas.

Condition 3 : Score above 37– Warranted for implementation.

**Note:** In Table 6 where data does not exist, realistic estimates or a minor investigation may be initiated.

**Table 6: Warrants for determining the need for traffic calming techniques**

Warrants for evaluating feasibility					
No	Warrants	Point Score			Weight
		0	1	2	
1	Traffic volumes	<50 vph	50-150 vph	>150 vph	3
2	Accidents per year	<1 per year	2 – 4 per year	> 5 per year	3
3	Public service vehicles	>5 vph	3-5 vph	<3 vph	-1
4	Pedestrian / risk	Low	Medium	High	2
5	85 <sup>th</sup> percentile speed	<40	40-60	>60	2
6	Through traffic volume	<5 %	5-50 %	>50 %	2
7	Pedestrian volumes (Vol/4h over 150 m)	<250/4h	250-500/4h	>500/4h	3
8	Parking / loading movements	<100/h/km	100-200/h/km	>200/h/km	1
9	Schools / playgrounds	No	-	Yes	3
10	Footways / verges	Made	Rough	None	2
11	Frontage / accesses spacing	>75m	50-75 m	<50 m	1
12	Sensitive area	No	Slightly	Yes	2



13	One or two way	One		Two	1
14	Stopping sight distance	>130 m	50-130 m	<50 m	1
15	Gradient (Longitudinal)	>5 %	3-5 %	< 3 %	1



Where:

Traffic volumes	Average hourly off peak traffic volumes between 06:00 and 18:00
Accidents per year	Number of accidents per year
Public service vehicles	Average peak hour volumes (buses, refuse removal etc.)
Pedestrian / risk	The potential risk that pedestrian and vulnerable road users are exposed to in the presence of traffic can be subjectively assessed. (e.g. brake lights, swerving etc.)
85th Percentile speed	The speed at or below which 85 percent of the vehicles travel.
Through traffic volume	That proportion of traffic that has another origin or destination along the road, or within the area, under study.
Pedestrian volumes	The volume of pedestrians crossing a road over a four hour period, and measures over a 150 meters roadway length.
Parking / loading movements	The number of parking/loading manoeuvres per hour over a kilometre section of road
Schools / playgrounds	The presence of schools/crèches/playgroups etc. within the study area
Footways / verges	The provision of pedestrian facilities (pavements etc.) within the verges.
Frontage / access spacing	The average distance between accesses to properties within the studied area/road
Sensitive area	The presence of hospitals, old age homes, clinics and recreation facilities that may be sensitive to traffic, traffic noise, fumes, etc.
One or two way	Whether roads accommodate two or one-way traffic flow.
Stopping sight distance	The minimum distance required for a driver to bring his vehicle to a standstill and based on speed, driver reaction time and skid resistance.
Gradient	The vertical rise or fall of the roadway measured from the base to the apex and expressed as a percentage.



## 5. IMPLEMENTATION

The implementation of Traffic Calming proposals is twofold, namely the detailed investigation and design, and the construction of the proposal.

### Detailed Investigation & Design

Should a request be evaluated and meets the requirements for progression to the detailed investigation and design stage, the project will require further technical input.

This technical input will involve the following:

- A detailed analysis of the traffic patterns, traffic volumes, intersection geometry, intersection levels of service, alternative routes, unintended implementation consequences (e.g. rat runs) pedestrian and cyclist patterns and environmental aspects of the route.
- A detailed design of the recommended appropriate calming solution, entailing exact location, geometric design, road markings and signage.

### Construction of the Proposal

Once the investigation and the design have been completed the project will then be placed on a priority program for funding, including any ward funding available. It must be emphasized that should the request not meet the technical warrants for traffic calming, then the construction will not be approved notwithstanding the availability of funding from any source.



## Cost analysis of Traffic Calming Techniques

NR	TYPE OF FACILITY	DESCRIPTION	APPLICATION	ESTIMATED COST (R)	ADVANTAGES	DISADVANTAGES
1	All-way stops	All approaches are stops controlled to force vehicles to reduce speed before stopping at the intersection	Intersection of 2 roads where traffic signals are not warranted. All-way STOPs should not be implemented to reduce speed where it is not warranted.	Typically R 10 000 to R50 000	Low cost, law enforcement can be effectively carried out	If implemented to reduce speed, can result in motorists ignoring stop street
2	Mini-circles	A circle is built in the existing roadway without road widening.	To reduce speed of through vehicles, improve capacity of side roads, reduce severity of accidents	Typically R 75 000 to R200 000	Reduced delay, especially on side streets, circles effectively reduce severity of accidents	Relative expensive, geometry can be tight, especially for emergency vehicles, driver
3	Speed humps	Raise road surface over 3.5 to 4.0m with 75mm to 100-120mm, typically	Reduce speed on long straight road sections.	Typically R 20 000 to R50 000	Effective in reducing speed on long, straight road	Visibility poor at night if road markings are not visible



4	Raised Pedestrian Crossings	Raise road surface with 120mm at pedestrian crossings (length 5m)	Reduce speed at pedestrian crossings	Typically R 35 000 to R50 000	Increase safety of pedestrians effectively	Relative high cost, visibility poor at night if road markings are not maintain regularly
5	Raised Intersections	The road surface within the intersection is raised with 75 to 200mm. The control of the intersection can be 4-way or 2-way stop controlled.	The speed of motorists through the intersection is reduced	Typically R 90 000 to R250 000	Reduce speed through intersections, reduce severity of accidents	Relative high cost, driver discomfort
6	Raised Mini-circles	The road surface within the intersection is raised with 75mm to 200mm. A mini-circle with small diameter is provided on top of this	Normal mini-circles have limited applications where cycle paths cross at intersections as vehicles are deflected into the cycle path.	Typically R80 000 to R250 000	Reduce speed through intersections, accommodate cyclists and pedestrians with traffic circle control	Relative high cost, driver discomfort
7	Access limitations	Access is restricted with one-ways, no access signs	To reduce through traffic	Typically R 100 000 to R300 000	Low cost	Access limitations can result in problems with waste collection, emergency vehicles



8	Reduction in road width (chokers)	Road is narrowed with kerbs	Reduce speed, discourage through traffic, especially heavy	Typically R 60 000 to R200 000	Can exclude heavy vehicles from road	Cost, driver discomfort
9	Rumble strips	Strips across the road, consisting of bitumen and 13 to 19mm stone	Rumble strips are implemented close to intersections, before sharp horizontal curves to caution motorists of the dangerous situation	Typically R 6 000 to R30 000 per set	Effective in increasing awareness of drivers	Noise
10	Semi street closures	The road is closed for one direction of traffic by installing kerbs or by planting bollards	Reduce through traffic and to reduce speed	Typically R50 000 to R300 000		Increase conflict as one direction of traffic has to yield for the other direction, driver discomfort.
11	Cycle/Pedestrian paths	Provide separate road surfaces	Conflict between pedestrians, cyclists and motorists is reduced	Typically R500 to R850 per m <sup>2</sup>		Cost
12	Change in road surface	Asphalt road surface is changed to paving blocks	Increase driver alertness and reduced speed	Typically R50 000 to R300 000 per site	Can be aesthetically more acceptable than other forms of traffic calming	Cost, limited speed reduction





# Traffic Calming



“Barriers placed diagonally across an intersection to prevent through movement.”



**Diagonal Diverters**



# Traffic Calming



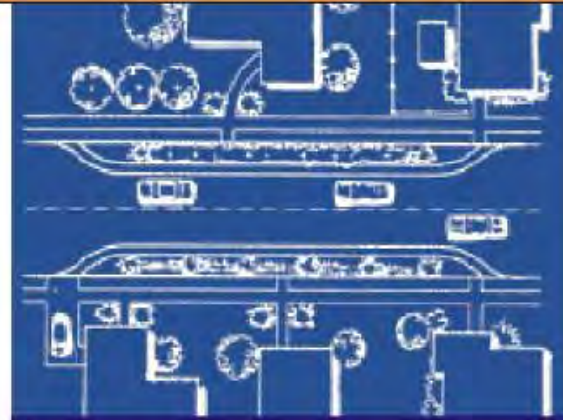
Mini Traffic Circle



# Traffic Calming



“Kerb extensions or islands on one or both sides of the street that narrow the street at that location.”



## Chokers



# Traffic Calming

“Barriers that block travel in one direction for a short distance on an otherwise two-way street .”



**Half Closures**



# Traffic Calming



“Median centrally placed on roadway ensure conspicuity with vertical elements, marking and lighting.”



**Median with one sided parking**



# Traffic Calming



**Raised Intersection**



# Traffic Calming



“Entrance to speed reduced zone on T-junction with exit construction through road.”

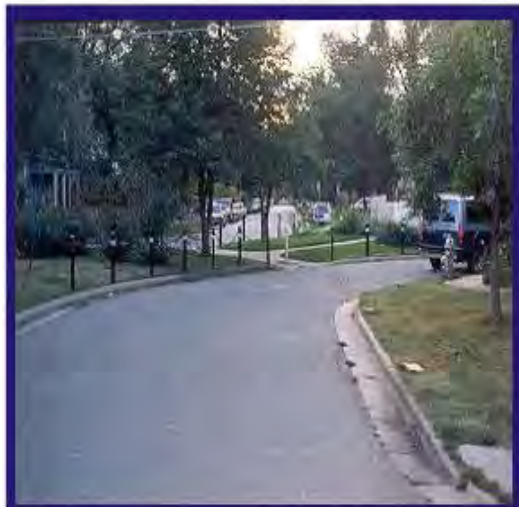


Construction Through Road

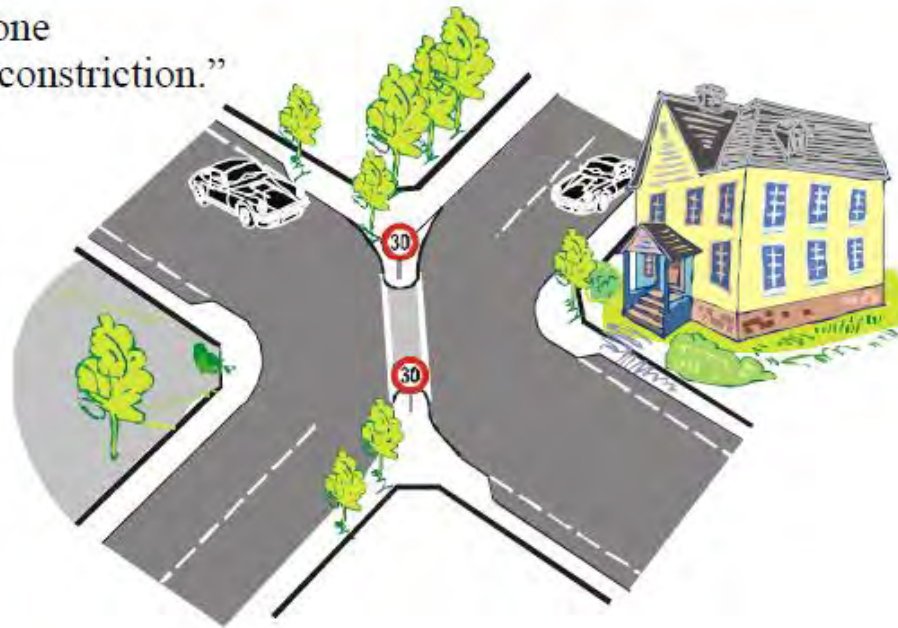


# Traffic Calming

“Entrance to speed reduced zone on intersection with diagonal constriction.”



**Diagonal Constriction**





# Traffic Calming



**Speed Restriction**



# Traffic Calming



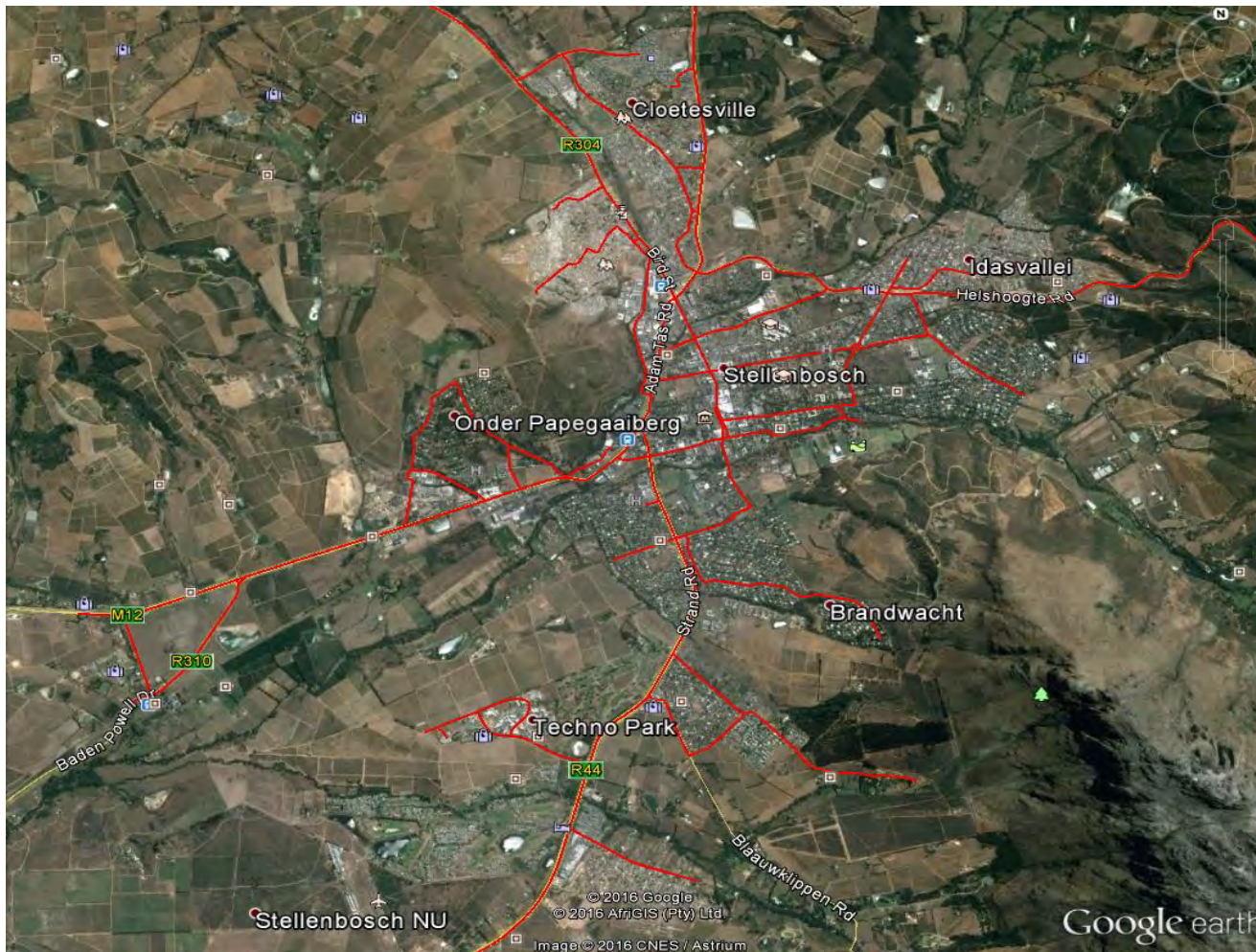
**Raised Pedestrian Crossing**



## Emergency Routes – WC024



## Emergency Routes – Stellenbosch



**Emergency Routes – Raithby**



**Emergency Routes – Kylemore, Pniel and Lanquedoc**



## Emergency Routes – Wemmershoek



## Emergency Routes – La Motte and Groendal (Franschhoek)





## Emergency Routes – Franschhoek

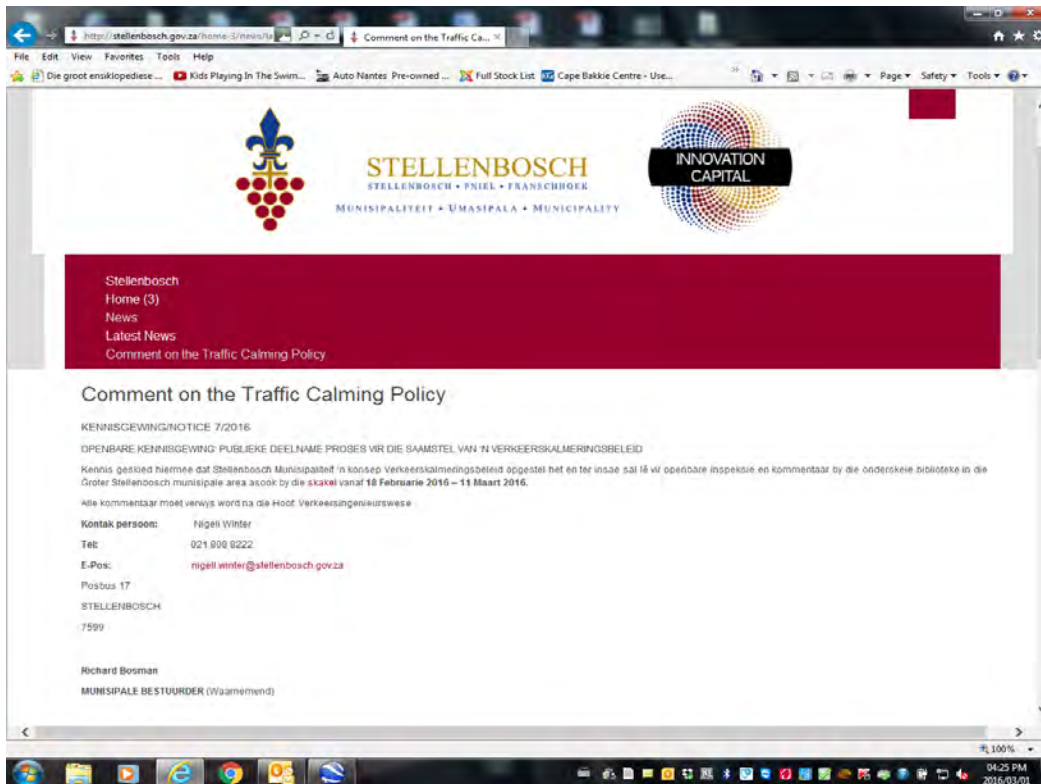
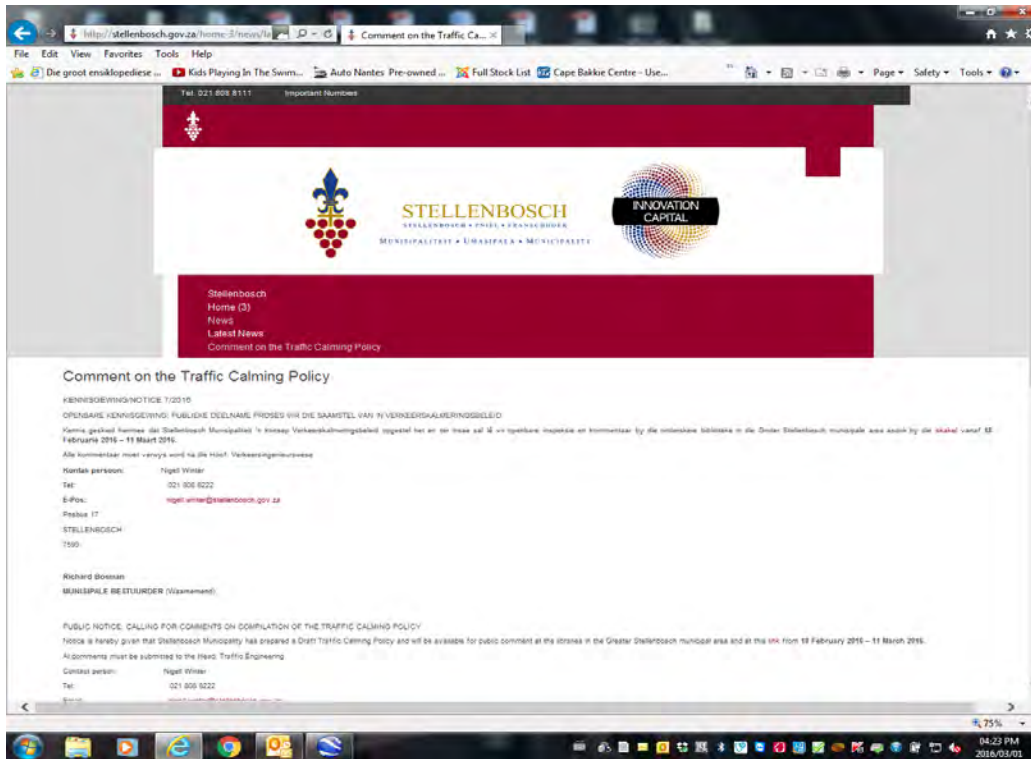


## Emergency Routes – Klipmuts



# **APPENDIX 2**

APPENDIX 2:



**SMALLads** E: geraldine.adendorff@media24.com **Eikestad** NUUS  
0861 76255 237 0861 small ads

**STELLENBOSCH**  
MUNISIPALITEIT • MUNICIPALITY

**KENNISGEWING/NOTICE 7/2016**

**OPENBARE KENNISGEWING: PUBLIEKE DEELNAME PROSES VIR DIE SAAMSTEL VAN 'N VERKEERSKALMERINGSBELEID**

Kennis geskied hiermee dat Stellenbosch Munisipaliteit 'n konsep Verkeerskalmeringsbeleid opgestel het en ter insae sal lê vir openbare inspeksie en kommentaar by die onderskeie biblioteke in die Groter Stellenbosch munisipale area asook op [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za) vanaf 18 Februarie 2016 – 11 Maart 2016.

Alle kommentaar moet verwys word na die Hoof: Verkeersingenieurswese

**Kontak persoon:** Nigell Winter  
**Tel:** 021 808 8222  
**E-Pos:** [nigell.winter@stellenbosch.gov.za](mailto:nigell.winter@stellenbosch.gov.za)

**WILLEM PRETORIUS**  
WAARNEMENDE DIREKTEUR: INGENIEURSDIENSTE  
Posbus 17  
STELLENBOSCH  
7599

**PUBLIC NOTICE: CALLING FOR COMMENTS ON COMPILATION OF THE TRAFFIC CALMING POLICY**

Notice is hereby given that Stellenbosch Municipality has prepared a draft Traffic Calming Policy and will be available for public comment at the libraries in the Greater Stellenbosch municipal area and on [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za) from 18 February 2016 – 11 March 2016.

All comments must be submitted to the Head: Traffic Engineering

**Contact person:** Nigell Winter  
**Tel:** 021 808 8222  
**Email:** [nigell.winter@stellenbosch.gov.za](mailto:nigell.winter@stellenbosch.gov.za)

**WILLEM PRETORIUS**  
ACTING DIRECTOR: ENGINEERING SERVICES  
PO BOX 17  
STELLENBOSCH  
7599

**LÜCKHOFF HOERSKOOI**

Beheerliggaam pos  
vanaf 22 Februarie tot einde van kwartaal

**Natuurwetenskappe Graad 8 en 9**  
**Engels en Afrikaans**  
**Lewenswetenskappe Graad 10 en 11**  
**Engels en Afrikaans**

Sluitings datum : 19 Februarie 15h00

**Kontak persoon : Mnr. B.Williams**  
Epos na Lana by: [ishelmnie@gmail.com](mailto:ishelmnie@gmail.com)

**KENNISGEWING**

Gelieve hiermee kennis te neem dat Izak Daniel Petrus Visser,

identiteitsnommer 6911265294084

vanaf 18/01/2016 nie meer as Kurator optree in Kuratele Boedel J Visser, (Boedel Nommer 2807/93) nie.

**QC Inspector position available**

**Requirements:**

- The main responsibility of the QC is to check that products meet standards of quality and food safety. This is done by carefully controlling and monitoring of the critical control points (CCPs) for each product manufactured. Spot-checks, must also be performed in all areas and processes of the factory, to ensure hygienic conditions and high-quality products. Results and corrective actions of all checks and controls must be logged, as record keeping forms an essential part of quality assurance.
- As a quality control inspector, you must be observant and very good at paying attention to detail in order to detect defects.
- You should have a logical, methodical approach to your work and you must be accurate when taking measurements and recording figures. You need good number skills, for example, in order to measure and weigh samples.
- You will need tact and discretion to point out problems to production workers. Good communication skills are important to motivate others to improve the quality of their work, as well as to explain your findings clearly and to communicate clearly and effectively when reporting issues and defects.
- Previous experience carrying out the duties and responsibilities of a QC Inspector is preferable, but on-the-job training will be provided.

Send applications to: [admin@ecapfoods.com](mailto:admin@ecapfoods.com)

Closing date: 26 February 2016

**NUUS**  
**Eikestad**  
Wilt u 'n advertensie in die Eikestadnuus plaas? Skakel 021 887 2840

**UNIVERSITEIT-STELLENBOSCH-UNIVERSITY**  
jou kennisvenoot • your knowledge partner

**Sentrum vir Studentewerwing en Loopbaanadvies**

**Junior Adviseur**  
(Verw. SSW/061/0216)

**Pilgtes:** Identifisering en werwing van studente, veral uit die aangewese groepe • Besoek aar skole om die Universiteit bekend te stel en te bemak • Bywoning van loopbaaninstellings, loopbaanrade en ander werwingseenhede • Interne skakeling met fakultite • Beantwoording van navrae van voornemende studente, ouers en onderwysers • Ontvang van kampusbesoekers • Strategiese identifisering en ontginning van moontlike voederareas ten einde die diversiteitsprofiel van die Universiteit uit te brei.

**Verelstes:** 'n Baccalaureusgraad • Minstens twee jaar werkserwaring • Volledig taalvaardig in isiXhosa, Afrikaans en/of Engels • Goeie skriftelike en mondelinge kommunikasievaardighede • Goeie organisatoriese en administratiewe vaardighede • Goeie interpersoonlike vaardighede • Vermoë om onder druk te kan werk • Vermoë om doeltreffend binne spanverband te kan werk • Die vermoë om selfstandig en noukeurig te werk • Geldige rybewys • Bereidwilligheid en beskikbaarheid om gereeld te reis en by tye ongereelde ure te werk • Volledig rekenaarvaardig.

**Aanbeveling:** 'n Erkende onderwyskwalifikasie.

**Diensaanvaarding:** 1 April 2016 of so spoedig moontlik daarna

**Sluitingsdatum:** 29 Februarie 2016

**Navrae rakerende die posinhoude:** August Engelbrecht by 021 8084709

**Navrae oor vergoeding/voordele asook tegniese ondersteuning met die elektroniese aansoekproses:** Menslike Hulpbronne Klientediensentrum by 021 808 2753

*Die Universiteit hanteer alle aansoeke in terme van sy Diensbillikheidsplan wat erkenning verleen aan die behoefte om die demografiese samestelling van die personeelkorps te diversifiseer, veral met die oog op die aanstelling van geskikte kandidate uit die aangewese groepe.*

*Die Universiteit behou die reg voor om nie 'n aanstelling te maak nie.*

*U aansoek moet vergesel wees van 'n volledige curriculum vitae (insluitend die name en kontakbesonderhede van ten minste twee referente), en moet die Universiteit voor of op die sluitingsdatum van die advertensie bereik.*

**Doen aanlyn aansoek by [www.sun.ac.za/afrikaans/loopbane](http://www.sun.ac.za/afrikaans/loopbane)**

Kandidate kan moontlik aan gepaste psigometriele toetsing en ander keuringsinstrumente onderwerp word.

*Indien u nie binne vier weke na die sluitingsdatum van hierdie advertensie van die Universiteit verneem nie, aanvaar asseblief dat u aansoek onsuksesvol was.*

**UNIVERSITEIT-STELLENBOSCH-UNIVERSITY**  
jou kennisvenoot • your knowledge partner

**Centre for Student Recruitment and Career Advice**

**Junior Advisor**  
(Ref. SSW/061/0216)

**Duties:** Identifying and recruiting students, particularly from designated groups • Visiting schools, with the aim of introducing and marketing the University • Attending career exhibitions, career evenings and other recruitment events • Liaising with faculties • Answering enquiries from prospective students, parents and teachers • Receiving campus visitors • Strategic identification and exploration of potential feeder areas aimed at expanding the University's diversity profile.

**Requirements:** Bachelor's degree • Minimum of two years' work experience • Fully proficient in isiXhosa, Afrikaans and/or English • Good written and verbal communication skills • Good organisational and administrative skills • Good interpersonal skills • Ability to work well under pressure • Ability to work effectively within a group context • Ability to function independently and accurately • Valid driver's licence • Willingness and availability to travel often and work irregular hours when necessary • Fully computer literate.

**Recommendation:** Recognised teaching qualification.

**Commencement of duties:** 1 April 2016 or as soon as possible thereafter

**Closing date:** 29 February 2016

**Enquiries regarding this post:** August Engelbrecht on 021 8084709

**Enquiries regarding remuneration/benefits as well as technical assistance with the electronic application process:** Human Resources Client Services Centre on 021 808 2753

*The University will consider all applications in terms of its Employment Equity Plan, which acknowledges the need to diversify the demographic composition of the staff corps, especially with regard to the appointment of suitable candidates from the designated groups.*

*The University reserves the right not to make an appointment.*

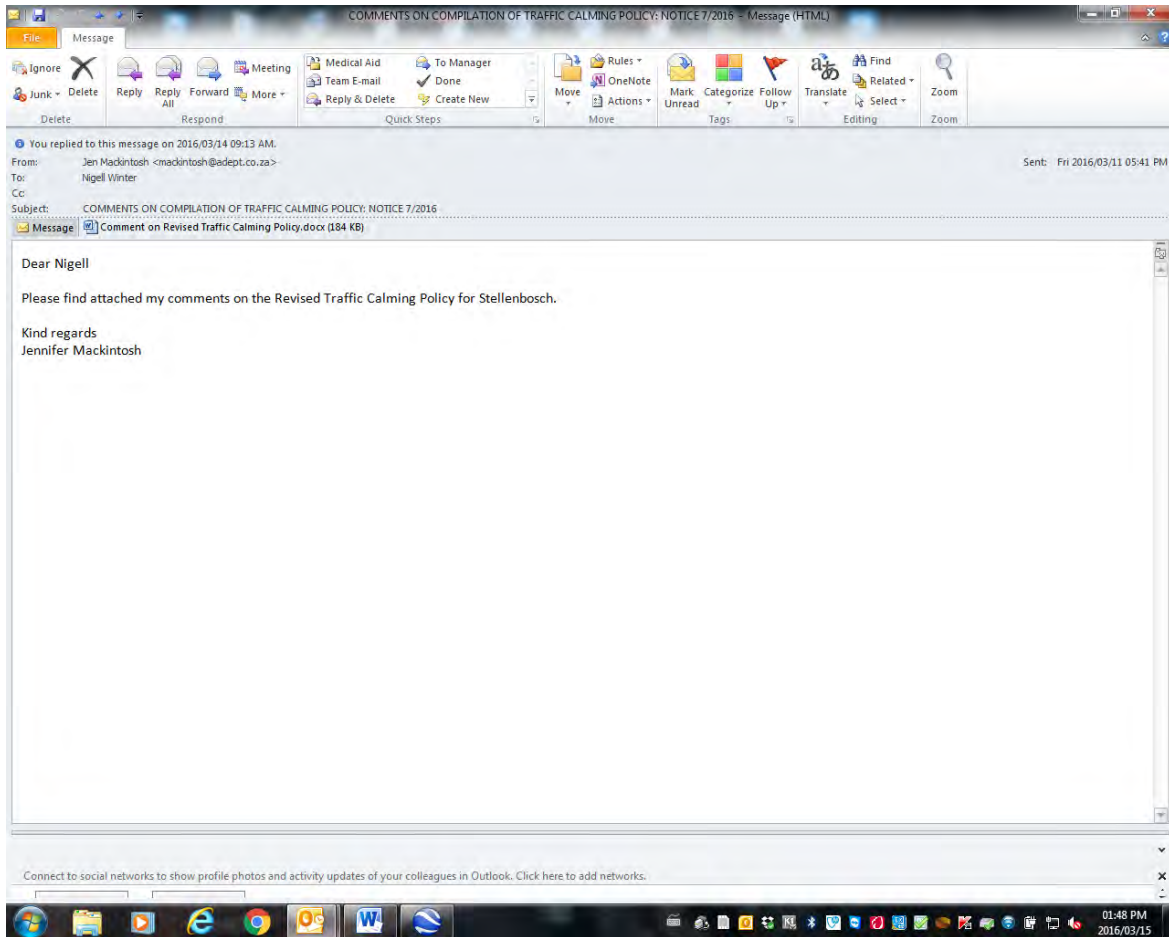
*Your application, comprising a comprehensive curriculum vitae (including the names and contact details of at least two referees), must reach the University before or on the closing date of the advertised post.*

**Apply online at [www.sun.ac.za/english/careers](http://www.sun.ac.za/english/careers)**

Candidates may be subjected to appropriate psychometric testing and other selection instruments.

*Should no feedback be received from the University within four weeks of the closing date, kindly accept that your application did not succeed.*

### APPENDIX 3:



4 Stellenberg Ave  
Welgelegen  
STELLENBOSCH  
7600

Nigell Winter  
**Head: Traffic Engineering**  
PO BOX 17  
STELLENBOSCH  
7599

11 March 2016

Dear Nigell

**COMMENTS ON COMPILATION OF TRAFFIC CALMING POLICY: NOTICE 7/2016**

The much needed updating of Stellenbosch's Traffic Calming Policy is most welcome. Traffic calming and safe crossings are key to encouraging non-motorised forms of transport and addressing access and congestion problems in Stellenbosch.

In Par 4.4 of the Traffic Calming Policy, various Traffic Calming Techniques are put forward. A Traffic Calming measure not mentioned here, but which should be considered is the "Armadillo" lane divider, which can be easily installed on roads to divide bike lanes from traffic. Made from recycled plastic, "Armadillo" lane dividers are a cost effective means of improving the safety of bicycle lanes. They have been developed by UK-based Cyclehoop.



These cat-sized lumps are spaced such that cyclists can enter or exit lanes mid-stream as needed, and are large enough to serve as a deterrent to driving a car over (though emergency services vehicles can of course traverse them in a pinch).

The Armadillo is already a huge success in several cities in Spain (I have had the privilege of experiencing this in Barcelona).

These cities faced a similar situation to Woodstock, where painted cycle lanes were flagrantly ignored by vehicle drivers, who used to drive and park in them.

A trial in London's Camden borough, reported a 40% to 50% increase in cycle traffic once it segregated its cycle routes.

Armadillo defined cycle lanes, also provide another layer of traffic calming, by narrowing roads and slowing down traffic.

I trust you will give the above suggestion adequate consideration in the finalisation of your Traffic Calming Policy.

Yours Faithfully

Jennifer Mackintosh





**7.3 INFORMAL SETTLEMENTS UPGRADING STRATEGY**

*File number* : 17/4/5/3

*Report by* : *Director: Human Settlements and  
Property Management*

*Compiled by* : *Manager: Informal Settlements*

*Delegated Authority* : *Council*

**Strategic intent of item**

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

**1. PURPOSE OF REPORT**

The purpose of the report is to obtain Council's approval for:

- (a) The Informal Settlements Upgrading Strategy.
- (b) The categorisation of the existing 15 informal settlements in accordance with the Strategy.
- (c) The implementation and execution of the intervention strategies as per the informal settlement response plan.
- (d) The relevant projects per informal settlements be aligned with the Housing Pipeline.

**2. BACKGROUND**

The National Upgrading Support Programme (NUSP) was created by the National Department of Human Settlement (NDHS) to explicitly support local Municipalities to create capacities in areas where they are lacking. In particular, NUSP was tasked to assist local Municipalities with the implementation of the Upgrading of Informal Settlements Programme (UISP).

In December 2013, NUSP approached Stellenbosch Municipality to determine what kind of support the Municipality required and to what extent that support would be, in accordance with the UISP. It was mutually agreed that the Municipality did not have a clear strategy on how to deal with the existing informal settlements and that this would be the area in which the Municipality required assistance. All previous actions and interventions with informal settlements were premised on the notion of eradication and inclusion in the formal housing projects. Recent surveys by the Department of Informal Settlements (ISD) indicate that informal settlements are in fact growing in the number of structures and inhabitants and necessitate a paradigm shift in dealing with the informal settlements.

Hence, after several engagements between the Municipality and NUSP, it was agreed that the most critical support needed by the municipality was to develop an Informal Settlements Upgrading Strategy which could serve as an informant to the Emergency Housing Policy (EHP) (2012), as well as other strategic planning documents such as the Spatial Development Framework (SDF) (2012), Municipal Integrated Development Plan (IDP) (2015/2016) and the Provincial Housing Pipeline (2015 - 2019).

A partnership was established between the Municipality and NUSP to explore a "Participatory Based Planning Support" for informal settlements projects in the Stellenbosch Local Municipal area. The scope of the collaboration with NUSP include among others:

- i. **Technical Planning and Implementation:** To facilitate technical planning and implementation processes aimed at incremental upgrading of informal settlements in all parts of the municipality,
- ii. **Community Engagement:** To ensure that all technical planning and implementation processes are conducted through processes of participatory planning with local communities,
- iii. **Community Capacity Building:** To ensure that communities are sufficiently capacitated to participate meaningfully in all planning and implementation processes,
- iv. **Development Partnerships:** To focus on the establishment of development partnerships with local stakeholders/communities, government departments and NGOs towards the incremental upgrading of informal settlements,
- v. **Informal Settlement Management:** To focus on the establishment of development partnerships with local stakeholders/ communities, government departments and NGOs towards the incremental upgrading of informal settlements.

### 3. DISCUSSION

The main outcome of the Informal Settlement Upgrading Strategy (ISUS) was the proposed categorisation of informal settlements in accordance to a Suitability Assessment. The assessment conducted for each settlement focused on the following aspects:

- i. Physical and environmental features of the area,
- ii. Legal issues (e.g. Land Ownership) and land use rights (zoning or alignment with municipal SDF),
- iii. Availability of social and/or economic infrastructure and
- iv. Availability of engineering service infrastructure (water, sanitation, electricity, roads etc.),

Following from the suitability assessment and categorisation, was the prioritisation of informal settlements premised on the following criteria:

- i. Current status of the informal settlement (e.g. Pipeline/Approved Projects are top priority),
- ii. Nature of hazardous conditions,
- iii. Size of the informal settlement and socio-economic conditions prevalent,
- iv. Historic agreements/commitments made to the community,
- v. Political and administrative directives and
- vi. Project readiness of the area (e.g. quick wins) etc.

Further to the categorisation, a suitability assessment and prioritisation of settlements, four key strategic documents were used as an informant in compiling the ISUS. These documents are summarised below:

- i. Spatial Development Framework (2012): the direction of development within the municipality.
- ii. Integrated Development Framework (2015/16): development indicators.
- iii. Human Settlement Provincial Housing Pipeline (2015/2016): approved and/or planned housing projects contained in the housing pipeline.
- iv. National and Provincial Guidelines (2009) and
- v. Internet based searches for best practices at other municipalities.

From this research, a categorisation model of the existing 15 informal settlements (**refer to table 1 and annexure A, B & C**) was distilled to a model that would best fit the Stellenbosch Local Municipality premised on existing development trends within a particular settlement. A copy of the full Informal Settlement Upgrading Strategy document is attached as **APPENDIX 1**.

#### CATEGORISATION/CLASSIFICATION OF INFORMAL SETTLEMENTS

##### Category A: Full Upgrading

Table 1: Categorisation/Classification of Informal Settlements in Stellenbosch Local Municipality

- Developmental pathway:

Rapid formalisation consisting of full services, top-structures and formal tenure (e.g. title deeds).

- Rationale:

- Site is viable (developable) and appropriate for purposes of formalisation;
- Project is implementation-ready - full upgrading can commence rapidly (typically land secured, feasibilities complete, plans approved etc.).

- **Response**

- Formal Township Establishment;
- Full Services;
- Full Tenure.

#### **Category B1: Interim Basic Services**

- **Developmental pathway:**

Provision of interim basic services leading to eventual formalisation (full upgrading).

- **Rationale:**

- Site is viable (developable) and appropriate for purposes of formalisation;
- Project is not implementation-ready and imminent (there will be significant delay due to such factors as land acquisition or bulk services provision).

- **Response:**

- Upgrading Plan
- Basic Services (Short Term)
- Upgraded Services (Long Term)
- Top Structure (Long Term)
- Tenure Upgrading (Long term).

#### **Category B2: Emergency Basic Services**

- Developmental pathway:

Provision of emergency basic services but not leading to eventual formalisation - more likely leading to eventual relocation (when and if a suitable relocation site is obtained and developed).

- Rationale:

- Site is not viable (developable) and appropriate for purposes of eventual formalisation;
- No urgent need for relocation (absence of serious health and safety threats which cannot be adequately mitigated in the short term through basic services provision).

- Response:

- Short Term Intervention: Interim Basic Services Plan/Mobile Facilities;
- Relocate Long Term.

#### Category C: Relocations

- **Developmental pathway:**

Rapid relocation to a site which is already available or imminently available.

- **Rationale:**

- Site is not viable (developable) or appropriate for purposes of eventual formalisation.
- There is an urgent need for relocation due to serious health and safety threats which cannot be adequately mitigated in the short-term through basic services provision.
- An appropriate relocation destination is currently or imminently available.
- In some instances residents may be assisted in terms of SLM Emergency Housing Assistance Policy.

- **Response:**

- Land Identification/Acquisition (Formal Township or Informal Area);
- Basic/Full Services;
- Tenure Partial/Full;
- Top Structures (Long Term).

The categorisation of settlements was then linked to various projects that the Municipality are currently working on. A checklist was developed to include all the prevalent characteristics of the informal settlements and each settlement was measured against this checklist. Projects were thereafter prioritised and an implementation and execution strategy developed (**see table 2**) premised on the location of the settlements in the categorisation model taking into account the importance given to the settlements by the SDF, IDP and Housing Pipeline (**see table 2**) and other strategic documents that speak to developmental local government, good governance and providing access to a dignified living.

Table 3: Proposed Informal Settlement Summary

NO	CLUSTER	CATEGORISATION & PRIORITY		INTERVENTION	PRIORITY ACTIONS	INTEGRATED DEVELOPMENT PLAN (15/16)	SPATIAL DEVELOPMENT PLAN (2012)	HOUSING PIPELINE (2015-2019)	URBAN EDGE	
		Yes	No							
1	Sewende Laan/ Kreefgat (35 Units)	C		<ul style="list-style-type: none"> <li>☐ Sewende Laan is located on privately owned land.</li> <li>☐ Court order/ legal eviction</li> <li>☐ There is provision of basic interim services.</li> <li>☐ Community facilities are to be shared with Jamestown community.</li> <li>☐ After a recent fire, some 43 families from this area were relocated to farm 527/4 (South).</li> </ul>		☐ New Housing: Jamestown	<ul style="list-style-type: none"> <li>☐ A portion of municipal land on which the airfield stands as well as the land holding at the entrance to Techno park has potential to be used for social and gap housing</li> <li>☐ Vacant land in Jamestown can be further consolidated.</li> <li>☐ Further research is required to assess the long term costs and benefits of developments that convert productive agricultural land into new suburbs.</li> <li>☐ Land, mainly below the R310 has been identified as having development potential subject to the identification and demarcation of flood lines.</li> <li>☐ The land between</li> </ul>	<ul style="list-style-type: none"> <li>☐ Project has funding approval for planning / services / Top structures</li> <li>☐ Funding required to appoint consultant and apply for Planning approval for Phase 2</li> </ul>	X	
2	Rasta Camp/ Lower Graveyard (30 Units)	B1							X	
3	Upper Graveyard A (35 Units)	B1		<ul style="list-style-type: none"> <li>☐ <b>Farm 527/4 South</b></li> <li>- This land belongs to the Stellenbosch Municipality.</li> </ul>					X	
4	Riverside (26 Units)	B1		<ul style="list-style-type: none"> <li>- These five informal</li> </ul>					X	

5	Sewende Laan/ Kreefgat Fire Victims relocated to Farm 527 (South) (43 Units)	B1	<p>settlements are to be consolidated on the southern portion of Farm 527/4.</p> <ul style="list-style-type: none"> <li>- The SLM is busy upgrading water pressure for provision of communal water connections to residents in this area.</li> </ul>			<p>Plottenburg and De Zalze and Onder Papagaaiberg could be relatively easily developed into continuous urban suburbs.</p>		X	
6	Fresno Street (26 Units)	B1	<ul style="list-style-type: none"> <li>- Individual electricity connections are planned per household.</li> <li>- Communal toilets will be provided (clustered), but with an individual unit allocated per family/ household.</li> <li>- To be incrementally formalised in line with B1 Upgrading/ Formalisation Strategy to be formulated.</li> <li>- If the area is eventually vacated, with families being accommodated on farm 527 North, Farm 527/4 South will be</li> </ul>					X	



			<p>developed with serviced stands.</p> <p>☐ <b>Farm 527 North:</b></p> <ul style="list-style-type: none"> <li>- Construction of 162 of the planned 300 low income/subsidised units is underway.</li> <li>- Various potential beneficiaries from surrounding Jamestown areas.</li> <li>- Including informal settlements on Farm 527/4 (South).</li> <li>- The existing formal housing project may expand in future (total capacity of the farm is estimated at 570 units).</li> </ul>					
7	Slabtown/ Upper Slabtown (39 Units)	C	<p>☐ Slabtown and Upper Slabtown were recently relocated to Longlands.</p> <p>☐ This development</p>					X
8	Longlands (Vlottenburg)	A	<p>will accommodate approximately 144 subsidised units as part of a larger IRDP project</p>		☐ New Housing: Longlands, Vlottenburg		☐ Project has funding approval for 106 sites. Contractual matters and access to the site	X

			(Longlands) which will accommodate the entire informal settlement community.				still an issue.		
<b>Cluster 2: Central Stellenbosch</b>									
9	Enkanini(3307 units)	B1	<p>☑ <b>Enkanini</b></p> <ul style="list-style-type: none"> <li>- Earmarked for In Situ Incremental Upgrading or Formal Layout Plan with Township Establishment.</li> <li>- Western Cape DoHS earmarked the area for formal layout planning for 2016/17.</li> <li>- 1800 Top structures: Requires decanting site for 1100 structures.</li> <li>- Remainder part comprises three farm portions: Grootvlei 183 and 181; and Kromme Rivier 175.</li> <li>- Stellenbosch north expansion area could be utilised for decanting during upgrading process.</li> </ul>	<p>☑ Upgrading plan alternatives for Enkanini informal settlement has been compiled</p>	<p>☑ Enkanini (Planning) Informal Settlements</p> <p>☑ Enkanini (Services) Informal Settlements</p>	<p>☑ The town is to be conceptualised as 5 interdependent mixed-use, mixed-income urban villages focusing on:</p> <ul style="list-style-type: none"> <li>- (1) North: intersection of Bassi Street / R304 / Cloeteville Steps</li> <li>- (2) Centre: existing town centre,</li> <li>- (3) East: Idasvallei/Uniepark on intersection of Helshoogte/Cluver.</li> <li>- (4) West: Onderpapagaaiberg / SFW on intersection of Devon Valley/Adam Tas/Oude Libertas,</li> <li>- (5) South: Paradyskloof on intersection of Blaauklippen/Strand Roads.</li> </ul> <p>☑ Johannesburg plots and</p>	<p>☑ Planning application submitted to PDoHS.</p>	X (partial)	

10	Zone O Kayamandi (1700 Units)	B1&C	<input type="checkbox"/> <b>Zone O</b>  Decanting area at Watergang – 193 houses and 295 serviced erven to be provided.  - Existing/ remaining Zone O (± 1200 units): Earmarked for enhanced serviced sites - UISP Phase 3 upgrading (possible).	<input type="checkbox"/> Layout plan has been compiled  <input type="checkbox"/> Install Full Services	<input type="checkbox"/> New Housing: Kayamandi (Watergang & Zone O)	the strip along Helshoogte Road.  <input type="checkbox"/> Eastern fringe of Kylemore to proposed river corridor setback line. <input type="checkbox"/> Link area along flood plain between Kylemore and Lanquedoc (above 1:100 year flood plain). East of Lanquedoc.	<input type="checkbox"/> Project has funding approval for planning/services/Top-structures.	X	
11	Kayamandi Town Centre (1228 Units)  - Zone J (East) (523 Units)  - Hostels Area (West) (705 Units)	B1	<input type="checkbox"/> <b>Kayamandi Town Centre</b>  - Eastern Precinct (Zone J): To be incrementally upgraded (B1) with decanting.  - Hostel Precinct Redevelopment Plan: Request for Proposals Advertised (Redevelop entire area in-situ).	<input type="checkbox"/> Compile Upgrading Plan and Strategy <input type="checkbox"/> Hostel Precinct Plan	<input type="checkbox"/> New Housing: Kayamandi Town Centre		<input type="checkbox"/> Planning application submitted to PDoHS.  <input type="checkbox"/> PDoHS appointed consultants to apply on behalf of Stellenbosch Municipality for Restructuring the Town and Zones.	X	
12	Slabtown/Cloet esville (35 Units)	C	<input type="checkbox"/> Slabtown: To be relocated and formalised somewhere in Cloetesville (site to be confirmed).	<input type="checkbox"/> Greenfields relocation in Cloetesville			<input type="checkbox"/>	X	
<b>Cluster 3: Dwarsriver Valley</b>									
13	Erf 64 Kylemore	B1: Phase 2	<input type="checkbox"/> Kylemore	<input type="checkbox"/> Apply for	<input type="checkbox"/> New Housing:		<input type="checkbox"/> Project has funding		

	(10 Units)		<ul style="list-style-type: none"> <li>- Existing informal settlement is provided with all basic services (water, sanitation and electricity).</li> <li>- Next stage will be UISP Phase 3 and 4 (Full services and top structures)</li> <li>- The land still belongs to Department of Public Works.</li> </ul>	funding	Kylemore		approval for planning but due to the land not being transferred to Stell Mun from National Public works the project has been put on-hold.		X
14	Ghiff (Pniel) (15 Units)	C	Ghiff – Meerlust.						X
15	Meerlust (10 Units)	C	Both informal settlements to be relocated to Meerlust Housing Project – 200 units planned.		☑ New Housing: Meerlust			X	
<b>Cluster 4: Klapmuts</b>									
16	La Rochelle (30 Units)	A	<ul style="list-style-type: none"> <li>☑ Erf 2183 (La Rochelle) to be developed for 100 Gap Units/CRU.</li> <li>☑ Existing 30 units on Erf 2183 to be relocated/ incorporated into Mandela City.</li> </ul>		☑ Informal Settlement: Klapmuts	☑ The area of Klapmuts to the west of the R44 has potential to operate as a mixed-use, mixed-income settlement, particularly if development can be encouraged in the centre of the village.		X	
17	Mandela City (340 Units)	A	<ul style="list-style-type: none"> <li>☑ Mandela City, 400 erven capacity: The 400 stands are all fully serviced (Phase 3).</li> <li>☑ Some top structures (Phase 4) approved (number unknown).</li> </ul>			Open spaces around the 4-way stop and on the verges are well positioned for low income traders. The market in front of the church could be formalised, and drawings	☑ Project has funding approval for 219 units (planning/services/Top-structures).	X	

						for this are already available.			
<b>Cluster 5: Franschhoek</b>									
18	Langrug (1858 Units)	<b>B1 and C</b>	<ul style="list-style-type: none"> <li>☐ Earmarked for in-situ incremental upgrading.</li> <li>☐ Next priority is to compile an Upgrading Plan (underway).</li> <li>☐ Decanting from streets at upper slopes to be accommodated at La Mote (500 erven).</li> <li>☐ La Mote land belongs to Department of Public Works.</li> <li>☐ Township Establishment Application and EIA completed.</li> <li>☐ Not finalized due to delay with transfer of property to SLM.</li> </ul>		<ul style="list-style-type: none"> <li>☐ Development of Erf 412 for housing</li> <li>☐ Informal Settlement: Langrug, Franschhoek: UISP</li> </ul>	<ul style="list-style-type: none"> <li>☐ Land above the current urban boundary of the town between Franschhoek North and South is to be promoted for mixed use, mixed income development including social and gap housing.</li> <li>☐ Low key densification of existing suburbs with 2nd dwellings and subdivisions down to minimum plot sizes should be encouraged.</li> </ul>	<ul style="list-style-type: none"> <li>☐ Planning application submitted to PDoHS</li> </ul>	<b>X (partial)</b>	

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Further informants to this process were:

- i. To identify informal settlements that falls within/outside the municipal urban edge (**see table 2**).
- ii. Policy guidelines for the electrification of unproclaimed areas,
- iii. The NUSP Resource Kit.
- iv. Implementation of Emergency Housing by the Housing Development Agency (HDA) (2012) and
- v. Emergency Housing Programme (2009) and Informal Settlement Policies from local Municipalities.

The Informal Settlement Upgrading Strategy will be a working document that will give directives as to how the Municipality manages unplanned settlements. It will be implemented within the Stellenbosch Local Municipality (WC024) and will be reviewed and amended as per the Council's directives whenever the Council deems necessary.

#### 4. COMMENTS BY RELEVANT DEPARTMENTS

**The Item was circulated to the relevant Departments on 04 November 2015 and 11 November 2015.**

##### 4.1 Planning and Economic Development

Spatial Planning has no comment.

##### 4.2 Engineering Services

Did not receive comments from the Department before the cut-off date.

##### 4.3 Chief Financial Officer

The projects should be costed and prioritised and included in the housing pipeline item aligning with the DORA budget allocation for human settlements.

##### 4.4 Snr Legal Advisor

The item and recommendations are supported.

#### RECOMMENDED

- (a) Council adopts the Informal Settlement Upgrading Strategy;
- (b) Council approves the categorisation of existing informal settlements as per **table 1**;
- (c) Council approves the implementation and execution of the intervention strategies as per the informal settlements response plan in accordance to **table 1 and 2**;
- (d) Council approves the relevant projects per informal settlements be aligned with the Housing Pipeline.

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

**ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING: 2016-04-06: ITEM 6.1.1****RECOMMENDED**

- (a) that Council adopts the Informal Settlement Upgrading Strategy;
- (b) that Council approves the categorisation of existing informal settlements as per **table 1**;
- (c) that Council approves the implementation and execution of the intervention strategies as per the Informal Settlements Response Plan in accordance with **tables 1 and 2**;
- (d) that Council approves the relevant projects per informal settlements be aligned with the Housing Pipeline; and
- (e) that Council mandates the Administration to make the same assessment of the informal settlements in all Bosdorpe in WC024.

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

**MAYORAL COMMITTEE MEETING: 2016-04-22: ITEM 5.1.3**

**RECOMMENDED BY THE EXECUTIVE MAYOR**

**KINDLY NOTE: The Mayco recommendation will be distributed under separate cover at the Council meeting on 2016-04-26.**

# **APPENDIX 1**



**Participatory Based Planning Support for Informal Settlement  
Upgrading In Stellenbosch Local Municipality**

**Final Informal Settlement Upgrading Strategy**

**Prepared by**

Asande Projects Consulting and Engineering

Prepared for

**National Department of Human Settlements**

**30 April 2015**



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10.	<b>Spatial Development Framework and Land Use Management System</b>	
11.	<b>Stellenbosch 2017 Housing Strategy (2009-2017)</b>	

**ABBREVIATIONS**

ABS	Access to Basic Services
CBO	Community Based Organisation
CDW	Community Development Worker
COGTA	Cooperative Governance and Traditional Affairs
ED	Executive Director
EPWP	Expanded Public Works Programme
HCE	Housing Consumer Education
HSDG	Human Settlements Development Grant
IDP	Integrated Development Plan
IHSP	Integrated Human Settlement Plan
ISUP	Informal Settlement Upgrading Programme
LED	Local Economic Development
MLL	Minimum Living Level
MSA	Municipal Systems Act
MOU	Memorandum of Understanding
NDOHS	National Department of Human Settlements
NDP	National Development Plan
NGO	Non-Governmental Organisation
NHC	National Housing Code
NHBRC	National Human Builders Registration Council
NUSP	National Upgrading Support Programme
PGDS	Provincial Growth and Development Strategy
PRC	Project Review Committee
PSC	Project Steering Committee
PSDF	Provincial Spatial Development Framework
PSG	Provincial Strategic Goals
SDBP	Service Delivery Business Plan
SDF	Spatial Development Framework
SDS	Social Development Strategy
SLM	Stellenbosch Local Municipality
UISP	Upgrade of Informal Settlement Programme
USDG	Urban Settlements Development Grant

## STELLENBOSCH INFORMAL SETTLEMENT UPGRADING STRATEGY

### 1. INTRODUCTION

---

The National Department of Human Settlements, in conjunction with the Stellenbosch Local Municipality commissioned the “Participatory Based Planning Support for Informal Settlement Upgrading” project in the Stellenbosch Local Municipality area. The project is undertaken in terms of the National Upgrading Support Programme (NUSP) which is driven by the National Department of Human Settlements (NDOHs) and which is currently being implemented in 63 selected municipalities in South Africa.

The project will result in the following four main deliverables:

- An Informal Settlement Upgrading Strategy and Strategy for Stellenbosch Local Municipality;
- An Informal Settlement Upgrading Plan for the Enkanini and Langrug informal settlements;
- A Sustainable Livelihoods Programme for each of the two areas noted above; and
- A Community Capacity Building Programme for the municipality.

This document represents the first deliverable – the Stellenbosch Informal Settlement Upgrading Strategy and Strategy.

Section 2 comprises the Informal Settlement Upgrading Strategy and Section 3 the Upgrading Strategy.

### 2. INFORMAL SETTLEMENT UPGRADING STRATEGY

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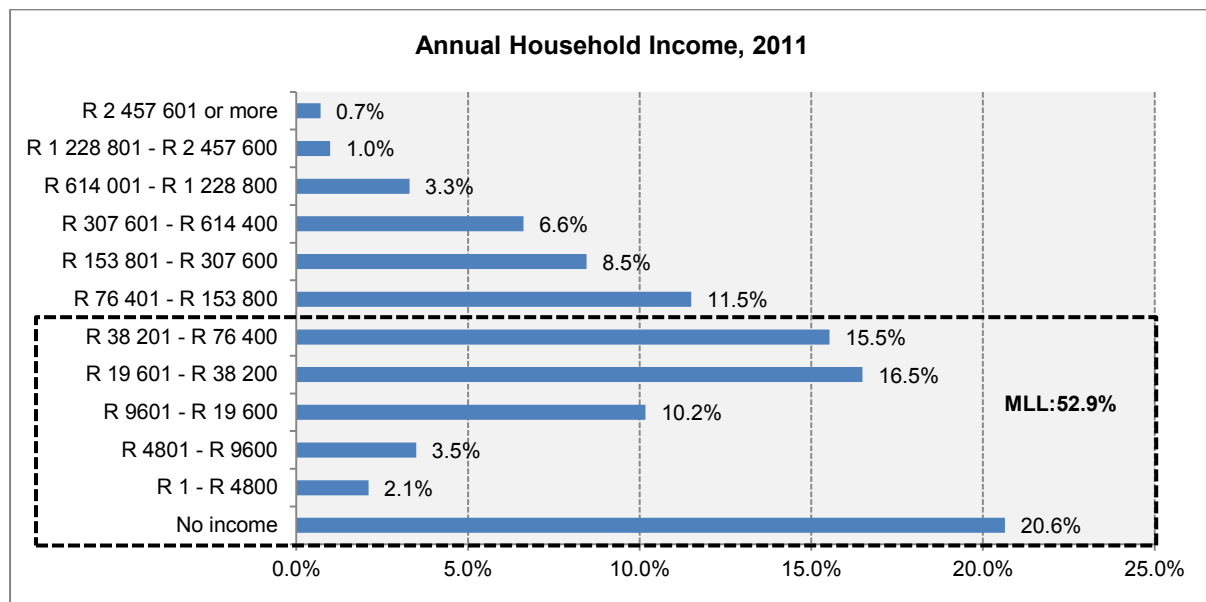
#### 2.1. MUNICIPAL OVERVIEW AND PROBLEM STATEMENT

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- Stellenbosch Municipality is situated about 50 km from Cape Town and is flanked by the N1 and N2 national routes to the north and south respectively (Refer to **Figure 1**).
- The municipal area of jurisdiction covers approximately 900km<sup>2</sup> and includes the town of Stellenbosch as the main urban centre. To the south it stretches past Jamestown to as far as Raithby; to Bottelary, Koelenhof, and Klappmuts to the north; and over the Helshoogte Pass to Pniel, Kylemore, Groendal and Franschhoek in the east.
- The population increased from 118 709 in 2001 to 155 733 in 2011 (Census 2011) which represents an increase of 23.8% over this 10 year period.
- The population of 155 733 people represents 34 457 households of which 28.8% (9947) reside in informal settlements (Census 2011).

- There are an estimated 7499 informal structures in the municipal area, many of which accommodate more than one household.
- The housing backlog in the municipal area has increased from about 10 000 in 2009 to 20 500 units at present (IDP 2014/15). This despite the fact that the municipality constructed about 300 subsidised units per annum over the past six years.
- The backlog in Enkanini increased at an average rate of 270 units per annum since 2005.
- The informal structures are clustered in 17 informal settlements of which Enkanini (2400 units), Langrug (1858 units), Kayamandi Zone O (1324 units) and Khayamandi Town Centre (1228 units) are the largest.
- As illustrated on Diagram 1 the municipality has high dependency levels, with an estimated 60% of household earning an annual income well below the Minimum Living Level of R54 000 per annum (Census 2011). This category broadly represent the households qualifying for housing subsidy assistance (R3500 per month). An estimated 20.6% of households has no income.

**Diagram 1: Annual Household income, 2011**



- According to Census 2011 most households (72.4%) located within the Stellenbosch Municipality has access to piped water inside their dwelling and about 14.4% of households have access to piped water within 200 metres. Only about 0.9% of households have no access to piped water.
- An estimated 92.9% of households in Stellenbosch Municipality have access to electricity while the percentage of the population with a flush or chemical toilet increased from 84.2% in 2001 to 91.7% in 2011.
- Informal settlements in Stellenbosch are characterised by a lack of formal tenure, limited public space and public facilities; inadequate access to municipal services; a lack of convenient and safe access; and non-compliance with planning and building regulations.

- The informal spatial structure and associated excessively high residential densities constrain provision of municipal utility services such as water, sanitation, electricity and waste removal at the required minimum basic national standards.
- Community services can often not be provided as there are no vacant developable areas/erven available within settlement footprints, and surrounding farmland (wine farms) is very expensive.
- The informal settlements in Stellenbosch Local Municipality also face health and safety hazards due to the inefficient disposal of grey water, occasional flooding and frequent fires during the hot, dry summer season which leaves these communities severely vulnerable.

In line with the above, the 2014/15 Stellenbosch Integrated Development Plan (IDP) confirmed the following as being the major challenges related to human settlement in the municipal area:

- Incidences of farm evictions placing additional stresses on municipal service provision.
- Housing backlogs far outstripping available resources or technical capacity to deliver.
- Slow pace of housing delivery for low income and gap sectors (300 units per annum).
- The administration as a whole not being geared to contribute to in situ upgrade of informal settlements.

In summary, it is evident that the Stellenbosch Local Municipality faces an enormous crisis. Almost 30% of the households in the municipal area reside in 17 informal settlements, and the current rate of subsidised housing delivery (300 units per annum) is far-outstripped by the growth rate of informal settlements.

## 2.2. OBJECTIVES

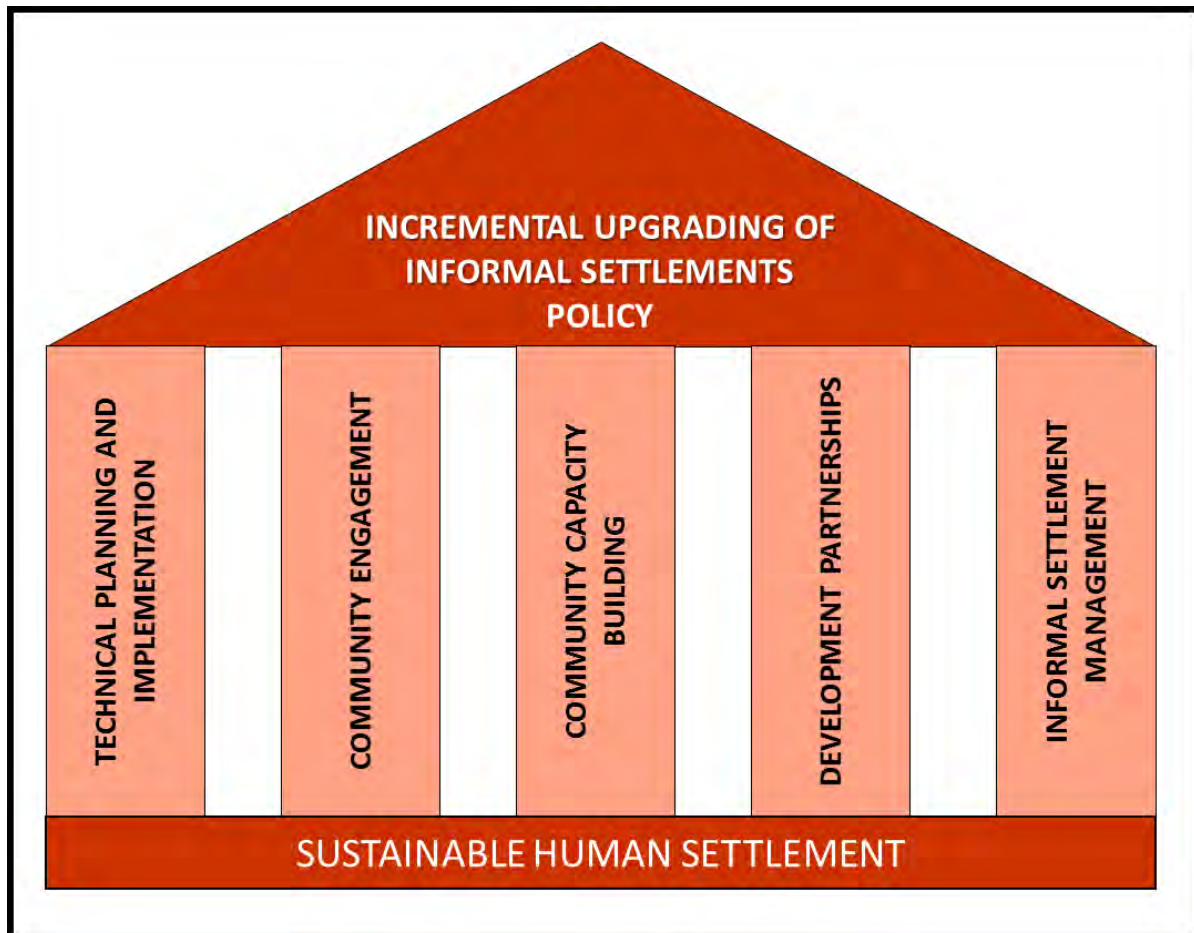
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The Stellenbosch Local Municipality acknowledge that an interventionist approach is required to manage and address the above challenges more efficiently. This should be done in terms of an Informal Settlement Upgrading Strategy for the municipality which is aligned to the directives contained in the National Development Plan and the National Housing Code (Upgrading of Informal Settlements Programme). This Informal Settlement Upgrading Strategy is based on the following five pillars and associated directives, as illustrated on **Diagram 2** overleaf:

- **Technical Planning and Implementation:** To facilitate technical planning and implementation processes aimed at incremental upgrading of informal settlements in all parts of the municipality.
- **Community Engagement:** To ensure that all technical planning and implementation processes are conducted through processes of participatory planning with local communities.
- **Community Capacity Building:** To ensure that communities are sufficiently capacitated to participate meaningfully in all planning and implementation processes.
- **Development Partnerships:** To focus on the establishment of development partnerships with local stakeholders/ communities, government departments and NGOs towards the incremental upgrading of informal settlements.

- **Informal Settlement Management:** To improve management of existing informal settlements through Upgrading Plans and Informal Settlement Monitoring Systems, and to pre-actively plan for future informal settlement demand by way of greenfields development (pre-active vs re-active management).

**Diagram 2: Stellenbosch Incremental Upgrading of Informal Settlements Strategy Components**



### 2.3. POLICY COMPONENTS

Each of the five policy objectives as highlighted above are elaborated on in the following section:

#### 2.3.1. Technical Planning and Implementation

- The SLM will put in place mechanisms and processes to facilitate and manage the incremental upgrading of well-located informal settlements as a more viable and sustainable option to providing new housing to residents of these communities.
- The location of such project areas should promote the objective of spatial restructuring and integration as contemplated in the Spatial and Land Use Management Act (SPLUMA).

- This will entail an area and/or community wide focus, fostering holistic integrated development of the settlement with minimum disruption of existing community networks and support structures (i.e. development proposals will be locally-appropriate).
- Upgrading processes will aim to re-block the informal settlements, provide sufficient basic engineering and social services and facilities, and to optimise sustainable use of renewable resources.
- The programme will primarily focus on providing access to land, basic municipal engineering services (interim and/or permanent) and social amenities and services.
- The programme will be designed, planned and executed as a complete development programme comprising the following four phases:
  - Phase 1: Application
  - Phase 2: Formulation of Upgrading Plan and Installation of Interim Basic Services
  - Phase 3: Formalisation of Layout Plan and Installation of Permanent Engineering Services
  - Phase 4: Housing Consolidation
- To qualify for housing assistance benefits, such as registered ownership and a consolidation subsidy, beneficiaries need to comply to the requirements of the relevant National Housing Programmes as a separate process (Phase 4).
- The national norms and standards in respect of the creation of serviced stands will apply to the SLM Informal Settlement Upgrading Programme but could be adjusted, pending local circumstances and agreement with community.
- Acceptable stand sizes will be determined through a process of consultation between the SLM and informal settlement residents. This may vary based on local circumstances.
- The SLM will promote security of tenure as the foundation for future individual and public investment. This will be achieved through a variety of tenure arrangements like interim tenure; rental; leasehold and freehold; and these are to be defined through a process of engagement with local residents.

### 2.3.2. Community Engagement

- Extensive engagement between community members and the Stellenbosch Local Municipality will be fundamental to the SLM Informal Settlement Upgrading Programme. This is in order to ensure locally appropriate solutions and buy-in (participation through cooperation). Community engagement will thus be paramount in all processes associated with Upgrading of Informal Settlements in the municipal area.
- The Stellenbosch Local Municipality will align its institutional structure and capacity to ensure that it can successfully facilitate such consultation processes in a sustainable manner.
- Consultation and community participation will focus on local residents and stakeholder groups, and will occur in a continuous, equal and respectable manner throughout the planning and implementation process so as not to exclude or ignore anyone or any group in any of the informal settlements in the SLM.



- Existing Ward Committees, Ward Councillors, Community Development Workers and Non-Governmental Organisations (NGOs) will be incorporated into consultation processes, based on local circumstances.
- Community representatives will represent all interest groups in the respective informal settlement areas.
- Community knowledge will be harnessed to ensure that the township design and service standards, as well as the housing solutions and economic and social facilities opted for, are targeted at satisfying the actual needs and preferences of the local residents.
- The SLM will ensure that communities fully comprehend their development circumstances, actively participate in the formulation of development options and alternatives for development, and that information is provided in a user friendly manner to enhance informed decision-making.
- This approach will aim to ensure that communities take co-ownership and responsibility for their areas and future destiny, and to capacitate communities around critical aspects pertaining to sustainable development.

### **2.3.3. Community Capacity Building**

- The SLM will initiate a community capacity building strategy to support the implementation of the upgrading projects in various informal settlement areas.
- Such community empowerment activities will focus on aspects such as participatory planning and project design, decision-making in implementation, and enhancement of sustainable livelihoods in various areas through active participation in the implementation of upgrading plans.
- Community capacity building initiatives will aim to ensure that participants are well-informed regarding their roles and responsibilities in relation to improving and transforming their living environments.

### **2.3.4. Development Partnerships**

- The Stellenbosch Local Municipality will facilitate the establishment of municipality-community partnership arrangements which will provide for implementation of aspects of the upgrading plans by both the municipality and communities in each of the informal settlement areas in the municipality.
- Such partnership arrangements will be in the form of an action plan and associated implementation responsibilities agreed to between the municipality and the relevant stakeholders for each settlement.
- Public-public partnership agreements will be established in line with the provisions of the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005) that provides for the establishment of cooperative governance structures and systems, as well as alignment mechanisms between different government structures.
- The SLM will act as the main implementing agency in all upgrading projects and will act as planner, developer and operator.

### 2.3.5. Informal Settlement Management

- The SLM will put in place mechanisms to monitor and manage existing informal settlements in the municipal area.
- Upgrading Plans compiled for existing informal settlements as part of the UISP will also comprise a Settlement Growth and Management Plan to manage future informal settlement processes in the area.
- Parallel to the above re-active upgrading and management process, the SLM will initiate planning processes to pre-actively identify and prepare greenfields Strategic Development Areas to accommodate future informal settlement in a structured and well-planned manner.

## 3. MUNICIPAL INFORMAL SETTLEMENT UPGRADING STRATEGY

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The following section defines the sequence of steps/ actions to be taken to implement the Stellenbosch Informal Settlement Upgrading Strategy as defined in Section 2 above.

### 3.1. STEP 1: COMPILE INVENTORY OF EXISTING INFORMAL SETTLEMENTS

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**Table 1** overleaf and **Figure 2** reflect the informal settlements located within the Stellenbosch Local Municipality, the estimated number of structures in each of these, as well as the ownership status of the land on which these are located. The most salient features to be noted from this are the following:

- Informal Settlement occur in five clusters in the municipal area: Stellenbosch South, Central Stellenbosch, Dwarsriver Valley, Klappmuts and Franschoek (see Figure 2).
- Four informal settlement areas (Enkanini, Khayamandi Zone O, Khayamandi Town Centre and Langrug) represent about 91% of all informal structures in the municipal area (6810 units).
- South Stellenbosch comprise about 249 units (3.3%); Klappmuts 370 units (4.9%); and Dwarsriver Valley only 35 (0.5%).

The vast majority of informal settlements are located on government/ municipal owned land with only 35 units being located on privately owned land (the Kreefgat/ Sewende Laan informal settlement).

**Table 1: Existing Informal Settlements**

No	Cluster	Structures	%	Property Ownership	Date
<b>Cluster 1: South Stellenbosch</b>					
1	Sewende Laan/ Kreefgat	35		Private	2015
2	Rasta Camp/ Lower Graveyard	30		Municipal	2015
3	Upper Graveyard A	35		Municipal	2015
4	Riverside	26		Municipal	2015
5	Kreefgat Fire Victims	43		Municipal	2015
6	Fresno Straat	26		Municipal	2015
7	Slab Town/ Upper Slabtown	39		Municipal	2015
8	Longlands	15		Municipal	2015
<b>Sub Total</b>		<b>249</b>	<b>3.3</b>		
<b>Cluster 2: Central Stellenbosch</b>					
9	Enkanini	2400		Municipal	2011
10	Zone O Khayamandi	1324		Municipal	2013
11	Khayamandi Town Centre/ Zone J	1228		Municipal	2015
12	Slab Town/ Cloeteville	35		Municipal	2015
<b>Sub Total</b>		<b>4987</b>	<b>66.5</b>		
<b>Cluster 3: Dwarsriver Valley</b>					
13	Erf 64 Kylemore	10		Dept. Public Works	2015
14	Ghiff Pniel	15		Private	2015
15	Meerlust Simondium	10		Private	2015
<b>Sub Total</b>		<b>35</b>	<b>0.5</b>		
<b>Cluster 4: Klapmuts</b>					
16	La Rochelle	30		Municipal	2011
16	Mandela City	340		Municipal	2011
<b>Sub Total</b>		<b>370</b>	<b>4.9</b>		
<b>Cluster 5: Franschoek</b>					
17	Langrug	1858		Municipal	2011
<b>Sub Total</b>		<b>1858</b>	<b>24.8</b>		
<b>Grand Total</b>		<b>7499</b>	<b>100</b>		

### 3.2. STEP 2: CATEGORISE AND PRIORITISE INFORMAL SETTLEMENTS

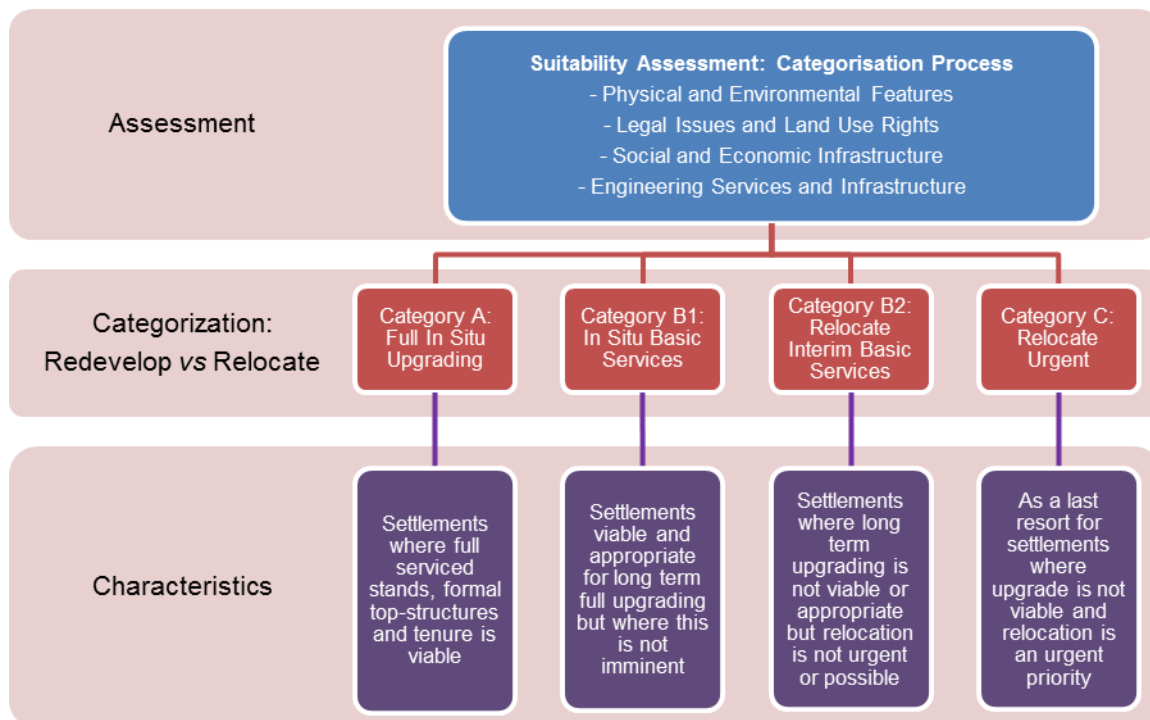
The SLM will implement the Informal Settlement Categorisation Model as summarised in **Diagram 3** below: (See more elaborate description of categories in **Table 2**)

In the case of category B2 and C informal settlements alternative land need to be identified to accommodate these communities, with category C settlements being the most urgent.

As a principle, relocations will be limited as far as possible and only be considered as a last resort. Where unavoidable, people will be relocated to a site as close as possible to the existing settlement.

Where applicable, the SLM will apply for funding assistance in terms of the Housing Assistance in Emergency Circumstances Programme to accommodate urgent relocations.

**Diagram 3: Informal Settlements Categorisation Model**



All informal settlements within the municipal area will be categorised in accordance with the four categories as highlighted above. The categorisation will be based on a Suitability Assessment to be conducted for each settlement focusing on the following aspects:

- Physical and Environmental Features of the area;
- Legal Issues (e.g. Land Ownership) and Land Use Rights (e.g. Zoning or alignment with municipal SDF);
- Availability of Social and/or Economic Infrastructure;
- Availability of Engineering Services Infrastructure (Water, Sanitation, Electricity, Roads etc.);

Following from the Suitability Assessment and Categorisation the prioritisation of informal settlement upgrading will follow. The prioritisation will typically be based on criteria such as the following:

- Current status of the informal settlement (e.g. Pipeline/Approved Projects are top priority);
- Nature of hazardous conditions (in the case of Category C);
- Size of the informal settlement and socio-economic conditions prevalent;
- Historic agreements/commitments made to the community;
- Political directives;
- Project readiness of the area (e.g. quick wins) etc.

Table 2: Classification/Categorisation of Informal Settlements

Category A: Full Upgrading
<ul style="list-style-type: none"> <li>• <b>Developmental pathway:</b> Rapid formalisation consisting of full services, top-structures and formal tenure (e.g. title deeds).</li> <li>• <b>Rationale:</b> <ul style="list-style-type: none"> <li>- Site is viable (developable) and appropriate for purposes of formalisation;</li> <li>- Project is implementation-ready - full upgrading can commence rapidly (typically land secured, feasibilities complete, plans approved etc.).</li> </ul> </li> <li>• <b>Response</b> <ul style="list-style-type: none"> <li>- Formal Township Establishment;</li> <li>- Full Services;</li> <li>- Full Tenure.</li> </ul> </li> </ul>
Category B1: Interim Basic Services
<ul style="list-style-type: none"> <li>• <b>Developmental pathway:</b> Provision of interim basic services leading to eventual formalisation (full upgrading).</li> <li>• <b>Rationale:</b> <ul style="list-style-type: none"> <li>- Site is viable (developable) and appropriate for purposes of formalisation;</li> <li>- Project is not implementation-ready and imminent (there will be significant delay due to such factors as land acquisition or bulk services provision).</li> </ul> </li> <li>• <b>Response</b> <ul style="list-style-type: none"> <li>- Upgrading Plan;</li> <li>- Basic Services (Short Term);</li> <li>- Upgraded Services (Long Term);</li> <li>- Top Structure (Long Term);</li> <li>- Tenure Upgrading (Long term).</li> </ul> </li> </ul>
Category B2: Emergency Basic Services
<ul style="list-style-type: none"> <li>• <b>Developmental pathway:</b> Provision of emergency basic services but not leading to eventual formalisation - more likely leading to eventual relocation (when and if a suitable relocation site is obtained and developed).</li> <li>• <b>Rationale:</b> <ul style="list-style-type: none"> <li>- Site is not viable (developable) and appropriate for purposes of eventual formalisation;</li> <li>- No urgent need for relocation (absence of serious health and safety threats which cannot be adequately mitigated in the short term through basic services provision).</li> </ul> </li> <li>• <b>Response:</b> <ul style="list-style-type: none"> <li>- Short Term Intervention: Interim Basic Services Plan/Mobile Facilities;</li> <li>- Relocate Long Term.</li> </ul> </li> </ul>
Category C: Relocations
<ul style="list-style-type: none"> <li>• <b>Developmental pathway:</b> Rapid relocation to a site which is already available or imminently available.</li> <li>• <b>Rationale:</b> <ul style="list-style-type: none"> <li>- Site is not viable (developable) or appropriate for purposes of eventual formalisation.</li> <li>- There is an urgent need for relocation due to serious health and safety threats which cannot be adequately mitigated in the short-term through basic services provision.</li> <li>- An appropriate relocation destination is currently or imminently available.</li> <li>- In some instances residents may be assisted in terms of SLM Emergency Housing Assistance Strategy.</li> </ul> </li> <li>• <b>Response:</b> <ul style="list-style-type: none"> <li>- Land Identification/Acquisition (Formal Township or Informal Area);</li> <li>- Basic/Full Services;</li> <li>- Tenure Partial/Full;</li> <li>- Top Structures (Long Term).</li> </ul> </li> </ul>

### 3.3. STEP 3: FORMULATE INFORMAL SETTLEMENT RESPONSE PLAN

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Based on the outcome of the categorisation and prioritisation process, a Response Plan will be compiled for each informal settlement in the municipal area. The Response Plan will highlight the priority projects/ actions to be implemented per informal settlement in accordance with its application. The projects/ actions for all the informal settlements will then be consolidated into a Municipal Response Plan which will be updated from time to time. This plan will be used as basis for application for NUSP funding with the provincial and national Department of Human Settlement.

**Table 3** overleaf summarizes the proposed Informal Settlements Response Plan for the Stellenbosch Local Municipality based on information currently available.

Table 2: Proposed Informal Settlement Summary

NO.	CLUSTER	CATEGORISATION & PRIORITY	INTERVENTION	PRIORITY ACTIONS	INTEGRATED DEVELOPMENT PLAN	SPATIAL DEVELOPMENT PLAN	HOUSING PIPELINE	Urban Edge	
								Yes	No
<b>Cluster 1: South Stellenbosch</b>									
1	Sewende Laan/ Kreefgat (35 Units)	C	<ul style="list-style-type: none"> <li>Sewende Laan is located on privately owned land.</li> <li>Court order/ legal eviction</li> <li>There is provision of basic interim services.</li> <li>Community facilities are to be shared with Jamestown community.</li> <li>After a recent fire, some 43 families from this area were relocated to farm 527/4 (South).</li> </ul>	•	• New Housing: Jamestown	<ul style="list-style-type: none"> <li>A portion of municipal land on which the airfield stands as well as the land holding at the entrance to Techno park has potential to be used for social and gap housing</li> <li>Vacant land in Jamestown can be further consolidated.</li> <li>Further research is required to assess the long term costs and benefits of developments that convert productive agricultural land into new suburbs.</li> <li>Land, mainly below the R310 has been identified as having development potential subject to the identification and demarcation of flood lines.</li> <li>The land between Vlottenburg and De Zalze and Onder Papagaaiberg could be relatively easily developed into continuous urban suburbs.</li> </ul>		X	
2	Rasta Camp/ Lower Graveyard (30 Units)	B1	<ul style="list-style-type: none"> <li><b>Farm 527/4 South</b> <ul style="list-style-type: none"> <li>This land belongs to the Stellenbosch Municipality.</li> <li>These five informal settlements are to be consolidated on the southern portion of Farm 527/4.</li> <li>The SLM is busy upgrading water pressure for provision of communal water connections to residents in this area.</li> <li>Individual electricity connections are planned per household.</li> <li>Communal toilets will be provided (clustered), but with an individual unit allocated per family/ household.</li> <li>To be incrementally formalised in line with B1 Upgrading/ Formalisation Strategy to be formulated.</li> <li>If the area is eventually vacated, with families being accommodated on farm 527 North, Farm 527/4 South will be developed with serviced stands.</li> </ul> </li> <li><b>Farm 527 North:</b> <ul style="list-style-type: none"> <li>Construction of 162 of the planned 300 low income/subsidised units is underway.</li> <li>Various potential beneficiaries from surrounding Jamestown areas.</li> <li>Including informal settlements on Farm 527/4 (South).</li> <li>The existing formal housing project may expand in future (total capacity of the farm is estimated at 570 units).</li> </ul> </li> </ul>	•			Project has funding approval for planning/services/Tops-structures	X	
3	Upper Graveyard A (35 Units)	B1		•				X	
4	Riverside (26 Units)	B1		•			Funding required to appoint consultant and apply for Planning approval for Phase 2	X	
5	Sewende Laan/ Kreefgat Fire Victims relocated to Farm 527 (South) (43 Units)	B1		•				X	
6	Fresno Street (26 Units)	B1		•				X	
7	Slabtown/ Upper Slabtown (39 Units)	C		<ul style="list-style-type: none"> <li>Slabtown and Upper Slabtown were recently relocated to Longlands.</li> </ul>	•				X
8	Longlands (Vlottenburg)	A	<ul style="list-style-type: none"> <li>This development will accommodate approximately 144 subsidised units as part of a larger IRDP project (Longlands) which will accommodate the entire informal settlement community.</li> </ul>	•	• New Housing: Longlands, Vlottenburg		Project has funding approval for 106 sites. Contractual matters and access to the site still an issue.	X	

Cluster 2: Central Stellenbosch									
9	Enkanini(3307 units)	B1	<ul style="list-style-type: none"> <li>• <b>Enkanini</b> <ul style="list-style-type: none"> <li>- Earmarked for In Situ Incremental Upgrading or Formal Layout Plan with Township Establishment.</li> <li>- Western Cape DoHS earmarked the area for formal layout planning for 2016/17.</li> <li>- 1800 Top structures: Requires decanting site for 1100 structures.</li> <li>- Remainder part comprises three farm portions: Grootvlei 183 and 181; and Kromme Rivier 175.</li> <li>- Stellenbosch north expansion area could be utilised for decanting during upgrading process.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Upgrading plan alternatives for Enkanini informal settlement has been compiled</li> </ul>	<ul style="list-style-type: none"> <li>• Enkanini (Planning) Informal Settlements</li> <li>• Enkanini (Services) Informal Settlements</li> </ul>	<ul style="list-style-type: none"> <li>• The town is to be conceptualised as 5 interdependent mixed-use, mixed-income urban villages focusing on: <ul style="list-style-type: none"> <li>- (1) North: intersection of Bassi Street / R304 / Cloetesville Steps</li> <li>- (2) Centre: existing town centre,</li> <li>- (3) East: Idasvallei/Uniepark on intersection of Helshoogte/Cluver.</li> <li>- (4) West: Onderpapagaaiberg / SFW on intersection of Devon Valley/Adam Tas/Oude Libertas,</li> <li>- (5) South: Paradyskloof on intersection of Blaauklippen/Strand Roads.</li> </ul> </li> </ul>	Planning application submitted to PDoHS	X (partial)	
10	Zone O Kayamandi (1700 Units)	B1&C	<ul style="list-style-type: none"> <li>• <b>Zone O</b> <ul style="list-style-type: none"> <li>Decanting area at Watergang – 193 houses and 295 serviced erven to be provided.</li> <li>- Existing/ remaining Zone O (± 1200 units): Earmarked for enhanced serviced sites</li> <li>- UISP Phase 3 upgrading (possible).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Layout plan has been compiled</li> <li>• Install Full Services</li> </ul>	<ul style="list-style-type: none"> <li>• New Housing: Kayamandi (Watergang &amp; Zone O)</li> </ul>		Project has funding approval for planning/services/Top-structures	X	
11	Kayamandi Town Centre (1228 Units) <ul style="list-style-type: none"> <li>- Zone J (East) (523 Units)</li> <li>- Hostels Area (West) (705 Units)</li> </ul>	B1	<ul style="list-style-type: none"> <li>• <b>Kayamandi Town Centre</b> <ul style="list-style-type: none"> <li>- Eastern Precinct (Zone J): To be incrementally upgraded (B1) with decanting.</li> <li>- Hostel Precinct Redevelopment Plan: Request for Proposals Advertised (Redevelop entire area in-situ).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Compile Upgrading Plan and Strategy</li> <li>• Hostel Precinct Plan</li> </ul>	<ul style="list-style-type: none"> <li>• New Housing: Kayamandi Town Centre</li> </ul>		Planning application submitted to PDoHS	X	
12	Slabtown/Cloetesville (35 Units)	C	<ul style="list-style-type: none"> <li>• Slabtown: To be relocated and formalised somewhere in Cloetesville (site to be confirmed).</li> </ul>	<ul style="list-style-type: none"> <li>• Greenfields relocation in Cloetesville</li> </ul>				X	
Cluster 3: Dwarsriver Valley									
13	Erf 64 Kylemore (10 Units)	B1: Phase 2	<ul style="list-style-type: none"> <li>• <b>Kylemore</b> <ul style="list-style-type: none"> <li>- Existing informal settlement is provided with all basic services (water, sanitation and electricity).</li> <li>- Next stage will be UISP Phase 3 and 4 (Full services and top structures)</li> <li>- The land still belongs to Department of Public Works.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Apply for funding</li> </ul>	<ul style="list-style-type: none"> <li>• New Housing: Kylemore</li> </ul>	<ul style="list-style-type: none"> <li>• Johannesburg plots and the strip along Helshoogte Road.</li> <li>• Eastern fringe of Kylemore to proposed river corridor setback line.</li> <li>• Link area along flood plain between Kylemore and Lanquedoc (above 1:100 year flood plain). East of Lanquedoc.</li> </ul>	Project has funding approval for planning but due to the land not being transferred to Stell Mun from National Public works the project has been put on-hold.		X
14	Ghiff (Pniel) (15 Units)	C	Ghiff – Meerlust.	<ul style="list-style-type: none"> <li>•</li> </ul>					X



15	Meerlust (10 Units)	C	Both informal settlements to be relocated to Meerlust Housing Project – 200 units planned.	•	• New Housing: Meerlust			X	
<b>Cluster 4: Klapmuts</b>									
16	La Rochelle (30 Units)	A	<ul style="list-style-type: none"> <li>Erf 2183 (La Rochelle) to be developed for 100 Gap Units/CRU.</li> <li>Existing 30 units on Erf 2183 to be relocated/ incorporated into Mandela City.</li> <li>Mandela City, 400 erven capacity: The 400 stands are all fully serviced (Phase 3).</li> <li>Some top structures (Phase 4) approved (number unknown).</li> </ul>	•	• Informal Settlement: Klapmuts	<ul style="list-style-type: none"> <li>The area of Klapmuts to the west of the R44 has potential to operate as a mixed-use, mixed-income settlement, particularly if development can be encouraged in the centre of the village.</li> <li>Open spaces around the 4-way stop and on the verges are well positioned for low income traders. The market in front of the church could be formalised, and drawings for this are already available.</li> </ul>	Project has funding approval for 219 units (planning/services/Tops-structures)	X	
17	Mandela City (340 Units)	A	<ul style="list-style-type: none"> <li>Erf 2183 (La Rochelle) to be developed for 100 Gap Units/CRU.</li> <li>Existing 30 units on Erf 2183 to be relocated/ incorporated into Mandela City.</li> <li>Mandela City, 400 erven capacity: The 400 stands are all fully serviced (Phase 3).</li> <li>Some top structures (Phase 4) approved (number unknown).</li> </ul>	•		<ul style="list-style-type: none"> <li>The area of Klapmuts to the west of the R44 has potential to operate as a mixed-use, mixed-income settlement, particularly if development can be encouraged in the centre of the village.</li> <li>Open spaces around the 4-way stop and on the verges are well positioned for low income traders. The market in front of the church could be formalised, and drawings for this are already available.</li> </ul>		X	
<b>Cluster 5: Franschhoek</b>									
18	Langrug (1858 Units)	B1 and C	<ul style="list-style-type: none"> <li>Earmarked for in-situ incremental upgrading.</li> <li>Next priority is to compile an Upgrading Plan (underway).</li> <li>Decanting from streets at upper slopes to be accommodated at La Mote (500 erven).</li> <li>La Mote land belongs to Department of Public Works.</li> <li>Township Establishment Application and EIA completed.</li> <li>Not finalized due to delay with transfer of property to SLM.</li> </ul>	•	<ul style="list-style-type: none"> <li>Development of Erf 412 for housing</li> <li>Informal Settlement: Langrug, Franschhoek: UISP</li> </ul>	<ul style="list-style-type: none"> <li>Land above the current urban boundary of the town between Franschhoek North and South is to be promoted for mixed use, mixed income development including social and gap housing.</li> <li>Low key densification of existing suburbs with 2nd dwellings and subdivisions down to minimum plot sizes should be encouraged.</li> </ul>	Planning application submitted to PDoHS	X (partial)	

In some instances communities from category C informal settlements may be accommodated in terms of the provisions of the Stellenbosch Emergency Housing Assistance Strategy which provides for the following categories:

#### **SLM Emergency Housing Assistance Strategy: Categories of Assistance**

The various categories of assistance provided under this Strategy depend on the specific circumstances and are dictated by the specific situation, as the case may be. The various categories are the following:

**a) Accommodation kept in reserve for possible disasters**

- This entails the accommodation of persons in community halls or other buildings designated for this purpose as a temporary measure.

**b) Temporary accommodation that is readily available**

- This entails the temporary accommodation at any place as decided by Council from time to time.
- Persons assisted will be provided with a temporary residential unit of a dignified nature and have access to services, which may be communal.

**c) Transitional accommodation**

- This form of accommodation will be established under the relevant housing programme of national and provincial government by setting aside a minimum of 10% of the total number of sites for formal housing in human settlement projects, as identified and earmarked by the Municipality from time to time, and applying for funding in this regard, depending on the need that may exist.
- Persons assisted will be provided with a structure that meets the requirements of the relevant chapter of the National Housing Code and have access to services, which may be communal.

**d) Shelters**

- This entails the temporary accommodation of persons at one of the shelters operated or funded by the Municipality.

#### **SLM Strategic Development Areas to Accommodate Relocations where Required**

As far as the identification of land suitable for human settlement is concerned, it should be noted that the SLM is currently in the process of initiating a planning process aimed at the pre-active establishment of one or more Integrated Residential Development Projects (IRDP) in the municipal area. These greenfields developments will provide for the installation of internal and external services for a variety of land uses and functions, mixed or clustered in order to maximise development efficiencies, and for residential opportunities for low-, middle-, and high income groups.

The land use mix of such developments will be based on local planning principles and needs assessments and the development could be undertaken in one or more phases by the Municipality or contracted service providers.

Land, erven or housing opportunities could be sold in the open market or transferred as subsidy units to qualifying beneficiaries. Non-qualifying beneficiaries could be accommodated by some form of lease agreement on serviced stands.

These areas could also cater for demand related to Category B2 and C informal settlements and households that need to be relocated from Category A and B1 informal settlements due to lack of space.

The expansion area north of Stellebosch (adjacent to Khayamandi) should feature as a high priority during this investigation in order to alleviate density pressure in Khayamandi.

This initiative will be launched as part of the Stellenbosch Integrated Human Settlements Development Strategy and Planning Project and will comprise the following components:

- Confirm location, extent and nature of human settlement need in municipal area;
- Identify most suitable land areas complying with SDF objectives;
- Conduct Comparative Analyses between different sites identified;
- Applications for Approvals and Authorisations for top priority sites (IRDP);
- Final Layout and Services Plans for priority sites;
- Cost Estimates;
- Tender Documentation.

#### **3.4. STEP 4: REGISTER ALL INFORMAL SETTLEMENT RESIDENTS IN THE SLM**

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The Stellenbosch Local Municipality will establish and maintain an Informal Settlement Resident Register of all residents in informal settlements in the municipal area. The following details in respect of each structure in such informal settlement will be recorded:

- The number allocated to the stand or site on which the structure is constructed (with GPS Coordinates);
- The name and identity number of the head of the household who is entitled to occupy such structure;
- The names, identity numbers and relationships to the head of the household of each and every other person occupying the said structure as a member of the particular household;
- The reference number of the informal settlement unit's file containing a copy of the contractual agreement entered into between the head of the household and the SLM in respect of his/her occupation of the structure/stand in the case of upgraded informal settlements (Category B1);
- The number of the particular structure's rental account in applicable circumstances;
- The number of the particular structure's municipal services account in applicable circumstances;
- The list of all the residents, their ID number and the location of their dwelling will also be used to facilitate the tenure options.

### 3.5. STEP 5: ESTABLISH COMPREHENSIVE INFORMAL SETTLEMENTS MONITORING GIS AND DATABASE

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The Informal Settlements Department of the SLM will establish a comprehensive database and GIS system for all informal settlements in the municipal area. The purpose of this database will be to capture relevant information pertaining to all informal settlements in an easily accessible format for management and monitoring purposes.

Typical information to be captured per informal settlement includes the following:

- Location and spatial extent (footprint);
- Land Characteristics: Property Description, Ownership, Zoning, Size etc.
- Number of Structures and Current Rate of Settlement;
- Estimated Population;
- Demographic Profile of Resident Community;
- Land Use Composition;
- Infrastructure Plans (where available);
- Upgrading Plan and Programme (where applicable);
- Resident Register (Refer to section 3.4 above).

According to the 2014/15 SLM IDP, agreements have been concluded with a number of communities to assist and direct upgrading activities. Subsequently, enumeration and profiling of communities will be incrementally conducted over the next few years in the following areas in the Stellenbosch Local Municipality:

- Langrug
- Enkanini
- Mandela City
- Slabtown
- Backyards in Cloeteville
- Backyards in Lanquedoc
- Zone I in Kayamandi
- Sewende (7de) Laan in Jamestown
- Jonkershoek
- Meerlust
- Pniel (Ghiff)
- Erf 64, Kylemore
- Zone O in Kayamandi

The information captured in these processes should be incorporated into the SLM Informal Settlement Database.

### 3.6. STEP 6: ESTABLISH AND IMPLEMENT COMMUNITY CONSULTATION/PARTICIPATION PROCEDURES

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One of the biggest risks in the informal settlement upgrading process in Stellenbosch Local Municipality is community uprisings and social unrests – especially if the community is not involved from the outset in the planning and implementation of the process.

Securing community buy-in and support is thus fundamental to the upgrading and formalisation of informal settlements. Sustainable, integrated human settlements cannot be created without the full support and buy-in from the local community.

Community structures will facilitate community facilitation processes and eventually capacitate community members and assist them to take responsibility for their actions, their future and their environment. Ultimately, it will assist residents to gain greater control of the factors that influence their socio-economic status and economic well-being, accept ownership of the areas where they reside, and actively/collectively contribute towards the upgrading processes/implementation.

The SLM will therefore seek to adhere to the following points of departure:

- The importance of public participation in all forms of development is accepted, and will continue to be implemented in the Stellenbosch Local Municipality area of jurisdiction.
- Public participation will ensure widest possible community involvement which will be achieved by engaging with the democratically elected Ward Councillor, Ward Committee, Community Development Workers, NGO's and local residents in each of the informal settlements.
- If the public participation process delays development, political intervention will be requested through the MMC responsible for Sustainable Human Settlements.

#### Information Box

- *Utilising community structures and continuously engaging with and involving the community will ensure that more effective and democratic decisions are made, and that the trust of the community is won. Community trust is also won when transparency exists in terms of processes and decisions.*
- *Involving the community in the process fosters good relationships between the community, the municipality and political bodies, and by doing this, communities are more likely to take ownership of the project.*
- *Clear and open communication channels need to exist between municipality involved in the upgrading process, political stakeholders (ward councillors and ward committee structures) and the communities on the ground, and every effort needs to be made to ensure that the correct information is disseminated to the affected communities (especially in cases where relocations are necessary).*

### **3.7. STEP 7: IMPLEMENT CONSUMER EDUCATION PROGRAMMES AND CAPACITY BUILDING**

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The Human Settlement Department of the Stellenbosch Local Municipality undertakes to improve its capacity in the presentation of consumer education workshops to ensure that beneficiaries are informed of a number of relevant aspects, including:

- The legal importance and financial aspects relating to the safe keeping of tenure and social welfare related documents;
- Maintenance of houses and sustainable use of water, sanitation and electrical appliances;
- The consequences of illegal occupations owing to informal arrangements, family substitutions and unresolved estates;
- Sustainable Livelihoods enhancement opportunities through Skills and Business Support Programmes within informal settlement areas;
- Municipal waiting list procedures;
- Training and education on housing rights and obligations, and tenure options available to residents;
- Awareness campaigns on fire, flooding, safety and environmental health and hygiene matters.

The enhancement of opportunities for sustainable livelihoods will be paramount in all community consultation and capacity building initiatives. The SLM acknowledges that even though the local economies of informal settlements are often very small, stagnant or non-existing, it is important to find local solutions with the potential to mobilise the community in a broader economic sense. The goal of any local economic development project will thus be to help with the development of the local economy and/or assisting residents to access the broader economy in order to improve livelihoods. The essence is to give residents the opportunity to participate in the economy and access economic opportunities – all from a self-help perspective.

### **3.8. STEP 8: APPLY FOR FUNDING TOWARDS IMPLEMENTATION OF UPGRADING PROGRAMME**

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The following are the range of funding sources that could be accessed by stakeholders, where applicable and subject to budgetary provisions:

#### **Grant Instruments:**

- Municipal Infrastructure Grant (MIG) funding will be sourced for the provision and installation of municipal engineering services and earthworks (set out annually by Treasury in Division of Revenue Act (DORA).

#### **Grants:**

- Upgrading of Informal Settlements Programme (UISP);
- Own Municipality funding will be used as per the Memorandum of Understanding;

- Contributions by the local community as per the Memorandum of Understanding;
- Donations by donors will be used where applicable, as per Memorandum of Understanding.

### **3.9. STEP 9: IMPLEMENTATION ARRANGEMENTS: MONITORING, EVALUATION AND REVIEW**

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**Monitoring and evaluation** of the impact of the project will be measured against the following:

- Expenditure against the approved upgrading business plan;
- Improvements in living conditions of residents measured through:
  - Health Indicators (waterborne diseases, infant mortality rates);
  - Access to Water and Sanitation;
  - Tenure Improvement;
  - Economic Activity (Business Opportunities/Jobs);
  - Social Amenities;
  - Social Capital (Family stability and community cohesion);
  - Decline in Crime.
- Sustainability of projects to be measured against:
  - Willingness and ability of community to pay for services (increased revenues);
  - Willingness and ability of government agencies to maintain and operate public infrastructure;
  - Environmental impact of projects;
  - Rate of new settlement/further densification;
  - Progress with regards to Phase 3 and Phase 4 implementation;
  - Results of beneficiary satisfaction survey.

#### **Review:**

The Stellenbosch Upgrading of Informal Settlements Strategy and Strategy will be incorporated into the Municipal Housing Sector Plan/IDP Housing Chapter. It will thus become part of the statutory Municipal Integrated Development Plan (IDP) as contemplated in chapter 5 of the Municipal Systems Act. In this way projects contained in the Informal Settlement Strategy and Strategy will also become eligible for funding as part of the Municipal budgeting process.

In terms of the Municipal Systems Act the IDP may be reviewed/updated annually, and this mechanism will allow for the Housing Sector Plan/IDP Housing Chapter to be continuously updated and amended as required.

### **3.10. STEP 10: INSTITUTIONAL ARRANGEMENTS**

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#### **A. Informal Settlement Upgrading Department and Task Team in support of the ISUP**

The Directorate Integrated Human Settlements of the Stellenbosch Local Municipality has established a dedicated informal settlement department to manage and coordinate the upgrading of informal settlements. The broad objectives of the department are to:

- Manage the provision of services and development programmes to informal settlements;
- Prevent the illegal invasion of land;
- Enumerate identified informal settlements;
- Upgrade informal settlements through the provision of services;
- Facilitate tenure security in informal settlements;
- Facilitate food security and poverty alleviation, in partnership with other stakeholders;
- Assist in short-term job creation through linkages with EPWP and longer term job creation through upgrading programmes; and
- Facilitate capacity-building and training for residents and stakeholders through direct service provision and partnerships with outside agencies.

This department will follow a multi-sector approach that will direct upgrading of informal settlements in a manner that takes into consideration all the technical and social factors which are the foundation for a sustainable human settlement. The Informal Settlement Department will be supported by a **multi-sector Informal Settlement Upgrading Task Team** headed by the Manager of the Informal Settlements Department.

The functions as listed in **Table 4** below will be represented in the Informal Settlement Upgrading Task Team:

**Table 3: Informal Settlement Upgrading Task Team Functions and Responsibilities**

Human Settlements
<ul style="list-style-type: none"> <li>• Driving the overall Upgrading Plan initiative, together with the local community or part/groups within the local community;</li> <li>• Submitting the required applications for UISG funding;</li> <li>• Providing professional support in the planning and design of Upgrading Plan projects;</li> <li>• Implementing the policy and administering its on-going management and evaluation;</li> <li>• Overseeing household surveys, database registration processes and the project management of the Upgrading Plan;</li> <li>• Liaising with the Land Invasion By-Law Enforcement Unit to ensure that the spaces between structures and the servitudes created are not re-occupied, as this will defeat the purpose of Upgrading Plans and nullify the investments made in the project.</li> </ul>
Safety and Security
<ul style="list-style-type: none"> <li>• Assist the Human Settlements Directorate in prioritising settlements for Upgrading Plans by identifying settlements that are most vulnerable to the risks of fires and floods;</li> <li>• Aiding in the implementation and rollout of projects to prevent the occurrence of fires in restructured settlements;</li> <li>• Providing education on fire and flooding safety matters to the community involved in the restructuring project;</li> </ul>



- Providing support in terms of management of Land Invasions and By-Law enforcement.

#### Health

- Providing education on environmental health related matters to the community involved in restructuring;
- Monitoring, evaluating, reviewing and advising on all environmental health-related issues in the area being restructured;
- Advising the Human Settlements on prioritising informal settlements to be restructured with regards to the risks associated with infection and disease posed by the environmental location of a settlement.

#### Utility Services

- Working with the Human Settlements Directorate to agree on the standards of the municipal services that will be provided in each restructured settlement;
- Facilitate the provision of the agreed level of services in each settlement;
- Budget for and undertake regular operational maintenance of the municipal services according to the various departments' norms and standards.
- Plan for the long term upgrading of interim services.

#### Economic, Environment and Spatial Planning

- Providing the required spatial and design guidance and logistical support to ensure that all applicable land use approvals, zoning and environmental authorisations are obtained so that
  - restructuring contributes to the achievement of sustainable communities and are in line with the municipal SDF directives;
  - opportunities for informal economic opportunities/sustainable livelihoods are created and exploited;
  - the settlement is environmentally sustainable;
  - the basic needs of poor communities are balanced with the requirements of regulatory processes, spatial plans and future planning by-laws.

#### Community Services

- Facilitating processes towards acquiring funding for health, education, welfare and sports and recreation facilities required;
- Providing funding for and facilitating for the planting of trees in settlements in restructured settlements.

#### Transport, Roads and Stormwater

- Providing input into the appropriate standards for roads in informal settlements;
- Funding the creation of access roads and/or public transport facilities in informal settlements and making suitable provision for stormwater run-off;
- Maintaining the roadways and public transport infrastructure.

#### Ward Committees and Ward Councillors

- Providing support to the PSC;
- Mobilising communities and community organisations in support of the project.

#### Community Organisation

- NGOs, CBOs, faith-based organisations and other community organisations or affiliations working in an area to be upgraded will be consulted on the project;
- The Municipality may enter into a Memorandum of Understanding with such a Community Organisation(s) to facilitate/participate in the upgrading project;
- The responsibilities of the community organisation may include:

- Facilitate public engagement and mobilisation;
- Provide detailed information on settlement and the community profile;
- Negotiation and conflict resolution;
- Advocacy and research;
- Community preparation for upgrading;
- Conduct the enumeration, land mapping and cost analysis of a project;
- Facilitate access to donor funding in support of the rollout of the project.

The focus of the Informal Settlement Upgrading Task Team will vary depending on the socio-economic and physical condition of the informal settlement. The team will be co-ordinated by the Informal Settlement Department and the functions will include but not be limited to the following:

- Ensure that decisions made at a municipal level regarding the upgrading of informal settlements are multi-sectoral. In other words, they are inclusive of all sectors that are assisting with sustainable human settlement development;
- Assist in the implementation of multi-disciplinary projects/actions related to any Informal Settlement Upgrading Plan within the municipal area;
- Put in place consultation and communication mechanisms and structures to ensure that local communities actively participate in the formulation and implementation of Informal Settlement Upgrading Plans;
- Upon relocation of Category B2 and C informal settlements the task team will be responsible for implementing a rehabilitation plan for the vacated site;
- Assist with the application and revision of by-laws which pertain to land invasion and informal settlements when required;
- Ensure that all services provided to informal settlements are in line with the minimum level of service for the Municipality;
- Conduct annual surveys to determine the location, origin, extent and conditions prevailing in each informal settlement within the area of jurisdiction of the Municipality;
- Monitor and manage all informal settlements within the area of jurisdiction of the municipality and take the necessary steps to prevent land invasion;
- Undertake and promote liaison and communication with local communities with a view to obtaining their understanding and co-operation regarding various matters pertaining to the informal settlement in question;
- Ensure that all the residents living within an informal settlement are registered in the Informal Settlement Database;
- Compile written reports on the management of any informal settlement, or the conditions prevailing therein, if and when required to do so by the Municipality;
- Take appropriate measures to ensure that no new unauthorised structures are erected and that no new unauthorized residents take up residence within any informal settlement;
- Perform any other duty or function which may be necessary to ensure the proper management of an informal settlement;



If the residents fail to co-operate and refuse to vacate the site or stand, the Informal Settlements Upgrading Task Team will immediately institute the necessary legal procedures to obtain an eviction order as contemplated in sections 4, 5 or 6 of the **Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998** , [Act No. 19 of 1998] or any other applicable law.

## E. Housing Allocation

All households, groups and individuals who receive housing assistance, of whatever form, in the SLM area shall be from one of two sources, namely:

- A Target Community of the applicable settlement; and/or
- A Municipal Submission of residents from elsewhere in the municipal area.

Residents from the informal settlement fall within the “Target community”. The target community in terms of the policy is therefore defined as the group of beneficiaries that gave rise to the new housing project in the first place e.g. in situ upgrade of an Informal Settlement. In projects where more families than just the target community can be accommodated, that additional number is referred to as the Municipal Submission and may be from other project areas in the municipality where there is a shortage of land or people from the Municipal Waiting List.

The following categories of persons and households will qualify for assistance under the programme:

- Persons qualifying in terms of the Housing Subsidy qualification criteria;
- Households/persons with monthly income exceeding maximum income limit;
- Households headed by minors, who are not competent to contract in collaboration with Department of Social Development;
- Persons without dependants;
- Persons who are not first-time home owners;
- Persons who have previously received housing assistance and who previously owned and/or currently own a residential property (to be considered on a case by case basis);
- Illegal immigrants on the conditions prescribed by Department of Home Affairs.

## F. Dispute Resolution

Any disputes will be referred to the Director: Integrated Human Settlements who will ensure that the following process be followed to resolve disputes including the use of adjudication, mediation or arbitration:

- Engage with affected parties;
- Establish communication channels for the parties;
- Identify the cause of the conflict;
- Draw on knowledge to contextualise the conflict and communicate this to the parties;

- Propose possible routes to resolve the conflict and establish consensus;
- Make recommendations to prevent future conflicts and feed these back into the participatory process.

#### 4. CONCLUSIVE SUMMARY

The proposed Informal Settlement Upgrading Strategy as described above addresses and supports all five the pillars of the Upgrading Strategy as graphically illustrated in Table 5 below:

**Table 4: SLM Informal Settlements Upgrading Strategy alignment with -Strategy**

	Technical Planning & Implementation	Community Engagement	Community Capacity Building	Development Partnerships	Informal Settlement Management
<b>Step 1: Compile Inventory of Existing Informal Settlements</b>	X				X
<b>Step 2: Categorise and Prioritise Informal Settlements</b>	X				
<b>Step 3: Formulate Informal Settlement Response Plan</b>	X				
<b>Step 4: Register All Informal Settlement Residents in the SLM</b>	X				X
<b>Step 5: Establish Comprehensive Informal Settlements Monitoring GIS and Database</b>	X				X
<b>Step 6: Establish and Implement Community Consultation/ Participation Procedures</b>		X		X	
<b>Step 7: Implement Consumer Education Programmes and Capacity Building</b>			X	X	
<b>Step 8: Apply for Funding towards Implementation of Upgrading Programme</b>				X	
<b>Step 9: Implementation Arrangements: Monitoring, Evaluation and Review</b>	X			X	X
<b>Step 10: Institutional Arrangements</b>	X	X	X	X	X

## 5. ANNEXURE A: NATIONAL, PROVINCIAL AND LOCAL POLICY GUIDELINES

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The Stellenbosch Informal Settlement Upgrading Strategy has to be aligned with the directives defined in a number of national, provincial and local policies and sector plans. The following sections highlight the most important directives emanating from these policies and plans at national, provincial and municipal level.

### 1. The Constitution of the Republic of South Africa, 1996

The Constitution of the Republic of South Africa, Act 107 is an overarching determinant of the legislative framework in South Africa. Within the Constitution, the Bill of Rights ( Republic of South Africa, 1996) allows everyone “access to adequate housing” ( Section 26(1)) while the state must take reasonable measures to make resources available in order to “achieve the progressive realisation of this right” (Section 26(2)). All South Africans have a right to an environment that is not harmful, not to be “deprived of property except in terms of the law” (Section 25(1) and the right to have “health care, food and water and social security” (Section 27(1))1.

### 2. National Development Plan-2030

Chapter 8 of the **National Development Plan** identified a number of interventions aimed at transforming spatial arrangements and spatial governance in South Africa. One of these seeks to recognise the role played by informal settlements in urban areas in South Africa, and “to enhance the existing national programme for informal settlement upgrading by developing a range of tailored responses to support their upgrade”. The following directives inform this intervention:

- Significantly expand the national programme on informal settlement upgrade and support municipalities to introduce local level programmes.
- Develop legal instruments to regularise informal settlements (for example, the use of special zonings for informal settlements in land use management schemes) and to recognise rights of residence.
- Agree on minimum health and safety standards and then progressively upgrade these standards as “regularised informal settlements” are brought into the mainstream urban fabric.
- Focus on developing community organisation to support participatory regularisation and the upgrade programme.
- Ensure that funding arrangements and programmes channel resources into community facilities, public infrastructure and public spaces, and not just into housing.
- Enable job creation linked to sustainable livelihoods and establish well performing settlements.
- Gradually shift government’s role from a direct housing provider of last resort to a housing facilitator ensuring adequate shelter and greater access to a wider choice of housing options.

- Where housing is provided, greater emphasis should be on rental housing as many individuals do not settle permanently in towns and cities or require interim accommodation before they do so.

### 3. Statement on the Cabinet Lekgotla, July 2011

Cabinet Lekgotla (July 2011) agreed to developing informal settlement upgrading plans in 45 large urban areas in South Africa. It noted that projects emanating from these robust plans need to cover security of tenure, water, sanitation, public transport, area lighting, electrification and waste management, and should also provide for social services and amenities such as public open spaces and recreational facilities.

The programme did not include Stellenbosch initially, but it has since been expanded to 61 municipalities which includes Stellenbosch Local Municipality.

### 4. National Medium Term Strategic Framework (MTSF)

The MTSF is structured around fourteen (14) *Priority Outcomes* which cover the focus areas identified in the NDP and Government's electoral mandate. These are made up of the 12 outcomes which were the focus of the 2009-2014 administration, as well as two new outcomes (namely social protection; and nation-building and social cohesion). A list of the 14 outcomes is provided below:

- Quality basic education
- A long and healthy life for all South Africans
- All people in South Africa are and feel safe
- Decent employment through inclusive growth
- A skilled and capable workforce to support an inclusive growth path
- An efficient, competitive and responsive economic infrastructure network
- Vibrant, equitable, sustainable rural communities contributing towards food security for all
- Sustainable human settlements and improved quality of household life
- Responsive, accountable, effective and efficient local government
- Protect and enhance our environmental assets and natural resources
- Create a better South Africa and contribute to a better Africa and a better world
- An efficient, effective and development-oriented public service
- A comprehensive, responsive and sustainable social protection system
- A diverse, socially cohesive society with a common national identity

Fourteen appendices to the MTSF contain detailed plans for the next five years for each of the Outcome areas. They set out the core objectives, the major challenges that have been identified and programmes and actions to be implemented during the 2014-2019 period. Each outcome is broken

down into sub-outcomes containing a set of actions together with indicators for measuring progress, targets and timeframes.

The “Sustainable human settlements and improved quality of household life” set a target to upgrade 750 000 households to National Upgrading Support Programme Level 2 by 2019. Level 2 implies basic planning being in place (an Upgrading Plan), the land being secured, and interim Basic Services having been installed in the area.

The programme requires the Minister to ensure that the following key principles form the basis of the Participatory Planning Support Programme.

- Prioritisation of well-located land;
- Negotiated and appropriate basic levels of service;
- Community participation;
- Densification (achieving higher settlement densities);
- Improved spatial efficiency.

## 5. ONECAPE 2040 and Provincial Development Strategy

*OneCape 2040* is an economic vision and strategy process for the Western Cape region which envisions a region that is „*A highly-skilled, innovation-driven, resource-efficient, connected, high-opportunity and collaborative society*“. The plan identifies six qualities or transitions that need to occur in order to achieve this vision. The two transitions relevant to this Informal Settlement Upgrading Strategy are as follow:

- **Settlement transition** (*Living Cape*) that aims to transform unhealthy, low access, often alienated, low opportunity neighbourhoods into healthy, accessible, liveable multi-opportunity communities who enjoy a good quality of life with access to good public services, and
- **Institutional transition** (*Leading Cape*) that aims to create socially responsible leadership at all levels by transforming previously defensive and adversarial structures into open and collaborative systems.

## 6. Western Cape Access to Basic Service Programme (ABS)

The Western Cape Department of Human Settlements has allocated funding to 17 Local Municipalities for the supply of basic (communal) water and sanitation services to all people living in informal settlements within the boundaries of the Western Cape Province.

The level of services provided under the Access to Basic Services Programme comprised one shared toilet facility for five households and one water standpipe for 25 households. The type of sanitation could vary from waterborne sanitation to various types of on-site sanitation, including VIPs. The Programme has been completed.



## 7. Provincial Spatial Development Framework (PSDF), 2013

The Western Cape PGDS identified 12 Provincial Strategic Objectives.

Objective 6 focuses on „Developing integrated and sustainable human settlements“ by „improving the current spatial structure of settlements and facilitate restructuring and improved access to opportunities through integration“.

The province attempts to realise this objective by means of:

- Accelerated delivery of housing opportunities;
- A sense of ownership, rights and responsibilities amongst beneficiaries, owners and tenants; and
- Optimal and sustainable use of resources.

A key part of accelerating housing opportunities includes “prioritising the on-site upgrading of informal settlements and the provision of serviced sites. In order to assist greater numbers of people and help more of those who are most in need – with limited or no access to basic services”. This is in line with the objectives of NUSP and the ISUP.

## 8. Western Cape Provincial Strategic Objectives

The Western Cape Provincial Department of Human Settlements is in the process of revising Provincial Strategic Objective 6 (PSO6). As part of this process it is drafting new Provincial Strategic Goals (PSG) which comprise of two outcomes as noted below:

### Outcome 2.1: Increased Housing Opportunities

- Implementing diversified housing programme with greater emphasis on incremental options and joint effort
- Increasing affordable housing opportunities through partnerships
- Reducing the housing backlog
- Improving security of tenure by reducing the pre and post 1994 title deeds transfer backlog, and implementing an improved system to ensure timeous future title deeds transfers.

### Outcome 2.2: Improved Settlement Functionality, Efficiencies and Resilience

- Focus on accelerated informal settlement upgrading
- Settlement restructuring and urban regeneration
- Spatial alignment and targeting
- Improved resource efficiencies in urban and rural settlements
- Integrated, clustered and well located community facilities

- Well maintained, well-located, resource efficient, and adequate infrastructure
- Integrated transport services
- Land use facilitation and value capture / lift (land use regulation and promotion)

It is evident that the above approach is in line with the directives contained in the NDP and National Outcome 8.

## 9. Stellenbosch Integrated Development Plan (IDP)

The Stellenbosch Local Municipality IDP is based on an overarching strategy comprising the following five Strategic Focus Areas:

SLM IDP Strategic Focus Areas
<b>Strategic Focus Area 1: Preferred Investment Destination</b>
<b>Strategic Focus Area 2: Greenest Municipality</b>
<b>Strategic Focus Area 3: Safest Valley</b>
<b>Strategic Focus Area 4: Dignified Living</b>
<b>Strategic Focus Area 5: Good Governance and Compliance</b>

The Upgrading of Informal Settlements Strategy for the municipality will support and inform Strategic Focus Area 4: Dignified Living, and Strategic Focus Area 5: Good Governance and Compliance.

In terms of **Strategic Focus Area 4: Dignified Living**, the Stellenbosch IDP commits as follow:

- Neighbourhoods should have accessible health care, education and recreation facilities; be well maintained; and continuously improved.
- Residents will enjoy a strong and positive sense of community identity, participate in many aspects of community life, and celebrate diversity.
- Strong, empowered community networks (formal and informal), will form the basis for community action, activity and caring.
- All vulnerable groups – specifically the youth, women and the elderly will receive appropriate support, whether to sustain livelihoods or facilitate personal development.
- In providing support, seamless cooperation between different government agencies and the community and private sectors will be established.
- The Municipality will encourage and support processes to promote constructive dialogue, conflict resolution, and empowerment of the disadvantaged and vulnerable to ensure that community resources are both accessible and equitable.
- The municipality will establish self-help action to achieve dignified living in greater Stellenbosch, focusing on the following seven areas:
  - Integrated planning for housing and settlement upgrading
  - New housing and shelter opportunity
  - Settlement upgrading

- Housing administration and management
- Integrated community management
- Public facilities and services
- Vulnerable groups

Under **Strategic Focus Area 5: Good Governance and Compliance**, the SLM IDP states the following:

- Partnerships are essential to expand the range of functions and activities available to citizens and visitors to Stellenbosch. The Municipality will lead with boldness to give people a chance to contribute and be appreciated.
- A more integrated approach to service delivery is needed in the townships. This implies adding proper programmes for maintenance, social services, and safety and security to the usual provision of housing and infrastructure.
- All citizens should have access to a dignified life, irrespective of their relative material wealth or their background. This includes, inter alia, access to shelter, public facilities and services, ethical administration of municipal housing, and sufficient choice in housing opportunity for different income groups.
- The municipality will establish a close working relationship with other government and social agencies that focus on the needs of special groups – youth, women, disabled and the aged.
- Sustainable management of any settlement requires continued focus on four investment needs. It has to provide in the **basic needs** of citizens; it has to **maintain** its assets and functions; it has to **provide for crisis and disaster** and fix past mistakes; and it has to **invest productively**, making the settlement better for the future.

According to the 2014/15 Stellenbosch IDP (p.77), the Municipality is currently in the process of procuring professional turnkey teams to assist with the delivery of a number of projects identified in the IHSP. Priority projects in this regard include:

Area	Units	Comment
• Franschoek, Langrug	1499	Planning funds only.
• Klapmuts, Erf 342	1060	± 800 units completed.
• Jamestown, Farm 527	570	Phase 1 (120) Top structures underway.
• Idas Valley	440	Planning commenced.
• Kayamandi	193	193 erven serviced.
<b>TOTAL</b>	<b>3762</b>	

## 10. Spatial Development Framework and Land Use Management System

The Stellenbosch Municipality SDF is aimed at developing a binding set of principles that guide development and developmental rights of property owners. Specifically, the SDF seeks to achieve the following:

- achieve shared and inclusive growth;
- increase access to opportunities, particularly for disadvantaged citizens;
- improve sustainability by minimising ecological footprints; and
- maintain the unique sense of place of the towns and region.

To achieve these outcomes, various factors such as strategic infrastructure needs and requirements, natural resources, housing, agriculture and appropriate land use need to be taken into consideration.

The seven Strategic Perspectives which form the basis of the SDF are as follow:

<b>SLM SDF Strategic Perspectives</b>	
<ul style="list-style-type: none"> <li>• <b>Strategic Perspective 1: Interconnected Nodes</b></li> <li>• <b>Strategic Perspective 2: Car Free Living</b></li> <li>• <b>Strategic Perspective 3: Inclusive Economic Growth</b></li> <li>• <b>Strategic Perspective 4: Optimal Land Use</b></li> <li>• <b>Strategic Perspective 5: Resource Custodianship</b></li> <li>• <b>Strategic Perspective 6: Food and Agriculture</b></li> <li>• <b>Strategic Perspective 7: Heritage</b></li> </ul>	

The SDF proposes a municipal spatial configuration comprising a system of interconnected, tightly constrained nodal settlements. These nodes have only minimal outward expansion and relatively dense internal plans, and are linked to one another via high speed telecommunications and road and rail public transport services. Priority will be given to the development of settlement locations on the rail routes first, and road routes second.

**Annexure Figure 1** illustrates the areas earmarked for development around the nodal points in the municipal area.

## 11. Stellenbosch 2017 Housing Strategy (2009-2017)

The Stellenbosch Housing Strategy supports the SDF's proposed municipal spatial configuration comprising a system of interconnected and tightly configured settlements with clear urban edges, surrounded by agricultural land. The target is the provision of roughly 20 500 residential units to cater for the current backlog in housing. Instead of expanding the footprint of built areas, suitable locations for at least 6 000 middle- and low income residential units need to be identified as part of existing settlements through processes of densification and the integration of existing settlements.

In line with the SDF, preference must be given to developing locations close to public transport hubs, and brownfield sites are preferred over greenfield locations. Projects catering for low-, middle- and high-income groups will be designed as larger integrated settlements and may comprise any combination of the following housing types:

- Informal settlement upgrade.
- RDP housing.
- Social housing.
- Community transitional housing.
- Formalised home ownership.
- Private rental.
- Employer housing (especially farm worker housing).

**7.4 REVISED EMERGENCY HOUSING ASSISTANCE POLICY (EHAP)***File number* : 17/4/3*Report by* : *Municipal Manager**Compiled by* : *Director: Human Settlements and Property Management**Delegated Authority* : *Council***Strategic intent of item**

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

**1. PURPOSE OF REPORT**

The purpose of the report is to:

- (i) provide Council with the revised Emergency Housing Policy (EHAP) for consideration and in principal approval;
- (ii) to advertise the revised policy for public input.

**2. BACKGROUND**

The Emergency Housing Assistance Policy was adopted by Council on 25 October 2012. It was however found (over time) that the EHAP did not necessarily address and include the prescripts of the most recent judgements in terms of evictions and the resultant emergency housing assistance.

The Blue Moonlight Eviction Case extends the obligation of a municipality to provide alternative accommodation to people who will become homeless because of an eviction from either private or state owned land.

In accordance with the City of Johannesburg / Changing Tides 74 (Pty) Ltd & Others judgment/ruling, the court may now request certain information from the municipality before the eviction order will be granted. The report provided to the court by the municipality must include:

- (a) Information on the building or property;
- (b) Information on the demographic profile and personal circumstances of the occupiers;
- (c) Information on whether the occupier will become homeless because of the eviction;

- (d) Alternative accommodation that is available for the occupiers after they are evicted (if they will become homeless because of the eviction);
- (e) The implications for the property owner;
- (f) Details of all engagements (mediation) between the municipality and the occupiers with the purpose of finding a solution;
- (g) Information on the municipalities housing policies and programmes;
- (h) The housing needs in the municipal area.

The municipality must be able to provide the court with housing policies and plans that respond to the need of the most desperate households and provide a plan for alternative accommodation.

In accordance with the various legislative requirements the Council approved an emergency housing policy on 25 October 2012 which addresses to some extent the issue of evictions.

### 2.1 Revised Emergency Housing Assistance Policy (EHAP)

The policy approved by Council aims to provide a basis for the implementation of emergency assistance by the municipality.

One of the critical implications of the court judgment is that a municipality must budget and plan for all categories of persons in need of emergency accommodation (**APPENDIX 1 - FINAL REVISED EMERGENCY HOUSING POLICY (EHAP) DOCUMENT, APPENDIX 2 – final document showing revisions to the approved EHAP OF 25 October 2012**).

### 2.2 Workshop

Several workshops was held over a period of a year and a half to address the impasse created with the approval of the EHAP and the prescribes of the Blue Moonlight Eviction Case, City of Johannesburg / Changing Tides 74 (Pty) Ltd & Others. The outcomes of these workshops have been included in the revised EHAP.

## 3. DISCUSSION

The revised Emergency Housing Policy is an attempt to address the gap between the prescripts of the abovementioned cases and the approved EHAP. Furthermore, issues or concerns raised by officials and Councillors have been included in the revised EHAP. These issues or concerns are *inter alia* the following:

- i. The uniform use of the phrase “informal dwelling”. The latter should include less formal backyard structures and less formal structures in informal settlements. Where these structures are in a backyard it must have an approval by the Planning Department.
- ii. The role of the Municipality and more specifically the role of Departments as it pertain to various emergency scenarios.
- iii. Clarification of the definition of various concepts.

- iv. The approved allocation of 10% of all housing projects for emergency housing has proven to be insufficient and alternative sites need to be identified by Council as a matter of urgency.

The above issues and concerns have been included in the revised EHAP and were circulated to the various Departments affected by this proposed revised policy.

#### 4. COMMENTS BY RELEVANT DEPARTMENTS

The proposed revised policy was circulated to the following Departments:

##### 4.1 Engineering Services

No comments received.

##### 4.2 Chief Financial Officer

No comments received.

##### 4.3 Senior Legal Advisor

The item and recommendations are supported.

##### 4.4 Planning and Economic Development

No comments received.

#### RECOMMENDED

- (a) that Council approve the revised Emergency Housing Assistance Policy (EHAP) attached as **APPENDIX 1**, in principle;
- (b) that the revised EHAP be advertised for public input; and
- (c) that should any inputs be received, same be considered by Council before a final decision is made.

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

#### ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING: 2016-04-06: ITEM 6.1.2

#### RECOMMENDED

- (a) that Council approve the revised Emergency Housing Assistance Policy (EHAP) attached as **APPENDIX 1**, in principle;
- (b) that the revised EHAP be advertised for public input;
- (c) that should any inputs be received, same be considered by Council before a final decision is made; and
- (d) that the Administration incorporate into the EHAP the information regarding the nature and extent of assistance to be rendered to informal dwellers in the event of a disaster.



(DIRECTOR: HUMAN SETTLEMENTS TO ACTION)

MAYORAL COMMITTEE MEETING: 2016-04-22: ITEM 5.1.4

RECOMMENDED BY THE EXECUTIVE MAYOR

**KINDLY NOTE: The Mayco recommendation will be distributed under separate cover at the Council meeting on 2016-04-26.**

# **APPENDIX 1**

<p style="text-align: center;"><b>STELLENBOSCH MUNICIPALITY REVISED EMERGENCY HOUSING ASSISTANCE POLICY</b></p>
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## **1. INTRODUCTION**

The Municipality recognises that it has a shared obligation in terms of, among others, section 26(2) of the Constitution of the Republic of South Africa, 1996, Act 108 of 1996 (the Constitution) to take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of the right to have access to adequate housing.

The Municipality further recognises its shared obligation to assist persons who are destitute, in desperate need and crisis situations.

In fulfilment of these obligations the Municipality must endeavour to have a coherent program or policy in place within its available resources to assist persons who are destitute, in desperate need and crisis situations.

This Policy is implemented in furtherance and fulfilment of the Municipality's shared obligations in terms of the Constitution, other relevant legislation, related statutory instruments and case law to provide temporary assistance to persons who are destitute and in desperate need and/or crisis situations and to lay down guidelines in this regard.

The principles outlined in this Policy will be incorporated into the housing strategy/plan of the Municipality.

The Municipality in terms of this Policy aims to express itself on only emergency housing assistance which is a facet of the Housing Plan of Stellenbosch Municipal Council. It is thus clear that this policy of the National Housing Code only governs provision of housing in emergency circumstances described in Chapter 12, which is not tantamount to the progressive realisation of housing for all inhabitants.

## **2. AIMS OF THE POLICY**

This Policy seeks to establish a basis for the implementation of all relevant and applicable legislation case law and statutory instruments which is utilised in the decision making process on the provision of emergency housing.

The aim is to provide temporary aid and assistance in the form of basic municipal engineering services and/or shelter in emergency situations as elaborated upon hereunder to persons who are destitute and in desperate need and/or crisis situations.

Note that the provision of this type of assistance does not detract from the municipality's overall objectives in terms of section 26 of the "Constitution," and does not promote queue jumping in that the provision of this type of temporary assistance is limited to emergencies.

### 3. DEFINITIONS

In this Policy, the following words shall, unless otherwise stated or inconsistent with the context in which they appear, bear the following meanings<sup>1</sup>:

- |   |  |
|---|--|
| <b>3.1 Basic municipal engineering services</b> | Limited to potable water services, sanitation services, access roads and open lined storm water systems provided on a shared base in a dense settlement pattern;   |
| <b>3.2 Beneficiaries / Victims</b>              | Persons who are resident in the jurisdiction of the municipality and find themselves in an emergency and who are desperately poor, homeless and unable to address their housing emergency from own resources or from other resources such as willing relatives or friends; |
| <b>3.3 Budget</b>                               | The allocation of funds for emergency housing in any given financial year. These funds may differ from year to year;   |
| <b>3.4 Emergency sites</b>                      | Pieces of land in municipal ownership identified by Council from time to time for the provision of emergency housing.  |
| <b>3.5 Emergency / Disaster</b>                 | Disaster as contemplated under the Disaster Management Act (57 of 2002); Emergency as contemplated under the Disaster Management Act and called by the Disaster Management Department of Stellenbosch Municipality;  |

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<sup>1</sup> All definitions obtained and where necessary modified from WordWeb <http://wordweb.info/free/>

<b>3.6 Eviction / (Orders)</b>	An order granted by competent Court for an eviction. This document distinguishes between a formal eviction and an informal eviction, as explained in clause 3.9 and 3.10 hereunder;
<b>3.7 Evictee</b>	Person expelled or ejected without recourse to legal process or forced to move out by a legal process;
<b>3.8 Evictor</b>	Person expelling or ejecting another without recourse to legal process or forces another to move out by a legal process;
<b>3.9 Formal eviction</b>	Eviction in accordance with an eviction order from a competent Court;
<b>3.10 Informal eviction</b>	Persons are put out on the street without any Court proceedings or a judgement or an eviction order from a competent Court. (These evictions usually occur over weekends or at night)
<b>3.11 Informal dwelling<sup>2</sup></b>	A structure that is constructed with wood, iron, plastic or a combination of these materials, which does not meet the standards of safety in building and does not comply with the National Building Regulations. These structures can be found in backyards or in informal settlements;
<b>3.12 Municipality</b>	Stellenbosch Municipality;
<b>3.13 Meaningful engagement</b>	Municipality and representatives from both parties in the eviction matter negotiate the terms under

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<sup>2</sup> Modified. Original *defu* available at [www.capetown.gov.za/eu/stats/documents/informal%20Dwellings.htm](http://www.capetown.gov.za/eu/stats/documents/informal%20Dwellings.htm). Accessed 8 March 2016

	which the court judgement must be executed;
<b>3.14 Mediation</b>	The act of intervening for the purpose of bringing about a settlement.
<b>3.15 Policy</b>	The policy set out in this document as amended from time to time;
<b>3.16 Prescribed form</b>	The application form/affidavit attached to this Policy for emergency housing assistance <b>APPENDIX 1</b> ;
<b>3.17 Professionally declared</b>	The professional opinion and recommendation of a consultant or an official of Council who specialise in that field of expertise;
<b>3.18 Relocation</b>	The removal of people by the municipality from their place of residence to a suitable location in accordance with the prescribe(s) of various Court judgements;
<b>3.19 Report(s) to Court</b>	Municipality prepares a report for Court setting out the terms for meaningful engagement / mediation and/or the provision of alternative accommodation;
<b>3.20 Settlement Agreement</b>	Settlement Agreement is the agreement reached between the parties and is submitted as part of the Court proceedings;
<b>3.21 “Surprise” Eviction</b>	Where the evictee fails to inform the Municipality timeously of a formal eviction or when an informal eviction occurs over night or during a weekend without prior knowledge by the Municipality of said eviction;
<b>3.22 Temporary Relocation Area</b>	An area identified by Council where the persons affected by emergencies can be

accommodated on a temporary basis.

In this Policy words importing the masculine gender include the feminine and neuter genders and *vice versa*; the singular includes the plural and *vice versa*; and natural persons include artificial persons and *vice versa*.

#### 4. SCOPE, APPLICATION AND CRITERIA

This Policy will only apply to persons who are destitute and who find themselves in desperate need and/or crisis situations, such situations being referred to and defined below as “Emergencies”, and only these persons will qualify for temporary emergency housing assistance (TEPA) under this Policy.

**In the event of persons facing eviction, an eviction order must first be obtained from a competent Court before such persons will be assisted under this Policy.**

The purpose of this Policy is ***not to***:

- assist landowners, in the absence of legal eviction proceedings, with the provision of alternative accommodation for occupiers of their properties;
- provide alternative accommodation to occupiers where such responsibility is on the landowners;
- Promote or foster queue-jumping by persons not listed on the Municipality's ordinary waiting list for housing.

Assistance provided under this Policy will only be of a temporary nature, and is not intended to provide a permanent solution and should not be considered as such.

##### 4.1 Emergencies

An emergency exists when the Municipality, after application by the affected persons on the prescribed form, has confirmed that the persons affected qualify as a “Beneficiary”. Table 1 (below) is a non-exhaustive list of possible categories of emergency.

**Table 1: Categories of Emergency**

<b>Categories of Emergency</b>		<b>Competent Authority / Department / Directorate</b>
4.1.1	Destitute and homeless as a result of a <b>declared state of disaster</b> , where assistance is required, including cases where initial remedial measures have been taken in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002) by government, to alleviate the immediate crisis situation;	1. Disaster Management
4.1.2	Destitute and homeless as a result of a situation which is not declared as a disaster / emergency, but <b>destitution is caused by extraordinary occurrences</b> such as floods, strong winds, severe rainstorms and/or hail, snow, devastating fires, earthquakes and/or sinkholes or large disastrous industrial incidents;	2. Disaster Management
4.1.3	Or live in <b>professionally declared dangerous conditions</b> such as on land being prone to dangerous flooding, or land which is dolomitic, undermined at shallow depth, or prone to sinkholes or an a landfill site;	1. Planning & Economic Development 2. Engineering Services
4.1.4	Or live in the way of <b>engineering services</b> or proposed services such as those for water, sewerage, power, roads or railways, or in reserves established for any such purposes;	1. Engineering Services
4.1.5	Or are <b>legally evicted or threatened with imminent eviction</b> in accordance with a final eviction order from a competent Court from land or from unsafe buildings, or are in unsafe situations where based on professional advice warrants proactive steps ought to be taken to forestall such consequences;	1. Human Settlements in consultation with Legal Services
4.1.6	Or whose <b>homes are demolished</b> , or who are in situations where proactive steps ought to be taken to forestall such consequences;	1. Planning & Economic Development 2. Disaster Management 3. Law Enforcement
4.1.7	Or are displaced or threatened with imminent <b>displacements as a result</b>	1. Law Enforcement 2. Disaster Management



	<b>of a state of civil conflict or unrest,</b> or are in situations where pro-active steps ought to be taken to forestall such consequences;	3. Planning & Economic Development 4. Human Settlements in consultation with Legal Services
4.1.8	Or live in <b>professionally declared conditions that pose immediate threats to</b> life, health and safety and require emergency assistance; or	1. Engineering Services 2. Planning & Economic Development 3. Disaster Management

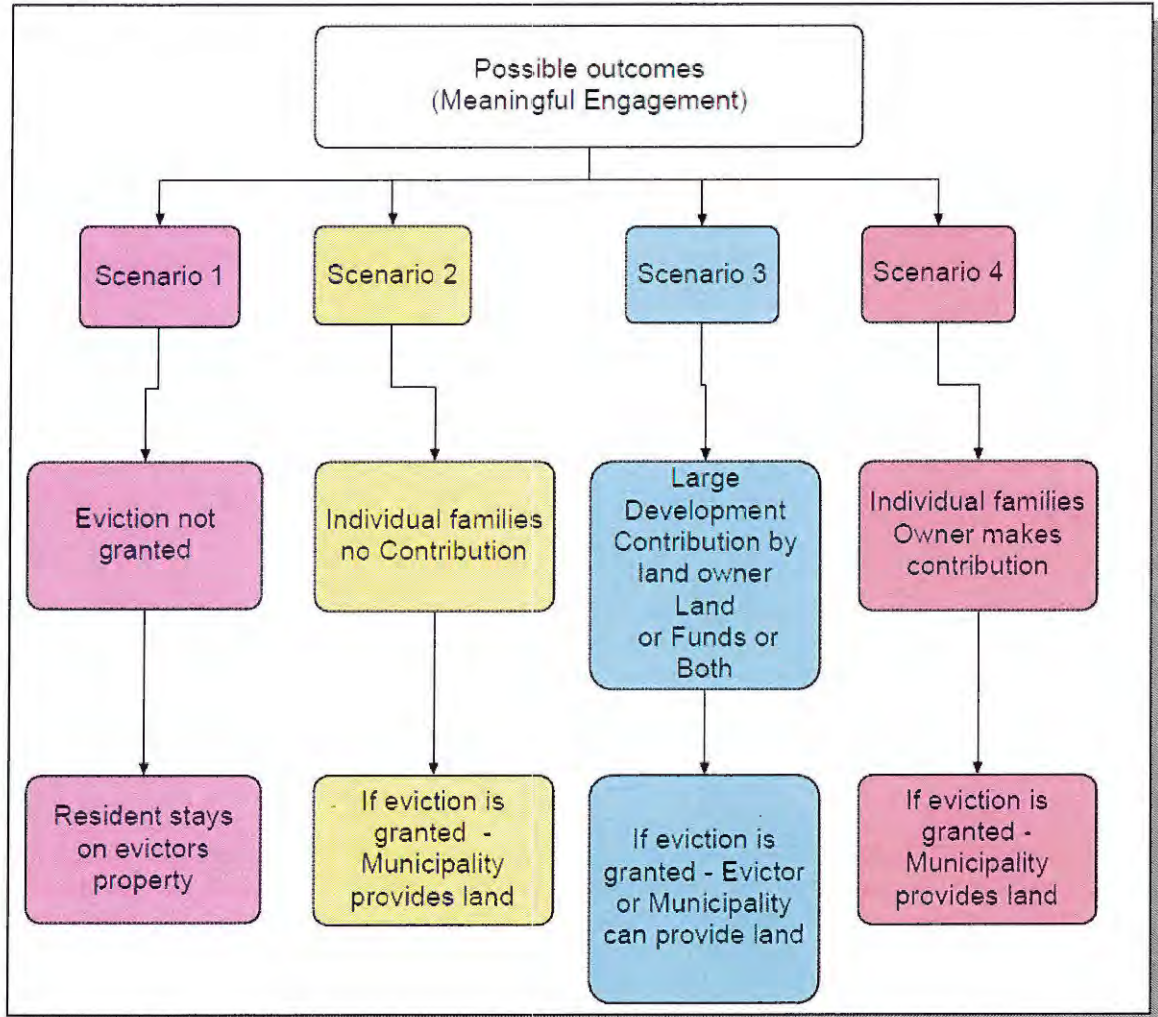
## 4.2 Meaningful engagement

The process of meaningful engagement was developed over time by various Court judgments to ensure that Municipalities are involved in the eviction process from an early stage. Therefor the purpose of the meaningful engagement process is to reduce the number of incidences where the municipality is “surprised” by a formal or informal eviction.

Effectively all parties negotiate the terms under which an eviction can occur and these terms eventually becomes the order of the court. In accordance with this process 4 scenarios are investigated, discussed and negotiated. The outcome of the meaningful engagement process becomes the order of the court.

*Fig 1: Meaningful Engagement (scenarios)*

5.



## **5. FUNDING / BUDGET**

- 5.1 The Municipality recognises that it has a shared obligation, within its available resources, to implement this Policy and will, within its available resources and insofar as is possible, assist those persons who require immediate assistance, in terms of this policy.
- 5.2 The Municipality will also apply for any/all possible funding available from outside sources.
- 5.3 An emergency revolving fund will be established in which all funds including funds obtained from the relevant National/Provincial department in terms of the relevant application; funds from other sources of the Municipality as well as external funding contributions received will be deposited in order to address the objectives of this Policy.

## **6. CATEGORIES OF ASSISTANCE**

Once an emergency has been declared by the relevant authority / Department / Directorate the Municipality provides various types and levels of assistance. Table 2 hereunder provides a non-exhaustive list of assistance. The list is compiled from observations by the ISD of assistance over the last 5 years.

**Table 2: Categories of Assistance**

Circumstance (category of emergency)	Type of assistance		By Whom / order of ascendance (delegation)	Example	
	Emergency Kit	Materials		Vehicle accidents all areas <sup>3</sup>	Fire / Flood
Declared Emergency by Disaster Management Department in accordance with the Disaster Management Act  Total destruction of structure	Enhanced Emergency Kit  Refer also clause 6.1 to clause 6.4 hereunder	Materials	1. Disaster Management  2. JOC  3. Council	Langrug Fire	Fire
Eviction Order	Wendy House	3x3, 6x3 or 9x3 structure, depending on family size  Note: 3 x 3 for single or couples with no dependents  3 x 6 families up to and including 5 individuals  3 x 9 families up to and including 10 individuals  Specifications determined from time to time.	1. Human Settlements in consultation with Legal Services  2. MM  3. Council	Kreefgat, Jamestown  Zone A, Kayamandi  Landfill	Fire  Fire  Eviction order
Relocation by Municipality	Wendy House	3x3, 6x3 or 9x3 structure, depending on family size  Note: 3 x 3 for single or couples with no dependents  3 x 6 families up to and including 5 individuals  3 x 9 families up to and including 10 individuals	1. JOC  2. Council  3. Legal Section	Kreefgat / 7de Laan, Jamestown  Zone A, Kayamandi  Landfill	Fire  Fire  Eviction order

<sup>3</sup> Taxis on a regular basis drive into informal structures

		Specifications determined from time to time.			
Evicted over weekend or at night	Community Halls		1. Disaster Management 2. Law Enforcement 3. Council		

The level of assistance by the municipality depends on various cases highlighted above and elaborated in above mentioned table.

The various categories of assistance provided under this Policy depend on the specific circumstances and are dictated by the specific situation, as the case may be. The various categories are the following:

**6.1 Accommodation kept in reserve for possible disasters / emergencies**

- This entails the accommodation of persons in community halls or other buildings designated for this purpose as a temporary measure.

**6.2 Temporary accommodation that is readily available**

- This entails the temporary accommodation of persons at any place as decided by Council from time to time.
- Persons assisted will be provided with a temporary residential unit of a dignified nature and have access to services, which may be communal.

**6.3 Transitional accommodation**

- This form of accommodation will be established under the relevant housing programme of national and provincial government by setting aside a minimum of 10% of the total number of sites for formal housing in human settlement projects, as identified and earmarked by the Municipality from time to time, or sites identified by the Municipality for emergency accommodation and applying for funding in this regard, depending on the need that may exist.
- Persons assisted will be provided with a structure that meets the requirements of the relevant chapter of the National Housing Code and have access to services, which may be communal.

**6.4 Shelters**

- This entails the temporary accommodation of persons at one of the shelters operated or funded by the Municipality; as showed in the above mentioned table.

It is in the discretion of the Municipality to determine which categories of assistance apply to specific persons and which category of assistance to use in a specific situation, depending on, and with reference and having regarded to, the specific circumstances of particular persons.

The assistance is only of a temporary nature and should not be considered as a permanent measure

The Municipality can and reserves the right to, in its discretion, temporarily move persons to another suitable site.

Any person assisted under this Policy will be required to enter into an agreement with the Municipality in order to regulate the terms and conditions of such person's accommodation, in particular the temporary nature thereof and any ancillary and/or related obligations.

## **7. SHORT TITLE AND COMMENCEMENT**

This policy is the only document of Council/Municipality that regulates Emergency Housing needs and shall be called **Emergency Housing Assistance Policy (EHAP)** and shall come into operation on the date of the final adoption by Council.

# **APPENDIX 2**



STELLENBOSCH MUNICIPALITY ~~DRAFT~~ REVISED EMERGENCY HOUSING  
ASSISTANCE POLICY

1. INTRODUCTION

The Municipality recognises that it has a shared obligation in terms of, among others, section 26(2) of the Constitution of the Republic of South Africa, 1996, Act 108 of 1996 (the Constitution) to take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of the right to have access to adequate housing.

The Municipality further recognises its shared obligation to assist persons who are destitute, in desperate need and crisis situations.

In fulfilment of these obligations the Municipality must endeavour to have a coherent program or policy in place within its available resources to assist persons who are destitute, in desperate need and crisis situations.

This Policy is implemented in furtherance and fulfilment of the Municipality's shared obligations in terms of the Constitution, ~~and~~ other relevant legislation, ~~as well as~~ related statutory instruments and case law to provide temporary assistance to persons who are destitute and in desperate need and/or crisis situations and to lay down guidelines in this regard.

The principles outlined in this Policy will be incorporated into the housing strategy/plan of the Municipality.

The Municipality in terms of this ~~P~~policy aims to express ~~itself~~ themselves on only emergency housing assistance which is a facet of the Housing Plan of Stellenbosch Municipal Council. It is thus clear that this policy of the National Housing Code only governs provision of housing in emergency circumstances described in Chapter 12, which is not tantamount to the progressive realisation of housing for all inhabitants.

2. AIMS OF THE POLICY

This ~~P~~policy seeks to establish a basis for the implementation of all relevant and applicable legislation case law and statutory instruments which is utilised in the decision making process on the provision of emergency housing.

The aim is to provide temporary aid and assistance in the form of basic municipal engineering services and/or shelter in emergency situations as elaborated upon



hereunder to persons who are destitute and in desperate need and/or crisis situations.

Note that the provision of this type of assistance does not detract ~~form from~~ the ~~municipalities~~ ~~municipality's~~ overall objectives in terms of section 26 of the "Constitution," and does not promote queue jumping in that the provision of this type of temporary assistance is limited to emergencies.

### 3. DEFINITIONS

In this Policy, the following words shall, unless otherwise stated or inconsistent with the context in which they appear, bear the following ~~meanings~~ ~~meanings~~<sup>1</sup>:

- |  |  |
|--|--|
| 3.1 "Basic municipal engineering services" | <u>L</u> imited to <u>portable-potable</u> water services, sanitation services, access roads and open lined storm water systems provided on a shared base in a dense settlement pattern;   |
| 3.2 <u>Beneficiaries / Victims</u> "       | <u>P</u> ersons who are resident in the jurisdiction of the municipality and find themselves in an emergency and who are desperately poor, homeless and unable to address their housing emergency from own resources or from other resources such as willing relatives or friends; |
| <u>3.3 "Budget"</u>                        | <u>The allocation of funds for emergency housing in any given financial year. These funds may differ from year to year;</u>  |
| <u>3.4 "Emergency sites</u>                | <u>Pieces of land in municipal ownership identified by Council from time to time for the provision of emergency housing.</u>   |
| <u>3.5 "Emergency / Disaster"</u>          | <u>Disaster as contemplated under the Disaster Management Act (57 of 2002); Emergency as contemplated under the Disaster Management Act and called by the Disaster Management</u>  |

<sup>1</sup> All definitions obtained and where necessary modified from WordWeb <http://wordweb.info/free/>

Department of Stellenbosch  
Municipality;

<u>3.6 "Eviction / (Orders)"</u>	<u>An order granted by competent Court for an eviction. This document distinguishes between a formal eviction and an informal eviction, as explained in clause 3.9 and 3.10 hereunder;</u>
<u>3.7 Evictee</u>	<u>Person expelled or ejected without recourse to legal process or forced to move out by a legal process;:-</u>
<u>3.8 Evictor</u>	<u>-Person expelling or ejecting another without recourse to legal process or forces another to move out by a legal process;:-</u>
<u>3.786 "F3.9 Formal eviction"</u>	<u>Eviction in accordance with an eviction order from a competent Court;</u>
<u>3.103.886 " Informal eviction –eviction timing"</u>	<u>Persons are put out on the street without any Court proceedings or a judgement or an eviction order from a competent Court. (These evictions usually occur over weekends or at night)</u>
<u>3.11 Informal dwelling<sup>2</sup></u>	<u>A structure that is constructed with wood, iron, plastic or a combination of these materials, which does not meet the standards of safety in building and does not comply with the National Building Regulations. These structures can be found in backyards or in informal settlements;:-</u>
<u>3.123.793-"Municipality"</u>	<u>Stellenbosch Municipality;</u>

<sup>2</sup> Modified. Original defu available at [www.capetown.gov.za/eu/stats/documents/informal%20Dwellings.htm](http://www.capetown.gov.za/eu/stats/documents/informal%20Dwellings.htm). Accessed 8 March 2016

<del>3.83.13</del> <u>Meaningful engagement</u>	<u>Municipality and representatives from both parties in the eviction matter negotiate the terms under which the court judgement must be executed;</u>
<del>3.93.14</del> <u>Mediation</u>	<u>The act of intervening for the purpose of bringing about a settlement.</u>
<del>3.815</del> <u>Policy</u>	<u>The policy set out in this document as amended from time to time;</u>
<del>3.106</del> <u>Prescribed form</u>	<u>The application form/affidavit attached to this Policy for emergency housing assistance</u> <u>APPENDIX 1;</u>
<del>3.147</del> <u>Professionally Declared</u>	<u>The professional opinion and recommendation of a consultant or an official of Council who specialise in that field of expertise;</u>
<del>3.104</del> <u>"Policy"</u>	<u>The policy set out in this document, as amended from time to time;</u>
<del>3.115</del> <u>"Prescribed form"</u>	<u>The application form/affidavit attached to this Policy for emergency housing assistance.</u>
<del>3.126</del> <u>"Professionally Declared"</u>	<u>The professional opinion and recommendation of a consultant who specialise in that field of expertise.</u>
<del>3.13128</del> <u>"Relocation"</u>	<u>The removal of people by the municipality from their place of residence to a suitable location in accordance with the prescribe(s) of various Court judgements;</u>
<del>3.193</del> <u>Report(s) to eCourt</u>	<u>Municipality prepares a report for eCourt setting out the terms for meaningful engagement / mediation and/or the provision of alternative accommodation;</u>

<u>3.14 "Meaningful engagement"</u>	<u>Municipality and representatives from both parties negotiate the terms under which the court judgement must be executed.</u>
<u>3.15 "Evictee"</u>	<u>Person expelled or ejected without recourse to legal process or forced to move out by a legal process. Person applying for the eviction order.</u>
<u>3.16 "Evictedor"</u>	<u>Person to be removed from; property. Person expelling or ejecting another without recourse to legal process or forces another to move out by a legal process.</u>
<u>3.17420 "Settlement Agreement too"</u>	<u>Settlement Agreement is the agreement reached between the parties and is submitted as part of the Court proceedings;</u>
<u>3.21 "Surprise" Eviction</u>	<u>Where the evictee fails to inform the Municipality timeously of a formal eviction or when an informal eviction occurs over night or during a weekend without prior knowledge by the Municipality of said eviction;</u>
<u>3.22 Temporary Relocation Area</u>	<u>An area identified by Council where the persons affected by emergencies can be accommodated on a temporary basis.</u>
<u>3.18 "Report to court"</u>	<u>Municipality prepares a report for court setting out terms of meaningful engagement.</u>
<u>3.19 Mediation</u>	<u>The act of intervening for the purpose of bringing about a settlement.</u>

In this Policy words importing the masculine gender include the feminine and neuter genders and *vice versa*; the singular includes the plural and *vice versa*; and natural persons include artificial persons and *vice versa*.

#### 4. SCOPE, APPLICATION AND CRITERIA

This Policy will only apply to persons who are destitute and who find themselves in desperate need and/or crisis situations, such situations being referred to and defined below as "Emergencies", and only these persons will qualify for temporary emergency housing assistance (TEPA) under this Policy.

**In the event of persons facing eviction, an eviction order must first be obtained from a competent eCourt before such persons will be assisted under this Policy.**

The purpose of this Policy is **not to:**

- assist landowners, in the absence of legal eviction proceedings, with the provision of alternative accommodation for occupiers of their properties;
- provide alternative accommodation to occupiers where such responsibility is on the landowners;
- Promote or foster queue-jumping by persons not listed on the Municipality's ordinary waiting list for housing.

Assistance provided under this Policy will only be of a temporary nature, and is not intended to provide a permanent solution and should not be considered as such.

##### 4.1 "Emergencies"

An emergency exists when the Municipality, after application by the affected persons on the prescribed form, has confirmed that the persons affected qualify as a "Beneficiary". Table 1 (below) is a non-exhaustive list of possible categories of emergency.

Where such a beneficiary have become:

**Table 1: Categories of Emergency**

<b>Emergencies Categories of Emergency</b>		<b>Competent Authority / Department / Directorate</b>
4.1.1	Or destitute and homeless as a result of a <b>declared state of disaster</b> , where assistance is required, including cases where initial remedial measures have been taken in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002) by government, to alleviate the immediate crisis situation;	1. Disaster Management Department
4.1.2	Or destitute and homeless as a result of a situation which is not declared as a disaster / emergency, but <b>destitution is caused by extraordinary occurrences</b> such as floods, strong winds, severe rainstorms and/or hail, snow, devastating fires, earthquakes and/or sinkholes or large disastrous industrial incidents;	2. Disaster Management Department
4.1.3	Or live in <b>professionally declared dangerous conditions</b> such as on land being prone to dangerous flooding, or land which is dolomitic, undermined at shallow depth, or prone to sinkholes or an a landfill site;	1. Department of Planning and Economic Development 2. Engineering Services Development Engineering Services
4.1.4	Or live in the way of <b>engineering services</b> or proposed services such as those for water, sewerage, power, roads or railways, or in reserves established for any such purposes;	1. Engineering Services
4.1.5	Or are <b>legally evicted or threatened with imminent eviction</b> in accordance with a final eviction order from a competent Court from land or from unsafe buildings, or are in unsafe situations where based on professional advice warrants proactive steps ought to be taken to forestall such consequences;	1. Human Settlements in consultation with Legal Department Services
4.1.6	Or whose <b>homes are demolished</b> , or who are in situations where proactive steps ought to be taken to forestall	1. Department of Planning and Economic Development

	such consequences;	<a href="#">2. Disaster Management</a> <a href="#">3. Law Enforcement</a>
4.1.7	Or are displaced or threatened with imminent <b>displacements as a result of a state of civil conflict or unrest</b> , or are in situations where pro-active steps ought to be taken to forestall such consequences;	<a href="#">1. Law Enforcement</a> <a href="#">2. Disaster Management</a> <a href="#">3. Planning &amp; Economic Development</a> <a href="#">4. Human Settlements in consultation with Legal Services<sup>[JR2]</sup></a> <a href="#">2. &amp; Dev</a>
4.1.8	Or live in <b>professionally declared conditions that pose immediate threats to life, health and safety</b> and require emergency assistance; or	<a href="#">1. Engineering Services</a> <a href="#">2. Planning &amp; Economic Development</a> <a href="#">3. Disaster Management</a>

~~4.1.1—destitute and homeless as a result of a **declared state of disaster**, where assistance is required, including cases where initial remedial measures have been taken in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002) by government, to alleviate the immediate crisis situation;~~

~~4.1.2—destitute and homeless as a result of a situation which is not declared as a disaster / emergency, but **destitution is caused by extraordinary occurrences** such as floods, strong winds, severe rainstorms and/or hail, snow, devastating fires, earthquakes and/or sinkholes or large disastrous industrial incidents;~~

~~4.1.3—Or live in **professionally declared dangerous conditions** such as on land being prone to dangerous flooding, or land which is dolomitic, undermined at shallow depth, or prone to sinkholes or an a landfill site;~~

#### 4.2– Meaningful engagement (PTO)

~~4.1.4—Or live in the way of **engineering services** or proposed services such as those for water, sewerage, power, roads or railways, or in reserves established for any such purposes;~~

- 4.1.5 Or are **legally evicted or threatened with imminent eviction** in accordance with a final eviction order from a competent Court from land or from unsafe buildings, or are in unsafe situations where based on professional advice warrants pro-active steps ought to be taken to forestall such consequences;
- 4.1.6 Or whose **homes are demolished**, or who are in situations where proactive steps ought to be taken to forestall such consequences;
- 4.1.7 Or are displaced or threatened with imminent **displacements as a result of a state of civil conflict or unrest**, or are in situations where pro-active steps ought to be taken to forestall such consequences;
- 4.1.8 Or live in **professionally declared conditions that pose immediate threats to life, health and safety** and require emergency assistance; or

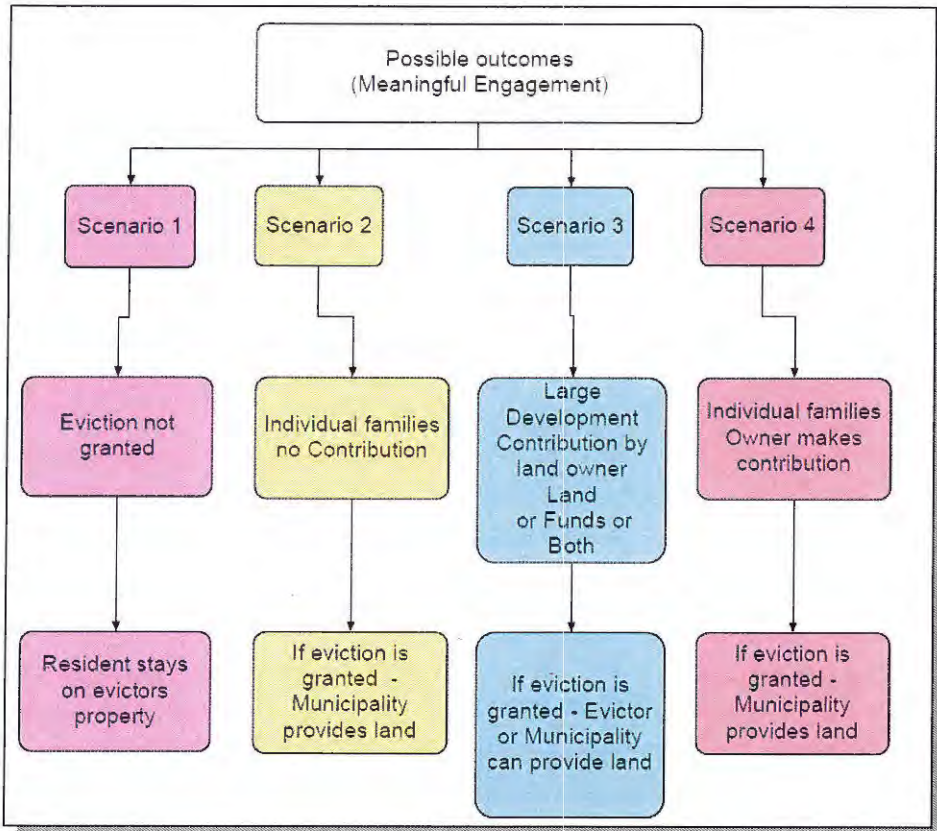
Meaningful engagement (PTO)

The process of meaningful engagement was developed over time by various Court judgments to ensure that Municipalities are involved in the eviction process from an early stage. Therefore the purpose of the meaningful engagement process is to reduce the number of incidences where the municipality is "surprised" by a formal or informal with and eviction.

Effectively all parties negotiate the terms under which an eviction can occur and these terms eventually becomes the order of the court. In accordance with this process 34 options scenarios are investigated, discussed and negotiated. The outcome of the meaningful engagement process becomes the order of the court.

Fig 1: Meaningful Engagement (scenarios)







5 / BUDGET

- 5.1 The Municipality recognises that it has a shared obligation, within its available resources, to implement this Policy and will, within its available resources and insofar as is possible, assist those persons who require immediate assistance, in terms of this policy.
- 5.2 The Municipality will also apply for any/all possible funding available from outside sources.
- 5.3 An emergency revolving fund will be established in which all funds including funds obtained from the relevant ~~n~~National/~~p~~Provincial department in terms of the relevant application; funds from other sources of the Municipality as well as external funding contributions received will be deposited in order to address the objectives of this Policy.

## 6. CATEGORIES OF ASSISTANCE

Once an emergency has been declared by the relevant authority / Department / Directorate the Municipality provides various types and levels of assistance. Table 2 hereunder provides a non-exhaustive list of assistance. The list is compiled from observations by the ISD of assistance over the last 5 years.

Table 2: Categories of Assistance

<b>CATEGORIES OF ASSISTANCE</b>					
<u>Circumstance (category of emergency)</u>	<u>Product / Materials Type of assistance</u>		<u>By Whom / order of ascendance (delegation)</u>	<u>Example</u>	
<u>Minimal structural damage (at most)</u>	<u>Emergency Kit</u>	<u>Materials</u> <u>Zinc sheets &amp; plastic</u> <u>2. wood &amp; nails</u>	<u>1. Disaster Management</u>	<u>Fire / Flood Vehicle accidents all areas<sup>3</sup></u>	<u>Fire / Flood</u>
<u>Declared Emergency by Disaster Management Department in accordance with the Disaster Management Act</u> <u>Total destruction of structure</u>	<u>Enhanced Emergency Kit</u> <u>Refer also clause 6.1 to clause 6.4 hereunder</u>	<u>Materials</u>	<u>1. Disaster Management</u> <u>2. JOC</u> <u>3. Disaster Management Council</u>	<u>Langrug Fire</u>	<u>Fire</u>
<u>Eviction Order</u>	<u>Wendy House</u>	<u>3x3, 6x3 or 9x3 structure, depending on family size</u> <u>Note: 3 x 3 for single or couples with no dependents</u> <u>3 x 6 families up to and including 5 individuals</u> <u>3 x 9 families up to and including 10 individuals</u> <u>Specifications determined from time to time.</u>	<u>1. Human Settlements in consultation with Legal(JR3) Services</u> <u>2. MM</u> <u>3. Council</u>	<u>Kreefgat, Jamestown</u> <u>Zone A, Kayamandi</u> <u>Landfill</u>	<u>Fire</u> <u>Fire</u> <u>Eviction order</u>
<u>Relocation by Municipality</u>	<u>Wendy House</u>	<u>3x3, 6x3 or 9x3 structure, depending on family size</u> <u>Note: 3 x 3</u>	<u>1. JOC</u> <u>2. Disaster Management</u>	<u>Kreefgat / 7de Laan, Jamestown</u> <u>Zone A.</u>	<u>Fire</u>

<sup>3</sup> Taxis on a regular basis drive into informal structures

		<u>for single or couples with no dependents</u> <u>3 x 6 families up to and including 5 individuals</u> <u>3 x 9 families up to and including 10 individuals</u> <u>Specifications determined from time to time.</u>	<u>Council</u> <u>3.</u> <u>Legal Section</u>	<u>Kayamandi</u> <u>Landfill</u>	<u>Fire</u> <u>Eviction order</u>
<u>Evicted over weekend or at night</u>	<u>Community Halls</u>		<u>JOC</u> <u>1.</u> <u>Disaster Management</u> <u>2. Law Enforcement</u> <u>3.</u> <u>Council</u>		

The level of assistance by the municipality depends on various cases highlighted above and elaborated in above mentioned table.

## 6. CATEGORIES OF ASSISTANCE

The various categories of assistance provided under this Policy depend on the specific circumstances and are dictated by the specific situation, as the case may be. The various categories are the following:

### 6.1

#### Accommodation kept in reserve for possible disasters / emergencies

##### (a) accommodation kept in reserve for possible disasters

- This entails the accommodation of persons in community halls or other buildings designated for this purpose as a temporary measure.

##### • 6.2 Temporary accommodation that is readily available

##### (b) temporary accommodation that is readily available

- This entails the temporary accommodation of persons at any place as decided by Council from time to time.
- Persons assisted will be provided with a temporary residential unit of a dignified nature and have access to services, which may be communal.

### 6.3 Transitional accommodation

#### (c) transitional accommodation (formal)

- This form of accommodation will be established under the relevant housing programme of national and provincial government by setting aside a minimum of 10% of the total number of sites for formal housing in human settlement projects, as identified and earmarked by the Municipality from time to time, or sites identified by the Municipality for emergency accommodation and applying for funding in this regard, depending on the need that may exist.
- Persons assisted will be provided with a structure that meets the requirements of the relevant chapter of the National Housing Code and have access to services, which may be communal.

### 6.4 Shelters

#### (d) Shelters (informal)

- ~~this~~This entails the temporary accommodation of persons at one of the shelters operated or funded by the Municipality; as showed in the above mentioned table.

It is in the discretion of the Municipality to determine which categories of assistance apply to specific persons and which category of assistance to use in a specific situation, depending on, and with reference and having regarded to, the specific circumstances of particular persons.

The assistance is only of a temporary nature and should not be considered as a permanent measure

The Municipality can and reserves the right to, in its discretion, temporarily move persons to another suitable site.

Any person assisted under this Policy will be required to enter into an agreement with the Municipality in order to regulate the terms and conditions of such person's accommodation, in particular the temporary nature thereof and any ancillary and/or related obligations.

## 7. SHORT TITLE AND COMMENCEMENT

This policy is the only document of Council/Municipality that regulates Emergency Housing needs and shall be called **Emergency Housing Assistance Policy (EHAP)** and shall come into operation on the date of the final adoption by Council.

**7.5 IMPROVING MUNICIPAL FINANCES**

*File number* : 8/1/Financial  
*Report by* : Chief Financial Officer  
*Compiled by* : Chief Financial Officer  
*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**

Previously Council resolved that a report must serve at Council how financial sustainability can be improved. Specifically the resolution required the following points for discussion:

- (i) increasing revenue from alternative and existing sources, which include social housing rental stock, historical properties as well as all other land holdings of the municipality;
- (ii) recommending financial savings through the effective use of office accommodation; and
- (iii) any other recommendations that the Administration deems fit to increase revenue and to improve financial efficiencies to ensure the financial viability of the organization

**2. DISCUSSION**

- (i) Increasing revenue from alternative and existing sources, which include social housing rental stock, historical properties as well as all other land holdings of the municipality;
- a) Currently the Municipality owned rental flats runs at a loss. The Directorate of Human Settlements recently substantially completed the interviewing of the occupants of the municipal properties. From this an "interim report on the audit of legal occupation of public rental municipal flats" served at the Council meeting of 27 January 2016.

The report indicated that there are cases of transferred tenancy and alleged illegal occupancy. 23 cases were referred to the Legal Department for action.

- 
- b) It is clear that many tenants cannot afford the rentals, because of limited income. This situation is one of the reasons for escalating outstanding debt. The Director: Human Settlements & Property Management will submit an Item shortly which will recommend a lower rental tariff structure to support these cases which will improve the escalating debt situation.
- c) This reduced rental structure will put more pressure on the financial sustainability of the 607 municipal flats.
- d) Possible solutions could include:
- Outsourcing the management of the flats
  - Move single elder occupants to single units and rent out larger units at higher rates
  - Test the market for developers who might be interested to manage the flats for the exchange to obtain the rights to build another flat on municipal property to let at market related rates to cross-subsidise the current municipal social service delivery of providing housing at a financial loss.
- e) Stellenbosch Municipality is fortunate to own historical rich properties like the Voorgelegen and Rhenish complex and the Dorp Street flats. However, these properties are expensive to maintain and it is debatable if these properties are optimally utilised to the wider benefit of the community. Finance proposes for the market to be tested for developers' proposals to enhance the use of these properties on terms set by Council.
- f) The revision of the Integrated Zoning Scheme will promote densification and increase revenue sources and improve the effective use of municipal infrastructure.
- g) The airfield can be extended to enhance the pillar of "Preferred investment destination" and cater for private jets as well.
- h) Catalytic projects to the Transit Orientated Development on Municipal property which will promote integration; densification; the use of non-motorised transport and the effective use of infrastructure.
- i) Synergies with District Municipal property like to the Fire Station.
- j) Forestry and associated potential can be explored.
- k) Synergies of sport facilities with the university's facilities can be explored where Stellenbosch is a popular sport destination.
- l) The management of the Town Hall can be outsourced to improve revenue.
- m) The Immovable Property Policy should be considered,
- n) Project managers have been identified to support various property development projects.

- (i) **Recommending financial savings through the effective Use of office accommodation**
- a) It is debatable if the current use for office space (both owned and rented) is optimal. It must be noted that converting the owned property will not provide all the required office space. It is also not always practical due to the historical nature of the owned property and conversions are also costly.
  - b) It is therefore possible that a private developer may develop an office building that is fit for purpose and improve customer interface and experience more cost effectively. Finance proposes for the market to be tested for developers' proposal to develop municipal offices and lease back to Council for a number of years on terms set by Council.
- (ii) **Any other recommendations that the Administration deems fit to increase revenue and to improve financial efficiencies to ensure the financial viability of the organization.**
- a) Various ongoing initiatives are taking place to improve efficiencies;
  - b) The new Policy on Development Charges will increase the revenue;
  - c) The new valuation roll which will come into effect on 1 July 2017 should improve revenue;
  - d) GIS was implemented and the Billing Viewer links accounting data spatially with erven. This should provide the administration with visual analyses of revenue anomalies;
  - e) A service provider will be procured to project manage Revenue Enhancement;
  - f) New CATS meter readers were procured which can take photographs where access could not be obtained or where building work is in progress. This can be linked per GIS and compared to accounting data and Building Plan approvals which can improve revenue from interim valuations;
  - g) Implement subsidy housing projects through Turnkey Developers to mitigate implementation risks;
  - h) On 2 March 2016 there was a presentation by Province about Fleet Management which might provide a part solution to fleet management;
  - i) A project manager is identified to support the fleet management function;
  - j) A project manager is identified to support organization alignment.



**RECOMMENDED**

that the report, be noted.

**(CHIEF FINANCIAL OFFICER TO ACTION)**

**FINANCE AND STRATEGIC AND CORPORATE SERVICES COMMITTEE:  
2016-03-08: ITEM 6.1.1****RECOMMENDED**

- (a) that the report be noted; and
- (b) that a Working Committee consisting of the Directors be established by the Municipal Manager to consider the content of the item and to submit a preliminary implementation report to the Finance and Strategic and Corporate Services Committee Meeting scheduled for the June 2016 cycle of Council.

**(MUNICIPAL MANAGER TO ACTION)**

**MAYORAL COMMITTEE MEETING: 2016-03-23: ITEM 5.1.6****RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that the report on Improving Municipal Finances, be noted; and
- (b) that a Working Committee consisting of the Directors be established by the Municipal Manager to consider the content of the item and to submit a preliminary implementation report to the Finance and Strategic and Corporate Services Committee Meeting scheduled for the June 2016 cycle of Council.

**(MUNICIPAL MANAGER TO ACTION)**

**8. CONSIDERATIONS OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED BY THE MUNICIPAL MANAGER**

**8.1 UNIVERSAL ACCESS POLICY FRAMEWORK**

*File number* : 4/P/16

*Report by* : Director: Planning and Economic Development

*Compiled by* : Manager: Community Development

*Delegated Authority* : Council

**Strategic intent of item**

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

**1. PURPOSE OF REPORT**

To ask Council to approve the attached draft Disability Policy (**APPENDIX 1**) in order to advertise said Policy for public comment.

**2. BACKGROUND**

In terms of the United Nations Convention on the Rights of Persons with Disabilities 'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others'. The same document also speaks of disability being an evolving concept and that disability results from the interaction between people with impairments and the attitudinal and environmental barriers that hinder full and effective participation in society on an equal basis.

**3. DISCUSSION**

In drafting the policy the following process was followed:

Guidance was taken from the external disability policy from City of Cape Town. The concept document was discussed with a consultant in the field of disability employment and policy development from Altitude Supported Employment.

Introduction session with the Stellenbosch Disability Network on the meeting held on 4 March 2015. The policy was then send electronically to the network and was also made available to persons with sight impairments through the US to comment on the policy by 20 March 2015.

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Internal discussions with a focus on the deliverables per directorate was concluded to finalize the first year's deliverables to be approved as part of the policy and to clarify the roles of the internal line departments.

**4. LEGAL DEPARTMENT**

The draft item is supported subject to confirmation of availability of budget by the Finance Department for the implementation of the policy. (Comment emailed 2015-08-12).

**5. FINANCIAL IMPLICATION**

Implementation will be subject to budget prioritization (Comment emailed 2015-07-30).

**RECOMMENDED**

- (a) that the draft Disability Policy, be approved, in principle; and
- (b) that the draft Disability Policy be advertised for public comment whereafter same be resubmitted to Council for final consideration and subsequent approval.

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

**PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE: 2015-10-06: ITEM 5.1.1**

**RECOMMENDED**

- (a) that the draft Disability Policy, be approved, in principle; and
- (b) that the draft Disability Policy be advertised for public comment whereafter same be resubmitted to Council for final consideration and subsequent approval.

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

**MAYORAL COMMITTEE MEETING: 2015-10-21: ITEM 5.1.1**

**RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that the draft Disability Policy, be approved, in principle; and
- (b) that the draft Disability Policy be advertised for public comment whereafter same be resubmitted to Council for final consideration and subsequent approval.

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

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**35<sup>TH</sup> COUNCIL MEETING: 2015-10-28: ITEM 7.2****RESOLVED** (nem con)

- (a) that the draft Disability Policy, be approved, in principle;
- (b) that the draft Disability Policy be advertised for public comment whereafter same be resubmitted to Council for final consideration and subsequent approval; and
- (c) that Council agree that all Directors be held accountable through their KPI's to employ more people with disability in line with the Employee Equity Policy and Plan.

**(DIRECTOR: PLANNING AND ECONOMIC  
DEVELOPMENT TO ACTION)****FURTHER COMMENTS BY THE DIRECTOR PLANNING AND ECONOMIC  
DEVELOPMENT**

The said "Disability Policy Framework" was advertised for public comment in the Kasi Vision Boland (13/11/2015) and Stellenbosch Gazette (17/11/2015) in three languages attached hereto as **APPENDIX 2**.

Comments were received from three sources, attached hereto as **APPENDIX 3**.

Comment 1: Stellenbosch Hospice - refers to **sidewalks** in Stellenbosch. Send to Engineering Services for comment. The following comment was received:

"The utilization of the sidewalks is covered in the By-law on Streets which states that no works can be done in the road reserve without the Municipalities approval. It further states that no tree or shrub may be planted in a street without the Municipalities written permission. It is therefore not necessary to include it in the Disability Policy. Gardening on sidewalks contribute to the beautification of the road reserve and should be encouraged where it does not interfere with services and where space allow for gardens and adequate sidewalk space for non-motorized transport users.

The comment of Mrs. M Wilken is noted and sidewalk access space will be managed on an ad hoc basis."

Comment 2: Altitude Supported Employment – refers to Stellenbosch Municipality **employment target** of persons with disability and inclusion in all directors' performance agreements. Included in the policy.

Comment 3: Universal Design Africa (UDA) – refers to acceptance of **Universal Design principles** and broadening of policy to include all persons with diverse needs which will include persons with disability, but also other vulnerable groups. The comments provided by UDA have far reaching consequences as it suggest a philosophical and name change to the policy. The proposed changes suggest a much wider reach for the policy as it will affect not only persons with disability, but also any person with diverse needs/requirements in doing business with the municipality, affected by the type of services the municipality delivers and how those services are delivered. Incorporating and accepting Universal Access and Universal Design will lead to Stellenbosch

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Municipality being one of the leading and most progressive municipalities regarding the approach we follow to deliver services.

A consequence of the suggested changes is that the policy has changed in essence and in name and should therefore be re-advertised for public comment.

Incorporated comments can be found in said policy with track changes (**APPENDIX 4**) for ease of reference and attention of council.

**38TH COUNCIL MEETING: 2016-02-24: ITEM 8.2**

**RESOLVED (nem con)**

- (a) that Council approve the draft Universal Access Policy Framework as per **APPENDIX 4** with incorporation of the comments submitted by the public in principle; and
- (b) that the draft Universal Access Policy Framework be advertised for public comment whereafter same be resubmitted to Council for final consideration and subsequent approval.

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

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

The said "Disability Policy Framework" was advertised for public comment in the Stellenbosch Gazette (08/03/2016) and Eikestad Nuus (10/03/2016) in three languages attached hereto as **APPENDIX 5 a and b**. The draft policy was also distributed through the Stellenbosch Disability Network via email.

Comment was received from the Stellenbosch University Disability Unit attached as **APPENDIX 6**. The comments relating to terminology and the section on mainstreaming of Universal Access across all directorates were included in the policy.

Incorporated comments can be found in said policy with track changes (**APPENDIX 7**) for ease of reference and attention of council.

**RECOMMENDED**

that Council approve the Universal Access Policy Framework as per **APPENDIX 7** with incorporation of the comments submitted by the public.

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

# **APPENDIX 1**



# Stellenbosch Municipality

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## Disability Policy Framework

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## EXECUTIVE SUMMARY

South African Social Security Agency: Social Grants to persons with disability in Stellenbosch as at 17 August 2015. A total of 1 563 Disability related grants are paid out to persons within WC024. This does not reflect the total number of persons with disability, but the persons dependant on government support and grants paid per pay-point.

Care Dependency	146	Disability Grant	1224	Grant in Aid	193
Stellenbosch	47	Stellenbosch	439	Stellenbosch	74
Franschhoek	45	Franschhoek	263	Franschhoek	49
Klapmuts	34	Klapmuts	335	Klapmuts	37
Pniel	7	Pniel	103	Pniel	22
Vlottenburg	6	Vlottenburg	42	Vlottenburg	4
La Motte	4	La Motte	14	La Motte	1
Lynedoch	2	Lynedoch	15	Lynedoch	2
Jamestown	1	Jamestown	13	Jamestown	4

Sensus stats: Although difficult to define what is meant by the description the following statistics were able to be extracted in May 2015 from StatsSA.

Category Disability WC024	%
Communication disability	0.4
Hearing disability	0.1
Seeing	0.6
Self-care disability	1.7
Remembering disability	0.4
Walking or Climbing Stairs disability	0.5
Walking stick or frame	2.3
Wheelchair	1.9
TOTAL	7.9

Statistics for Stellenbosch Municipal Area on mental health and/or disability was not obtainable. However from the above statistics it is clear that 7.9% of Stellenbosch citizens according to the 2010 Census information is affected by some form of disability. It is therefore necessary for Stellenbosch Municipality to ensure that the services offered by the municipality to the citizens take cognisance of this fact and ensure that services are rendered in such a way that inclusion of all citizens are ensured.

### Stellenbosch Disability Network:

The first meeting of the Stellenbosch Disability Network was held on 29 October 2014. The membership currently stands on 13, but the meetings are attended by up to 25 different organizations and individuals representing disabled persons in Stellenbosch. The purpose of the forum is to network and share information, but to also approach awareness programmes as a collective to highlight issues affecting persons with disability and to avoid duplication of services and rivalry for funding. This network is then also the forum for consultation on issues of disability.

Network members are the following:

<b>Member Name</b>	<b>Type of Member</b>
Altitude Supported Employment	Private Service Provider
Jeremy Hazell	Consultant
Dorothea School	Education Provider
Franschhoek Hospice	Registered Non-profit
Helderberg Association for Persons with Disabilities	Registered Non-profit
ParaVolley SA	Sport Club
PhysiFun	Private Sector Provider & Educator
Senecio	Registered Non-profit
Stellenbosch Municipality	Local Government
Stellenbosch University: Office for Students with Special Learning Needs	Education Provider
VGK Cloetesville	Religious Institution – family support
Leandi Sadie	Consultant
Western Cape Department of Local Government	Provincial Government

In drafting the policy the following process was followed:

Guidance was taken from the external disability policy from City of Cape Town. The concept document was discussed with a consultant in the field of disability employment and policy development from Altitude Supported Employment.

Introduction session with the Stellenbosch Disability Network on the meeting held on 4 March 2015. The policy was then send electronically to the network and was also made available to persons with sight impairments through the US to comment on the policy by 20 March 2015.

Internal discussions with a focus on the deliverables per directorate were concluded to finalize the first year's deliverables to be approved as part of the policy and to clarify the roles of the internal line departments.

## **1. LEGISLATIVE FRAMEWORK**

The following legislative frameworks guide and inform policy decisions relating to persons with disability in South Africa.

The Constitution of the Republic of South Africa (1996)

National Development Plan 2030

Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000)

Employment Equity Act (55 of 1998)

Skills Development Act (97 of 1998)

Building Standards Act (103 of 1977)

Basic Conditions of Employment Act (75 of 1997)

Occupational Health and Safety Act (85 of 1993)

The Labour Relations Act (66 of 1995)

Disability Framework for Local Government 2009-2014

Integrated National Disability Strategy

Code of Good practice for disability in the workplace

United Nations Convention on the Rights of Persons with Disabilities

## **1. INTRODUCTION**

The policy intends to create a conducive environment to address issues affecting persons with disability within the Stellenbosch Municipal area. It provides guidance on the development and implementation of programmes aimed at promoting the rights and freedoms of people with disability. It advocates for the mainstreaming of disability into the Municipality departments and directorates. The policy is firmly grounded on the principle that disability issues should be made an integral component of project conceptualization, planning and implementation of IDP programmes in all departments. It also suggests implementation models and mechanisms for coordination of disability, monitoring and evaluation.

In terms of the United Nations Convention on the Rights of Persons with Disabilities 'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others'. The same document also speaks of disability being an evolving concept and that disability results from the interaction between people with impairments and the attitudinal and environmental barriers that hinder full and effective participation in society on an equal basis.

It is thus important when considering programmes or policies that the approach should make provision for addressing attitudes, processes, knowledge and the environment in which persons with impairments need to function.

In order to achieve the above disability accessibility should not be viewed as just physical changes to buildings and the like, but inclusion through the acceptance of Universal Design Principles in the development of standards and guidelines.

### **2.1. VISION**

To create an enabling environment that will lead to the full participation and equalization of opportunities for persons with disabilities within the jurisdiction of Stellenbosch Municipality.

### **2.2. MISSION**

This policy aims to define and translate the human rights of persons with disability into specific measures and programmes to ensure that maximum potential of persons with disabilities are realised. In doing so, the policy will guide such programmes and projects to ensure they are aligned to support full participation and equalization of opportunities for persons with disabilities.

## 2.3. PURPOSE

The purpose of the policy is to set out guidelines for Stellenbosch Municipality to ensure that:

- 2.3.1. Disability issues are prioritized and integrated into the IDP.
- 2.3.2. Inter-departmental approach in the planning and implementation of disability-related services and programmes.
- 2.3.3. The integration of disability issues into line functions of the Municipality's departments as well as a commitment on the part of the Stellenbosch Municipality to address disability issues appropriately.
- 2.3.4. People with disabilities are capacitated to enable them to live productive and sustainable lives.
- 2.3.5. Physical, social, economic and other barriers that prohibit or limit access of persons with disability are removed through creation of conducive and accessible environments.
- 2.3.6. Promotion of equal opportunities and full participation or inclusion of persons with disability in the economic, social and political life in their communities is improved.
- 2.3.7. Ensure appropriate allocation of funds to designated programmes of different Municipal Departments to give effect to the policy.
- 2.3.8. Monitoring and evaluation of impact of disability programmes implemented is effectively executed.

## 2.4. UNDERLYING VALUES

- 2.4.1 To foster respect for inherent human dignity of persons with disabilities.
- 2.4.2 To acknowledge and promote access to service delivery, information and the physical environment for persons with disability.
- 2.4.3 Equality of opportunity for men, women and children with disabilities.
- 2.4.4 The promotion of meaningful participation and inclusion of persons with disabilities and their needs in all issues pertaining to the Municipality.
- 2.4.5 Negative attitudes and cultural beliefs about disability should be challenged and addressed through information, sensitization and awareness.
- 2.4.6 Recognition of the family as a significant support system in meeting the needs of persons with disability and thus recognizing their needs in supporting persons with disabilities as part of this policy.

- 2.4.7 Independent living and the integration of persons with disability into the community is the corner stone towards ensuring the dignity and self-worth of persons with disability.
- 2.4.8 Special needs of persons with various disabilities should be recognised and need specific interventions, for example, interpreter services, documentation in Braille and training in sign language for the Deaf.
- 2.4.9 There should be zero tolerance towards discrimination of all forms against people with disabilities.

## 2.5. OBJECTIVES

The objectives of the policy described below provide an overview of what needs to be addressed. Measurement of progress made shall be done annually against the specific targets identified in Annexure 1.

To facilitate the development and implementation of departmental cross-cutting programmes aimed at improving the quality of life of people with disabilities (mainstreaming).

- 2.5.21 Ensure that employees with Disabilities and their families are aware of existing government policies and programmes for persons with disabilities.
- 2.5.2. Monitor and evaluate the Municipality's delivery on disability inclusion.
- 2.5.3. Enhance networking and collaboration with Persons with Disability Organisations (DPOs) and liaison with communities to improve the organisation of disability structures and to ensure a collaborative approach to addressing the needs of persons with disabilities within Stellenbosch Municipal area in municipal service delivery.
- 2.5.4. To assess, prioritise and adapt the physical structural design of Council facilities to enhance accessibility for people with disabilities within the constraints of historical and reasonable accommodation.
- 2.5.5. To improve collaboration between all key players, both in government and civil society.
- 2.5.6 First review of this policy in 2018.

## 2.6. PRIORITIES

The policy purports to ensure that an integration of the following disability issues in all Stellenbosch Municipality departmental strategies, planning and programmes. The approach should be augmented by an integrated and coordinated management system for planning, implementation, as well as monitoring and evaluation of programmes by line departments, thus utilising structures as the Director's Forum in order to realise this goal. It is recognized that not all of the priorities are the mandate of local government and in such cases Provincial

Government should be lobbied. The Municipality should prioritize programmes that include but are not limited to:

- 2.6.1. Public participation
- 2.6.2. Accessibility
- 2.6.3. Economic Development
- 2.6.4. Health Care
- 2.6.5. Inclusive development / education and sport / recreation
- 2.6.6. Community Development and networking

### **3. ROLE OF STELLENBOSCH MUNICIPALITY**

#### **3.1. KEY INSTITUTIONAL MECHANISMS**

- 3.1.1. Utilizing relevant MAYCO member offices (getting buy-in from highest political authority) to support disability interventions.
- 3.1.2. Encouraging the participation of people with disabilities in the Municipality's processes (e.g. IDP reviews and LED forums).
- 3.1.3. Consulting with disabled people's organizations DPOs through the Stellenbosch Disability Network
- 3.1.4. The Department Community Development is required to deal with disability programming processes and should be headed by an official holding a position of authority to afford the incumbent the opportunity to sit in and make inputs in meetings of decision-making structures.
- 3.1.5 Disability programming and implementation processes must be handled by managers in different departments of the Municipality and reported to the Department Community Development through a designated disability liaison.
- 3.1.6 Implementation of this policy will be measured through the annual review of **ANNEXURE 1** to this policy through the personal SCORECARDS of directors.

#### **3.2. THE ROLE OF THE OFFICE OF THE MUNICIPAL MANAGER**

- 3.2.1. Implement agreed performance management targets related to disability on annual basis with all directors.

- 3.2.2 Monitor and evaluate programmes implemented by departments and directorates for disability responsiveness or sensitivity according to agreed upon performance targets.
- 3.2.3 Ensure the implementation of the Disability Policy for the Stellenbosch Municipality.

### 3.3. THE ROLE OF THE DEPARTMENT COMMUNITY DEVELOPMENT

- 3.3.1. Liaise with the Provincial and Local Government Department on disability issues. Coordinate and mainstream disability policies in strategies and structures.
- 3.3.2. Ensure a measurable approach to mainstreaming disability components in relevant departments/directorates of the Stellenbosch Municipality.
- 3.3.3. Network and liaise with the Stellenbosch Disability Forum.
- 3.3.4. Develop progress reports on disability issues.
- 3.3.5. Lead the process of developing sector-specific indicators in the Municipality relying on Universal Design Principles.
- 3.3.6. Provide guidance for disability analysis and facilitate mainstreaming of disability into the IDP.
- 3.3.7. Develop a Municipal Disability Action Plan in conjunction with departments and directorates. (ANNEXURE 1)
- 3.3.8. Facilitate inter-departmental collaboration among departments as well as non-governmental organisations.
- 3.3.9 Facilitate the integration of disability components into budgets, programmes, policies, legislation and strategies.
- 3.3.10 Implement programmes of benefit to people with disabilities in conjunction with civil society organizations of and for people with disabilities, as per Municipal Disability Action Plan.
- 3.3.11 Prepare and submit reports to Portfolio committees and to management structures.

Although specific roles and responsibilities are outlined with specific attention to the Office of the Municipal Manager and the Department Community Development, all directorates and departments have a responsibility in mainstreaming the rights of persons with disability within their realm of responsibilities. Each directorate has a specific function in service delivery to the community.



#### **4. REFERENCES**

- 4.1. The Constitution of the Republic of South Africa 1996
- 4.2. Disability Framework for Local Government 2009-2014.
- 4.3. Integrated National Disability Strategy White Paper
- 4.4. Local Government Municipal Systems Act, No. 32 of 2000
- 4.5. Social Development Disability Policy
- 4.6. United Nations Convention on the Rights of Persons with Disabilities.
- 4.7. United Nations Optional protocol to the Convention on the Rights of Persons with Disabilities.
- 4.8. White Paper on Local Government
- 4.9 City of Cape Town External Policy on Persons with Disability
- 4.10 Sensus Stats 2010
- 4.11 SASSA Stats 2015

DRAFT

## ANNEXURE 1

### KEY PERFORMANCE INDICATOR GUIDELINES

Structure	Departments within the Directorates	KPI
Executive Mayor and Mayor and Committee		<ol style="list-style-type: none"> <li>1. Champion projects eg. Wheelchair Wednesday and Casual Day.</li> <li>2.</li> </ol>
Office of the Municipal Manager	Internal Audit Risk Management	<ol style="list-style-type: none"> <li>1. Include one KPI addressing the needs of persons with disability per director on top layer performance management.</li> <li>2. Champion projects eg. Wheelchair Wednesday and Casual Day.</li> </ol>
Directorate: Corporate Services	Human Resources IDP and Performance Management Communication Legal Services Document Management ICT	<ol style="list-style-type: none"> <li>1. Prioritize and illustrate persons with disability needs in the IDP and performance management process.</li> <li>2. Increase number of persons with disability employed by Stellenbosch Municipality.</li> <li>3. All Council decisions accessible to persons with disability. Eg. Braille</li> </ol>
Directorate: Financial Services	Budget Income and Expenditure Supply Chain Management	<ol style="list-style-type: none"> <li>1. Audit all public municipal financial processes to ensure easy accessibility by persons with disability.</li> <li>2. Report quarterly on the number of persons with disability on the indigent list and SCM service provider list.</li> </ol>
Directorate: Community and Protection Services	Community Services Traffic Services Fire Services Law Enforcement Services	<ol style="list-style-type: none"> <li>1. Implement changes to make one public park disabled accessible.</li> <li>2. Map a process together with the disabled network through which emergency staff can deal with persons with disability in time of a disaster.</li> </ol>
Directorate: Engineering Services	Water Services Solid Waste Management Development Services and Project Management Transport, Roads and Stormwater Electrical Services	<ol style="list-style-type: none"> <li>1. To implement 5 more disabled friendly signals at pedestrian crossings in Stellenbosch.</li> <li>2. Cost required alterations for sidewalks of Church, Plein and Andringa Street in order for it to be fully disabled friendly.</li> </ol>
Directorate: Planning and	Customer Interface and Administration	<ol style="list-style-type: none"> <li>1. Ensure that 100% of building</li> </ol>

Economic Development	Building Control Land use Management Local Economic Development Community Development Spatial Planning, Heritage and Environment	plans for public facilities submitted for approval comply with SANS regulations for disability access. 2. Implement streamlined process for persons with disability to submit building plan applications/enquiries inclusive of payment process. (Develop information leaflet for all forms of disability relating to these processes.)
Directorate: Human Settlements and Property Management	New Housing Housing Administration Property Management Informal Settlements	1. Review municipal policy on accessibility of low income subsidised housing currently provided. 2. Allocate and spend x% of building maintenance budget on accessibility projects for municipal buildings.

DRAFT

# **APPENDIX 2**



## REQUEST FOR PUBLIC COMMENT

### STELLENBOSCH MUNICIPAL DISABILITY POLICY

In terms of the United Nations Convention on the Rights of Persons with Disabilities 'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others'. The same document also speaks of disability being an evolving concept and that disability results from the interaction between people with impairments and the attitudinal and environmental barriers that hinder full and effective participation in society on an equal basis.

The draft Stellenbosch Municipal Disability Policy was approved at the 35th Council Meeting held on 28 October 2015 and therefore, written public comments are requested, prior to the final approval of the policy.

This policy aims to define and translate the human rights of persons with disability into specific measures and programmes to ensure that maximum potential of persons with disabilities are realised. In doing so, the policy will guide such programmes and projects to ensure they are aligned to support full participation and equalization of opportunities for persons with disabilities.

Access to the policy can be gained as follows:

1. Accessing the municipal website [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za);
2. Request via email to [fiana.kruywagen@stellenbosch.gov.za](mailto:fiana.kruywagen@stellenbosch.gov.za);
3. View and peruse at any local library.

**Written comments** on the Stellenbosch Municipal Disability Policy may be submitted **by no later than 11 December 2015** and addressed to:

The Director: Planning and Economic Development  
58 Andringa Street  
Stellenbosch  
7600  
or  
via email to [michelle.gaalbers@stellenbosch.gov.za](mailto:michelle.gaalbers@stellenbosch.gov.za)

**Acting Municipal Manager**  
Stellenbosch Municipality  
Notice No 32/2015

## ISICELO SOKUWIWO ZIMVO ZOLUNTU

### UMGAQO NKQUBO WOKHUBAZEKO KA

Ngokwamalungela abantu abakhubazekileyo nabagokekileyo ngokwamalungu omzimba abhalwe kumqulu wamalungelo eNdibano yeZizwe eZimanyeneyo "Abantu abakhubazekileyo nabagokekileyo babandakanya bonke abantu abakhubazekileyo nabagokekileyo ngokomzimba, ngokwengqondo, ngokucinga, nangokungakwazi ukuva okunoku bangele ukuba umntu athinteleke okanye kubengumaqobo ekubeni athabathe inxaxheba ngokugcweleyo ekuhlaleni ngokulingayo nabanye abantu". Kwa eli xwebhu linye likwa thetha ngokukhubazeka nangokugokeka njengento eguquguqukayo kwaye iziphumo zayo zibongela ukuba kubekho uqhogwano nothetha-thethwano phakathi kwabantu abakhubazekileyo nabagokekileyo ngokwamalungu omzimba. Lento ke ithi ibangele ukuba kubenzima ukuba abantu abakhubazekileyo nabagokekileyo bathabathe inxaxheba ngoku khululekileyo nangokulingayo kwizinto zoluntu.

Lo Mgaqo-Nkqubo ka Masipala waseStellenbosch osaqulunqwayo wathi wavunywa kwi ntlanganiso yeBhunga lika Masipala yama 35 eyayi banjwe ngomhla wama 28 Oktoba 2015. Uluntu ke ngoko luyacelwa ukuba luphawule okanye lihiomhle ngokuvakalisa izimvo zalo phambi kokuba lo Mgaqo-Nkqubo uphunyezwe. Injongo yalo Mgaqo-Nkqubo kukuba uchaze kwaye uguqule amalungelo abantu abaphila nokhubazeka nokugokeka kwamalungu omzimba abe ziinkqubo ezayakuqinisekisa ukuba zipuhlisa ubume nezakhona zabantu abaphila nokukhubazeka nokugokeka kwamalungu omzimba. Ngokwenjengalo lo Mgaqo-Nkqubo uzakuthi ube ngumkhamba ndlela kwinkqubo ne projekts ukuqinisekisa ukuba zilungelelwani siwe ukuxhasa intatho nxaxheba nokuziswa kwamathuba kubantu abaphila nokukhubazeka nokugokeka kwamalungu omzimba.

Olu xwebhu lo Mgaqo-Nkqubo lungafumaneka ngezindlela zilandelayo:

1. Luyafumaneka kwi website ka Masipala ethi [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za);
2. Ungalucela nge email ku [fiana.kruywagen@stellenbosch.gov.za](mailto:fiana.kruywagen@stellenbosch.gov.za);
3. Lujonge kwaye ulihle amahlangwane phezulu nakweliphina ithala lee ncwadi.

Izimvo ezibhalweyo malunga nalo Mgaqo-Nkqubo woKhubazeko ka Masipala wase Stellenbosch zingathi zifakwe ungagqithanga umhla wama 11 Dicemba 2015 kwaye zithunyelwa kule dilesi ilandelayo:

Ku Mlawuli: Ilandela loCwongciso noPhuhliso LwezaQoqosho  
58 Andringa  
Stellenbosch  
7600

Okanye

Nge email ku [michelle.gaalbers@stellenbosch.gov.za](mailto:michelle.gaalbers@stellenbosch.gov.za)

**uMphathi Masipala Olibambela**  
Stellenbosch Municipality  
Notice No 32/2015

## PUBLIEKE INSET VERSOEK

### STELLENBOSCH MUNISIPALE BELEID OP GESTREMDHEID

In terme van die Verenigde Nasies Konvensie op die Regte van Persone met Gestremdhede 'Sluit persone met gestremdhede welke persone in wat lang termyn fisiese, geestelike, intellektuele of sensoriese gebreke het wat in hul interaksie met verskeie struikelblokke hul volle en effektiewe deelname in die samelewing op 'n gelyke vlak met ander verhoor.' Dieselfde dokument verwys ook na gestremdhede as 'n ontwikkelende konsep en dat gestremdhede die gevolg is van interaksie tussen persone met gestremdhede en die houdings en omgewings stuikelblokke wat volle en effektiewe deelname op 'n gelyke vlak in die samelewing verhoor.

Die konsep Stellenbosch Munisipale Beleid op Gestremdhede is tydens die 35ste Raadsvergadering op 28 Oktober 2015 goedgekeur en daarom word publieke insette versoek alvorens die beleid finaal goedgekeur word.

Hierdie beleid het ten doel om die mense regte van persone met gestremdhede te definieer en programme te verseker wat sal bydra tot die realisering van maksimale potensiaal van persone met gestremdhede. Die beleid het ten doel om sodanige programme en projekte te belyn met volle deelname en gelyke geleenthede vir persone met gestremdhede.

Taegang tot die beleid kan verkry word deur:

1. die munisipale webtuiste te besoek by [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za);
2. 'n kopie per epos te versoek van [fiana.kruywagen@stellenbosch.gov.za](mailto:fiana.kruywagen@stellenbosch.gov.za);
3. of 'n kopie by u plaaslike biblioteek te besigtig.

**Geskrewe insette** op die beleid moet **teen die laaste 11 Desember 2015 gerig word aan:**

Die Direkteur  
Beplanning en Ekonomiese Ontwikkelings Dienste  
Andringastraat 58  
Stellenbosch  
7600  
of  
per epos aan [michelle.gaalbers@stellenbosch.gov.za](mailto:michelle.gaalbers@stellenbosch.gov.za)

**Waarnemende Munisipale Bestuurder**  
Stellenbosch Munisipaliteit  
Kennisgewing No 32/2015

Appendix 2

# **APPENDIX 3**

**Michelle Aalbers**

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**From:** Cindy Wiggett-Barnard <cindy@hapd.org.za>  
**Sent:** 19 November 2015 01:20 PM  
**To:** Michelle Aalbers  
**Subject:** FW: Stellenbosch Municipal Policy

Hi Michelle

Sien asb. onderstaande voorstelle oor sypaadjie toeganklikheid vanaf Marie Wilken.

Groete,  
Cindy



**Dr Cindy Wiggett-Barnard**  
Chief Operating Officer  
Helderberg Association  
for Persons with Disabilities

213 Valerida Centre  
Piet Retief Street  
Stellenbosch

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[www.hapd.org.za](http://www.hapd.org.za)



Kindly note that our office will be closed for the Festive Season between **24 December** and **3 January 2016**. Happy Holidays from all of us at HAPD! Travel safely.

---

**From:** Marie Wilken [mailto:marie@stellhospice.co.za]  
**Sent:** 16 November 2015 11:10 PM  
**To:** 'Cindy Wiggett-Barnard'  
**Subject:** RE: Stellenbosch Municipal Policy

Beste Cindy,

Ek wil sommer ook iets voorstel – Dat alle sypaadjies in die dorp weer teruggeneem word as sypaadjies en dat hulle nie tuinmaak op sypaadjies toelaat nie. En dat die sypaadjies afloop in die einde van die sypaadjie in 'n "uitgang" in die pad of oorgang.

Dit pla my byvoorbeeld al lankal dat sypaadjies nie sypaadjies is nie en dat mense in die paaie moet loop – Dus as rolstoelmense in woonbuurtes bly, kan hulle nie gaan "stap"/ry nie, want dan moet hulle in die paaie ry, wat gevaarlik is veral naby draaie. 'n Voetganger kan vinnig op 'n skewe sypaadjie spring as iets aankom, maar 'n rolstoelpersoon behoort op die sypaadjies te kan beweeg.

Voor Coetzenburg in die pad aan die kant van die tennis/hokkiebane is die sypaadjies toegeplant met mooi plante en blomme, maar daar loop gereeld mense in die pad wat gevaarlik is vir kinders, rolstoel en voetgangers – Ek wens die doel van sypaadjies kan weer terugkom en niks anders as sypaadjies toegelaat word op die areas wat daarvoor oorgemerkt is nie.

Miskien moet die beleid behels dat die beplanners 'n dag lank in Stellenbosch rondbeweeg in 'n rolstoel!! Voordat hulle iets beplan.

Groete en baie dankie vir al die moeite wat jy doen met betrekking tot toeganklikheid vir rolstoelmense veral.

Marié Wilken

CEO/HUB Stellenbosch Hospice

PO Box/Posbus 3161, Matieland, 7602 South Africa

Office/Kantoor: +27 (0)21 886 5994

Fax/Faks: +27 (0)21 886 6825

Website/Webwerf: [www.stellenboschhospice.org.za/](http://www.stellenboschhospice.org.za/)

Email/Epos: [marie@stellhospice.co.za](mailto:marie@stellhospice.co.za)



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**From:** Cindy Wiggett-Barnard [mailto:[cindy@hapd.org.za](mailto:cindy@hapd.org.za)]

**Sent:** 16 November 2015 11:14 AM

**To:** Annatjie van Niekerk; Anton\_Paravolley; Barbara Meylahn; Candace Vermaak/Kok; Carol\_Bergzicht; Colleen Douglas\_Franschoek Hospice; Councillor Phenisa; DisMaties\_Sydney; Dorothea: Lorraine; Dorothea\_Anthea; Dorothea\_Crystal; Elana\_ParavolleySA; Elizabeth Maphike; Elsje Scheffler; Fiona Kruiwagen; Glenda Ortel; Huis Horison\_Elize; IEWC\_Robyn; Ingrid De Jager; Jeremy Hazell; Leandi Sadie; Nawal Adams; Ncediwe Mdlulwa; Portia Jansen; Sally Brownie; SAPD\_Maria; Siyazama\_Nosie; Siyazama\_Salwen; Stb Hospice: Marie; Stb Municipality\_Michelle; Stb Work Centre\_Phil; SU\_Marcia; Supported Employment\_Madri; Toni Mould; Tracy Prowse ; Unakho\_Jacomien; Wentzel Barnard

**Subject:** Stellenbosch Municipal Policy

Hi all,

Please find attached the Municipal Disability Policy. Anyone can comment in writing to Michelle Aalbers before final approval. Please see Michelle's details below.

Regards  
Cindy



**Dr Cindy Wiggett-Barnard**  
Chief Operating Officer  
Helderberg Association  
for Persons with Disabilities

213 Valerida Centre  
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Appendix 3  
(Comment 2)

**Michelle Aalbers**

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**From:** Madri Engelbrecht <madri@altitudegroup.co.za>  
**Sent:** 25 November 2015 11:07 AM  
**To:** Michelle Aalbers  
**Subject:** Comments: Stellenbosch Disability Policy

Hi Michelle,

Thank you for the opportunity to have a look at your current draft policy. With regards to the KPIs for the Directorate: Corporate Services, I'd like to suggest that the target for disability employment (2%) that the municipality has set for itself, form part of all directors' performance measures, so that each directorate take ultimate responsibility for the increase of employed people with disabilities. Would it be possible to write this into the policy?

Looking forward to seeing the final product!

Regards

Madri

**Madri Engelbrecht** | DIRECTOR | (MSc. Occ Ther)

Cell +27 83 504 4571

Tel +27 21 761 5321 / 6

Fax +27 21 761 3711

Email [madri@altitudegroup.co.za](mailto:madri@altitudegroup.co.za)

Physical Address

Unit 9, Devonshire Court, 20 Devonshire Rd, Wynberg, 7824

Postal Address P.O.Box 18245, Wynberg, 7824



**Michelle Aalbers**

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**From:** Colette Fransolet <colette@udafrica.com>  
**Sent:** 08 December 2015 05:40 PM  
**To:** Michelle Aalbers  
**Subject:** RE: Policy Stellb  
**Attachments:** STELLENBOSCH MUNICIPALITY DISABILITY APP 1- UDAfrica Comments.pdf

Good afternoon Michelle

Please find attached comments on the policy for you to pursue.

Unfortunately I have run out of time to add more comments, but I hope these provide enough substance as comments.

We are happy to review it again should any changes have been made.

Wishing you the best for its uptake and contribution to making Stellenbosch Municipality the most proactive Municipality for Universal Access!

Kind regards  
Colette Fransolet



**UNIVERSAL DESIGN AFRICA**

+ 27 21 674 5193

2<sup>nd</sup> Floor, Sunclare Building, 21 Dreyer Street  
Claremont, 7708, Cape Town, South Africa

---

**From:** Michelle Aalbers [mailto:Michelle.Aalbers@stellenbosch.gov.za]  
**Sent:** 11 November 2015 12:36 PM  
**To:** Colette Fransolet <colette@udafrica.com>  
**Cc:** jeremy@hazell.co.za; 'Cindy Wiggett-Barnard' <cindy@hapd.org.za>  
**Subject:** RE: Policy Stellb

One last thing: When the implementation plan was discussed at our last portfolio committee one of the councillors indicated that he is upset that the policy served before the prep item on the implementation plan. He felt very strongly that the principals/values of UD must be incorporated into the policy. At the moment it is not indicated. I have no problem with it. Maybe that could be one of your comments on the policy.

Kind regards

**Michelle Aalbers**

*Manager: Community Development  
Planning and Economic Development*

T: +27 21 808 8408 • C: +27 83 560 5935 • F: +27 86 202 0374  
58 Andringa Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599  
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# Stellenbosch Municipality

## Disability Policy Framework

### Summary of Comments on Microsoft Word - STELLENBOSCH MUNICIPALITY DISABILITY\_feedback Hapd.docx

Page: 1

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Number: 1	Author: Colette	Subject: Sticky Note	Date: 08/12/15 17:22:24
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There is a National movement away from categorizing terminology, and as a function of the notion of this policy it is recommended that "Disability" be replaced with more inclusive terminology such as "Universal Access" if the aim is to include all people in all aspects of the municipality such as communication, information and infrastructure.

Appendix 3  
(Comment 3)

This page contains no comments

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## EXECUTIVE SUMMARY

**South African Social Security Agency:** Social Grants to persons with disability in Stellenbosch as at 17 August 2015. A total of 1 563 Disability related grants are paid out to persons within WC024. This does not reflect the total number of persons with disability, but the persons dependant on government support and grants paid per pay-point.

Care Dependency	146	Disability Grant	1224	Grant in Aid	193
Stellenbosch	47	Stellenbosch	439	Stellenbosch	74
Franschhoek	45	Franschhoek	263	Franschhoek	49
Klapmuts	34	Klapmuts	335	Klapmuts	37
Pniel	7	Pniel	103	Pniel	22
Vlottenburg	6	Vlottenburg	42	Vlottenburg	4
La Motte	4	La Motte	14	La Motte	1
Lynedoch	2	Lynedoch	15	Lynedoch	2
Jamestown	1	Jamestown	13	Jamestown	4

**Stats stats:** Although difficult to define what is meant by the description the following statistics were able to be extracted in May 2015 from StatsSA.

Category Disability WC024	%
Communication disability	0.4
Hearing disability	0.1
Seeing	0.6
Self-care disability	1.7
Remembering disability	0.4
Walking or Climbing Stairs disability	0.5
Walking stick or frame	2.3
Wheelchair	1.9
TOTAL	7.9

Statistics for Stellenbosch Municipal Area on mental health and/or disability was not obtainable. However from the above statistics it is clear that 7.9% of Stellenbosch citizens according to the 2010 Census information is affected by some form of disability. It is therefore necessary for Stellenbosch Municipality to ensure that the services offered by the municipality to the citizens take cognisance of this fact and ensure that services are rendered in such a way that inclusion of all citizens are ensured.

### Stellenbosch Disability Network:

The first meeting of the Stellenbosch Disability Network was held on 29 October 2014. The membership currently stands on 13, but the meetings are attended by up to 25 different organizations and individuals representing disabled persons in Stellenbosch. The purpose of the forum is to network and share information, but to also approach awareness programmes as a collective to highlight issues affecting persons with disability and to avoid duplication of services and rivalry for funding. This network is then also the forum for consultation on issues of disability.

Number: 1 Author: Colette Subject: Sticky Note Date: 03/12/15 15:26:18

What drove the inception of this policy?  
Why is Stellenbosch Municipality implementing this policy?  
What does the Municipality want to achieve through this policy?  
These types of questions should inform the Executive Summary.

#### Example:

The vision of the Stellenbosch Municipality is to be the Innovation Capital of South Africa with the mission to "deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens". As a means to deliver on this vision and mission, Stellenbosch Municipality, guided by the South African Constitution (1994), United Nations International Convention on the Rights of Persons with Disabilities and Optional Protocol (to which South Africa is a signatory since 2007), the Promotion of Equality and Prevention of Unfair Discrimination Act (2000), Employment Equity Act (2001), the White Paper on Transforming Service Delivery - Batho Pele (1997), along with other legislation listed in the Legislative Framework in Annexure A.

As a commitment to strive for Universal Access, Stellenbosch Municipality, supported by their values, Integrity, Accountability, Respect, Excellence and Innovation, supports the creation of accessible communication material, information systems and infrastructure throughout the Municipality.

(the summary also needs to include the Municipalities definition or understanding of Universal Access and Universal Design. Include text that indicates that people with disabilities are only one tier of people who benefit from UA.)

Number: 2 Author: Colette Subject: Sticky Note Date: 03/12/15 14:01:44

In terms of providing an overview for the exec summary, these statistics are not best placed here. If these statistics are a requirement for being included in the policy it should be added as an annexure. If this policy is intended to highlight the importance and the Municipalities commitment to Universal Access, these stats could be removed.

Number: 3 Author: Colette Subject: Sticky Note Date: 03/12/15 15:00:17

Keeping in mind that a large percentage of people do not identify any degree of limitations as a disability. For this reason, the direct beneficiaries of Universal Access (7.9%) but the secondary beneficiaries (pregnant women, people travelling with small children, children younger than 14 years and Elderly people) total to an estimated 65% of the total Municipal population.

Table should be added as annexure and only overview should be presented here.

Number: 4 Author: Colette Subject: Sticky Note Date: 03/12/15 15:04:30

Although the set-up of the Disability Network is an important step toward structuring a stakeholder group for constant informing, but adding specific details such as number of members/attendances and who the members are are not essential to this policy- this policy needs to be to the point to be effective for readers.

Network members are the following:

Member Name	Type of Member
Altitude Supported Employment	Private Service Provider
Jeremy Hazell	Consultant
Dorothea School	Education Provider
Franschhoek Hospice	Registered Non-profit
Helderberg Association for Persons with Disabilities	Registered Non-profit
ParaVolley SA	Sport Club
PhysiFun	Private Sector Provider & Educator
Senecio	Registered Non-profit
Stellenbosch Municipality	Local Government
Stellenbosch University: Office for Students with Special Learning Needs	Education Provider
VGK Cloeteville	Religious Institution – family support
Leandi Sadie	Consultant
Western Cape Department of Local Government	Provincial Government

In drafting the policy the following process was followed:

Guidance was taken from the external disability policy from City of Cape Town. The concept document was discussed with a consultant in the field of disability employment and policy development from Altitude Supported Employment.

Introduction session with the Stellenbosch Disability Network on the meeting held on 4 March 2015. The policy was then send electronically to the network and was also made available to persons with sight impairments through the US to comment on the policy by 20 March 2015.

Internal discussions with a focus on the deliverables per directorate were concluded to finalize the first year's deliverables to be approved as part of the policy and to clarify the roles of the internal line departments

## 1. LEGISLATIVE FRAMEWORK

The following legislative frameworks guide and inform policy decisions relating to persons with disability in South Africa.

The Constitution of the Republic of South Africa (1996)

National Development Plan 2030

Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000)

Employment Equity Act (55 of 1998)

Skills Development Act (97 of 1998)

Building Standards Act (103 of 1977)

Basic Conditions of Employment Act (75 of 1997)

Occupational Health and Safety Act (85 of 1993)

The Labour Relations Act (66 of 1995)

Disability Framework for Local Government 2009-2014

Integrated National Disability Strategy

Code of Good practice for disability in the workplace

United Nations Convention on the Rights of Persons with Disabilities

## 1. INTRODUCTION

The policy intends to create a conducive environment to address issues affecting persons with disability within the Stellenbosch Municipal area. It provides guidance on the development and implementation of programmes aimed at promoting the rights and freedoms of people with disability. It advocates for the mainstreaming of disability into the Municipality departments and directorates. The policy is firmly grounded on the principle that disability issues should be an integral component of project conceptualization, planning and implementation of IDP programmes in all departments. It also suggests implementation models and mechanisms for coordination of disability, monitoring and evaluation.

In terms of the United Nations Convention on the Rights of Persons with Disabilities 'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others'. The same document also speaks of disability being an evolving concept and that disability results from the interaction between people with impairments and the attitudinal and environmental barriers that hinder full and effective participation in society on an equal basis.

It is thus important when considering programmes or policies that the approach should make provision for addressing attitudes, processes, knowledge and the environment in which persons with impairments need to function.

In order to achieve the above disability accessibility should not be viewed as just physical changes to buildings and the like, but inclusion through the acceptance of Universal Design Principles in the development of standards and guidelines.

### 2.1 INTRODUCTION

To create an enabling environment that will lead to the full participation and equalization of opportunities for persons with disabilities within the jurisdiction of Stellenbosch Municipality.

### 2.2 DISCUSSION

This policy aims to define and translate the human rights of persons with disability into specific measures and programmes to ensure that maximum potential of persons with disabilities are realised. In doing so, the policy will guide such programmes and projects to ensure they are aligned to support full participation and equalization of opportunities for persons with disabilities.

Number: 1	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:08:38
Consider people with diverse needs/requirements.			
Number: 2	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:10:00
people with disabilities as well as other persons with diverse needs/requirements.			
Number: 3	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:10:45
Mainstreaming of disability is not possible... rewording required.			
Number: 4	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:17:24
It is not about disability issues, it is about people and creating awareness about the diversity of people within the Municipality. Could be Universal Access.			
Number: 5	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:19:38
Should be integrated into project ...			
Number: 6	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:21:44
"coordination of disability" This is essentially not possible, disability cannot be coordinated... rewording required.			
Number: 7	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:27:41
Functional limitations is preferred over impairments.			
Number: 8	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:30:57
Be mindful that this policy is not only for people with disabilities or who have functional limitations, this possibly needs to read "...environments in which people with diverse needs, including people with disabilities, function."			
Number: 9	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:34:39
Be mindful of terminology such as "disability accessibility" as this is inclusive of all people, and not specific to "disability". This section needs to be followed or supported by an introduction to the Universal Design Principles and/or Universal Design Goals. This paragraph should be rephrased.			
Number: 10	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:42:00
"To create accessible communication media, information systems and infrastructure to lead to the full participation and equal access to opportunities for all people, including people with disabilities, within the Stellenbosch Municipality."			
Number: 11	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:41:23
Very "disability" focused, needs to be reworded.			



### 2.3 PURPOSE

The purpose of the policy is to set out guidelines for Stellenbosch Municipality to ensure that:

- 2.3.1. Disability issues are prioritized and integrated into the IDP.
- 2.3.2. Inter-departmental approach in the planning and implementation of disability-related services and programmes.
- 2.3.3. The integration of disability issues into line functions of the Municipality's departments as well as a commitment on the part of the Stellenbosch Municipality to address disability issues appropriately.
- 2.3.4. People with disabilities are capacitated to enable them to live productive and sustainable lives.
- 2.3.5. Physical, social, economic and other barriers that prohibit or limit access of persons with disability are removed through creation of conducive and accessible environments.
- 2.3.6. Promotion of equal opportunities and full participation or inclusion of persons with disability in the economic, social and political life in their communities is improved.
- 2.3.7. Ensure appropriate allocation of funds to designated programmes of different Municipal Departments to give effect to the policy.
- 2.3.8. Monitoring and evaluation of impact of disability programmes implemented is effectively executed.

### 2.4 UNDERLYING VALUES

- 2.4.1 To foster respect for inherent human dignity of persons with disabilities.
- 2.4.2 To acknowledge and promote access to service delivery, information and the physical environment for persons with disability.
- 2.4.3 Equality of opportunity for men, women and children with disabilities.
- 2.4.4 The promotion of meaningful participation and inclusion of persons with disabilities and their needs in all issues pertaining to the Municipality.
- 2.4.5 Negative attitudes and cultural beliefs about disability should be challenged and addressed through information, sensitization and awareness.
- 2.4.6 Recognition of the family as a significant support system in meeting the needs of persons with disability and thus recognizing their needs in supporting persons with disabilities as part of this policy.

Number: 1	Author: Colette	Subject: Sticky Note	Date: 08/12/15 16:39:35
a list of 8 purposes is possibly too many, consider condensing and reducing to avoid any of the purposes becoming "loose".			
Number: 2	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:42:50
What are "disability issues"?			
This needs to be UA focused.			
Number: 3	Author: Colette	Subject: Sticky Note	Date: 03/12/15 15:43:33
What are "disability-related services"?			
This needs to be UA focused.			
Number: 4	Author: Colette	Subject: Highlight	Date: 03/12/15 15:43:53
Number: 5	Author: Colette	Subject: Highlight	Date: 03/12/15 15:44:00
Number: 6	Author: Colette	Subject: Highlight	Date: 03/12/15 15:45:09
Number: 7	Author: Colette	Subject: Sticky Note	Date: 08/12/15 16:47:16
Scope of Application?			
Principles of this Policy?			
It would be most appropriate to link the principles of this policy with the ultimate principles of Universal Design, which could then incorporate aspects of communication, information and infrastructure to illustrate the Municipalities overall commitment to Universal Access and accepting diversity.			
Essentially the underlying values are not necessary as the values of the policy should be clear and the principles should dictate the overarching notion of the policy.			

- 2.4.7 Independent living and the integration of persons with disability into the community is the corner stone towards ensuring the dignity and self-worth of persons with disability.
- 2.4.8 Special needs of persons with various disabilities should be recognised and need specific interventions, for example, interpreter services, documentation in Braille and training in sign language for the Deaf.
- 2.4.9 There should be zero tolerance towards discrimination of all forms against people with disabilities.

## 2.5. OBJECTIVES

The objectives of the policy described below provide an overview of what needs to be addressed. Measurement of progress made shall be done annually against the specific targets identified in Annexure 1.

To facilitate the development and implementation of departmental cross-cutting programmes aimed at improving the quality of life of people with disabilities (mainstreaming).

- 2.5.21 Ensure that employees with Disabilities and their families are aware of existing government policies and programmes for persons with disabilities.
- 2.5.2. Monitor and evaluate the Municipality's delivery on disability inclusion.
- 2.5.3. Enhance networking and collaboration with Persons with Disability Organisations (DPOs) and liaison with communities to improve the organisation of disability structures and to ensure a collaborative approach to addressing the needs of persons with disabilities within Stellenbosch Municipal area in municipal service delivery.
- 2.5.4. To assess, prioritise and adapt the physical structural design of Council facilities to enhance accessibility for people with disabilities within the constraints of historical and reasonable accommodation.
- 2.5.5. To improve collaboration between all key players, both in government and civil society.
- 2.5.6 First review of this policy in 2018.

## 2.6. PRIORITIES

The Policy purports to ensure that an integration of the following disability issues in all Stellenbosch Municipality departmental strategies, planning and programmes. The approach should be augmented by an integrated and coordinated management system for planning, implementation, as well as monitoring and evaluation of programmes by line departments, thus utilising structures as the Director's Forum in order to realise this goal. It is recognized that not all of the priorities are the mandate of local government and in such cases Provincial

Number: 1	Author: Colette	Subject: Sticky Note	Date: 08/12/15 16:49:31
The objectives appear to be stakeholder engagement focused, although this is a tool for development and progress, the objectives of this policy should be pointed and holistic and not focused mainly on collaboration and awareness, it should be action driven.			
Number: 2	Author: Colette	Subject: Sticky Note	Date: 08/12/15 16:52:06
These priorities should be listed as the pointed objectives, i.e: Integrate Universal Access and Universal Design into all Stellenbosch Municipality structures, planning and programmes to ensure its holistic uptake, ...			
Number: 3	Author: Colette	Subject: Highlight	Date: 08/12/15 16:50:06

Government should be lobbied. The Municipality should prioritize programmes that include but are not limited to:

- 2.6.1. Public participation
- 2.6.2. Accessibility
- 2.6.3. Economic Development
- 2.6.4. Health Care
- 2.6.5. Inclusive development / education and sport / recreation
- 2.6.6. Community Development and networking

### 3. ROLE OF STELLENBOSCH MUNICIPALITY

#### 3.1. KEY INSTITUTIONAL MECHANISMS

- 3.1.1. Utilizing relevant MAYCO member offices (getting buy-in from highest political authority) to support disability interventions.
- 3.1.2. Encouraging the participation of people with disabilities in the Municipality's processes (e.g. IDP reviews and LED forums).
- 3.1.3. Consulting with disabled people's organizations DPOs through the Stellenbosch Disability Network
- 3.1.4. The Department Community Development is required to deal with disability programming processes and should be headed by an official holding a position of authority to afford the incumbent the opportunity to sit in and make inputs in meetings of decision-making structures.
- 3.1.5. Disability programming and implementation processes must be handled by managers in different departments of the Municipality and reported to the Department Community Development through a designated disability liaison.
- 3.1.6. Implementation of this policy will be measured through the annual review of **ANNEXURE 1** to this policy through the personal SCORECARDS of directors.

#### 3.2. THE ROLE OF THE OFFICE OF THE MUNICIPAL MANAGER

- 3.2.1. Implement agreed performance management targets related to disability on annual basis with all directors.

Number: 1	Author: Colette	Subject: Sticky Note	Date: 08/12/15 16:55:08
These are broad and "disability" orientated, there are effectively no programmes that are a priority over others, it is systematic upgrade to Universal Access and all programmes should be inclusive and a priority.			
Number: 2	Author: Colette	Subject: Sticky Note	Date: 08/12/15 16:55:46
This is a great section, and enforces commitment to change and taking responsibility.			

This page contains no comments

3.2.2 Monitor and evaluate programmes implemented by departments and directorates for disability responsiveness or sensitivity according to agreed upon performance targets.

3.2.3 Ensure the implementation of the Disability Policy for the Stellenbosch Municipality.

### 3.3. THE ROLE OF THE DEPARTMENT COMMUNITY DEVELOPMENT

3.3.1. Liaise with the Provincial and Local Government Department on disability issues. Coordinate and mainstream disability policies in strategies and structures.

3.3.2. Ensure a measurable approach to mainstreaming disability components in relevant departments/directorates of the Stellenbosch Municipality.

3.3.3. Network and liaise with the Stellenbosch Disability Forum.

3.3.4. Develop progress reports on disability issues.

3.3.5. Lead the process of developing sector-specific indicators in the Municipality relying on Universal Design Principles.

3.3.6. Provide guidance for disability analysis and facilitate mainstreaming of disability into the IDP.

3.3.7. Develop a Municipal Disability Action Plan in conjunction with departments and directorates. (ANNEXURE 1)

3.3.8. Facilitate inter-departmental collaboration among departments as well as non-governmental organisations.

3.3.9. Facilitate the integration of disability components into budgets, programmes, policies, legislation and strategies.

3.3.10. Implement programmes of benefit to people with disabilities in conjunction with civil society organizations of and for people with disabilities, as per Municipal Disability Action Plan.

3.3.11. Prepare and submit reports to Portfolio committees and to management structures.

Although specific roles and responsibilities are outlined with specific attention to the Office of the Municipal Manager and the Department Community Development, all directorates and departments have a responsibility in mainstreaming the rights of persons with disability within their realm of responsibilities. Each directorate has a specific function in service delivery to the community.

#### 4. REFERENCES

- 4.1. The Constitution of the Republic of South Africa 1996
- 4.2. Disability Framework for Local Government 2009-2014.
- 4.3. Integrated National Disability Strategy White Paper
- 4.4. Local Government Municipal Systems Act, No. 32 of 2000
- 4.5. Social Development Disability Policy
- 4.6. United Nations Convention on the Rights of Persons with Disabilities.
- 4.7. United Nations Optional protocol to the Convention on the Rights of Persons with Disabilities.
- 4.8. White Paper on Local Government
- 4.9. City of Cape Town External Policy on Persons with Disability
- 4.10. Sensus Stats 2010
- 4.11. SASSA Stats 2015

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ANNEXURE 1

KEY PERFORMANCE INDICATOR GUIDELINES

Structure	Departments within the Directorates	KPI
Executive Mayor and Mayoral Committee		<ol style="list-style-type: none"> <li>1. Champion projects eg. Wheelchair Wednesday and Casual Day.</li> <li>2.</li> </ol>
Office of the Municipal Manager	Internal Audit Risk Management	<ol style="list-style-type: none"> <li>1. Include one KPI addressing the needs of persons with disability per director on top layer performance management.</li> <li>2. Champion projects eg. Wheelchair Wednesday and Casual Day.</li> </ol>
Directorate: Corporate Services	Human Resources IDP and Performance Management Communication Legal Services Document Management ICT	<ol style="list-style-type: none"> <li>1. Prioritize and illustrate persons with disability needs in the IDP and performance management process.</li> <li>2. Increase number of persons with disability employed by Stellenbosch Municipality.</li> <li>3. All Council decisions accessible to persons with disability. Eg. Braille</li> </ol>
Directorate: Financial Services	Budget Income and Expenditure Supply Chain Management	<ol style="list-style-type: none"> <li>1. Audit all public municipal financial processes to ensure easy accessibility by persons with disability.</li> <li>2. Report quarterly on the number of persons with disability on the indigent list and SCM service provider list.</li> </ol>
Directorate: Community and Protection Services	Community Services Traffic Services Fire Services Law Enforcement Services	<ol style="list-style-type: none"> <li>1. Implement changes to make one public park disabled accessible.</li> <li>2. Map a process together with the disabled network through which emergency staff can deal with persons with disability in time of a disaster.</li> </ol>
Directorate: Engineering Services	Water Services Solid Waste Management Development Services and Project Management Transport, Roads and Stormwater Electrical Services	<ol style="list-style-type: none"> <li>1. To implement 5 more disabled friendly signals at pedestrian crossings in Stellenbosch.</li> <li>2. Cost required alterations for sidewalks of Church, Plein and Andringa Street in order for it to be fully disabled friendly.</li> </ol>
Directorate: Planning and	Customer Interface and Administration	<ol style="list-style-type: none"> <li>1. Ensure that 100% of building</li> </ol>

This page contains no comments

Economic Development	Building Control Land use Management Local Economic Development Community Development Spatial Planning, Heritage and Environment	plans for public facilities submitted for approval comply with SANS regulations for disability access. 2. Implement streamlined process for persons with disability to submit building plan applications/enquiries inclusive of payment process. (Develop information leaflet for all forms of disability relating to these processes.)
Directorate: Human Settlements and Property Management	New Housing Housing Administration Property Management Informal Settlements	1. Review municipal policy on accessibility of low income subsidised housing currently provided. 2. Allocate and spend x% of building maintenance budget on accessibility projects for municipal buildings.

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# **APPENDIX 4**





# Stellenbosch Municipality

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## Universal Access Policy Framework

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## EXECUTIVE SUMMARY

The vision of the Stellenbosch Municipality is to be the Innovation Capital of South Africa with the mission to "deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens". As a means to deliver on this vision and mission, Stellenbosch Municipality is guided by the South African Constitution (1994), United Nations International Convention on the Rights of Persons with Disabilities and Optional Protocol (to which South Africa is a signatory since 2007), the Promotion of Equality and Prevention of Unfair Discrimination Act (2000), Employment Equity Act (2001), the White Paper on Transforming Service Delivery - Batho Pele (1997), along with other legislation listed in the Legislative Framework in **ANNEXURE 1**.

As a commitment to strive for Universal Access (UA), Stellenbosch Municipality, supported by their Values: Character Leadership, Transformation and Innovation, supports the creation of accessible communication material, information systems and infrastructure throughout the Municipality. To understand and implement UA, Stellenbosch Municipality is informed and guided by Universal Design (UD), a **process** of embedding **choice** for all **people** in the **things** we design to do.

1. UD is a **process** rather than a final type of product, space or system. In accepting that UD is a process, Stellenbosch Municipality concedes to the fact that it will never be completed, but that we commit to a lifetime of learning and understanding of different users' needs, abilities and desires.
2. **Choice** involves flexibility and multiple alternative means of use and/or interface.
3. **People** includes the full range of people regardless of age, ability, sex, economic status, race or religion.
4. **Things** include spaces, products, information systems and any other things that humans manipulate or create.

The need for a UA Policy Framework stems from the Municipality's commitment to ensure equal service to persons with disability and the statistics obtained from SASSA, SA Census 2010, and the establishment of a civil Disability Network within the municipal area (**ANNEXURE 2**), whilst keeping in mind that a large percentage of people do not identify any degree of limitations as a disability. For this reason, the direct beneficiaries of a Universal Access Policy Framework will be approximately 7,9% of the population. However, the secondary beneficiaries including pregnant women, people travelling with small children, children younger than 14 years and elderly people will total to an estimated 65% of the total Municipal population.

~~South African Social Security Agency: Social Grants to persons with disability in Stellenbosch as at 17 August 2015. A total of 1 563 Disability related grants are paid out to persons within WC024. This does not reflect the total number of persons with disability, but the persons dependant on government support and grants paid per pay point.~~

<del>Care Dependency</del>	<del>146</del>	<del>Disability Grant</del>	<del>1224</del>	<del>Grant in Aid</del>	<del>193</del>
<del>Stellenbosch</del>	<del>47</del>	<del>Stellenbosch</del>	<del>439</del>	<del>Stellenbosch</del>	<del>74</del>
<del>Franschhoek</del>	<del>45</del>	<del>Franschhoek</del>	<del>263</del>	<del>Franschhoek</del>	<del>49</del>
<del>Klapmuts</del>	<del>34</del>	<del>Klapmuts</del>	<del>335</del>	<del>Klapmuts</del>	<del>37</del>
<del>Pniel</del>	<del>7</del>	<del>Pniel</del>	<del>103</del>	<del>Pniel</del>	<del>22</del>
<del>Vlottenburg</del>	<del>6</del>	<del>Vlottenburg</del>	<del>42</del>	<del>Vlottenburg</del>	<del>4</del>
<del>La Motte</del>	<del>4</del>	<del>La Motte</del>	<del>14</del>	<del>La Motte</del>	<del>1</del>
<del>Lynedoch</del>	<del>2</del>	<del>Lynedoch</del>	<del>15</del>	<del>Lynedoch</del>	<del>2</del>

Jamestown	1	Jamestown	13	Jamestown	4
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~~Sensus stats: Although difficult to define what is meant by the description the following statistics were able to be extracted in May 2015 from StatsSA.~~

<del>Category Disability WC024</del>	<del>%</del>
<del>Communication disability</del>	<del>0.4</del>
<del>Hearing disability</del>	<del>0.1</del>
<del>Seeing</del>	<del>0.6</del>
<del>Self care disability</del>	<del>1.7</del>
<del>Remembering disability</del>	<del>0.4</del>
<del>Walking or Climbing Stairs disability</del>	<del>0.5</del>
<del>Walking stick or frame</del>	<del>2.3</del>
<del>Wheelchair</del>	<del>1.9</del>
<del>TOTAL</del>	<del>7.9</del>

~~Statistics for Stellenbosch Municipal Area on mental health and/or disability was not obtainable. However from the above statistics it is clear that 7.9% of Stellenbosch citizens according to the 2010 Censu information is affected by some form of disability. It is therefore necessary for Stellenbosch Municipality to ensure that the services offered by the municipality to the citizens take cognisance of this fact and ensure that services are rendered in such a way that inclusion of all citizens are ensured.~~

#### ~~Stellenbosch Disability Network:~~

~~The first meeting of the Stellenbosch Disability Network was held on 29 October 2014. The membership currently stands on 13, but the meetings are attended by up to 25 different organizations and individuals representing disabled persons in Stellenbosch. The purpose of the forum is to network and share information, but to also approach awareness programmes as a collective to highlight issues affecting persons with disability and to avoid duplication of services and rivalry for funding. This network is then also the forum for consultation on issues of disability.~~

~~Network members are the following:~~

<del>Member Name</del>	<del>Type of Member</del>
<del>Altitude Supported Employment</del>	<del>Private Service Provider</del>
<del>Jeremy Hazell</del>	<del>Consultant</del>
<del>Dorothea School</del>	<del>Education Provider</del>
<del>Franschhoek Hospice</del>	<del>Registered Non-profit</del>
<del>Helderberg Association for Persons with Disabilities</del>	<del>Registered Non-profit</del>
<del>ParaVolley SA</del>	<del>Sport Club</del>
<del>PhysiFun</del>	<del>Private Sector Provider &amp; Educator</del>
<del>Senecio</del>	<del>Registered Non-profit</del>
<del>Stellenbosch Municipality</del>	<del>Local Government</del>
<del>Stellenbosch University: Office for Students with Special Learning Needs</del>	<del>Education Provider</del>
<del>VGK Cloetesville</del>	<del>Religious Institution family support</del>

<del>Leandi Sadie</del>	<del>Consultant</del>
<del>Western Cape Department of Local Government</del>	<del>Provincial Government</del>

~~In drafting the policy the following process was followed:~~

~~Guidance was taken from the external disability policy from City of Cape Town. The concept document was discussed with a consultant in the field of disability employment and policy development from Altitude Supported Employment.~~

~~Introduction session with the Stellenbosch Disability Network on the meeting held on 4 March 2015. The policy was then send electronically to the network and was also made available to persons with sight impairments through the US to comment on the policy by 20 March 2015.~~

~~Internal discussions with a focus on the deliverables per directorate were concluded to finalize the first year's deliverables to be approved as part of the policy and to clarify the roles of the internal line departments.~~

### List of abbreviations

<u>Abbreviation</u>		<u>Explanation</u>
<u>DPO</u>	<u>Disability Persons' Organizations</u>	<u>Organizations representing and serving persons with disabilities</u>
<u>IDP</u>	<u>Integrated Development Plan</u>	<u>Integrated Development Planning is an approach to planning that involves the entire municipality and its citizens in finding the best solutions to achieve good long-term development. Once the IDP is drawn up all municipal planning and projects should happen in terms of the IDP. The annual council budget should be based on the IDP. Other government departments working in the area should take the IDP into account when making their own plans.</u>
<u>LED</u>	<u>Local Economic Development</u>	<u>To build up the economic capacity of a local area to improve its economic future and the quality of life for all. It is a process by which public, business and nongovernmental sector partners work collectively to create better conditions for economic growth and employment generation. (World Bank)</u>
<u>MAYCO</u>	<u>Mayoral Committee</u>	<u>Committee existing of the Mayor and all portfolio councillors</u>
<u>SASSA</u>	<u>South African Social Security Agency</u>	<u>Agency responsible for the administration of Social Grants</u>
<u>UA</u>	<u>Universal Access</u>	<u>The equal ability of <b>all</b> people to participate in any process irrespective of their diverse needs/requirements</u>
<u>UD</u>	<u>Universal Design</u>	<u>UniversalDesign.com defines Universal Design (UD) as the process of embedding choice for all people in the things we design. Universal Design continues to evolve as both designers and users broaden their</u>

		<u>understanding and experience of different users' needs, abilities and desires. The more you know about UD, the more you realize that there will always be more to learn. Universal Design is a lifelong learning opportunity, and no one knows it all. We are all students of Universal Design who can learn from each other about how to better design things for all people.</u>
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## 1. INTRODUCTION

The policy intends to create a conducive environment to address issues affecting people with diverse needs/requirements ~~persons with disability~~ within the Stellenbosch Municipal area. It provides guidance on the development and implementation of programmes aimed at promoting the rights and freedoms of people with disabilities as well as other persons with diverse needs/requirements. It advocates for the mainstreaming of issues affecting persons with disability and diverse needs/requirements into municipal departments and directorates. The policy is firmly grounded on the principle that UA disability issues should be made integrated into component of project conceptualization, planning and implementation of IDP programmes in all departments. It also suggests ~~implementation~~ models and mechanisms for coordination of UA implementation ~~disability~~, monitoring and evaluation.

In terms of the United Nations Convention on the Rights of Persons with Disabilities 'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others'. The same document also speaks of disability being an evolving concept and that disability results from the interaction between people with functional limitations ~~impairments~~ and the attitudinal and environmental barriers that hinder full and effective participation in society on an equal basis.

It is thus important when considering programmes or policies that the approach should make provision for addressing attitudes, processes, knowledge and the environment in which people with diverse needs, including people with disabilities, ~~persons with impairments need to~~ function.

In order to achieve the above universal ~~disability~~ accessibility should not be viewed as just physical changes to buildings and the like, but inclusion through the acceptance of Universal Design Principles in the development of standards and guidelines. The term "Universal Design" has evolved from the "Barrier Free Design" and "Accessible Design", design processes that focused specifically on addressing the needs of people with disabilities. Universal Design goes further by recognizing that we all exist somewhere on a wide continuum of human ability. Everyone, even the most able-bodied person, passes through childhood, periods of temporary illness and injury, and old age. By designing for the more limited abilities on the continuum, we can create environments, products, and services that will be easier for all people to use, regardless of their abilities, age or current state of health.

## 2. STRATEGIC POSITIONING

### 2.1. VISION

To create accessible communication media, information systems and infrastructure to lead to the full participation and equal access to opportunities for all people, including people with disabilities within an enabling environment that will lead to the full participation and equalization of opportunities for persons with disabilities within the jurisdiction of Stellenbosch Municipality.

### 2.2. MISSION

This policy aims to ensure ~~define and translate~~ the human rights of persons with diverse needs/requirements ~~into specific measures and programmes to ensure that maximum potential of persons with disabilities are realised. In doing so, the policy will guide such programmes and projects to ensure they are~~ through the alignment of projects and programmes to support universal participation and equalization of opportunities for all people, including ~~for~~ persons with disabilities. Stellenbosch Municipality aims to achieve said mission through:

### 2.3. PURPOSE

~~The purpose of the policy is to set out guidelines for Stellenbosch Municipality to ensure that:~~

- 2.2.1 Promotion of equal opportunities and full participation or inclusion of persons with diverse needs/requirements ~~disability~~ in the economic, social and political life in their communities is improved through the introduction of UA and UD.
- 2.2.2. Disability issues are ~~p~~rioritized and integrated ~~of UA and UD principles~~ into the IDP and subsequent budget of all departments.-
- 2.2.3. Inter-departmental approach in the planning and implementation of disability-related services and programmes.
- 2.2.4. The integration of disability issues into line functions of the Municipality's departments as well as a commitment on the part of the Stellenbosch Municipality to address disability issues appropriately.
- 2.2.5. People with diverse needs/requirements are capacitated to enable them to live productive and sustainable lives.
- 2.2.6. Physical, social, economic and other barriers that prohibit or limit access of persons with disability are removed through creation of conducive and accessible environments.

- 2.2.7. Ensure appropriate allocation of funds to designated programmes of different Municipal Departments to give effect to the policy.
- 2.2.8. Monitoring and evaluating ~~of the~~ impact of UA disability programmes as part of our commitment to improve service delivery through UD. ~~implemented is effectively executed.~~

### 2.3. PRINCIPLES AND UNDERLYING VALUES

In order to ensure all programmes, processes and infrastructure introduced by Stellenbosch Municipality ensures UA, this policy adopts the seven principles of UD. These principles support the values of respect for human dignity, equality of opportunity, access to services and information, full and effective participation, respect for evolving capacity and the need to contribute to changes in negative attitudes and cultural beliefs about people with diverse needs/requirements as outlined in the Disability Framework for Local Government.

- 2.3.1 **Equitable Use:** The design is useful and marketable to people with diverse abilities~~To foster respect for inherent human dignity of persons with disabilities.~~
- All potential users could use this product in essentially the same way, regardless of differences in personal capabilities.
  - Potential users could use this product without feeling segregated or stigmatized because of differences in personal capabilities.
  - Potential users of this product have access to all features of privacy, security, and safety, regardless of personal capabilities
  - This product appeals to all potential users.
- 2.3.2 **Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities~~To acknowledge and promote access to service delivery, information and the physical environment for persons with disability.~~
- Every potential user can find at least one way to use this product effectively.
  - This product can be used with either the right or the left hand alone.
  - This product facilitates (or does not require user accuracy and precision.
  - This product can be used at whatever pace (quickly or slowly) the user prefers.
- 2.3.3 **Simple and Intuitive:** Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level. ~~Equality of opportunity for men, women and children with disabilities.~~
- This product is as simple and straightforward as it can be
  - An untrained person could use this product without instructions
  - Any potential user can understand the language used in this product
  - The most important features of this product are the most obvious
  - This product provides feedback to the user
- 2.3.4 **Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory



~~abilities. The promotion of meaningful participation and inclusion of persons with disabilities and their needs in all issues pertaining to the Municipality.~~

- ~~• This product can be used without hearing~~
- ~~• This product can be used without sight~~
- ~~• The features of this product can be clearly described in words (eg in instruction manuals or on telephone help lines)~~
- ~~• This product can be used by persons who use assistive devices (eg eyeglasses, hearing aids, sign language)~~

~~2.3.5 **Tolerance for Error:** This design minimizes hazards and the adverse consequences of accidental or unintended actions. Negative attitudes and cultural beliefs about disability should be challenged and addressed through information, sensitization and awareness.~~

- ~~• Product features are arranged according to their importance~~
- ~~• This product draws the user's attention to errors or hazards~~
- ~~• If the user makes a mistake with this product, it won't cause damage or injure the user~~
- ~~• This product prompts the user to pay attention during critical tasks~~

~~2.3.6 **Low Physical Effort:** The design can be used efficiently and comfortably and with a minimum of fatigue. Recognition of the family as a significant support system in meeting the needs of persons with disability and thus recognizing their needs in supporting persons with disabilities as part of this policy.~~

- ~~• This product can be used comfortably (eg without awkward movements or postures)~~
- ~~• This product can be used by someone who is weak or tired~~
- ~~• This product can be used without repeating any motion enough to cause fatigue or pain~~
- ~~• This product can be used without having to rest afterward~~

~~2.3.7 **Size and Space for Approach and Use:** Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture or mobility. Independent living and the integration of persons with disability into the community is the corner stone towards ensuring the dignity and self-worth of persons with disability.~~

- ~~• It is easy for a person of any size to see all important elements of this product from any position (eg. standing or seated)~~
- ~~• It is easy for a person of any size to reach all the important elements of this product from any position (eg. standing or seated)~~
- ~~• This product can be used by a person with hands of any size.~~
- ~~• There is enough space to use this product with devices or assistance (eg. wheelchair, oxygen tank, or service animal)~~

~~2.4.8 Special needs of persons with various disabilities should be recognised and need specific interventions, for example, interpreter services, documentation in Braille and training in sign language for the Deaf.~~

~~2.4.9 There should be zero tolerance towards discrimination of all forms against people with disabilities.~~

## 2.4. OBJECTIVES

The objectives of the policy described below provides an overview of what needs to be addressed. **Measurement of specific progress made shall be done annually against the specific targets identified in Annexure 3.**

To facilitate the development and implementation of municipal departmental services, processes, facilities and projects that is accessible to all persons with diverse needs/requirements including cross-cutting programmes aimed at improving the quality of life of people with disabilities (mainstreaming) through the systematic integration of UA and UD.

2.4.1 Ensure that employees with diverse needs/requirements ~~Disabilities,~~ and their families and the community are aware of existing government policies, ~~and~~ programmes and services for persons with disabilities.

~~2.5.2. Monitor and evaluate the Municipality's delivery on disability inclusion.~~

2.4.2 Enhance networking and collaboration with Persons with Disability Organisations (DPOs) and liaison with communities to improve the organisation of disability structures and to ensure a collaborative approach to addressing the needs of persons with disabilities within Stellenbosch Municipal area in municipal service delivery.

2.4.3. To assess, prioritise and adapt the physical structural design of Council facilities, processes and communication to enhance accessibility for people with diverse needs/requirements including disabilities within the constraints of historical and reasonable accommodation thereby ensuring social integration of all groups with dignity and respect.

2.4.4. Monitor and evaluate the Municipality's delivery on disability inclusion of persons with diverse needs/requirements including persons with disability as part of its workforce and all aspects of service delivery.

~~To improve collaboration between all key players, both in government and civil society.~~

2.4.5 First review of this policy in 2019.

## 2.5. PRIORITIES

There are effectively no programmes that are a priority over others as Universal Access is a systematic upgrade of all policies, planning, products, services, The communication and processes that will allow for all persons with diverse needs/requirements to go about their lives unassisted and without prejudice. This policy purports to ensure that said systematic upgrade through the holistic uptake of Universal Access and Universal Design as the basis for all endeavours an integration of the following disability issues in all Stellenbosch Municipality departmental strategies, planning and programmes. The approach should be

augmented by an integrated and coordinated management system for planning, implementation, as well as monitoring and evaluation of programmes by line departments, thus utilising structures as the Director's Forum in order to realise this goal. It is recognized that not all of the priorities are the mandate of local government and in such cases Provincial Government should be lobbied. The Municipality should prioritize programmes that include but are not limited to:

- 2.5.1. All new developments to be aligned to UD
- 2.5.2. Safety and Security
- 2.5.3. Public participation
- 2.5.4. Accessibility
- 2.5.5. Economic Development
- 2.5.6. Health Care
- 2.5.7. Inclusive development / education and sport / recreation
- 2.5.8. Community Development and networking

### **3. ROLE OF STELLENBOSCH MUNICIPALITY**

#### **3.1. KEY INSTITUTIONAL MECHANISMS**

- 3.1.1. Utilizing relevant MAYCO member offices (getting buy-in from highest political authority) to support disability interventions.
- 3.1.2. Encouraging the participation of people with disabilities in the Municipality's processes (e.g. IDP reviews and LED forums).
- 3.1.3. Consulting with disabled people's organizations DPOs through the Stellenbosch Disability Network
- 3.1.4. The Department Community Development is required to deal with disability programming processes and should be headed by an official holding a position of authority to afford the incumbent the opportunity to sit in and make inputs in meetings of decision-making structures.
- 3.1.5 Disability programming and implementation processes must be handled by managers in different departments of the Municipality and reported to the Department Community Development through a designated disability liaison.
- 3.1.6 Implementation of this policy will be measured through the annual review of **ANNEXURE 1** to this policy through the personal SCORECARDS of directors.

### 3.2. THE ROLE OF THE OFFICE OF THE MUNICIPAL MANAGER

- 3.2.1. Implement agreed performance management targets related to Universal Accessdisability on annual basis with all directors.
- ~~3.2.2. Include target of 2% disabled persons employed in performance agreement of each director.~~
- 3.2.3 Monitor and evaluate programmes implemented by departments and directorates for UAdisability responsiveness or sensitivity according to agreedagree upon performance targets.
- 3.2.4 Ensure the implementation of the Universal AccessDisability Policy for the Stellenbosch Municipality.

### 3.3. THE ROLE OF THE DEPARTMENT COMMUNITY DEVELOPMENT

- 3.3.1. Liaise with the Provincial and Local Government Department on disability issues. Coordinate and mainstream UAdisability policies in strategies and structures.
- 3.3.2. Ensure a measurable approach to UAmainstreaming-disability components in relevant departments/directorates of the Stellenbosch Municipality and develop progress reports.-
- 3.3.3. Network and liaise with the Stellenbosch Disability Forum.
- ~~3.3.4.—Develop progress reports on disability issues.~~
- 3.3.4. Lead the process of developing sector-specific indicators in the Municipality relying on Universal Design Principles.
- 3.3.5. Provide guidance for UAdisability analysis and facilitate inter-departmental collaboration among departments in the mainstreaming of disability into the policies, planning, programmes, IDP and budget.
- 3.3.6. Develop a Municipal UADisability Implementation Action Plan in conjunction with departments and directorates. (ANNEXURE 13)
- ~~3.3.8. Facilitate inter-departmental collaboration among departments as well as non-governmental organisations.~~
- ~~3.3.9 Facilitate the integration of disability components into budgets, programmes, policies, legislation and strategies.~~
- 3.3.7 Implement programmes of benefit to people with disabilities in conjunction with civil society organizations of and for people with disabilities, as per Municipal Disability Action Plan.
- 3.3.8 Prepare and submit reports to Portfolio committees and to management structures.

Although specific roles and responsibilities are outlined with specific attention to the Office of the Municipal Manager and the Department Community Development, all directorates and departments have a responsibility in mainstreaming the rights of persons with disability within their realm of responsibilities. Each directorate has a specific function in service delivery to the community and are responsible for the inclusion of UA and UD in the conceptualization, implementation and reporting of projects.

#### 4. REFERENCES

- 4.1. The Constitution of the Republic of South Africa 1996
- 4.2. Disability Framework for Local Government 2009-2014.
- 4.3. Integrated National Disability Strategy White Paper
- 4.4. Local Government Municipal Systems Act, No. 32 of 2000
- 4.5. Social Development Disability Policy
- 4.6. United Nations Convention on the Rights of Persons with Disabilities.
- 4.7. United Nations Optional protocol to the Convention on the Rights of Persons with Disabilities.
- 4.8. White Paper on Local Government
- 4.9. City of Cape Town External Policy on Persons with Disability
- 4.10. Sensus Stats 2010
- 4.11. SASSA Stats 2015
- 4.12. [Stellenbosch Municipality: Disability Accessibility Study on Municipal Buildings, Infrastructure and Procedures](#)

**LEGISLATIVE FRAMEWORK**

The following legislative frameworks guide and inform ~~policy~~ decisions relating to the Universal Access Policy persons with disability in Framework: in South Africa-

The Constitution of the Republic of South Africa (1996)

National Development Plan 2030

Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000)

Employment Equity Act (55 of 1998)

Skills Development Act (97 of 1998)

Building Standards Act (103 of 1977)

Basic Conditions of Employment Act (75 of 1997)

Occupational Health and Safety Act (85 of 1993)

The Labour Relations Act (66 of 1995)

Disability Framework for Local Government 2009-2014

Integrated National Disability Strategy

Code of Good practice for disability in the workplace

United Nations Convention on the Rights of Persons with Disabilities

The White Paper on Transforming Service Deliver – Batho Pele (1997)

## ANNEXURE 2

### THE FOLLOWING STATISTICS AND INFORMATION INFLUENCED THE DRAFTING OF THE STELLENBOSCH MUNICIPALITY UNIVERSAL ACCESS POLICY FRAMEWORK.

South African Social Security Agency: Social Grants to persons with disability in Stellenbosch as at 17 August 2015. A total of 1 563 Disability related grants are paid out to persons within WC024. This does not reflect the total number of persons with disability, but the persons dependant on government support and grants paid per pay-point.

<u>Care Dependency</u>	<u>146</u>	<u>Disability Grant</u>	<u>1224</u>	<u>Grant in Aid</u>	<u>193</u>
<u>Stellenbosch</u>	<u>47</u>	<u>Stellenbosch</u>	<u>439</u>	<u>Stellenbosch</u>	<u>74</u>
<u>Franschhoek</u>	<u>45</u>	<u>Franschhoek</u>	<u>263</u>	<u>Franschhoek</u>	<u>49</u>
<u>Klapmuts</u>	<u>34</u>	<u>Klapmuts</u>	<u>335</u>	<u>Klapmuts</u>	<u>37</u>
<u>Pniel</u>	<u>7</u>	<u>Pniel</u>	<u>103</u>	<u>Pniel</u>	<u>22</u>
<u>Vlottenburg</u>	<u>6</u>	<u>Vlottenburg</u>	<u>42</u>	<u>Vlottenburg</u>	<u>4</u>
<u>La Motte</u>	<u>4</u>	<u>La Motte</u>	<u>14</u>	<u>La Motte</u>	<u>1</u>
<u>Lynedoch</u>	<u>2</u>	<u>Lynedoch</u>	<u>15</u>	<u>Lynedoch</u>	<u>2</u>
<u>Jamestown</u>	<u>1</u>	<u>Jamestown</u>	<u>13</u>	<u>Jamestown</u>	<u>4</u>

Sensus stats: Although difficult to define what is meant by the description the following statistics were able to be extracted in May 2015 from StatsSA.

<u>Category Disability WC024</u>	<u>%</u>
<u>Communication disability</u>	<u>0.4</u>
<u>Hearing disability</u>	<u>0.1</u>
<u>Seeing</u>	<u>0.6</u>
<u>Self-care disability</u>	<u>1.7</u>
<u>Remembering disability</u>	<u>0.4</u>
<u>Walking or Climbing Stairs disability</u>	<u>0.5</u>
<u>Walking stick or frame</u>	<u>2.3</u>
<u>Wheelchair</u>	<u>1.9</u>
<u>TOTAL</u>	<u>7.9</u>

Statistics for Stellenbosch Municipal Area on mental health and/or disability was not obtainable. However from the above statistics it is clear that 7.9% of Stellenbosch citizens according to the 2010 Census information is affected by some form of disability. It is therefore necessary for Stellenbosch Municipality to ensure that the services offered by the municipality to the citizens take cognisance of this fact and ensure that services are rendered in such a way that inclusion of all citizens are ensured.

Stellenbosch Disability Network:

The first meeting of the Stellenbosch Disability Network was held on 29 October 2014. The membership currently stands on 13, but the meetings are attended by up to 25 different organizations and individuals representing disabled persons in Stellenbosch. The purpose of the forum is to network and share information, but to also approach awareness programmes as a collective to highlight issues affecting persons with disability and to avoid duplication of services and rivalry for funding. This network is then also the forum for consultation on issues of disability.

2015 Network members arewere the following:

<u>Member Name</u>	<u>Type of Member</u>
<u>Altitude Supported Employment</u>	<u>Private Service Provider</u>
<u>Jeremy Hazell</u>	<u>Consultant</u>
<u>Dorothea School</u>	<u>Education Provider</u>
<u>Franschhoek Hospice</u>	<u>Registered Non-profit</u>
<u>Helderberg Association for Persons with Disabilities</u>	<u>Registered Non-profit</u>
<u>ParaVolley SA</u>	<u>Sport Club</u>
<u>PhysiFun</u>	<u>Private Sector Provider &amp; Educator</u>
<u>Senecio</u>	<u>Registered Non-profit</u>
<u>Stellenbosch Municipality</u>	<u>Local Government</u>
<u>Stellenbosch University: Office for Students with Special Learning Needs</u>	<u>Education Provider</u>
<u>VGK Cloeteville</u>	<u>Religious Institution – family support</u>
<u>Leandi Sadie</u>	<u>Consultant</u>
<u>Western Cape Department of Local Government</u>	<u>Provincial Government</u>

In drafting the policy the following process was followed:

Guidance was taken from the external disability policy from City of Cape Town. The concept document was discussed with a consultant in the field of disability employment and policy development from Altitude Supported Employment.

An introduction session on the policy was held with the Stellenbosch Disability Network on the meeting held on 4 March 2015. The policy was then send electronically to the network and was also made available to persons with sight impairments through the US to comment on the policy by 20 March 2015.

Stellenbosch concluded a study on the accessibility of municipal facilities and infrastructure by 30 June 2015. Said report was taken to council and copies made available to all councillors and administrative management. The Department Community Development embarked on the development of an implementation plan for the outcome of the study in the 2015/2016 financial year.

Internal discussion with a focus on the deliverables per directorate was concluded with the director's forum on 21 July 2015 to establish commitment to deliverable guidelines (ANNEXURE 3) to be approved as part of the policy and to clarify the roles of the internal line departments.



The draft policy was approved in principle at the 35<sup>th</sup> Council Meeting on 28 October 2015 and published for public comment in local newspapers.

### ANNEXURE 3

#### KEY PERFORMANCE INDICATOR GUIDELINES

Structure	Departments within the Directorates	KPI
Executive Mayor and Mayoral Committee		<ol style="list-style-type: none"> <li>1. Champion projects eg. Wheelchair Wednesday and Casual Day.</li> <li>2.</li> </ol>
Office of the Municipal Manager	Internal Audit Risk Management	<ol style="list-style-type: none"> <li>1. Include one KPI addressing the needs of persons with disability per director on top layer performance management.</li> <li>2. Champion projects eg. Wheelchair Wednesday and Casual Day.</li> </ol>
Directorate: Corporate Services	Human Resources IDP and Performance Management Communication Legal Services Document Management ICT	<ol style="list-style-type: none"> <li>1. Prioritize and illustrate persons with disability needs in the IDP and performance management process.</li> <li>2. Increase number of persons with disability employed by Stellenbosch Municipality.</li> <li>3. All Council decisions accessible to persons with disability. Eg. Braille</li> </ol>
Directorate: Financial Services	Budget Income and Expenditure Supply Chain Management	<ol style="list-style-type: none"> <li>1. Audit all public municipal financial processes to ensure easy accessibility by persons with disability.</li> <li>2. Report quarterly on the number of persons with disability on the indigent list and SCM service provider list.</li> </ol>
Directorate: Community and Protection Services	Community Services Traffic Services Fire Services Law Enforcement Services	<ol style="list-style-type: none"> <li>1. Implement changes to make one public park disabled accessible.</li> <li>2. Map a process together with the disabled network through which emergency staff can deal with persons with disability in time of a disaster.</li> </ol>
Directorate: Engineering	Water Services Solid Waste Management	<ol style="list-style-type: none"> <li>1. To implement 5 more disabled friendly signals at pedestrian</li> </ol>

Services	Development Services and Project Management Transport, Roads and Stormwater Electrical Services	crossings in Stellenbosch. 2. Cost required alterations for sidewalks of Church, Plein and Andringa Street in order for it to be fully disabled friendly.
Directorate: Planning and Economic Development	Customer Interface and Administration Building Control Land use Management Local Economic Development Community Development Spatial Planning, Heritage and Environment	1. Ensure that 100% of building plans for public facilities submitted for approval comply with SANS regulations for disability access. 2. Implement streamlined process for persons with disability to submit building plan applications/enquiries inclusive of payment process. (Develop information leaflet for all forms of disability relating to these processes.)
Directorate: Human Settlements and Property Management	New Housing Housing Administration Property Management Informal Settlements	1. Review municipal policy on accessibility of low income subsidised housing currently provided. 2. Allocate and spend x% of building maintenance budget on accessibility projects for municipal buildings.

# **APPENDIX 5**

Die bekende akteur, Irshaad Ally, het met 250 leerders van regoor die Wes-Kaap gesels tydens die WOW-mediakursus wat op Saterdag 5 Maart by Coetzenburg plaasgevind het. Leerders en hul onderwysers het dié program met verskillende werksessies oor alle aspekte van joernalistiek, en hoe om 'n skoolkoerant interessant en prakties te maak, terdeë geniet. FOTO'S: NADINE WILLIAMS



Hoërskool Cloetesville het ook die program bygewoon. Hier is Jeraydo Vermeulen (links) en Tyron Plaatjies.

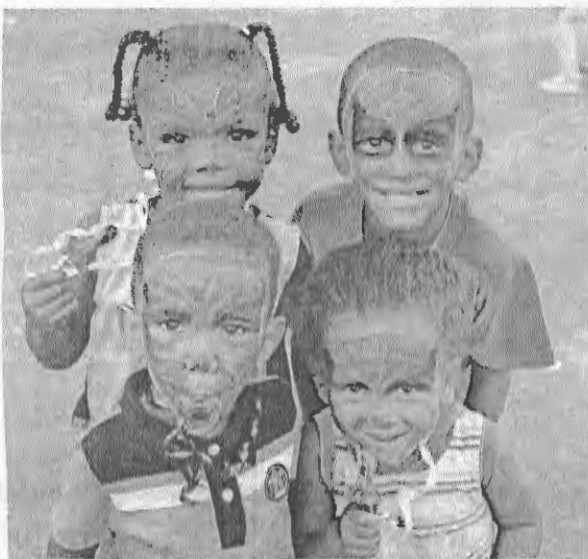


Leerders van Hoërskool Lückhoff het ook die kursus bygewoon. Van links is Ritania Mayeki, Zikhona Mlotywa, Firzana Patel en Allison Carstens.



Van links is Curtley Williams en Sue-Ria Arendse van Hoërskool Groendal.

Foto links: Hoërskool Kylemore se leerders is agter van links, Lorenzia Smit, Zynab Solomon, Nicole Williams, Nathally Mesias en Gaebly Samuels. Voor is Cassidy Beukes, Laycken Hendricks, Andrea Petersen en Cindy Patience.



Van links is Bianca Davids, Chantal Myburgh en Zea Jethas wat die groentetafel beman het.

Foto links: Pniel Primêr het op Vrydag 4 Maart hul jaarlikse basaar gehou. Jonk en oud het gestroom na dié suksesvolle geleentheid, wat by dié skool plaasgevind het. Agter van links is Mischka Peceur en Kyle Fortuin. Voor is Jordan-Lyle Peceur en Deano Fortuin. FOTO'S: NADINE WILLIAMS



Ruben November, skoolhoof (links), Phebe Mentoor en Lizie Meyer het die basaar geniet.

Foto links: Quintilian Solomons het ook by die basaar gehelp.



## STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



### VERSOEK VIR OPENBARE KOMMENTAAR

#### STELLENBOSCH MUNISIPALITEIT UNIVERSELE TOEGANG BELEIDSRAAMWERK

Die konsep Stellenbosch Munisipale Gestremdeheid beleid is op die 35ste Raadsvergadering, gehou op 26 Oktober 2015, goedgekeur en daarom was skriftelike openbare kommentaar aangevra.

As gevolg van die uitgebreide kommentaar ontvang, is 'n naam verandering in beleid genoodsaak en het geleidelik 'n dokument wat nie net daarop gemik is om die behoeftes van persone met gestremdeheid aan te spreek nie, maar wat alle persone insluit met uiteenlopende behoeftes / vereistes.

Hierdie nuwe Universele Toegang Beleidsraamwerk is in konsep vorm goedgekeur by die 38ste Raadsvergadering, gehou op 24 Februarie 2016, waar daar besluit was dat openbare kommentaar ingewin moet word voor finale goedkeuring van die beleid.

Daarom word skriftelike openbare kommentaar hiermee aangevra.

Toegang tot die beleid kan soos volg verkry word:  
 1. Toegang tot die Munisipale webtuiste [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za);  
 2. Versoek via e-pos aan [fiona.kruywagen@stellenbosch.gov.za](mailto:fiona.kruywagen@stellenbosch.gov.za);  
 3. Kyk en nagaan by 'n plaaslike biblioteek.

Geskrewe insette op die beleid moet teen die laaste 31 Maart 2016 gerig word aan:

Die Direkteur  
 Beplanning en Ekonomiese Ontwikkelings Dienste  
 Andringstraat 58  
 Stellenbosch  
 7600  
 of  
 per epos aan [michelle.aalbers@stellenbosch.gov.za](mailto:michelle.aalbers@stellenbosch.gov.za)

Waarnemende Munisipale Bestuurder  
 Stellenbosch Munisipaliteit  
 Kennisgewing No 8/2016

### REQUEST FOR PUBLIC COMMENT

#### STELLENBOSCH MUNICIPAL UNIVERSAL ACCESS POLICY FRAMEWORK

The draft Stellenbosch Municipal Disability Policy was approved at the 35th Council Meeting held on 28 October 2015 and therefore, written public comments were requested.

Due to the extensive comments received, a policy name change was necessitated and it resulted in a document not only aimed at addressing the needs of persons with disabilities, but is now inclusive of all persons with diverse needs/requirements.

This new Universal Accessibility Policy Framework was approved in draft format at the 38th Council meeting held on 24 February 2016 and resolved that public comments be called on prior to the final approval of the policy.

Therefore, written public comments are requested.

Access to the policy can be gained as follows:

1. Accessing the municipal website [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za);
2. Request via email to [fiona.kruywagen@stellenbosch.gov.za](mailto:fiona.kruywagen@stellenbosch.gov.za);
3. View and peruse at any local library.

Written comments on the Stellenbosch Municipal Universal Accessibility Policy Framework may be submitted by no later than 31 March 2016 and addressed to:

The Director: Planning and Economic Development  
 58 Andringa Street  
 Stellenbosch  
 7600

or

via email to [michelle.aalbers@stellenbosch.gov.za](mailto:michelle.aalbers@stellenbosch.gov.za)

Acting Municipal Manager  
 Stellenbosch Municipality  
 Notice No 8/2016

### ISICELO SEZIMVO ZOLUNTU

#### ISICWANGCISO NKQUBO siKaMASIPALA waseSTELLENBOSCH Jikelele

uMgaqo-Nkqubo ka Masipala waseStellenbosch waqulunqwayo waze wavunywa kwi ntlanganiso yeBhunga lika Masipala yama 35, eyayl banjwe ngomhla wama 28 Oktoba 2015. Lwacelewa uluntu ukuba lubhale izimvo zalo malunga naloMgaqo-Nkqubo.

Ngenxa yobuninzi bezimvo esazifumanayo lonto yadala ukuba kutshintshwe loMgaqo-Nkqubo ungajongi icala labakhubazekileyo kuphela kodwa unjenge wonke ubani onemfundo ezahlukelelo.

LoMgaqo-Nkqubo mtsha uphunyezwe kwintlanganiso yeBhunga lika Masipala yama 38 eyayibanjwe ngomhla wama 24 February 2016

Ngokoke izimvo ezibhaliweyo ziyacelewa

- Olu xwebhu loMgaqo-Nkqubo lungafumaneka ngezindlela zilandelayo:
1. Luyafumaneka kwi website ka Masipala ethi [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za);
  2. Ungalucela nge email ku [fiona.kruywagen@stellenbosch.gov.za](mailto:fiona.kruywagen@stellenbosch.gov.za);
  3. Lujonge kwaye ulilandelele nakweliphina ithala lee ncwadi.

Izimvo ezibhaliweyo malunga nalo Mgaqo-Nkqubo woKhubazeko ka Masipala wase Stellenbosch zingathi zifakwe ungagqihanga umhla wama 31 March 2016 kwaye zithunyelwa kule dilesi ilandelayo:

Ku Mlawuli: Icadelo loCwangciso noPhuhliso LwezoQoqosho  
 58 Andringa  
 Stellenbosch  
 7600

Okanye

Nge email ku [michelle.aalbers@stellenbosch.gov.za](mailto:michelle.aalbers@stellenbosch.gov.za)

uMphathi Masipala Olibambela  
 Stellenbosch Municipality  
 Notice No 8/2016



**Betrekings**  
**Kennisgewings**  
**Boedels** **Veilings**

**Eikestad** NUUS

NUUS NET VIR JOU

**Skakel 021 887 2840**

Musikhaus  
**W. HEUER**

**SENIOR BOEKHOUER**

- Boekhouding tot balansstaat
- Volledige Pastel vaardighede insluitend debiteure, krediteure, voorraad en kontant
- Maandelikse statutêre opgawes
- 6/8ste dag pos

Epos CV na  
[office@wheuer.co.za](mailto:office@wheuer.co.za)

**Signage Workshop Staff**  
required

For a well-established local signage company. Previous Experience in every aspect of signage production is an absolute necessity. At least 5 years previous experience is required and contactable references must accompany your application.

Send a 2 page CV to  
[susan@strandesigns.co.za](mailto:susan@strandesigns.co.za)

The Pebbles Project Trust currently has the following vacancies available for qualified and experienced professionals. More details regarding each position on [www.pebblesproject.co.za/vacancies](http://www.pebblesproject.co.za/vacancies)

**AFTER-SCHOOL CLUB SUPPORT TEACHER - STELLENBOSCH (Full Time)**

**Requirements:** • A tertiary degree in Education • 3-5 years' teaching experience essential • Be fluent in Afrikaans and English • Be fully computer literate • Have a valid driving license and own car • Must be prepared to obtain a Code 10 driver's license • Be able to work independently and as part of our great team • Be able to work flexible hours, some weekends and evenings occasionally • Attention to detail, plan and prioritize work, meet deadlines to successfully deliver a diversity of objectives and demands • Available 5 days per week from 8:00-17:00 (sometimes 9:00-18:00, based on the closing times of the various After-School Clubs).

**EDUCATIONAL SUPPORT TEACHER - CITRUSDAL (Full Time)**

**Requirements:** • Preferably a Teaching Degree or Diploma with 3-5 years' relevant experience • Clean driving license and own vehicle • Fluent written / spoken English and Afrikaans • Excellent computer, administration and organisational skills • Available 5 days per week from 8:00-17:00 (sometimes 9:00-18:00, based on the closing times of the various After-School Clubs).

**MOBILE BOOK LIBRARY COORDINATOR - STELLENBOSCH (Full Time)**

**Requirements:** • A University degree in Education or Library Management • 3-5 years' teaching experience essential • Be fluent in Afrikaans and English • Be fully computer literate • Have clean driving licence and own car • Must be prepared to obtain a Code 10 driver's license • Be able to work independently and as part of our great team • Be able to work flexible hours, some weekends and evenings occasionally • Attention to detail, plan and prioritise work, meet deadlines to successfully deliver a diversity of objectives and demands • Available 5 days per week from 9:00-18:00.

**HR OFFICER - STELLENBOSCH (Full Time)**

**Requirements:** • Relevant tertiary qualification (ideally in Human Resource Management or Industrial Psychology) • 3-5 years' experience in administrating and coordinating a combination of Human Resource programmes/processes • Previous experience in the submission of Annual Training Reports and Employment Equity Plans would be very beneficial • Fluent in both Afrikaans and English • In possession of a valid driving licence and own reliable transport • Ability to work independently and as part of our great team • Ability to work flexible hours (some weekends and evenings occasionally) • Attention to detail, ability to plan and prioritise work, meeting deadlines to successfully deliver range of programme outcomes/deliverables • Available 5 days per week from 8:00-17:00.

Please submit your CV and cover letter to [kobie@pebblesproject.co.za](mailto:kobie@pebblesproject.co.za) no later than 15 March 2016. Should you not be invited for an interview by 20 March 2016, please consider your application unsuccessful.

**VACANCIE**  
BOLAND COLLEGE is a committed and innovative leader in continuing education and training in the Boland area and currently offers the following opportunities:

**CLERK: INFRASTRUCTURE (RELIEF POST)**  
Fixed-term Position: HEAD OFFICE

START DATE: 18 April 2016  
END DATE: 21 October 2016  
REMUNERATION: R11 033.25 per month plus benefits  
REFERENCE NUMBER: HR/INF/HO/CLRK/25/02

**EXTERNAL MODERATOR**  
Part-time Position: ALL CAMPUS

Applications will be placed on our database  
REMUNERATION: As determined by National Examinations for exam related duties  
REFERENCE NUMBER: HR/EDT/HOSP/EMOD/30/16

To view the full advertisement, please visit [www.bolandcollege.com](http://www.bolandcollege.com) from 8 March 2016

CLOSING DATE FOR APPLICATIONS: 15 March 2016 at 10:00

Applications without a completed application form and/or the requested documents/information will not be considered.

This appointment will be made in line with Boland College's Employment Equity Plan. If you have not heard from us within 4 weeks of the closing date, please consider your application unsuccessful.

ENQUIRY  
Tel: 021 886 7...  
E-mail: [recruitment@bolandcollege.co.za](mailto:recruitment@bolandcollege.co.za)  
Fax: 086 233 5...



**RHENISH PRIMARY SCHOOL**

Rhenish Primary is a traditional, English co-educational public school situated in Stellenbosch.

**FOUNDATION PHASE INTERNSHIP**  
Position available with effect 18 April 2016

**Requirements:**

- Currently enrolled for either a B Ed or PGCE (Foundation Phase)
- Team player with the ability to work within a number of classes and with a wide variety of colleagues
- A passion for enriching learning and adding value to our learners
- Able to contribute to the extra mural program

Interested applicants please email Curriculum Vitae to the Principal at [rhenish@mweb.co.za](mailto:rhenish@mweb.co.za)

Closing date: 14h00 Friday, 4 April 2016.  
An application does not guarantee an interview.  
The Governing Body reserves the right not to fill the position.



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



**VERSOEK VIR OPENBARE KOMMENTAAR**

STELLENBOSCH MUNISIPALITEIT UNIVERSELE TOEGANG BELEIDSRAAMWERK

Die konsep Stellenbosch Munisipale Gestremdeheid beleid is op die 35ste Raadsvergadering, gehou op 28 Oktober 2015, goedgekeur en daarom was skriftelike openbare kommentaar aangevra.

As gevolg van die uitgebreide kommentaar ontvang, is 'n naam verandering in beleid genoodsaak en het geleidelik 'n dokument wat nie net daarop gemik is om die behoeftes van persone met gestremdeheid aan te spreek nie, maar wat alle persone insluit met uiteenlopende behoeftes/vereistes.

Hierdie nuwe Universele Toegang Beleidsraamwerk is in konsep vorm goedgekeur by die 38ste Raadsvergadering, gehou op 24 Februarie 2016, waar daar besluit was dat openbare kommentaar ingewin moet word voor finale goedkeuring van die beleid.

Daarom word skriftelike openbare kommentaar hiermee aangevra.

Toegang tot die beleid kan soos volg verkry word:

1. Toegang tot die Munisipale webtuiste [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za);
2. Versoek via e-pos aan [fiona.kruywagen@stellenbosch.gov.za](mailto:fiona.kruywagen@stellenbosch.gov.za);
3. Kyk en nagaan by 'n plaaslike biblioteek.

Geskrewe insette op die beleid moet teen die laaste 31 Maart 2016 gerig word aan:

Die Direkteur  
Beplanning en Ekonomiese Ontwikkelings Dienste  
Andringstraat 58  
Stellenbosch  
7600  
of  
per epos aan [michelle.aalbers@stellenbosch.gov.za](mailto:michelle.aalbers@stellenbosch.gov.za)

Waarnemende Munisipale Bestuurder  
Stellenbosch Munisipaliteit  
Kenningsgewing No 8/2016

**REQUEST FOR PUBLIC COMMENT**

STELLENBOSCH MUNICIPAL UNIVERSAL ACCESS POLICY FRAMEWORK

The draft Stellenbosch Municipal Disability Policy was approved at the 35th Council Meeting held on 28 October 2015 and therefore, written public comments were requested.

Due to the extensive comments received, a policy name change was necessitated and it resulted in a document not only aimed at addressing the needs of persons with disabilities, but is now inclusive of all persons with diverse needs/requirements.

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3. View and peruse at any local library.

Written comments on the Stellenbosch Municipal Universal Accessibility Policy Framework may be submitted by no later than 31 March 2016 and addressed to:

The Director: Planning and Economic Development  
58 Andringa Street  
Stellenbosch  
7600

or

via email to [michelle.aalbers@stellenbosch.gov.za](mailto:michelle.aalbers@stellenbosch.gov.za)

Acting Municipal Manager  
Stellenbosch Municipality  
Notice No 8/2016

**ISICELO SEZIMVO ZOLUNTU**

ISICWANGCISO NKQUBO sikaMASIPALA waseSTELLENBOSCH Jikelele

uMgaqo-Nkqubo ka Masipala waseStellenbosch waqulunqwayo waze wawunywa ntlanganiso yeBhunga lika Masipala yama 35, eyayi banjwe ngomhla wama 28 Ok 2015. Lwacelwa uluntu ukuba lubhale izimvo zalo malunga naloMgaqo-Nkqubo.

Ngexxa yobuninzi bezimvo esazifumanayo tonto yadala ukuba kutshintsho lweMg Nkqubo ungajongi icala labakhubazekileyo kuphela kodwa unjunge wonke ubani onem ezahlukelelo

LoMgaqo-Nkqubo mtsha uphunywe kwintlanganiso yeBhunga lika Masipala yam eyayibanjwe ngomhla wama 24 February 2016

Ngokoke izimvo ezibhalweyo ziyacelwa

Olu xwebhu loMgaqo-Nkqubo lungafumaneka ngezindlela zilandelayo:

1. Luyafumaneka kwi website ka Masipala ethi [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za);
2. Ungalucela nge email ku [fiona.kruywagen@stellenbosch.gov.za](mailto:fiona.kruywagen@stellenbosch.gov.za);
3. Lujonge kwaye ulilandelele nakweliphina ithala lee ncwadi.

Izimvo ezibhalweyo malunga nalo Mgaqo-Nkqubo woKhubazeko ka Masipala Stellenbosch zingathi zifakwe ungagqithanga umhla wama 31 March 2016 kwaye zithun, kule difesi ilandelayo:

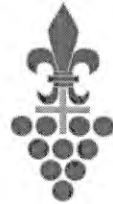
Ku Mlawuli: Icadelo loCwangciso noPhuhliso LwezoQoqosho  
58 Andringa  
Stellenbosch  
7600

Okanye

Nge email ku [michelle.aalbers@stellenbosch.gov.za](mailto:michelle.aalbers@stellenbosch.gov.za)

uMphathi Masipala Olibambela  
Stellenbosch Municipality  
Notice No 8/2016

# **APPENDIX 6**



# Stellenbosch Municipality

## Universal Access Policy Framework

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## EXECUTIVE SUMMARY

The vision of the Stellenbosch Municipality is to be the Innovation Capital of South Africa with the mission to "deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens". As a means to deliver on this vision and mission, Stellenbosch Municipality is guided by the South African Constitution (1994), United Nations International Convention on the Rights of Persons with Disabilities and Optional Protocol (to which South Africa is a signatory since 2007), the Promotion of Equality and Prevention of Unfair Discrimination Act (2000), Employment Equity Act (2001), the White Paper on Transforming Service Delivery - Batho Pele (1997), along with other legislation listed in the Legislative Framework in **ANNEXURE 1**.

As a commitment to strive for Universal Access (UA), Stellenbosch Municipality, supported by their Values: Character Leadership, Transformation and Innovation, supports the creation of accessible communication material, information systems and infrastructure throughout the Municipality. To understand and implement UA, Stellenbosch Municipality is informed and guided by Universal Design (UD), a **process** of embedding **choice** for all **people** in the **things** we design to do.

1. UD is a **process** rather than a final type of product, space or system. In accepting that UD is a process, Stellenbosch Municipality concedes to the fact that it will never be completed, but that we commit to a lifetime of learning and understanding of different users' needs, abilities and desires.
2. **Choice** involves flexibility and multiple alternative means of use and/or interface.
3. **People** include the full range of people regardless of age, ability, sex, economic status, race or religion.
4. **Things** include spaces, products, information systems and any other things that humans manipulate or create.

The need for a UA Policy Framework stems from the Municipality's commitment to ensure equal service to persons with disability and the statistics obtained from SASSA, SA Census 2010, and the establishment of a civil Disability Network within the municipal area (**ANNEXURE 2**), whilst keeping in mind that a large percentage of people do not identify any degree of limitations as a disability. For this reason, the direct beneficiaries of a Universal Access Policy Framework will be approximately 7.9% of the population. However, the secondary beneficiaries including pregnant women, people travelling with small children, children younger than 14 years and elderly people will total to an estimated 65% of the total Municipal population.

## Summary of Comments on Microsoft Word - Universal Access Policy Framework APP 4.docx

Page: 3

Number: 1	Author: cleophas	Subject: Sticky Note	Date: 30/03/16 15:50:17
Remove "international"			
Number: 2	Author: cleophas	Subject: Sticky Note	Date: 30/03/16 15:42:10
sexual orientation, so for example, which toilet does a cross gendered person use? Maybe one universally accessible toilet at least for use by any gender and people with disabilities...an inclusive toilet			



### List of abbreviations

Abbreviation		Explanation
DPO	Disability Persons' Organizations	Organizations representing and serving persons with disabilities
IDP	Integrated Development Plan	Integrated Development Planning is an approach to planning that involves the entire municipality and its citizens in finding the best solutions to achieve good long-term development. Once the IDP is drawn up all municipal planning and projects should happen in terms of the IDP. The annual council budget should be based on the IDP. Other government departments working in the area should take the IDP into account when making their own plans.
LED	Local Economic Development	To build up the economic capacity of a local area to improve its economic future and the quality of life for all. It is a process by which public, business and nongovernmental sector partners work collectively to create better conditions for economic growth and employment generation. (World Bank)
MAYCO	Mayor Committee	Committee existing of the Mayor and all portfolio councillors
SASSA	South African Social Security Agency	Agency responsible for the administration of Social Grants
UA	Universal Access	The equal ability of all people to participate in any process irrespective of their diverse needs/requirements
UD	Universal Design	UniversalDesign.com defines Universal Design (UD) as the process of embedding choice for all people in the things we design. Universal Design continues to evolve as both designers and users broaden their understanding and experience of different users' needs, abilities and desires. The more you know about UD, the more you realize that there will always be more to learn. Universal Design is a lifelong learning opportunity, and no one knows it all. We are all students of Universal Design who can learn from each other about how to better design things for all people.

## 1. INTRODUCTION

The policy intends to create a conducive environment to address issues affecting people with diverse needs/requirements within the Stellenbosch Municipal area. It provides guidance on the development and implementation of programmes aimed at promoting the rights and freedoms of people with disabilities as well as other persons with diverse needs/requirements. It advocates for the mainstreaming of issues affecting persons with disability and diverse needs/requirements into municipal departments and directorates. The policy is firmly grounded on the principle that UA should be made integrated into project conceptualization, planning and implementation of IDP programmes in all departments. It also suggests models and mechanisms for coordination of UA implementation, monitoring and evaluation.

In terms of the United Nations Convention on the Rights of Persons with Disabilities 'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others'. The same document also speaks of disability being an evolving concept and that disability results from the interaction between people with functional limitations and the attitudinal and environmental barriers that hinder full and effective participation in society on an equal basis.

It is thus important when considering programmes or policies that the approach should make provision for addressing attitudes, processes, knowledge and the environment in which people with diverse needs, including people with disabilities, function.

In order to achieve the above universal accessibility should not be viewed as just physical changes to buildings and the like, but inclusion through the acceptance of Universal Design Principles in the development of standards and guidelines. The term "Universal Design" has evolved from the "Barrier Free Design" and "Accessible Design", design processes that focused specifically on addressing the needs of people with disabilities. Universal Design goes further by recognizing that we all exist somewhere on a wide continuum of human ability. Everyone, even the most able-bodied person, passes through childhood, periods of temporary illness and injury, and old age. By designing for the more limited abilities on the continuum, we can create environments, products, and services that will be easier for all people to use, regardless of their abilities, age or current state of health.

## 2. STRATEGIC POSITIONING

### 2.1. VISION

To create accessible communication media, information systems and infrastructure to lead to the full participation and equal access to opportunities for all people, including people with disabilities within the jurisdiction of Stellenbosch Municipality.

## 2.2. MISSION

This policy aims to ensure the human rights of people with diverse needs/requirements through the alignment of projects and programmes to support universal participation and equalization of opportunities for all people, including persons with disabilities. Stellenbosch Municipality aims to achieve said mission through:

- 2.2.1 Promotion of equal opportunities and full participation or inclusion of people with diverse needs/requirements in the economic, social and political life through the introduction of UA and UD.
- 2.2.2. Prioritization and integration of UA and UD principles into the IDP and subsequent budget of all departments.
- 2.2.3. Inter-departmental approach in the planning and implementation of disability-related services and programmes.
- 2.2.4. The integration of disability issues into line functions of the Municipality's departments as well as a commitment on the part of the Stellenbosch Municipality to address disability issues appropriately.
- 2.2.5. People with diverse needs/requirements are capacitated to enable them to live productive and sustainable lives.
- 2.2.6. Physical, social, economic and other barriers that prohibit or limit access of persons with disability are removed through creation of conducive and accessible environments.
- 2.2.7. Ensure appropriate allocation of funds to designated programmes of different Municipal Departments to give effect to the policy.
- 2.2.8. Monitoring and evaluating the impact of UA programmes as part of our commitment to improve service delivery through UD.

## 2.3. PRINCIPLES AND UNDERLYING VALUES

In order to ensure all programmes, processes and infrastructure introduced by Stellenbosch Municipality ensures UA, this policy adopts the seven principles of UD. These principles support the values of respect for human dignity, equality of opportunity, access to services and information, full and effective participation, respect for evolving capacity and the need to contribute to changes in negative attitudes and cultural beliefs about people with diverse needs/requirements as outlined in the Disability Framework for Local Government.

- 2.3.1 **Equitable Use:** The design is useful and marketable to people with diverse abilities.
  - All potential users could use this product in essentially the same way, regardless of differences in personal capabilities.
  - Potential users could use this product without feeling segregated or stigmatized because of differences in personal capabilities.
  - Potential users of this product have access to all features of privacy, security, and safety, regardless of personal capabilities

- This product appeals to all potential users.

2.3.2 **Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities,

- Every potential user can find at least one way to use this product effectively.
- This product can be used with either the right or the left hand alone.
- This product facilitates (or does not require user accuracy and precision.
- This product can be used at whatever pace (quickly or slowly) the user prefers.

2.3.3 **Simple and Intuitive:** Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.

- This product is as simple and straightforward as it can be
- An untrained person could use this product without instructions
- Any potential user can understand the language used in this product
- The most important features of this product are the most obvious
- This product provides feedback to the user

2.3.4 **Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.

- This product can be used without hearing
- This product can be used without sight
- The features of this product can be clearly described in words (eg in instruction manuals or on telephone help lines)
- This product can be used by persons who use assistive devices (eg eyeglasses, hearing aids, sign language)

2.3.5 **Tolerance for Error:** This design minimizes hazards and the adverse consequences of accidental or unintended actions.

- Product features are arranged according to their importance
- This product draws the user's attention to errors or hazards
- If the user makes a mistake with this product, it won't cause damage or injure the user
- This product prompts the user to pay attention during critical tasks

2.3.6 **Low Physical Effort:** The design can be used efficiently and comfortably and with a minimum of fatigue.

- This product can be used comfortably (eg without awkward movements or postures)
- This product can be used by someone who is weak or tired
- This product can be used without repeating any motion enough to cause fatigue or pain
- This product can be used without having to rest afterward

2.3.7 **Size and Space for Approach and Use:** Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture or mobility.

- It is easy for a person of any size to see all important elements of this product from any position (eg. standing or seated)
- It is easy for a person of any size to reach all the important elements of this product from any position (eg. standing or seated)
- This product can be used by a person with hands of any size.
- There is enough space to use this product with devices or assistance (eg. wheelchair, oxygen tank, or service animal)

#### 2.4. OBJECTIVES

The objective of the policy described below provides an overview of what needs to be addressed. **Measurement of specific progress made shall be done annually against the specific targets identified in Annexure 3.**

To facilitate the development and implementation of municipal services, processes, facilities and projects that is accessible to all persons with diverse needs/requirements including people with disabilities (mainstreaming) through the systematic integration of UA and UD.

- 2.4.1 Ensure that employees with diverse needs/requirements, their families and the community are aware of existing government policies, programmes and services..
- 2.4.2 Enhance networking and collaboration with Persons with Disability Organisations (DPOs) and liaison with communities to improve the organisation of disability structures and to ensure a collaborative approach to addressing the needs of persons with disabilities within Stellenbosch Municipal area in municipal service delivery.
- 2.4.3. To assess, prioritise and adapt the physical structural design of Council facilities, processes and communication to enhance accessibility for people with diverse needs/requirements including disabilities within the constraints of historical and reasonable accommodation thereby ensuring social integration of all groups with dignity and respect.
- 2.4.4. Monitor and evaluate the Municipality's delivery on inclusion of persons with diverse needs/requirements including persons with disability as part of its workforce and all aspects of service delivery..
- 2.4.5 First review of this policy in 2019.

#### 2.5. PRIORITIES

There are effectively no programmes that are a priority over others as Universal Access is a systematic upgrade of all policies, planning, products, services, communication and processes that will allow for all persons with diverse needs/requirements to go about their lives unassisted and without prejudice. This policy purports to ensure said systematic

upgrade through the holistic uptake of Universal Access and Universal Design as the basis for all endeavours. The approach should be augmented by an integrated and coordinated management system for planning, implementation, as well as monitoring and evaluation of programmes by line departments, thus utilising structures as the Director's Forum in order to realise this goal. It is recognized that not all of the priorities are the mandate of local government and in such cases Provincial Government should be lobbied. The Municipality should prioritize programmes that include but are not limited to:

- 2.5.1. All new developments to be aligned to UD
- 2.5.2. Safety and Security
- 2.5.3. Public participation
- 2.5.4. Accessibility
- 2.5.5. Economic Development
- 2.5.6. Health Care
- 2.5.7. Inclusive development / education and sport / recreation
- 2.5.8. Community Development and networking

### 3. ROLE OF STELLENBOSCH MUNICIPALITY

#### 3.1. KEY INSTITUTIONAL MECHANISMS

- 3.1.1. Utilizing relevant MAYCO member offices (getting buy-in from highest political authority) to support disability interventions.
- 3.1.2. Encouraging the participation of people with disabilities in the Municipality's processes (e.g. IDP reviews and LED forums).
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### 3.2. THE ROLE OF THE OFFICE OF THE MUNICIPAL MANAGER

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#### 4. REFERENCES

- 4.1. The Constitution of the Republic of South Africa 1996
- 4.2. Disability Framework for Local Government 2009-2014.
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The following legislative frameworks guide and inform decisions relating to the Universal Access Policy Framework: in South Africa

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South African Social Security Agency: Social Grants to persons with disability in Stellenbosch as at 17 August 2015. A total of 1 563 Disability related grants are paid out to persons within WC024. This does not reflect the total number of persons with disability, but the persons dependant on government support and grants paid per pay-point.

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Remembering disability	0.4
Walking or Climbing Stairs disability	0.5
Walking stick or frame	2.3
Wheelchair	1.9
TOTAL	7.9

Statistics for Stellenbosch Municipal Area on mental health and/or disability was not obtainable. However from the above statistics it is clear that 7.9% of Stellenbosch citizens according to the 2010 Census information is affected by some form of disability. It is therefore necessary for Stellenbosch Municipality to ensure that the services offered by the municipality to the citizens take cognisance of this fact and ensure that services are rendered in such a way that inclusion of all citizens are ensured.

Stellenbosch Disability Network:

The first meeting of the Stellenbosch Disability Network was held on 29 October 2014. The membership currently stands on 13, but the meetings are attended by up to 25 different organizations and individuals representing disabled persons in Stellenbosch. The purpose of the forum is to network and share information, but to also approach awareness programmes as a collective to highlight issues affecting persons with disability and to avoid

duplication of services and rivalry for funding. This network is then also the forum for consultation on issues of disability.

2015 Network members were the following:

Member Name	Type of Member
Altitude Supported Employment	Private Service Provider
Jeremy Hazell	Consultant
Dorothea School	Education Provider
Franschhoek Hospice	Registered Non-profit
Helderberg Association for Persons with Disabilities	Registered Non-profit
ParaVolley SA	Sport Club
PhysiFun	Private Sector Provider & Educator
Senecio	Registered Non-profit
Stellenbosch Municipality	Local Government
Stellenbosch University: Office for Students with Special Learning Needs	Education Provider
VGK Cloetesville	Religious Institution – family support
Leandi Sadie	Consultant
Western Cape Department of Local Government	Provincial Government

In drafting the policy the following process was followed:

Guidance was taken from the external disability policy from City of Cape Town. The concept document was discussed with a consultant in the field of disability employment and policy development from Altitude Supported Employment.

An introduction session on the policy was held with the Stellenbosch Disability Network on the meeting held on 4 March 2015. The policy was then send electronically to the network and was also made available to persons with sight impairments through the US to comment on the policy by 20 March 2015.

Stellenbosch concluded a study on the accessibility of municipal facilities and infrastructure by 30 June 2015. Said report was taken to council and copies made available to all councillors and administrative management. The Department Community Development embarked on the development of an implementation plan for the outcome of the study in the 2015/2016 financial year.

Internal discussion with a focus on the deliverables per directorate was concluded with the director's forum on 21 July 2015 to establish commitment to deliverable guidelines (**ANNEXURE 3**) to be approved as part of the policy and to clarify the roles of the internal line departments.

The draft policy was approved in principle at the 35<sup>th</sup> Council Meeting on 28 October 2015 and published for public comment in local newspapers.

## KEY PERFORMANCE INDICATOR GUIDELINES

Structure	Departments within the Directorates	KPI
Executive Mayor and Mayoral Committee		<ol style="list-style-type: none"> <li>1. Champion projects eg. Wheelchair Wednesday and Casual Day.</li> <li>2.</li> </ol>
Office of the Municipal Manager	Internal Audit Risk Management	<ol style="list-style-type: none"> <li>1. Include one KPI addressing the needs of persons with disability per director on top layer performance management.</li> <li>2. Champion projects eg. Wheelchair Wednesday and Casual Day.</li> </ol>
Directorate: Corporate Services	Human Resources IDP and Performance Management Communication Legal Services Document Management ICT	<ol style="list-style-type: none"> <li>1. Prioritize and illustrate persons with disability needs in the IDP and performance management process.</li> <li>2. Increase number of persons with disability employed by Stellenbosch Municipality.</li> <li>3. All Council decisions accessible to persons with disability. Eg. Braille</li> </ol>
Directorate: Financial Services	Budget Income and Expenditure Supply Chain Management	<ol style="list-style-type: none"> <li>1. Audit all public municipal financial processes to ensure easy accessibility by persons with disability.</li> <li>2. Report quarterly on the number of persons with disability on the indigent list and SCM service provider list.</li> </ol>
Directorate: Community and Protection Services	Community Services Traffic Services Fire Services Law Enforcement Services	<ol style="list-style-type: none"> <li>1. Implement changes to make one public park disabled accessible.</li> <li>2. Map a process together with the disabled network through which emergency staff can deal with persons with disability in time of a disaster.</li> </ol>
Directorate: Engineering Services	Water Services Solid Waste Management Development Services and Project Management Transport, Roads and Stormwater Electrical Services	<ol style="list-style-type: none"> <li>1. To implement 5 more disabled friendly signals at pedestrian crossings in Stellenbosch.</li> <li>2. Cost required alterations for sidewalks of Church, Plein and Andringa Street in order for it to be fully disabled friendly.</li> </ol>
Directorate: Planning and	Customer Interface and Administration	<ol style="list-style-type: none"> <li>1. Ensure that 100% of building</li> </ol>

Economic Development	Building Control Land use Management Local Economic Development Community Development Spatial Planning, Heritage and Environment	plans for public facilities submitted for approval comply with SANS regulations for disability access. 2. Implement streamlined process for persons with disability to submit building plan applications/enquiries inclusive of payment process. (Develop information leaflet for all forms of disability relating to these processes.)
Directorate: Human Settlements and Property Management	New Housing Housing Administration Property Management Informal Settlements	1. Review municipal policy on accessibility of low income subsidised housing currently provided. 2. Allocate and spend x% of building maintenance budget on accessibility projects for municipal buildings.

DRAFT



# **APPENDIX 7**



# Stellenbosch Municipality

## Universal Access Policy Framework

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## EXECUTIVE SUMMARY

The vision of the Stellenbosch Municipality is to be the Innovation Capital of South Africa with the mission to "deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens". As a means to deliver on this vision and mission, Stellenbosch Municipality is guided by the South African Constitution (1994), United Nations International Convention on the Rights of Persons with Disabilities and Optional Protocol (to which South Africa is a signatory since 2007), the Promotion of Equality and Prevention of Unfair Discrimination Act (2000), Employment Equity Act (2001), the White Paper on Transforming Service Delivery - Batho Pele (1997), along with other legislation listed in the Legislative Framework in **ANNEXURE 1**.

As a commitment to strive for Universal Access (UA), Stellenbosch Municipality, supported by their Values: Character Leadership, Transformation and Innovation, supports the creation of accessible communication material, information systems and infrastructure throughout the Municipality. To understand and implement UA, Stellenbosch Municipality is informed and guided by Universal Design (UD), a **process** of embedding **choice** for all **people** in the **things** we design to do.

1. UD is a **process** rather than a final type of product, space or system. In accepting that UD is a process, Stellenbosch Municipality concedes to the fact that it will never be completed, but that we commit to a lifetime of learning and understanding of different users' needs, abilities and desires.
2. **Choice** involves flexibility and multiple alternative means of use and/or interface.
3. **People** include the full range of people regardless of age, ability, sex, economic status, race or religion.
4. **Things** include spaces, products, information systems and any other things that humans manipulate or create.

The need for a UA Policy Framework stems from the Municipality's commitment to ensure equal service to persons with disability and the statistics obtained from SASSA, SA Census 2010, and the establishment of a civil Disability Network within the municipal area (**ANNEXURE 2**), whilst keeping in mind that a large percentage of people do not identify any degree of limitations as a disability. For this reason, the direct beneficiaries of a Universal Access Policy Framework will be approximately 7,9% of the population. However, the secondary beneficiaries including pregnant women, people travelling with small children, children younger than 14 years and elderly people will total to an estimated 65% of the total Municipal population.

## List of abbreviations

Abbreviation		Explanation
DPO	Disability Persons' Organizations	Organizations representing and serving persons with disabilities
IDP	Integrated Development Plan	Integrated Development Planning is an approach to planning that involves the entire municipality and its citizens in finding the best solutions to achieve good long-term development. Once the IDP is drawn up all municipal planning and projects should happen in terms of the IDP. The annual council budget should be based on the IDP. Other government departments working in the area should take the IDP into account when making their own plans.
LED	Local Economic Development	To build up the economic capacity of a local area to improve its economic future and the quality of life for all. It is a process by which public, business and nongovernmental sector partners work collectively to create better conditions for economic growth and employment generation. (World Bank)
MAYCO	Mayoral Committee	Committee existing of the Mayor and all portfolio councillors
SASSA	South African Social Security Agency	Agency responsible for the administration of Social Grants
UA	Universal Access	The equal ability of <b>all</b> people to participate in any process irrespective of their diverse needs/requirements
UD	Universal Design	UniversalDesign.com defines Universal Design (UD) as the process of embedding choice for all people in the things we design. Universal Design continues to evolve as both designers and users broaden their understanding and experience of different users' needs, abilities and desires. The more you know about UD, the more you realize that there will always be more to learn. Universal Design is a lifelong learning opportunity, and no one knows it all. We are all students of Universal Design who can learn from each other about how to better design things for all people.

## 1. INTRODUCTION

The policy intends to create a conducive environment to address issues affecting people with diverse needs/requirements within the Stellenbosch Municipal area. It provides guidance on the development and implementation of programmes aimed at promoting the rights and freedoms of people with disabilities as well as other persons with diverse needs/requirements. It advocates for the mainstreaming of issues affecting persons with disability and diverse needs/requirements into municipal departments and directorates. The policy is firmly grounded on the principle that UA should be made integrated into project conceptualization, planning and implementation of IDP programmes in all departments. It also suggests models and mechanisms for coordination of UA implementation, monitoring and evaluation.

In terms of the United Nations Convention on the Rights of Persons with Disabilities 'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others'. The same document also speaks of disability being an evolving concept and that disability results from the interaction between people with functional limitations and the attitudinal and environmental barriers that hinder full and effective participation in society on an equal basis.

It is thus important when considering programmes or policies that the approach should make provision for addressing attitudes, processes, knowledge and the environment in which people with diverse needs, including people with disabilities, function.

In order to achieve the above universal accessibility should not be viewed as just physical changes to buildings and the like, but inclusion through the acceptance of Universal Design Principles in the development of standards and guidelines. The term "Universal Design" has evolved from the "Barrier Free Design" and "Accessible Design", design processes that focused specifically on addressing the needs of people with disabilities. Universal Design goes further by recognizing that we all exist somewhere on a wide continuum of human ability. Everyone, even the most able-bodied person, passes through childhood, periods of temporary illness and injury, and old age. By designing for the more limited abilities on the continuum, we can create environments, products, and services that will be easier for all people to use, regardless of their abilities, age or current state of health.

## 2. STRATEGIC POSITIONING

### 2.1. VISION

To create accessible communication media, information systems and infrastructure to lead to the full participation and equal access to opportunities for all people, including people with disabilities within the jurisdiction of Stellenbosch Municipality.

## 2.2. MISSION

This policy aims to ensure the human rights of people with diverse needs/requirements through the alignment of projects and programmes to support universal participation and equalization of opportunities for all people, including persons with disabilities. Stellenbosch Municipality aims to achieve said mission through:

- 2.2.1 Promotion of equal opportunities and full participation or inclusion of people with diverse needs/requirements in the economic, social and political life through the introduction of UA and UD.
- 2.2.2 Prioritization and integration of UA and UD principles into the IDP and subsequent budget of all departments.
- 2.2.3 Inter-departmental approach in the planning and implementation of disability-related services and programmes.
- 2.2.4 The integration of disability issues into line functions of the Municipality's departments as well as a commitment on the part of the Stellenbosch Municipality to address disability issues appropriately.
- 2.2.5 People with diverse needs/requirements are capacitated to enable them to live productive and sustainable lives.
- 2.2.6 Physical, social, economic and other barriers that prohibit or limit access of persons with disability are removed through creation of conducive and accessible environments.
- 2.2.7 Ensure appropriate allocation of funds to designated programmes of different Municipal Departments to give effect to the policy.
- 2.2.8 Monitoring and evaluating the impact of UA programmes as part of our commitment to improve service delivery through UD.

## 2.3. PRINCIPLES AND UNDERLYING VALUES

In order to ensure all programmes, processes and infrastructure introduced by Stellenbosch Municipality ensures UA, this policy adopts the seven principles of UD. These principles support the values of respect for human dignity, equality of opportunity, access to services and information, full and effective participation, respect for evolving capacity and the need to contribute to changes in negative attitudes and cultural beliefs about people with diverse needs/requirements as outlined in the Disability Framework for Local Government.

- 2.3.1 **Equitable Use:** The design is useful and marketable to people with diverse abilities.
  - All potential users could use this product in essentially the same way, regardless of differences in personal capabilities.
  - Potential users could use this product without feeling segregated or stigmatized because of differences in personal capabilities.
  - Potential users of this product have access to all features of privacy, security, and safety, regardless of personal capabilities

- This product appeals to all potential users.
- 2.3.2 **Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities,
- Every potential user can find at least one way to use this product effectively.
  - This product can be used with either the right or the left hand alone.
  - This product facilitates (or does not require user accuracy and precision.
  - This product can be used at whatever pace (quickly or slowly) the user prefers.
- 2.3.3 **Simple and Intuitive:** Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.
- This product is as simple and straightforward as it can be
  - An untrained person could use this product without instructions
  - Any potential user can understand the language used in this product
  - The most important features of this product are the most obvious
  - This product provides feedback to the user
- 2.3.4 **Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.
- This product can be used without hearing
  - This product can be used without sight
  - The features of this product can be clearly described in words (eg in instruction manuals or on telephone help lines)
  - This product can be used by persons who use assistive devices (eg eyeglasses, hearing aids, sign language)
- 2.3.5 **Tolerance for Error:** This design minimizes hazards and the adverse consequences of accidental or unintended actions.
- Product features are arranged according to their importance
  - This product draws the user's attention to errors or hazards
  - If the user makes a mistake with this product, it won't cause damage or injure the user
  - This product prompts the user to pay attention during critical tasks
- 2.3.6 **Low Physical Effort:** The design can be used efficiently and comfortably and with a minimum of fatigue.
- This product can be used comfortably (eg without awkward movements or postures)
  - This product can be used by someone who is weak or tired
  - This product can be used without repeating any motion enough to cause fatigue or pain
  - This product can be used without having to rest afterward

2.3.7 **Size and Space for Approach and Use:** Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture or mobility.

- It is easy for a person of any size to see all important elements of this product from any position (eg. standing or seated)
- It is easy for a person of any size to reach all the important elements of this product from any position (eg. standing or seated)
- This product can be used by a person with hands of any size.
- There is enough space to use this product with devices or assistance (eg. wheelchair, oxygen tank, or service animal)

## 2.4. OBJECTIVES

The objective of the policy described below provides an overview of what needs to be addressed. **Measurement of specific progress made shall be done annually against the specific targets identified in Annexure 3.**

To facilitate the development and implementation of municipal services, processes, facilities and projects that is accessible to all persons with diverse needs/requirements including people with disabilities (mainstreaming) through the systematic integration of UA and UD.

- 2.4.1 Ensure that employees with diverse needs/requirements, their families and the community are aware of existing government policies, programmes and services..
- 2.4.2 Enhance networking and collaboration with Persons with Disability Organisations (DPOs) and liaison with communities to improve the organisation of disability structures and to ensure a collaborative approach to addressing the needs of persons with disabilities within Stellenbosch Municipal area in municipal service delivery.
- 2.4.3. To assess, prioritise and adapt the physical structural design of Council facilities, processes and communication to enhance accessibility for people with diverse needs/requirements including disabilities within the constraints of historical and reasonable accommodation thereby ensuring social integration of all groups with dignity and respect.
- 2.4.4. Monitor and evaluate the Municipality's delivery on inclusion of persons with diverse needs/requirements including persons with disability as part of its workforce and all aspects of service delivery..
- 2.4.5 First review of this policy in 2019.

## 2.5. PRIORITIES

There are effectively no programmes that are a priority over others as Universal Access is a systematic upgrade of all policies, planning, products, services, communication and processes that will allow for all persons with diverse needs/requirements to go about their lives unassisted and without prejudice. This policy purports to ensure said systematic

upgrade through the holistic uptake of Universal Access and Universal Design as the basis for all endeavours. The approach should be augmented by an integrated and coordinated management system for planning, implementation, as well as monitoring and evaluation of programmes by line departments, thus utilising structures as the Director's Forum in order to realise this goal. It is recognized that not all of the priorities are the mandate of local government and in such cases Provincial Government should be lobbied. The Municipality should prioritize programmes that include but are not limited to:

- 2.5.1. All new developments to be aligned to UD
- 2.5.2. Safety and Security
- 2.5.3. Public participation
- 2.5.4. Accessibility
- 2.5.5. Economic Development
- 2.5.6. Health Care
- 2.5.7. Inclusive development / education and sport / recreation
- 2.5.8. Community Development and networking

### 3. ROLE OF STELLENBOSCH MUNICIPALITY

#### 3.1. KEY INSTITUTIONAL MECHANISMS

- 3.1.1. Utilizing relevant MAYCO member offices (getting buy-in from highest political authority) to support disability interventions.
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Wheelchair	1.9
TOTAL	7.9

Statistics for Stellenbosch Municipal Area on mental health and/or disability was not obtainable. However from the above statistics it is clear that 7.9% of Stellenbosch citizens according to the 2010 Census information is affected by some form of disability. It is therefore necessary for Stellenbosch Municipality to ensure that the services offered by the municipality to the citizens take cognisance of this fact and ensure that services are rendered in such a way that inclusion of all citizens are ensured.

#### Stellenbosch Disability Network:

The first meeting of the Stellenbosch Disability Network was held on 29 October 2014. The membership currently stands on 13, but the meetings are attended by up to 25 different organizations and individuals representing disabled persons in Stellenbosch. The purpose of the forum is to network and share information, but to also approach awareness programmes as a collective to highlight issues affecting persons with disability and to avoid

duplication of services and rivalry for funding. This network is then also the forum for consultation on issues of disability.

2015 Network members were the following:

Member Name	Type of Member
Altitude Supported Employment	Private Service Provider
Jeremy Hazell	Consultant
Dorothea School	Education Provider
Franschhoek Hospice	Registered Non-profit
Helderberg Association for Persons with Disabilities	Registered Non-profit
ParaVolley SA	Sport Club
PhysiFun	Private Sector Provider & Educator
Senecio	Registered Non-profit
Stellenbosch Municipality	Local Government
Stellenbosch University: Office for Students with Special Learning Needs Disability Unit	Education Provider
VGK Cloetesville	Religious Institution – family support
Leandi Sadie	Consultant
Western Cape Department of Local Government	Provincial Government

In drafting the policy the following process was followed:

Guidance was taken from the external disability policy from City of Cape Town. The concept document was discussed with a consultant in the field of disability employment and policy development from Altitude Supported Employment.

An introduction session on the policy was held with the Stellenbosch Disability Network on the meeting held on 4 March 2015. The policy was then send electronically to the network and was also made available to persons with sight impairments through the US to comment on the policy by 20 March 2015.

Stellenbosch concluded a study on the accessibility of municipal facilities and infrastructure by 30 June 2015. Said report was taken to council and copies made available to all councillors and administrative management. The Department Community Development embarked on the development of an implementation plan for the outcome of the study in the 2015/2016 financial year.

Internal discussion with a focus on the deliverables per directorate was concluded with the director's forum on 21 July 2015 to establish commitment to deliverable guidelines (**ANNEXURE 3**) to be approved as part of the policy and to clarify the roles of the internal line departments.

The draft policy was approved in principle at the 35<sup>th</sup> Council Meeting on 28 October 2015 and published for public comment in local newspapers.



ANNEXURE 3

KEY PERFORMANCE INDICATOR GUIDELINES

Structure	Departments within the Directorates	KPI
Executive Mayor and Mayoral Committee		1. Champion projects eg. Wheelchair Wednesday and Casual Day. 2.
Office of the Municipal Manager	Internal Audit Risk Management	1. Include one KPI addressing the needs of persons with disability per director on top layer performance management. 2. Champion projects eg. Wheelchair Wednesday and Casual Day.
Directorate: Corporate Services	Human Resources IDP and Performance Management Communication Legal Services Document Management ICT	1. Prioritize and illustrate persons with disability needs in the IDP and performance management process. 2. Increase number of persons with disability employed by Stellenbosch Municipality. 3. All Council decisions accessible to persons with disability. Eg. Braille
Directorate: Financial Services	Budget Income and Expenditure Supply Chain Management	1. Audit all public municipal financial processes to ensure easy accessibility by persons with disability. 2. Report quarterly on the number of persons with disability on the indigent list and SCM service provider list.
Directorate: Community and Protection Services	Community Services Traffic Services Fire Services Law Enforcement Services	1. Implement changes to make one public park disabled accessible. 2. Map a process together with the disabled network through which emergency staff can deal with persons with disability in time of a disaster.
Directorate: Engineering Services	Water Services Solid Waste Management Development Services and Project Management Transport, Roads and Stormwater Electrical Services	1. To implement 5 more disabled friendly signals at pedestrian crossings in Stellenbosch. 2. Cost required alterations for sidewalks of Church, Plein and Andringa Street in order for it to be fully disabled friendly.
Directorate: Planning and	Customer Interface and Administration	1. Ensure that 100% of building

Economic Development	Building Control Land use Management Local Economic Development Community Development Spatial Planning, Heritage and Environment	plans for public facilities submitted for approval comply with SANS regulations for disability access. 2. Implement streamlined process for persons with disability to submit building plan applications/enquiries inclusive of payment process. (Develop information leaflet for all forms of disability relating to these processes.)
Directorate: Human Settlements and Property Management	New Housing Housing Administration Property Management Informal Settlements	1. Review municipal policy on accessibility of low income subsidised housing currently provided. 2. Allocate and spend x% of building maintenance budget on accessibility projects for municipal buildings.