



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2017-03-24

NOTICE OF THE 7TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY WEDNESDAY, 2017-03-29 AT 10:00

TO The Speaker, Cllr DD Joubert [Chairperson]
The Executive Mayor, Ald G Van Deventer (Ms)
The Deputy Executive Mayor, Cllr N Jindela

| | | |
|--------------------|-------------------------|------------------------|
| COUNCILLORS | F Adams | MC Johnson |
| | DS Arends | NS Louw |
| | FJ Badenhorst | N Mananga-Gugushe (Ms) |
| | GN Bakubaku-Vos (Ms) | C Manuel |
| | FT Bangani-Menziwa (Ms) | LM Maqeba |
| | PW Biscombe | NE McOmbring (Ms) |
| | PR Crawley (Ms) | XL Mdemka (Ms) |
| | A Crombie (Ms) | RS Nalumango (Ms) |
| | JN De Villiers | N Olayi |
| | MB De Wet | MD Oliphant |
| | R Du Toit (Ms) | SA Peters |
| | A Florence | WC Petersen (Ms) |
| | AR Frazenburg | MM Pietersen |
| | E Fredericks (Ms) | WF Pietersen |
| | E Groenewald (Ms) | SR Schäfer |
| | JG Hamilton | Ald JP Serdyn (Ms) |
| | AJ Hanekom | N Sinkinya (Ms) |
| | DA Hendrickse | P Sitshoti (Ms) |
| | JK Hendriks | Q Smit |
| | LK Horsband (Ms) | E Vermeulen (Ms) |

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that the **7TH MEETING** of the **COUNCIL** of **STELLENBOSCH MUNICIPALITY** will be held in the **COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH** on **WEDNESDAY, 2017-03-29** at **10:00** to consider the items on the Agenda.

SPEAKER
DD JOUBERT

A G E N D A
7TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2017-03-29
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The report by the Acting Municipal Manager re outstanding resolutions taken at previous meetings of Council is attached as **APPENDIX 1**.

FOR INFORMATION

PROGRESS ON COUNCIL RESOLUTIONS MARCH 2017

| Council Meeting | | Resolution | Resolution Date | Date Closed | Task Status | Allocated To | % Feedback | Feedback Comment |
|-----------------|---|--|-----------------|-------------|-------------|--------------|------------|--|
| 352092 | ELECTRICITY SUPPLY TO THE MUNICIPAL AREAS OF STELLENBOSCH | 25TH COUNCIL MEETING: 2014-11-26: ITEM 7.5 RESOLVED (nem con) (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; (b)that billing cooperation be implemented between Drakenstein and Stellenbosch Municipality to implement more effective debt collection; and (c)that SALGA be requested to expedite the Eskom process through political intervention. (DIRECTOR: ENGINEERING SERVICES TO ACTION) | 2014-11-26 | | IN PROGRESS | JOHANNESC | 95.00 | The takeover was approved. The two municipalities must still agree on tariffs and NERSA must also approve. |
| 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 | 98.00 | Comments received from Snr Legal Advisor report for council being prepared |
| 383887 | PROGRESS REPORT – POLICY FOR SELF GENERATION OF ELECTRICITY | 7.9 PROGRESS REPORT : POLICY FOR SELF- GENERATION OF ELECTRICITY 33RD COUNCIL MEETING: 2015-08-25: ITEM 7.9 RESOLVED (nem con) that this matter be referred back to allow the Administration to submit a Progress Report to Council as mentioned in the item. (ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION) | 2015-08-25 | | IN PROGRESS | JOHANNESC | 88.00 | Presentation made by Greencape to Informal Mayco on 13/03/2017. Item to be re-submitted to Mayco – 88% completed |
| 394114 | Investigation with regards to the various | 7.6 INVESTIGATION WITH REGARD TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE | 2015-10-28 | | IN PROGRESS | DUPREL | 85.00 | Following up on outstanding |

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| | <p>residential properties in Mont Rochelle Nature Reserve</p> | <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 7.6</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council rescind its resolution taken at the meeting dated, 2014-01-16, with regard to Item 7.2;</p> <p>(b) that the funds allocated to be spent on conducting the proposed investigation rather be spent on consolidating the 46 unsold erven with Mont Rochelle Nature Reserve and negotiating with the owners of the 14 sold (but undeveloped) erven (the priority being erven 342, 307, 314, 322, 355, 336, located in a visually sensitive area north-eastern slope of "Du Toits Kop" facing the Franschoek valley) regarding the possibility to exchange current erven within Mont Rochelle Nature Reserve with erven in a more suitable area (suitable in terms of environmental, visual and service delivery perspective); and</p> <p>(c) that any other feasible alternative that can limit the impact on the nature reserve that might be identified in the process be considered.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms); P Mntumi (Ms); RS Nalumango (Ms); P Sitshoti (Ms); AT van der Walt and M Wanana.</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)</p> | | | | | | <p>responses and replying to queries. Process ongoing. Summary of response being prepared with a view to inform Council of status quo plus to get further instructions</p> |
| <p>413640</p> | <p>9.1 MOTION BY COUNCILLOR JK HENDRIKS: SUPPORT FOR INDIGENT PEOPLE IN RURAL AREAS</p> | <p>9.1 MOTION BY COUNCILLOR JK HENDRIKS: SUPPORT FOR INDIGENT PEOPLE IN RURAL AREAS</p> <p>38TH COUNCIL MEETING: 2016-02-24: ITEM 9.1</p> <p>The Speaker allowed Councillor JK Hendriks to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter. The matter was put to the vote yielding a result of all in favour.</p> <p>RESOLVED (nem con)</p> <p>(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;</p> <p>(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;</p> <p>(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</p> <p>(d) that Council nominate a multi-party delegation to engage organised agriculture</p> | <p>2016-02-24</p> | | <p>IN PROGRESS</p> | <p>ANNELIER</p> | <p>30.00</p> | <p>Item need to stand over for a next council meeting to allow for another external legal opinion.</p> |

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| | | <p>to investigate what the municipality can do to address the situation of the farm workers, in co-operation with the farmers; (e) that the multi-party delegation comprise of the following Councillors:</p> <p>DA = Cllr JP Serdyn (Ms) ANC = Cllr JA Davids SCA = Cllr DA Hendrickse SPA = Cllr F Adams SCA = Cllr DA Hendrickse ACDP = Cllr DS Arends COPE = Cllr HC Bergstedt (Ms); and NPP = Cllr LL Stander</p> <p>(DIRECTOR: STRAT & CORP TO ACTION)</p> | | | | | | |
| 458852 | <p>Amendment of 2013 approved Municipal Spatial Development Framework and commencement of a Municipal Spatial Development Framework in terms of the Local Government: Municipal Systems Act (Act 32 of 200) for Stellenbosch Municipality WC0024 in line with the</p> | <p>7.4.4 AMENDMENT OF 2013 APPROVED MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK AND COMMENCEMENT OF A MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT (ACT 32 OF 2000) FOR STELLENBOSCH MUNICIPALITY WC024 IN LINE WITH THE NEW PLANNING DISPENSATION WHICH INCLUDE THE LAND USE PLANNING BY-LAW (2015), THE WESTERN CAPE LAND USE PLANNING ACT (ACT 3 OF 2014) AND THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (ACT 16 OF 2013)</p> <p>2ND COUNCIL MEETING: 2016-10-05: ITEM 7.4.4</p> <p>RESOLVED (majority vote)</p> <p>that Council authorises the Municipal Manager to:</p> <p>(a) proceed with the development of a Municipal Spatial Development Framework for Stellenbosch Municipality (WC024) (MSDF);</p> <p>(b) establish an intergovernmental steering committee (IGSC) to compile or amend its municipal spatial development framework in terms of Section 11 of the Land Use Planning Act;</p> <p>(c) establish a project committee;</p> <p>(d) proceed with all administrative functions to oversee the compilation of a first draft of the Municipal Spatial Development Framework for Council approval in terms of the Municipal Systems Act (2000); the Land Use Planning By-law (2015), Land Use Planning Act (2014) and the Spatial Planning Land Use Management Act (2013); and</p> <p>(e) use the MSDF as a platform to consider and align the following: (i) Strategic Environmental Management Framework (SEMF)</p> | 2016-10-05 | | IN PROGRESS | BERNABYB | 40.00 | <p>First IGSC meeting took place on 17 February 2017. Next meeting scheduled for 5 May 2017. All members of IGSC were formally requested to comment on amendments to current MSDF as well as the 2018 MSDF. Period for comment 60 days as per legislation. Public participation envisaged for April 2017. Process ongoing.</p> |

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| | | <p>(ii) Rural Area Plan (RAP) (iii) Urban Development Strategy leading to a Stellenbosch WCO24 SDF (iv) Heritage Resources Inventory (v) Integrated Human Settlement Plan (vi) Klapmuts Local Spatial Development Framework (LSDF) (vii) Stellenbosch LSDF amendment to be compliant with SPLUMA (viii) Jonkershoek LSDF amendment to be compliant with SPLUMA (f) proceed with the amendment of the current approved MSDF to be aligned with the 2017/18 IDP; and (g) both the amendment of the existing MSDF and the compilation of the new MSDF run concurrently with the Integrated Development Planning cycle.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; GN Bakubaku-Vos (Ms); DA Hendrickse; LK Horsband (Ms); FT Bangani-Menziwa (Ms); N Mananga-Gugushe (Ms); LM Maqeba; RS Nalumango (Ms); MD Oliphant; N Sinkinya (Ms) and P Sitshoti (Ms).</p> | | | | | | |
| 478901 | THE THIRD GENERATION INTEGRATED WASTE MANAGEMENT PLAN (IWMP) FOR STELLENBOSCH MUNICIPALITY | <p>7.6.4 THE THIRD GENERATION INTEGRATED WASTE MANAGEMENT PLAN (IWMP) FOR STELLENBOSCH MUNICIPALITY</p> <p>4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.4</p> <p>RESOLVED (nem con)</p> <p>(a) that the attached Draft 3rd Generation IWMP be supported by Council for approval in principle; and</p> <p>(b) that the proposed Draft 3rd Generation IWMP be duly advertised for public comment until the end of February 2017, and be re-submitted together with any comments / objections by D:EA&DP and the public, for final approval and adoption by Council.</p> | 2016-11-23 | | IN PROGRESS | SALIEMH | 10.00 | Additional input obtained from GreenCape. Busy with Public Participation process |
| 478903 | SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARDS TO PUBLIC | <p>7.6.2 SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARD TO PUBLIC TRANSPORT</p> <p>4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council approves the proposal that an assessment of the municipality's capacity be done to determine its ability to provide the proposed public transport service through an internal mechanism and that the recommendation of the assessment be submitted to Council for consideration and decision; and</p> <p>(b) that, should the above assessment recommend the use of an external mechanism for the provision of the public transport service, a feasibility study be</p> | 2016-11-23 | | IN PROGRESS | NIGELW | 20.00 | A service provider is busy with the IPTN which will require further input from Province. A steering committee meeting were held on 9 March 2017 |

PROGRESS ON COUNCIL RESOLUTIONS MARCH 2017

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| | | <p>conducted for the provision of the service through an external mechanism.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; DA Hendrickse and LK Horsband (Ms).</p> | | | | | | |
| 478910 | EVENTS POLICY | <p>7.7.3 EVENTS POLICY</p> <p>4TH COUNCIL MEETING: 2016-11-23: ITEM 7.7.3</p> <p>RESOLVED (nem con)</p> <p>(a) that Council considers the adoption and approval of the Draft Events Policy in principle; and</p> <p>(b) that the Draft Events Policy be advertised for public comment until the end of February 2017 and be re-submitted for final approval and adoption by Council.</p> | 2016-11-23 | | IN PROGRESS | GERALDE | 50.00 | <p>Comments received by the public. Submitted to legal to finalise input to form part of final draft document. Item will serve at April Council meeting.</p> |
| 478900 | WATER SERVICES BY-LAW | <p>7.6.5 WATER SERVICES BY-LAW</p> <p>4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.5</p> <p>RESOLVED (nem con)</p> <p>(a) that the attached Draft Water Services By-law be supported by Council in principle;</p> <p>(b) that the proposed Draft By-law be duly advertised for public comment until the end of February 2017, and be re-submitted together with any comments/ objections by the public, for final approval and adoption by the Council; and</p> <p>(c) that the Draft By-Law, once approved and adopted by Council, be promulgated by the Directorate: Strategic and Corporate Services' legal team in the Provincial Gazette.</p> | 2016-11-23 | | IN PROGRESS | DRIESVT | 60.00 | <p>Call for comments will be published on 19/1/2017 Notice 1/2017 closing date 21/2017</p> |
| 478911 | BY-LAW ON THE PREVENTION OF PUBLIC NUISANCES AND THE KEEPING OF ANIMALS | <p>7.7.2 BY-LAW ON THE PREVENTION OF PUBLIC NUISANCES AND THE KEEPING OF ANIMALS</p> <p>4TH COUNCIL MEETING: 2016-11-23: ITEM 7.7.2</p> <p>RESOLVED (nem con)</p> <p>(a) that Council approves the amended Draft By-Law on the Prevention of Public Nuisances and the Keeping of Animals, in principle; and</p> <p>(b) that the Administration be mandated to advertise said By-Law for public comment until the end of February 2017, whereafter same be</p> | 2016-11-23 | | IN PROGRESS | GERALDE | 50.00 | <p>Comments received by the public. Submitted to legal to finalise input to form part of final draft document. Item will serve at April Council meeting.</p> |

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| | | re-submitted to Council for approval. | | | | | | |
| 478913 | IMPOUNDMENT OF ANIMALS BY-LAW | <p>7.7.1 IMPOUNDMENT OF ANIMALS BY-LAW</p> <p>4TH COUNCIL MEETING: 2016-11-23: ITEM 7.7.1</p> <p>RESOLVED (nem con)</p> <p>(a) that Council considers the adoption and approval of the Draft Impoundment of Animals By- Law; and</p> <p>(b) that the proposed By-Law be duly advertised for public comment until the end of February 2017 and be re-submitted together with any comment/objections by the public, for final approval and adoption by Council.</p> | 2016-11-23 | | IN PROGRESS | GERALDE | 50.00 | No comments received. Item will be submitted to Council during March. |
| 489365 | AMENDMENT TO TARIFF STRUCTURE WITH REGARDS TO RENTAL CATEGORY | <p>7.4.3 AMENDMENT TO TARIFF STRUCTURE WITH REGARDS TO RENTAL CATEGORY</p> <p>5TH COUNCIL MEETING: 2017-01-25: ITEM 7.4.3</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the Sundry Tariffs with regards to the Kayamandi Economic Tourism Corridor as stipulated on page 40 of the 2016/17 Tariff book be amended by the insertion of the following sentence under paragraph (g):</p> <p>“In meritorious cases, the Accounting Officer may grant discounts larger than 30% as indicated above”.</p> <p>(b) that the amendment be advertised for comments and objections for consideration before actual implementation.</p> <p>(CHIEF FINANCIAL OFFICER TO ACTION)</p> | 2017-01-25 | | IN PROGRESS | MARIUSW | 60.00 | Awaiting comments if any. |
| 489388 | IDENTIFICATION OF POSSIBLE TRUST LAND IN PNIEL: STATUS REPORT | <p>7.5.1 IDENTIFICATION OF POSSIBLE TRUST LAND IN PNIEL: STATUS REPORT</p> <p>5TH COUNCIL MEETING: 2017-01-25: ITEM 7.5.1</p> <p>RESOLVED (nem con)</p> <p>(a) that the content of the notice of the Minister, be noted;</p> <p>(b) that the process plan as set out in par. 3.1.5, submitted to the Minister, be endorsed;</p> <p>(c) that the Municipal Manager be authorised to attend to the public participation</p> | 2017-01-25 | | IN PROGRESS | PSMIT | 10.00 | A notice was published in the Eikestad News on 2March 017, soliciting inputs from the public by not later than 7 April 2017. In the process of setting up meetings with the Congregational Church, representative committee as well as |

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| | | <p>process as set out in paragraph 3.1.5;</p> <p>(d) that the proposed allocations, as set out in paragraph 3.1.4, be supported in principle; and</p> <p>(e) that, following the public participation process, a progress report be submitted to Council to deal with the submissions received as a consequence of the public participation process, whereupon final recommendations will be made to the Minister regarding the allocation/transfer of so-called Section 3 Trust land.</p> <p>(DIR: HUMAN SETTLEMENTS TO ACTION)</p> | | | | | | the Cyster family trust. |
| 497158 | <p>DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF COUNCILLORS FOR THE 2016/2017 FINANCIAL YEAR</p> | <p>8.1 DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF COUNCILLORS FOR THE 2016/2017 FINANCIAL YEAR</p> <p>6TH COUNCIL MEETING: 2017-02-22: ITEM 8.1</p> <p>RESOLVED (nem con)</p> <p>(a) that the upper limits pertaining to Councillors' remuneration as determined by the National Minister for Cooperative Governance and Traditional Affairs, be adopted and approved by Council;</p> <p>(b) that the Administration effect implementation after due process has been followed, which includes: Notifying the MEC for Local Government of the Council resolution, the availability of funds in terms of affordability and the schedule containing the increased salaries, allowances and benefits;</p> <p>(c) that the following specific adjustments to the upper limits are approved by Council for implementation by the Administration effective from 1 July 2016, subject to approval by the MEC for Local Government; and</p> <p>(d) that the MEC for Local Government be informed of the following challenges:</p> <ul style="list-style-type: none"> • Implementation date for the Pension fund for Councillors; • The administrative burden regarding the cell phone allowances and data bundles. • Compulsory pension fund membership • Retrospective nature of compulsory pension fund membership • Retrospective nature of data bundles reimbursement • Non-increase in remuneration packages for some Councillors <p>(MUNICIPAL MANAGER TO ACTION)</p> | 2017-02-22 | | IN PROGRESS | VERNONB | 80.00 | For review and implementation by Manager: HR |

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| 497159 | CONDONATION FOR ACTING APPOINTMENT AND ALLOWANCES FOR MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER | <p>7.2.1 CONDONATION FOR ACTING APPOINTMENT AND ALLOWANCES FOR MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER</p> <p>6TH COUNCIL MEETING: 2017-02-22: ITEM 7.2.1</p> <p>The Speaker requested that the Acting Director: Strategic and Corporate Services, Mr Vernon Bowers (as an affected and interested party) recuse himself for the duration of the item.</p> <p>In response to specific concerns raised, the Municipal Manager explained that an administrative oversight has led to non-compliance, and that the purpose of this item is to rectify the matter. It was also pointed out that, once the response from the MEC for local government has been received, this matter ? with all relevant and salient information ? will be tabled to Council.</p> <p>RESOLVED (majority vote)</p> <p>that the MEC for Local Government in the Western Cape condone the acting appointment of the current incumbents in the respective positions of Acting Director Strategic & Corporate Services as well as Acting Director Engineering Services.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>F Adams; FT Bangani-Menziwa (Ms); LK Horsband (Ms); LM Maqeba; N Mananga-Gugushe (Ms); RS Nalumango (Ms); MD Oliphant; N Sinkinya (Ms) and P Sitshoti (Ms).</p> <p>(ACTING DIR: STRAT & CORP TO ACTION)</p> | 2017-02-22 | | IN PROGRESS | ANDRER | 50.00 | Letter submitted to MEC of Local Government. Awaiting feedback. |
| 497811 | QUESTIONS: CLLR F ADAMS: EMPOWERMENT AND WEALTH CREATION OPPORTUNITIES FOR BLACK PEOPLE | <p>10.1 QUESTION 1 BY COUNCILLOR F ADAMS: EMPOWERMENT AND WEALTH CREATION OPPORTUNITIES FOR BLACK PEOPLE</p> <p>6TH COUNCIL MEETING: 2017-02-22: ITEM 10.1</p> <p>It was noted that Councillor F Adams was not satisfied with the response provided in respect of the question posed, and posed a follow-up question to the Executive Mayor, namely:</p> <p>“What is your view on the BBBEE Act, No 53 of 2003 in relation to our responsibilities as local government?”</p> <p>The Speaker RULED</p> | 2017-02-22 | | IN PROGRESS | DONOVANM | 50.00 | A meeting is to be scheduled between the Executive Mayor and Cllr Adams to discuss said matter. |

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| | | that the Executive Mayor provide Cllr F Adams with an answer off line. | | | | | | |
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(OFFICE OF THE EXECUTIVE MAYOR TO ACTION)

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| 7. | CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: (ALD G VAN DEVENTER (MS)) |
| 7.1 | COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: CLLR AR FRAZENBURG |
| 7.1.1 | WATER RESTRICTIONS: CHALLENGES, IMPACT AND INTERVENTIONS ON MUNICIPAL GARDENS AND TREE PLANTING |

1. PURPOSE OF REPORT

To report on the mitigating actions taken by the Department Community Services upon the introduction of the level 3b water restrictions.

2. BACKGROUND

On the 1st of February 2017 the City of Cape Town intensified water restrictions to the entire City by promoting the use of portable water for non-essential purposes. The level 3b water restrictions include the following:

- (a) Watering or irrigation (with municipal drinking water) of flower beds, lawns, vegetables and other plants, sports fields, parks and other open spaces is allowed only on Tuesdays and Saturdays before 9am or after 6pm for a maximum of one hour per day per property, and only if using a bucket or watering can.
- (b) No use of hosepipes or any sprinkler systems allowed and no watering or irrigation is allowed within 48 hours of rainfall that provides adequate saturation.
- (c) Facilities or customers making use of boreholes, treated effluent water, spring water or well-points are not exempt.
- (d) No washing of vehicles or boats using municipal drinking water is allowed at residential/business/industrial properties. Vehicles and boats must be washed with non-potable water or washed at a commercial carwash.
- (e) No irrigation using potable water will be permitted at any of the city's facilities and no increase of the indigent water allocation over and above the free 350 litres a day will be granted, unless through prior application and permission.

In terms of Urban Greening strategy, the level 3b water restrictions will impact the scenic beauty of our parks, gardens, open spaces and tree management drastically and innovative thinking and creativity will be the only solution to sustain our historic image.

Internal arrangement with the Department Water and Sanitation is in a progressive stage to grant special permission for the use of borehole water for parks and gardens, using borehole irrigation systems and tanker systems, elsewhere.

3. DISCUSSION

Currently, the dam levels in the Western Cape have dropped to about 35% of its capacity. Stellenbosch Municipality is faced with various challenges which amongst others include the revision of our landscape strategy. This implies that different elements of design will be introduced as part of our landscaping features.

Major challenges the department are faced with are:

- (a) Re-alignment of operational resources i.e. staff to ensure the continuation of the function.
- (b) Increase in overtime due to the new watering schedules.
- (c) Instant deterioration of parks and gardens which will subsequently increase the numbers of complaints received for poor maintenance.
- (d) The town's current image versus water wise future.
- (e) The continued fast growing extension of dry, desolate desert looking informal settlements.
- (f) Re-evaluation of programs and projects such as the food gardens and million trees project.

Interventions:

- (a) Gardens and trees must be adequately be compost and mulched to improve water retention and water retentive products (Hydrate),
- (b) Borehole water must be applied to all gardens via a bakkie sakkies. Signage must be placed at all sites where municipal borehole water is used as a source of irrigation.
- (c) Only lawns on borehole irrigation may receive water.
- (d) The Sports Department must reduce the number of sportsgrounds that must receive irrigation.
- (e) An exemption licence was obtained for the watering of the Stellenbosch Town Hall Gardens and the grounds around the Toy Museum and Tourism precinct, the possibility of drawing water from the millstream to be pursued.
- (f) New water tanks were purchased and vehicles will be modified to fit water tankers. Staff to manually water smaller gardens and office plants daily with buckets from dusk to dawn.
- (g) No new gardens will be established other than to re-landscape the existing gardens.
- (h) Reduction and closure of some oversized gardens; currently we have 62 gardens and we plan to reduce this by about 15-20%.
- (i) Replacement of thirsty plants with water-wise / succulents / cacti where this would tastefully blend in with the existing planting palette.

- (j) No further tree planting unless there is community ownership and grey water is used. A written agreement is currently in use.
- (k) Discussions were held with the water services department with regard to black water options from effluent sources. This requires infrastructural capital investment; talks are on-going.
- (l) Grey water options must also be explored, but proximity to source is a challenge with this proposal.

4. LEGAL IMPLICATION

None

5. FINANCIAL IMPLICATION

The adaption to the new water restrictions program may increase the overtime and fuel consumption, but the department will address this as part of its operations.

6. COMMENTS FROM OTHER RELEVANT DEPARTMENTS

6.1 ENGINEERING SERVICES

This specific restriction refers to individual residential houses that are limited. Bore-hole water can be used continuously for distribution in the WC024.

MAYORAL COMMITTEE MEETING: 2017-03-22: ITEM 5.2.1

RESOLVED

That it be recommended to Council:

that the report on water restrictions, be noted.

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|-----------------------------|---|---|--|
| Meeting: Ref No: | <i>7th Council: 2017-03-29</i> | Submitted by Directorate: Author: Referred from: | <i>Community Services G Esau Mayco: 2017-03-22</i> |
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| 7.2 | CORPORATE AND STRATEGIC SERVICES: (CLLR E GROENEWALD (MS)) |
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| 7.2.1 | SKILLS DEVELOPMENT AND TRAINING COMMITTEE |
|-------|--|

1. PURPOSE OF REPORT

To consider the appointment of a Mayoral Committee Member to the Skills Development/Training Committee to assist the municipal council and Executive Mayor in the effective and efficient performance and exercise of their respective functions and powers and matters pertaining thereto.

2. BACKGROUND

According to Government Gazette No. 22398, 22 June 2001, paragraph 11“ it is strongly recommended for organisations with more than 50 employees, that a Skills Development Committee is established for the purpose of consultation on training matters.

The parties to the Committee should be representatives from the stakeholders, with 50% from organised labour (2 x representatives from SAMWU and 2 x representatives from IMATU), and 50% from the Employer (1 x representative from Mayoral Committee + the Manager: Human Resources, Director Strategic & Corporate Services and the Municipal Manager). The Committee requires the presence of a representative of the Mayoral Committee to reach its full powers.

In the past the Portfolio Chairperson of the Strategic & Corporate Services Directorate has always been nominated as the Mayoral Committee representative on the Skills Development and Training Committee.

Attached as **APPENDIX 1**, is the previously signed Terms of Reference of the Skills Development and Training Committee.

MAYORAL COMMITTEE MEETING: 2017-03-22: ITEM 5.2.1

RESOLVED

That it be recommended to Council:

that Councillor E Groenewald (Ms) be nominated as the Mayoral Committee Representative on the Skills Development and Training Committee.

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|-----------------|-------------------------------------|----------------------------------|--|
| Meeting: | 7 th Council: 2017-03-29 | Submitted by Directorate: | Strategic and Corporate Services |
| Ref No: | | Author: | Acting Director: Strategic & Corporate |
| Collab: | | Referred from: | Mayco: 2017-03-22 |



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

TRAINING/SKILLS DEVELOPMENT COMMITTEE

TERMS OF REFERENCE

PREAMBLE:

Education and Training underpins the success of the Stellenbosch Municipality to provide efficient and effective services to the community through a competent workforce. A formal structure is hereby established to bring forth the municipality's vision and mission and encourage a culture of life-long learning within the organisation.

1. NAME OF COMMITTEE

Training/Skills Development Committee for the Stellenbosch Municipality.

2. PARTIES

The parties to the Committee will be representatives from the stakeholders with 50% from organized labour (2 representatives from SAMWU and 2 representatives from IMATU and 50% from the employer (1 representative of Mayoral Committee + the Manager: Human Resource Management Services, Director: Corporate Services and the Municipal Manager).

3. PURPOSE

This Committee is constituted in terms of Regulations 6729. The purpose of the Committee is the following:

3.1 To realize the objectives of the Skills Development Act (Act 97 of 1998)

and ensure consultation between the parties in developing and implementing the annual Workplace Skills Plan.

- 3.2 To make provision for employee participation in the development and implementation of the workplace skills plan.
- 3.3 To ensure that the interests of all employees are taken into account irrespective of their affiliation or non-affiliations to organizations and unions.
- 3.4 To share information which is necessary for the parties to effectively influence and inform the development and implementation of the Workplace Skills Plan.

4. FUNCTIONS

- 4.1 Meet at least once per quarter to address the Workplace Skills Plan process, i.e. the development, implementation and monitoring of the plan.
- 4.2 To report back to their respective constituencies on progress made and any new developments relating to the plan.
- 4.3 Receiving of information and make inputs on behalf of constituencies to approve the process and procedures.
- 4.4 The process of approval involves consultation with management and where necessary negotiations to reach joint decision-making.
- 4.5 Promote the objectives of the Skills Development Act and the SAQA Act.
- 4.6 Evaluate and monitor the progress of the Skills Development Facilitator, which includes for the participation of all departments/sections in work with SDF
- 4.7 To participate and evaluate a proper need amongst the municipal workforce to ensure that the training needs can be prioritized as per paragraph 4.8 below.
- 4.8 Prioritise the training needs of the municipality in line with the strategic objectives of the municipality, the Sector Skills plan, the Integrated

Development Plan, the Employment Equity Plan and the National Skills Development Strategy.

5. POWERS

- 5.1 To agree on behalf of all employees/colleagues on process and procedures relevant to the Workplace Skills Plan.
- 5.2 To sign off the completed Workplace Skills Plan.
- 5.3 To ensure compliance from all role players.
- 5.4 Limited to any decision relating solely to the needs analysis prior to the Workplace Skills Plan

6. REPRESENTATIVES

6.1 Representatives

ONE representative of the Mayoral Committee, two representatives from IMATU, two representatives from SAMWU, the Human Resource Manager, the Director: Strategic and Corporate Services and the Municipal Manager. The Skills Development Facilitator and the Human Resource Officer/Clerk represents the Skills Development section.

6.2 Terms of office

- 6.2.1 Each representative will serve a 36 months term of office on this Committee.
- 6.2.2 If the representative is replaced by their respective constituencies, that the replacement serves for the remainder of the 36 months.

6.3. Time-off

Committee members will be given, the necessary time-off to attend Committee meetings, and afforded reasonable time-off to deal with Committee business and to perform duties directly associated with their

role on the Training/Skills Development Committee.

6.4. Chairperson

The position of Chairperson shall rotate annually (January till December) between employer and employee representatives. In the case of the chairperson not being present, the meeting will elect a chairperson for the specific meeting.

6.5 Designated Official

The designated official will fulfill the role of Council's Skills Development Facilitator as per the relevant directives from the Local Government SETA.

6.6 Meetings

The quorum of all Training/Skills Development Committee meetings shall be 50% plus one, and if a meeting fails to quorate, a second meeting shall be convened, and any number of members present at the second meeting shall constitute a quorum, provided that proper notification was served on all parties and agreement on a second date was reached.

Ordinary meetings shall be convened within a period of seven (7) days, and special meetings may be convened, where necessary within a period of 24 hours.

7. DISPUTE SETTLEMENT PROCEDURE

7.1 Where the parties declare a dispute, such dispute shall be referred to the Local Labour Forum for resolution.

7.2 That parties reserved their rights to follow the legal statutory route to resolve a dispute, of not satisfied at Local Labour Forum.

8. AMENDMENTS

Any amendment to this agreement must be in writing and signed and approved by all parties.

We hereby accept this agreement and commit to adhere to the stipulations as set out in the document.

Signed on this ____ day of _____ at _____ 201__.

Chairperson: _____

Committee members:

**Labour Representative
(SAMWU)**

Date

**Labour Representative
(SAMWU)**

Date

**Labour Representative
(IMATU)**

Date

**Labour Representative
(IMATU)**

Date

**Employer Representative
(Mayoral Committee)**

Date

Employer Representative
Human Resource Manager

Date

Employer Representative
Director: Strategic & Corporate Services

Date

Employer Representative
Municipal Manager

Date

Skills Development Facilitator

Date

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| 7.2.2 | FOURTH GENERATION INTEGRATED DEVELOPMENT PLAN FOR 2017/18 – 2021/2022 |
|-------|--|

1. PURPOSE OF REPORT

To submit to Council the Draft Fourth Generation Integrated Development Plan (IDP) (2017/18 – 2021/2022), for consideration.

2. BACKGROUND

The main Act that regulates integrated development planning is the Municipal Systems Act (Act 32 of 2000). Chapter 5 of this Act which deals with Integrated Development Planning became operational on 1 July 2001. The following sections are of specific importance:

In terms of the provisions of Local Government: Municipal Systems Act of 2000, each Council must, within the prescribed period after the start of its elected term, adopt a single, inclusive, strategic plan for the development of the municipality. Section 25(3) prescribes that a newly elected Council may adopt the IDP of the previous Council.

Section 25(1):

The municipal council must, within a prescribed period after the start of its elected term, adopt a single, inclusive and strategic plan for the development of the municipality which—

- (a) links, integrates and co-ordinates plans and takes into account proposals for the development of the municipality;
- (b) aligns the resources and capacity of the municipality with the implementation of the plan;
- (c) forms the policy framework and general basis on which annual budgets must be based;
- (d) complies with the provisions of this Chapter; and
- (e) is compatible with national and provincial development plans and planning requirements binding on the municipality in terms of legislation.

Section 26:

An integrated development plan must reflect—

- (a) the municipal council's vision for the long term development of the municipality with special emphasis on the municipality's most critical development and internal transformation needs;
- (b) an assessment of the existing level of development in the municipality, which must include an identification of communities which do not have access to basic municipal services;
- (c) the council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs;

- (d) the council's development strategies which must be aligned with any national or provincial sectoral plans and planning requirements binding on the municipality in terms of legislation;
- (e) a spatial development framework which must include the provision of basic guidelines for a land use management system for the municipality;
- (f) the council's operational strategies;
- (g) applicable disaster management plans;
- (h) a financial plan, which must include a budget projection for at least the next three years; and
- (i) the key performance indicators and performance targets determined in terms of section 41.

Section 35(1):

An integrated development plan adopted by the council of a municipality—

- (a) is the principal strategic planning instrument which guides and informs all planning and development, and all decisions with regard to planning, management and development, in the municipality;
- (b) binds the municipality in the exercise of its executive authority, except to the extent of any inconsistency between a municipality's integrated development plan and national or provincial legislation, in which case such legislation prevails; and
- (c) binds all other persons to the extent that those parts of the integrated development plan that impose duties or affect the rights of those persons have been passed as a by-law.

Section 36:

A municipality must give effect to its integrated development plan and conduct its affairs in a manner which is consistent with its integrated development plan.

Section 34:**“Annual review and amendment of integrated development plan**

A municipal council-

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

The first review of the 4th Generation IDP will be done during the 2017/18 financial year for the 2018/19 financial year.

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

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

3. DISCUSSION

An IDP Process Plan and Time Schedule were approved by Council in August 2016 for the compilation of the draft Fourth Generation IDP (2017/18 – 2021/2022). The following processes were followed for the period:

| DATE | ACTION(S) |
|---------------------------|---|
| August 2016 | <ul style="list-style-type: none"> Approval of IDP/Budget/SDF Process Plan and Time Schedule. |
| September - November 2016 | <ul style="list-style-type: none"> Mayco and top management engagements were held on the broad focus areas of the IDP. Engagements focused on establishing a shared understanding, and agreement on the purpose, focus and public participation process to be followed in compiling the IDP. Cluster meetings were held in all 22 wards, focusing on the prioritization of needs. |
| December 2016 | <ul style="list-style-type: none"> Extensive administrative engagements were held to obtain inputs and refine goals, focus areas, and objectives in preparation of IDP/Budget compilation and SDBIP inputs. Performance Analysis; Financial Analysis; and Organizational (Gap) Analysis were conducted. |
| January - February 2017 | <ul style="list-style-type: none"> Mayco and top management confirmed goals and focus areas and provided direction on predetermined objectives. Ward Committee establishment: Ward Committee elections conducted in all 22 wards. Provincial LGMTEC held to agree on Joint Planning Initiatives to support the Fourth Generation IDP. |
| March 2017 | <ul style="list-style-type: none"> Ward Committee training provided to all formally elected Ward Committee members. Ward plans of all 22 wards drafted in consultation with Ward committees and Ward Councillors. Mayco and Council to consider the draft IDP and Budget. |

The following actions will contribute to the finalisation of the Fourth Generation IDP (2017/18 – 2021/2022):

| DATE | ACTION(S) |
|------------|---|
| April 2017 | <ul style="list-style-type: none"> Public consultation on the draft IDP, Budget and SDF in the form of Cluster meetings as well as advertisements in local media. |
| May 2017 | <ul style="list-style-type: none"> Budget Steering Committee to consider Public Participation Input and budgetary amendments Submission of final IDP to MAYCO and Council for adoption. |
| June 2017 | <ul style="list-style-type: none"> Submit final IDP to Provincial Government Approval of SDBIP by the Executive Mayor within 28 days after adoption of the IDP and Budget |

4. FINANCIAL IMPLICATION

There are no financial implications during approval of the process plan.

5. COMMENTS BY RELEVANT DEPARTMENTS

All relevant Departments were consulted and dates of engagements with Provincial IDP Department (Department Local Government) and District Municipality (Cape Winelands District Municipality) were agreed on for inclusion in the IDP, Budget and SDF Process plan and Time Schedule.

MAYORAL COMMITTEE MEETING: 2017-03-22: ITEM 5.2.3**RESOLVED**

That it be recommended to Council:

- (a) that Council notes the adjustments made to the IDP, Budget and SDF Time Schedule of key deadlines to guide the planning, drafting, adoption and review of the Stellenbosch Fourth generation Integrated Development Plan (2017/18 – 2021/22) which has been approved by the Executive Mayor; and
- (b) that the previous item as approved by the Special Council meeting on the 25 August 2016 be amended to read: Process Plan 2017/2018-2021/2022.

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| Meeting: Ref No: | <i>7th Council: 2017-03-29 9/1/2/1</i> | Submitted by Directorate: Author: Referred from: | <i>Strategic and Corporate Services Manager:IDP Mayco: 2017-03-22</i> |
|-----------------------------|---|---|---|

**APPENDICES WILL BE DISTRIBUTED
UNDER SEPARATE COVER**

| | |
|-------|---|
| 7.2.3 | STELLENBOSCH MUNICIPALITY'S PROCESS PLAN AND ADJUSTED TIME SCHEDULE INDICATING THE KEY DEADLINES AND TIME FRAMES FOR THE INTEGRATED DEVELOPMENT PLANNING (IDP), BUDGET AND SPATIAL DEVELOPMENT FRAMEWORK (SDF) PROCESSES TO GUIDE THE PLANNING, DRAFTING, ADOPTION AND REVIEW OF THE FOURTH GENERATION INTEGRATED DEVELOPMENT PLAN FOR 2017/18 – 2021/22 |
|-------|---|

1. PURPOSE OF REPORT

To inform Council about the adjustments made to the Time Schedule of key deadlines for the Integrated Development Plan (IDP), Budget and Spatial Development Framework (SDF) processes. The Time Schedule guides the planning, drafting and adoption of the IDP (2017/18 – 2021/22.).

2. BACKGROUND

Council has approved that any amendments to the time schedule will be approved by the Executive Mayor.

The IDP Process Plan is compiled in terms of sections 28 and 29 of the Municipal Systems Act, No 32 of 2000; which specifies that:

Section 28:

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

Section 29(1):

“The process must—

- (a) be in accordance with a predetermined programme specifying timeframes for the different steps;*
- (b) through appropriate mechanisms, processes and procedures allow for—*
 - (i) the local community to be consulted on its development needs and priorities;*
 - (ii) the local community to participate in the drafting of the IDP; and*
 - (iii) organs of state, including traditional authorities, and other role players to be identified and consulted on the drafting of the integrated development plan;*
- (c) provide for the identification of all plans and planning requirements binding on the municipality in terms of national and provincial legislation; and*

- (d) *be consistent with any other matters that may be prescribed by regulation.”*

The Annual Budget and the IDP are inextricably linked with one another, and this link has been formalised through the promulgation of the Municipal Finance Management Act (Act 56 of 2003).

The requirements for a time schedule are described in Chapter 4 and Section 21(1) of the MFMA and indicates that

The Mayor of a municipality must –

- (a) *coordinate the processes for preparing the annual budget and for reviewing the municipality’s integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible;*
- (b) *at least 10 months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for–*
- (i) *the preparation, tabling and approval of the annual budget;*
- (ii) *the annual review of –*
- aa) *the integrated development plan in terms of section 34 of the Municipal Systems Act; and*
- bb) *the budget related policies.*
- (iii) *the tabling and adoption of any amendments to the integrated development plan and the budget-related policies; and*
- (iv) *the consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii).*

The IDP/ Budget SDF Process Plan takes cognizance of the regulatory framework for the drafting, consultation and approval of the annual Service Delivery and Budget Implementation Plan (SDBIP) which is developed in accordance with the Local Government: Municipal Systems Act, Act 32 of 2000 and Regulations. The SDBIP is the implementation tool to give effect to those objectives and targets as indicated in the IDP. The importance of synchronising the timelines for the revision of the IDP and MTREF with those of the SDBIP, is captured in the sections from the Municipal Systems Act cited underneath:

Section 41:

- (1) *A municipality must in terms of its performance management system and in accordance with any regulations and guidelines that may be prescribed –*
- (a) *set appropriate key performance indicators as a yardstick for measuring performance, including outcomes and impact, with*

regard to the municipality's development priorities and objectives set out in its integrated development plan".

The Local Government Municipal Systems Act, 2000 (Act 32 of 2000) (MSA) Section 26(e) of the MSA refers to the Municipal SDF as a 'core component' of the municipal IDP and requires that the IDP reflects a SDF which must include the provision of basic guidelines for a land use management system for the municipality.

The new planning dispensation which includes the Spatial Planning and Land Use Management Act, 2013, (Act 16 of 2013) (SPLUMA) , the Western Cape Land Use Planning Act No 3 (2014) and the Stellenbosch Municipal Planning By-law (2015) imposes new requirements to compile or amend a Spatial Development Framework.

A municipal SDF (new and/or amended) has to follow a timeline set out in a process plan similar to the IDP process plan. Moreover, the SDF and IDP processes need to be aligned. To this end, the attached process plan incorporates two aspects of the municipal SDF, namely a timeline for amendment of the current SDF, approved in February 2013 (one year process) and for drafting of a new SDF (two year period).

Section 20(2) of SPLUMA indicates how a municipal SDF must be prepared 'as part of' a municipal IDP, in accordance with the provision of the MSA

*Attached, as **ANNEXURE A**, is the IDP/Budget/SDF Process plan indicating the Time schedule of key deadline in preparation for the Fourth Generation Integrated Development Plan for 2017/18 – 2021/22.*

3. DISCUSSION

The process follows the following major phases:

- **Analysis** (August - November 2016) which includes community input, performance analysis, financial analysis and organisational analysis.
- **Strategy** (November/December 2016) during which period the political and executive leadership confirms the strategic direction which will guide the compilation of the revised IDP, SDBIP and MTREF (vision, mission, focus areas, strategic objectives, measures and targets).
- **Preparing annual budget and IDP** (November 2016 to March 2017) during which period the municipal performance scorecard is revised and budget priorities and outputs for the next three years are determined.
- **Tabling of the draft IDP, draft SDBIP and Annual Budget for the purposes of community and other inputs** (March 2017).
- **Consultation and refinement** (April 2017) where the above-mentioned documents are published and circulated for comments and inputs by the community, National and Provincial Treasury, the Cape Winelands District Municipality and other prescribed organs of state or municipalities affected by the IDP or budget.

- **Final approval** (May - June 2017) after consideration of the inputs and comments received.

Important deadlines in terms of the Municipal Systems Act (MSA) and the Municipal Finance Management Act and Regulations (MFMA) are depicted below:

| | | |
|--|---|---|
| MFMA Section 21(1) | Approve the time schedule | 10 months before the start of the new budget year |
| MFMA Section 16(2) | Table draft budget at a council meeting | 90 days before the start of the new budget year |
| MFMA Section 24(1) | Approve the final budget | 30 days before the start of the new budget year |
| MFMA Section 69 (3)(a) | Submit draft SDBIP | No later than 14 days after the approval of an annual budget |
| MFMA Section 53 (1)(c)(ii) | Approval of SDBIP | Within 28 days after the approval of the annual budget is approved by council |
| MSA Section 32(1) | Submit copy of the IDP/draft SDBIP to Province | 10 days after the adoption of the IDP |
| MSA Section 25(4) | Give notice to public on adoption of the IDP | 14 days after the adoption of the IDP |
| MSA Section 25(4) | Publicise a summary of the IDP | 14 days after the adoption of the IDP |
| MFMA Section 69(3) | Submit to the Executive Mayor a service delivery and budget implementation plan (SDBIP) | 14 days after the approval of the annual budget |
| Municipal Performance Regulation 805, Section 24 (2) | Review performance agreements | Reviewed within the month of June annually |
| MSA Section 57(2)(a)(ii); Municipal Performance Regulations for Municipal Managers and managers directly accountable to Municipal Managers, 2006, Regulation 805, Section 4 (a) | Signing of annual performance agreements | Signed within one (1) month of the new financial year or within 90 days upon assumption of duty Chapter 2:4(a), (Systems Act, Sec); |
| Municipal Performance Regulations for Municipal Managers and managers directly accountable to Municipal Managers, 2006, Regulation 805, Section 4 (5) | Submission of performance agreement to the MEC | Within 14 days after concluding the employment contract and performance agreement |
| MFMA Section 53 (3)(b) | Advertise performance agreements of senior managers | No later than 14 days after the approval of the SDBIP |
| Section 127 (2) of the MFMA | Annual Report submission to Council | within seven months after the end of the financial year; |
| Section 127 (5)(i) of the MFMA | Annual Report to Council | Immediately after the Annual Report is submitted |
| Section 127 (5)(ii) of the MFMA | Annual Report to the public | Immediately after submission to Council invite the local community to submit representations |
| Section 127 (5)(b) of the MFMA | Annual Report to the Auditor-General; Provincial Treasury; Department of Local government | When Annual report is submitted |

4. COMMENTS BY RELEVANT DEPARTMENTS

All Departments have been involved and have been consulted in the finalising of the Draft Fourth Generation Integrated Development Plan (2017/18 – 2021/2022).

MAYORAL COMMITTEE MEETING: 2017-03-22: ITEM 5.2.2**RESOLVED**

That it be recommended to Council:

- (a) that the draft Fourth Generation IDP (2017/18 – 2021/2022) for Stellenbosch Municipality be approved in terms of section 25(1) of the Municipal Systems Act No 32 of 2000 for the purposes of obtaining public inputs and comments;
- (b) that the draft IDP be advertised for public inputs and comments during April 2017;
- (c) that the draft Fourth Generation IDP (2017/18 – 2021/2022) be submitted to the Western Cape Provincial Department of Local Government, the Western Cape Provincial Treasury, National Treasury and the Cape Winelands District Municipality; and
- (d) that the IDP be submitted to the Mayoral Committee in May 2017 and to Council before the end of May 2017 for final approval.

| | | | |
|-----------------|---|----------------------------------|---|
| Meeting: | <i>7th Council: 2017-03-29</i> | Submitted by Directorate: | <i>Strategic and Corporate Services</i> |
| Ref No: | <i>9/1/2/1</i> | Author: | <i>Manager: IDP</i> |
| Collab: | | Referred from: | <i>Mayco: 2017-03-22</i> |

**APPENDICES WERE PREVIOUSLY
DISTRIBUTED UNDER SEPARATE
COVER WITH THE MAYCO AGENDA**

| | |
|-------|---|
| 7.3 | ECONOMIC DEVELOPMENT AND PLANNING: [ALD JP SERDYN (MS)] |
| 7.3.1 | APPLICATION FOR STREET NAMING AND NUMBERING: JAMESTOWN HOUSING PROJECT FARM NO. 527/9, STELLENBOSCH (NOW ERF 967, JAMESTOWN) |

1. PURPOSE OF REPORT

To approve the street names and numbers for the Jamestown Housing Project on Farm No. 527/9, Stellenbosch. The application is **recommended for approval**.

2. BACKGROUND

In 2013 an application for the subdivision of Farm No. 527, Stellenbosch into six (6) portions and the rezoning of Portion 4 to subdivisional area to allow 395 single residential zoned properties, 176 General Residential units, educational/place of worship, public open spaces and local authority zone erven, was approved.

In 2014 the further subdivision of Farm No. 527/9, Stellenbosch into 168 erven (Phase 1A of 124 Single Residential, 2 Public Open Space and 1 Local Authority erven on 2.99ha & Phase 1B of 38 Single Residential, 2 Public Open Space and 1 Local Authority erven on 1ha) was approved by Council.

No street names and numbers were however approved with this process and it is now requested to approve the new street names and numbers after a consultative process with the ward councilor and ward members.

3. DISCUSSION

Application for consideration

Application is made to allocate the following street names and numbers as indicated in **APPENDIX 3** to the Jamestown Housing Project.

- **Helderberg Street**
- **Stellenberg Street**
- **Coetzenberg Street**
- **Overberg Street**
- **Rooiberg Street**
- **Simonsberg Street**
- **Sneeuberg Street**
- **Drakensberg Street**

The applicant's motivation is attached as **APPENDIX 4**.

Property details:

| | |
|-----------------------------|---|
| Farm No. | 527/9, Stellenbosch. |
| Location | Adjacent to the Jamestown graveyard. See APPENDIX 2 . |
| Zoning/Zoning Scheme | Subdivisional area / Stellenbosch Municipal Zoning Scheme Regulations, July 1996. |
| Property size | 18.8340ha |
| Owners | Stellenbosch Municipality |
| Applicant | Stellenbosch Municipality (Manager: New Housing) |

Site description and immediate environs

The road infrastructure and dwellings has already been completed by Council and most dwellings are currently occupied. The applicant now intends to erect the proposed street names and allocate the new street numbers for postal services and other emergency needs. See **APPENDIX 5** for the site photos.

Legal requirements

Land use management on this property is administrated in terms of the Zoning Scheme Regulations promulgated in terms of Section 8 of the Land Use Planning Ordinance (15 of 1985 - LUPO).

The current systems of delegations as adopted by Council on 24/06/2015 granted delegating decision making authority to the Executive Mayor with regards to the approval of street naming and numbering of streets (See **APPENDIX 6**).

Council Legal Services Section in their comments on previous street naming and numbering applications indicated that they noted that the Planning and Economic Development Committee under delegation under 27.3(1) have the delegation to consider and make recommendations to the Executive Mayor on the naming of streets, but that they could not find a similar delegation under the Executive Mayor's delegation. They subsequently regarded Council as the final decision making authority in this regard.

This application is subsequently referred to the Executive Mayor to consider the application under delegation or refer to Council for a final decision.

Public participation

The application was submitted in terms of the Stellenbosch Municipal Policy on Place naming, Street naming, Renaming & Numbering (November 2010). Considering that the initial applications for rezoning and subdivision was all advertise, that the proposed street names and numbers was presented to the current ward councilor for Ward 21, whose ward considered all proposals at a ward meeting (See **APPENDIX 4**), but proposed and approved alternative street names and numbers of their own, no further advertising was therefore deemed necessary.

Planning Assessment

The subject roads have been built and it is only the naming of the streets that need to be finalized.

The following 15 roads names were approved by the ward committee:

1. Stellenberg Street
2. Tafelberg Street
3. Helderberg Street
4. Pappegaaiberg Street
5. Overberg Street
6. Drakensberg Street
7. Coetzenberg Street
8. Kogelberg Street
9. Langeberg Street
10. Rooiberg Street
11. Winterhoek Street
12. Simonsberg Street
13. Piketberg Street
14. Sneeuiberg Street
15. Bolandberg Street

The following 8 Street names were subsequently allocated to the subject Phase 1A & 1B of the Jamestown Housing Project as indicated in **APPENDIX 3:**

1. Helderberg Street
2. Stellenberg Street
3. Coetzenberg Street
4. Overberg Street
5. Rooiberg Street
6. Simonsberg Street
7. Sneeuiberg Street
8. Drakensberg Street

The proposed theme of street names deviate from the policy, considering that it is not consistent with the existing street names theme for Jamestown which relates to strawberry cultivar variations. It however ensure that no similar street names exist within the local residential area or within a 2km radius, which is in compliance with the Stellenbosch Municipal Policy on Place naming, Street naming, Renaming & Numbering (November 2010).

The proposed street names relate not only to the surrounding municipal area, but also to broader Western Cape considering that these street names relate to mountain ranges and mountains within the Western Cape Region.

No street naming for the small portion of the entrance road parallel to the existing residential properties and the graveyard, was proposed. Should this road in future be extended as indicated on the initial subdivision plan attached to the report, it will link-up with the gravel road generally known as "School Street". At this stage the land use planning administration is not certain with regards to the process, alignment and timeframes of implementation of that road and has excluded the naming of that portion from this process. It was subsequently not included by the ward committee in this process and should be considered in future extensions of the subject road portion.

The street name and numbering is therefore clearly appropriate for the subject street layout in question and comply in most instances with the provisions of the Stellenbosch Municipal Policy on Place naming, Street

naming, Renaming & Numbering (November 2010) except the deviations relating to the advertise process and the theme for streets names prescribe in the policy (See **APPENDIX 7**).

CONCLUSION

It is the opinion of the Planning and Economic Development Directorate that the application to allocate the proposed street name listed in **APPENDIX 1** and indicated on **APPENDIX 3**, to the public roads and to allocate street numbers for all erven in Jamestown Housing Project on Farm No. 527/9, Stellenbosch (Now Erf 967, Jamestown) could **be recommended for approval** to Council considering that it complies with most of the provision of the Stellenbosch Municipal Policy on Place naming, Street naming, Renaming & Numbering (November 2010).

4. LEGAL COMMENTS

None required, considering that the comments on delegations for similar previous applications have been considered in the report.

5. FINANCIAL COMMENTS

None required, considering that all implementation cost for street naming and numbers is part of the project costing for the account of the Directorate: Integrated Human Settlements (New Housing Department).

6. APPENDICES

- APPENDIX 1 Conditions of approval
- APPENDIX 2 Locality plan
- APPENDIX 3 Proposed Street name and numbering plan
- APPENDIX 4 Applicant's motivation
- APPENDIX 5 Site Photos
- APPENDIX 6 Current system of delegations
- APPENDIX 7 Street names and numbering policy

MAYORAL COMMITTEE MEETING: 2017-03-22: ITEM 5.3.2

RESOLVED

That it be recommended to Council:

that the application to allocate the following proposed street names for street naming purposes in the Jamestown Housing Project, namely:

1. Stellenberg Street
2. Tafelberg Street
3. Helderberg Street
4. Pappegaaiberg Street
5. Overberg Street
6. Drakensberg Street
7. Coetzenberg Street
8. Kogelberg Street
9. Langeberg Street
10. Rooiberg Street

11. Winterhoek Street
12. Simonsberg Street
13. Piketberg Street
14. Sneeuberg Street
15. Bolandberg Street

and the following 8 street names to the already constructed roads in the Jamestown Housing Project, namely:

1. Helderberg Street
2. Stellenberg Street
3. Coetzenberg Street
4. Overberg Street
5. Rooiberg Street
6. Simonsberg Street
7. Sneeuberg Street
8. Drakensberg Street

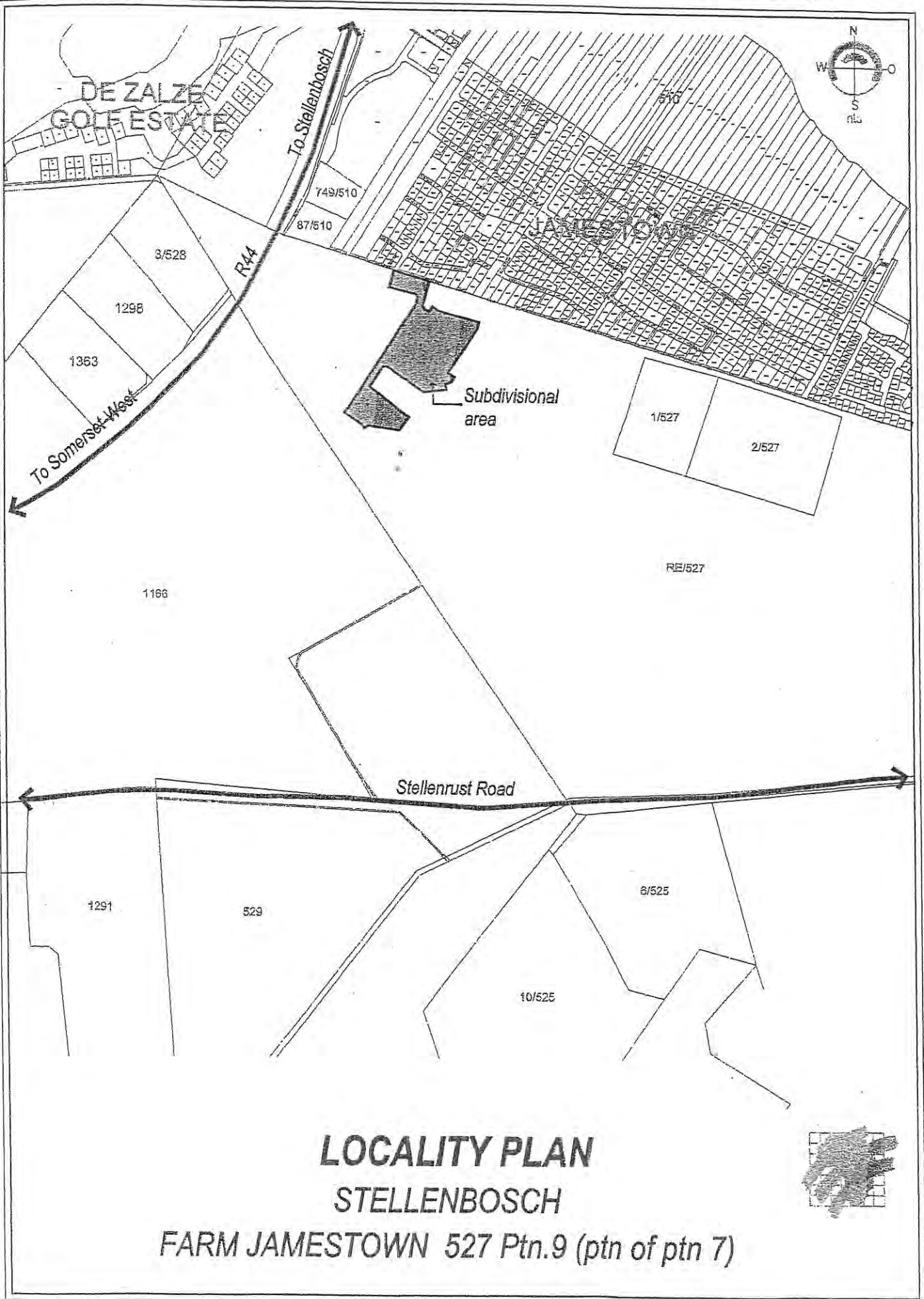
and the allocation of street numbers for all erven in the Jamestown Housing Project on Farm No. 527/9, Stellenbosch (Now Erf 967, Jamestown), **be approved** as contemplated in terms of Section 98 of the Stellenbosch Municipality Land Use Planning By-law dated 20 October 2015 and in compliance with the Stellenbosch Municipal Policy on Place naming, Street naming, Renaming & Numbering (November 2010), **subject to the following conditions:**

1. That the approval applies only to the street naming and numbering in question, as indicated above (and in **APPENDIX 1** and **APPENDIX 3**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
2. That the street names be erected at the cost of the Directorate: Integrated Human Settlements according to Municipal standards.
3. That the Director: Integrated Human Settlements notifies all essential services, other applicable authorities and departments, e.g. the local police, post office, Telkom, ambulance services, fire services, Geographic Mapping Authorities, Municipal Finance, Electrical and Engineering Services etc. of the newly allocated street names and numbers.
4. That Council reserves the right to impose further conditions if deemed necessary.

| | | | |
|---------------------|---|---|---|
| Meeting: Ref no: | 7 th Council: 2017-03-29 PL 527/9 S | Submitted by Directorate: Author Referred from: | Planning and Economic Dev. D Lombaard Mayoral Committee: 2017-03-22 |
|---------------------|---|---|---|

APPENDIX 2

Locality plan

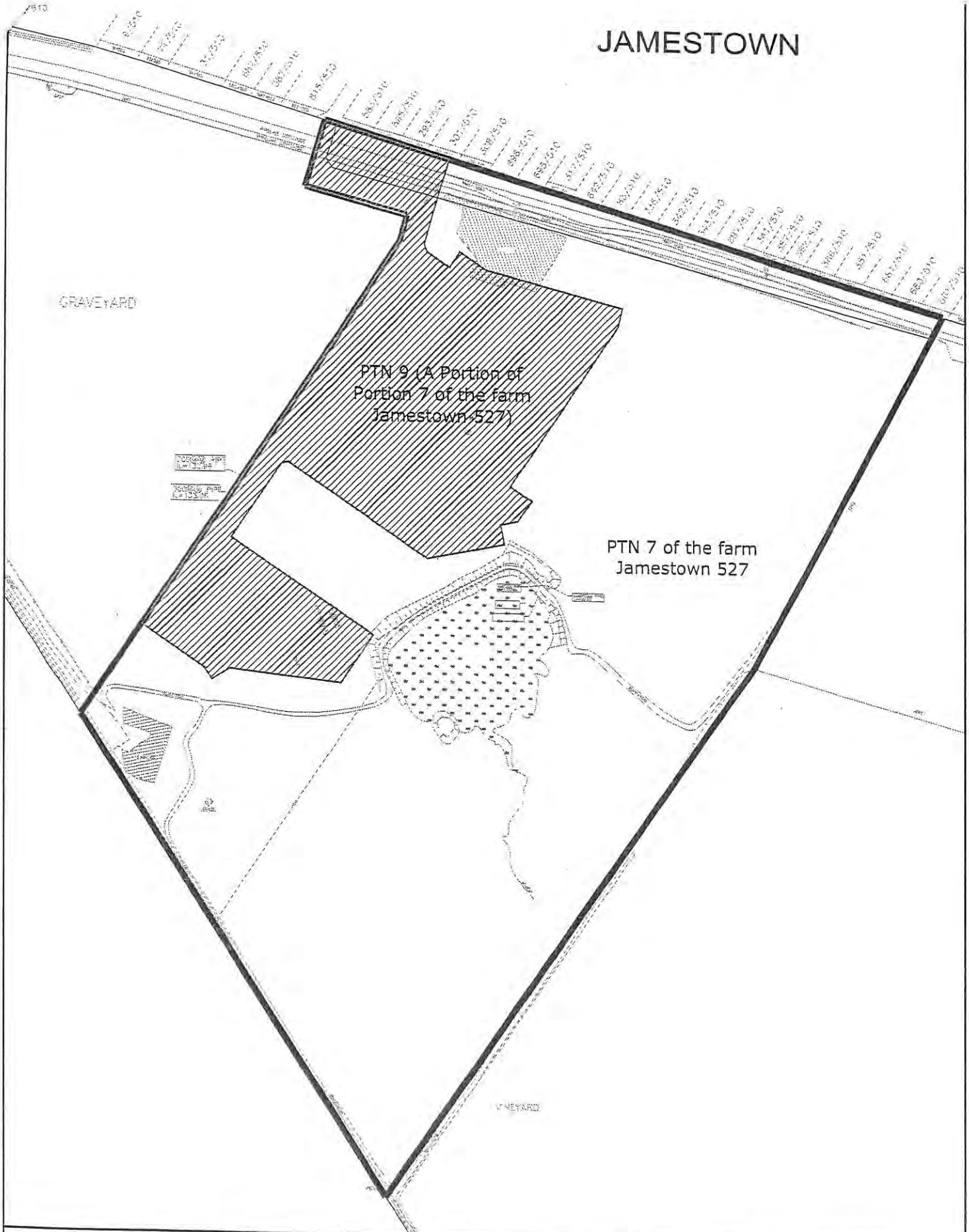


LOCALITY PLAN
STELLENBOSCH

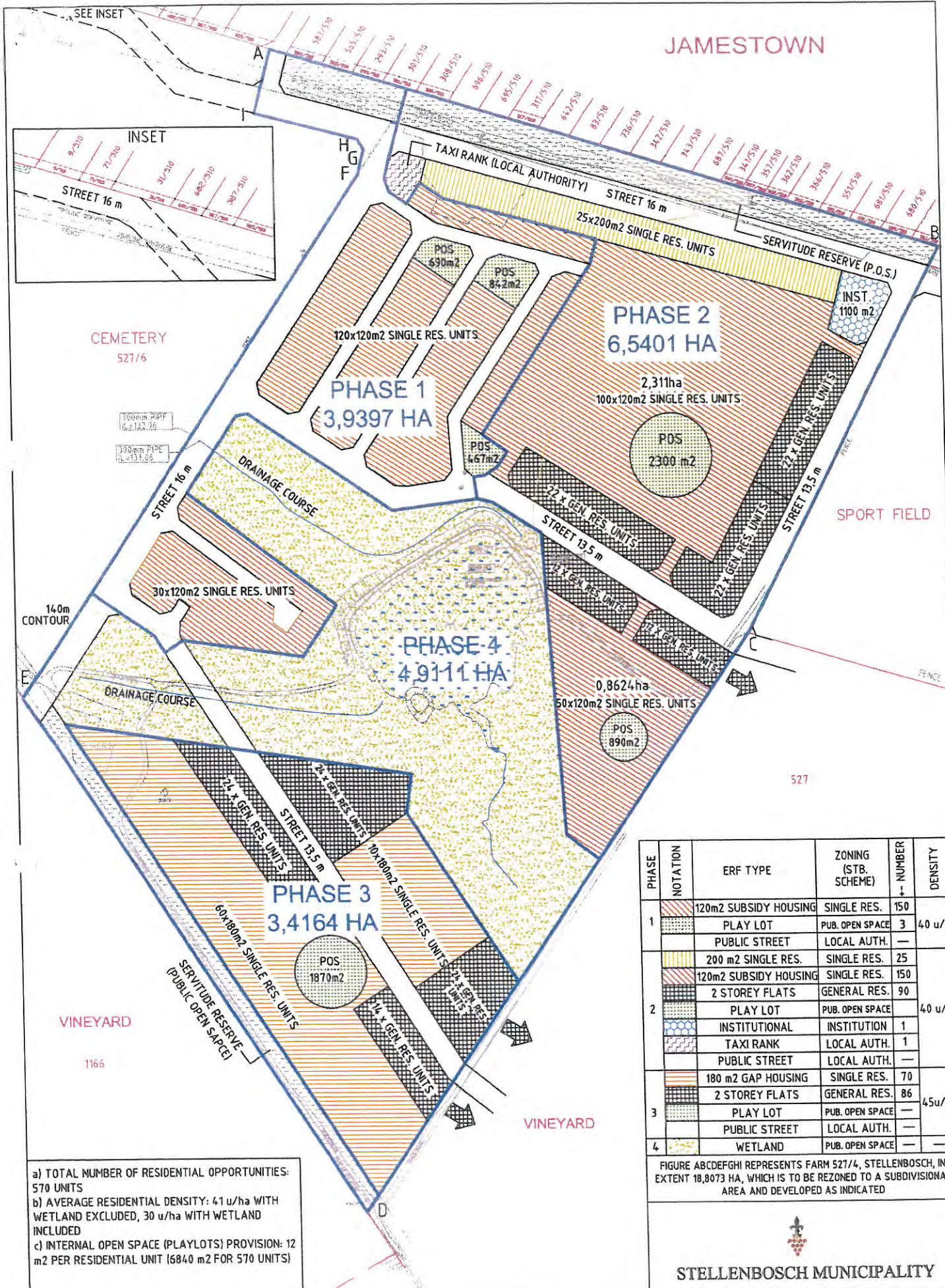
FARM JAMESTOWN 527 Ptn.9 (ptn of ptn 7)



JAMESTOWN



PROPOSED SUBDIVISION OF PORTION 7 / 527 INTO PORTION 9/527 AND A REMAINDER



| PHASE | NOTATION | ERF TYPE | ZONING (STB. SCHEME) | NUMBER | DENSITY |
|-------|-----------|-----------------------|----------------------|--------|---------|
| 1 | [Pattern] | 120m2 SUBSIDY HOUSING | SINGLE RES. | 150 | 40 u/ha |
| | [Pattern] | PLAY LOT | PUB. OPEN SPACE | 3 | |
| | [Pattern] | PUBLIC STREET | LOCAL AUTH. | — | |
| 2 | [Pattern] | 200 m2 SINGLE RES. | SINGLE RES. | 25 | 40 u/ha |
| | [Pattern] | 120m2 SUBSIDY HOUSING | SINGLE RES. | 150 | |
| | [Pattern] | 2 STOREY FLATS | GENERAL RES. | 90 | |
| | [Pattern] | PLAY LOT | PUB. OPEN SPACE | — | |
| | [Pattern] | INSTITUTIONAL | INSTITUTION | 1 | |
| | [Pattern] | TAXI RANK | LOCAL AUTH. | 1 | |
| 3 | [Pattern] | PUBLIC STREET | LOCAL AUTH. | — | 45u/ha |
| | [Pattern] | 180 m2 GAP HOUSING | SINGLE RES. | 70 | |
| | [Pattern] | 2 STOREY FLATS | GENERAL RES. | 86 | |
| | [Pattern] | PLAY LOT | PUB. OPEN SPACE | — | |
| 4 | [Pattern] | PUBLIC STREET | LOCAL AUTH. | — | — |
| | | WETLAND | PUB. OPEN SPACE | — | — |

FIGURE ABCDEFGHI REPRESENTS FARM 527/4, STELLENBOSCH, IN EXTENT 18,8073 HA, WHICH IS TO BE REZONED TO A SUBDIVISIONAL AREA AND DEVELOPED AS INDICATED

STELLENBOSCH MUNICIPALITY

- a) TOTAL NUMBER OF RESIDENTIAL OPPORTUNITIES: 570 UNITS
- b) AVERAGE RESIDENTIAL DENSITY: 41 u/ha WITH WETLAND EXCLUDED, 30 u/ha WITH WETLAND INCLUDED
- c) INTERNAL OPEN SPACE (PLAYLOTS) PROVISION: 12 m² PER RESIDENTIAL UNIT (6840 m² FOR 570 UNITS)

Verw./Ref. MSS
Datum/Date 17/6/2011

Basis /Base info MUN. STB.
Skaal/Scale NVS



PraktiPlan
TEL : 021-8632396
E-POS/E-MAIL: w.js1@telkomsa.net
Kopiereg voorbehou Copyright reserved

FARM 527/4, STELLENBOSCH DEVELOPMENT PLAN

APPENDIX 3
Proposed Street name and
numbering plan

APPENDIX 4

Applicant's motivation



MEMORANDUM

DATE : 1 SEPTEMBER 2016

TO : **MANAGER: LAND USE MANAGEMENT (MS H DEDNAM)**
TOWN PLANNER (PEDRO APRIL)

FROM : **ACTING MANAGER: NEW HOUSING (MS M FRANCIS)**

RE : **ADVERTISING OF STREET NAMES FOR JAMESTOWN (PHASE 1A & 1B)**

REF NR : 16/4/4/6 x 16/3/5/4

During a meeting held on 30 August 2016 at the Ward Office in Jamestown regarding the proposed street names attended by the Ward Councillor, Housing - and Ward committees, the following street names was suggested:

1. Stellenberg
2. Tafelberg
3. Helderberg
4. Pappegaaiberg
5. Overberg
6. Drakensberg
7. Coetzenberg
8. Kogelberg
9. Langeberg
10. Rooiberg
11. Winterhoek
12. Simonsberg
13. Piketberg
14. Sneeuiberg
15. Bolandberg

The above was already discussed with the Town Planner (Pedro April), the community also discussed the reasons why they did not want to go-ahead with the current strawberry theme that are in the Jamestown area for the main fact that the farmers are mostly not familiar with the names that are used.

They were also not in favour of using flower - or animal names that was proposed by the Project Manager during the meeting. Therefor the community suggested to rather go with the mountain theme as it will blend with the Mountain View community adjacent to the project.

Find attached a copy of the project layout and attendance register.

Myra Francis
Acting Manager: New Housing





STELLENBOSCH

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Jamestown Housing project - finalising street names

30 August 2016 @ 18h30

Ward Office 21, Jamestown

ATTENDANCE REGISTER

| NO | NAME & SURNAME | DEPARTMENT | E-MAIL | CONTACT NR | SIGNATURE |
|----|------------------------|------------|------------------------------------|-------------------|-------------------|
| 1 | Anelle Blanckenberg | | anelleblanckenberg@yahoo.com | | <i>Anelle</i> |
| 2 | Bill Hulme | | findbill@gmail.com | | <i>Bill</i> |
| 3 | RODNEY DAVIDSE | | rdavidse@sun.ac.za | | <i>Rodney</i> |
| 4 | DALE SIMONS | | dales@mido.co.za | | <i>Dale</i> |
| 5 | Philip Botha | | philip.botha1281@gmail.com | | <i>Philip</i> |
| 6 | Johannes Cyril Hector | | 072 1323 064 | | <i>Johannes</i> |
| 7 | Grant Hendricks | | 0790503274 | 083246 9144 | <i>Grant</i> |
| 8 | Neneke Totter | | 079050 3274 | | <i>Neneke</i> |
| 9 | Rikus Badenhorst | | 082 654 1048 | rikusbad@quoc.com | <i>Rikus</i> |
| 10 | Christiaan Hantzenberg | | 0721395566 | 07213 5566 | <i>Christiaan</i> |
| 11 | Jerome Wilschut | | 072 8034131 | 0728034131 | <i>Jerome</i> |
| 12 | HD Schneider | | | 0733042214 | <i>HD</i> |
| 13 | BERYL FARAO | | | 0766487366 | <i>Beryl</i> |
| 14 | Carole Lead's | | | 0798006711 | <i>Carole</i> |
| 15 | Joelton moema | | 0726935333 moema.joelton@gmail.com | | <i>Joelton</i> |
| 16 | Lecky Nicka | | lecky@sun.ac.za | 6608823444 | <i>Lecky</i> |
| 17 | BEN PIETERSE | | | 0794677706 | <i>Ben</i> |
| 18 | Alfred Christians | | alfredchristians@gmail.com | 0619040109 | <i>Alfred</i> |
| 19 | Mira Francis | | | 021-808 8760 | <i>Mira</i> |
| 20 | Herold Lambert | | | | <i>Herold</i> |

APPENDIX 5

Site Photos





APPENDIX 6

Current systems of delegations

Debyures:

Den art. 56. SPUNDA. 16 of 2013/

Hedre' Debrum.

(021) 808 8674



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SYSTEM OF DELEGATIONS

FINAL ADOPTION BY COUNCIL ON 2015-06-24

EFFECTIVE FROM 2015-05-01

Signed by Director: Strategic and Corporate Services

Signed by Municipal Manager

EC Liebenberg

Signed by Executive Mayor

| Item | Legislative Mandate | Description of power or function | Delegation route | | | | | Limitations and conditions | Risk H/M/L |
|------|--|---|------------------|------------|----|-----|-----|--|------------|
| | | | EM | SPE / Comm | MM | DIR | MGR | | |
| 326. | Policy on place naming, street naming & renaming & numbering | Approve the naming and numbering of streets | | | | | | EM - In terms of approved policy | L |
| 327. | | To decide on recommendations to Premier on rezonings, subdivisions & departure applications and amendments to rezoning conditions where Council does not have the authority to decide thereon. | | | | | | DIR - DPD Where there are no objection to such application RPC - Where there are substantial objection to such applications | L |
| 328. | | To decide on recommendations to the Premier for amendment of Zoning Scheme Regulations. | | | | | | RPC | L |
| 329. | | To dispose of consistency rulings pertaining to Spatial Development Framework (SDF), including Sectorial plans. | | | | | | DIR - DPD | M |
| 330. | S al Titles Act | To exercise all powers conferred upon the Council.. | | | | | | DIR - DPD | |
| 331. | Business Act 71 of 1991. | Responsibility for the execution of Council's responsibilities | | | | | | EM - Determination of demarcated areas for informal traders MGR – MLED insofar as it relates to the management of permits but excluding Law Enforcement. | L |
| 332. | LUPO | To comment on all land use applications within the area of jurisdiction of abutting local authority which are sent to Stellenbosch Municipality for comment. | | | | | | MGR - MSPH&E | L |
| 333. | S 137 of Municipal Ordinance. | To consider the permanent closure or diversion of public streets and places. | | | | | | DIR - DPD Where there are no objections to the proposed closure or diversion RPC - Where there are objections to the proposed closure or diversion | L |
| 334. | S 138 of Municipal Ordinance | To consider the temporary closure or diversion of public streets and places limited to unforeseen reasons To consider the temporary closure or diversion of public streets and places limited to foreseen reasons | | | | | | DIR – DPS (For traffic control purposes) DIR – DES (For construction / maintenance purposes). | L |
| 335. | LUPO Regulations, 1988. | To request additional information or documentation in any application, which may include an independent impact assessment, and which may be necessary to consider the potential detrimental impact of a proposal on environmental or heritage resources | | | | | | MGR - MLUM | L |

APPENDIX 7

Street names and numbering policy

STELLENBOSCH MUNICIPALITY (WC 024)



POLICY ON PLACE NAMING, STREET NAMING & RENAMING & NUMBERING.

NOVEMBER 2010

| |
|--------------------------|
| TABLE OF CONTENTS |
|--------------------------|

- 1 Introduction
- 2 Object of Policy
- 3 Scope
- 4 Procedure for new place and street naming & numbering in private & public subdivisions.
- 5 Procedures for appointing a panel for the renaming of places and street in private and public subdivisions.
- 6 Conditions for submitting renaming proposals
- 7 Assessment of renaming proposals.
- 8 Rules for street and place naming.
- 9 Rules for street numbering.
- 10 Financial considerations.

Annexure A: Street name suffixes & definitions

1 INTRODUCTION

1.1 Timeous and effective allocation and recording of places and street names and numbers are important for the following reasons:

- the completion of the registration of ownership in new subdivisions;
- the provision of municipal services (i.e. Engineering Services);
- the billing for rates and municipal services used;
- the provision of emergency services;
- postal delivery;
- data integrity in Council; and
- to ensure that property owners can be contacted for public participation purposes.

Any delay in the provision of street naming and numbering can cause inconvenience with regard to these aspects, a loss in revenue to Council and delays in property transfers.

1.2 Currently there is no standard consistent process dealing with the areas covered in this policy. There is also no clarity on the distribution of responsibility among the different functional areas.

2 Object of Policy

2.1 The purpose of this Policy is to provide a standard and consistent policy framework dealing with, street and place naming and renaming, street numbering and to set out the responsibilities of the relevant parties involved in the process and to outline effective administrative and decision-making procedure in dealing with matters concerning the object of this policy.

3 Scope

3.1 The Policy therefore replaces the current procedures previously followed by the Stellenbosch Municipality and shall be applicable to the entire WC024.

3.2 The general term "street" used in this Policy, includes all classes of streets which serve a public right-of-way, the naming of which is the responsibility of the Council. This includes parking areas, squares, malls, paths, lanes and other public places.

3.3 All decisions made in terms of this Policy at any specific time shall be in accordance with the applicable delegation of powers relating to street naming and numbering as approved by the Stellenbosch Municipality.

4 PROCEDURE FOR NEW PLACE AND STREET NAMING AND NUMBERING IN PRIVATE AND PUBLIC SUBDIVISIONS

The place and street naming and numbering process in new* private and public subdivisions shall be as follows:

4.1 Applicants will be encouraged to discuss the details of the proposed subdivision and street names with Land Use Management Department, prior to application submission.

4.2 Any applicant who intends to undertake a development that will result in the creation of new streets shall supply the Land Use Management Department with a preliminary list of proposed

*New means streets and public places that are being proposed in connection with a proposed development

street names with alternatives. It shall be the responsibility of the applicant to scrutinize the list and confirm that there are no duplicate or similar names within the suburb or within a 2 km radius.

- 4.3 If there are no similar street names or duplication of street names within a 2km radius, then the names shall be reflected on the plan of proposed subdivision and advertised together with the proposed development. Street numbers must also be reflected on the plan in accordance with the rules for street numbering.
- 4.4 The subdivision application, containing the plan of proposed subdivision, shall be submitted to the Land Use Management Department which processes the application.
- 4.5 The application shall be advertised for a minimum period of 30 calendar days in accordance with Council's advertising policy on land use applications.
- 4.6 During the advertising process, the Geographic Information Systems of Council are updated.
- 4.7 A decision on the development application together with the proposed street names and numbering shall be made by the delegated functionary or official in accordance with Council delegations.
- 4.8 Any decision taken in terms of 2.6 above shall be subject to applicable right of appeal in terms of the relevant legislation.
- 4.9 After final approval of the new street names and numbers, the external departments such as the Surveyor-General, Telkom, Post Office, the South African Police Service, Emergency Services, National Place Names Committee and map producers, shall be informed of the new streets and numbers.

5 PROCEDURE FOR APPOINTING A PANEL FOR THE RENAMING OF PLACE AND STREETS IN PRIVATE AND PUBLIC SUBDIVISIONS

- 5.1 A panel of experts who shall make specific recommendations on renaming proposals that have been submitted for consideration shall be established:
- 5.2 Application fees for the renaming application are to be determined by the Tariff Structure of Council.
- 5.3 In order to assist and advise the Council in taking decisions on renaming, a Panel of Experts shall be established.
- 5.4 The Panel shall consist of a pool of not more than 7 and not less than 5 members, selected through public nominations, after advertising for nominations.
- 5.3 The panel shall be as representative of the demographics and cultural composition of WC024 area as possible.
- 5.4 Nominations shall include the agreement or permission of the nominee, full particulars of the nominee including contact details.
- 5.5 The final members to serve on the panel shall be approved by Council.
- 5.6 The Chairperson of the committee of experts shall be the Director of Planning & Development or his nominee.

*New means streets and public places that are being proposed in connection with a proposed development

- 5.7 The panel shall meet no more than two times a year except when directed to do so by the Director of Planning & Development.
- 5.8 The panel of experts shall hold office for no more than 5 years.
- 5.9 The panel of expert members (excluding any Council official) shall be remunerated for their travelling costs to meetings to consider proposed name changes at a fixed fee of R500-00 per meeting.

6. CONDITIONS FOR SUBMITTING RENAMING PROPOSALS

- 6.1 Each year Council shall advertise a window period during which renaming submissions can be made. Renaming proposals shall be advertised in community newspapers and by placing notices in public facilities, e.g. libraries and Municipal buildings.
- 6.2 Renaming proposals shall be in writing and shall include full details of the affected street, public place; council owned building, facility or artefact as well as the, proposed name change and its meaning and fully motivated reasons which shall include research references on the origin of the name and evidence of the professional or community support. Where the Panel of Experts is advised in advance that it is not possible for a written submission to be made due to illiteracy or other circumstances, it ought to entertain oral submissions according to the rules for public hearings.
- 6.3 Applications shall be assessed by the panel of experts on an annual basis after the closure of the window period(s) each year.
- 6.4 No late submissions or emergency proposals will be considered outside the window period.

7. ASSESSMENT OF RENAMING PROPOSALS.

- 7.1 The Land Use Management department shall scrutinize renaming proposals for compliance with this policy. Renaming proposals that do not contain all the required information shall be returned to the applicant with a request for submission of the necessary information within 30 calendar days, failure of which the renaming proposal shall lapse.
- 7.2 A report containing all names received with a summary of relevant information will be prepared by the Land Use Management Department for submission to the Panel of experts. The report will be submitted to the Panel members at least 14 days prior to a scheduled meeting.
- 7.3 After considering the public input if any, the panel of experts shall make its recommendation to Council on the renaming proposals, whether or not the panel supports the renaming proposals.

8. RULES FOR STREET NAMING AND PLACE NAMING

The following rules for the naming of streets shall apply:

- 8.1 There shall preferably be no duplication of street names within a 2 km radius.
- 8.2 There shall be no similarly spelled names in the same suburb or within a 2km radius.
- 8.3 There shall be no phonetically similar names in the same suburb or within 5km radius.

*New means streets and public places that are being proposed in connection with a proposed development

- 8.4 Names, should be in keeping with the theme of the surrounding street names when falling within an established township.
- 8.5 Where a street is interrupted by a natural or man-made barrier, the resulting portions of that street may be named in the appropriate language by the addition of an appropriate identifier to one or both portions, such as North, South, East, West, Lower, Upper, Central, extension.
- a. A continuous street shall maintain its name throughout its length, to avoid confusion.
- 8.7. Only appropriate suffixes or their accepted abbreviations shall be used. See Annexure A for guidelines in this respect. A suffix to a street name shall form part of the name and shall, where appropriate, be in the same language as the street name. In the case of the name of a person, it shall be in the language preferred by the person or his/her family.
- 8.8. The normal grammatical rules shall apply to suffixes. (In Afrikaans, suffixes to short names other than proper nouns shall form one word with the name, while others are written separately).
- 8.9. The length of a name should preferably be limited to what can be practically accommodated on a name board and maps, which are no more than 20 characters including spaces.
- 8.10. Names shall not be offensive.
- 8.11. Street names shall be displayed on name boards or kerbs, which shall comply with the relevant standards, in appropriate locations, at the discretion of Council.

9 RULES FOR STREET NUMBERING

The numbering of erven shall be done as follows:

9.1 Streets- West to East (Horizontal)

Numbering must be done from left to right, west to east, with even numbers on the southern side of the street, and the odd numbers on the northern side of the street.

9.2 Streets- South to North (vertical)

Start by numbering from south to north, with the even numbers on the eastern side of the street, and the odd numbers on the western side of the street.

9.3 Corner Erf (Two streets)

Two street numbers must be provided for a corner erf, with one street number bordering each street. The street number of a property will be determined by the direction of the front door of the new or existing structure.

9.4 Corner Erf (Three streets)

Three street numbers must be provided for a corner erf. One street number bordering each street is required. The street number provided shall be determined by the direction of the front door of the new or existing structure. The direction of the building/front door/entrance will determine which street number shall be used.

9.5 Cul-de-sac

If there are fewer than seven properties on the same side of the road in a cul-de-sac with no possibility of development on the others side of the road, numbering is then to be sequential

The street numbering of all other properties in a cul-de-sac should start at the entrance of the cul-de-sac (at the corner erf). Odd numbers must be on the southern side. The island in the middle must be numbered with even numbers with the smallest even number at the entrance to the circle.

- 9.6 Public Open Space must also be numbered. Numbering should be done on both sides of the erf if the erf borders on two streets. The lowest value street number allocated to the erf will be used for administrative purposes.

9.7 Other situations

From south to north: Even numbers must be provided on the eastern side of the street and the next odd number on the western side of the street.

From west to east: Even numbers must be provided on the southern side of the street and the odd number on the northern side of the street.

9.8 Existing street numbers

In cases where an existing street is already numbered, the existing numbers must be taken into account when a subdivision is supplied to Council. The street numbering must also fit into the General Plan of the area.

9.10 General

On completion of any building on a property, it shall be the duty of the property owner to obtain and install suitable address numerals for property identification on a location that is clearly visible from the street prior to occupation of the dwellings in the street.

Street numbers should have a minimum size as determined by Council.

There should be conformity in the type of numerals used for street signs as determined by Council.

10 FINANCIAL CONSIDERATIONS

The following financial aspects shall be taken into account:

- 10.1 All costs relating to street naming in new subdivisions shall be borne by the developer, or where the developer is Council, the costs shall be borne by Council.
- 10.2 The costs of erecting or changing street name boards and signs resulting from the renaming of existing streets shall be borne by Council.

**ANNEXURE A
STREET NAME SUFFIXES & DEFINITIONS**

| ENGLISH | AFRIKAANS | DEFINITION |
|-------------------------|-------------------------|---|
| Avenue (Ave) | Laan (Ln) | A street usually with significant horticultural features. |
| Boulevard (Blvd) | Boulevard (Blvd) | A wide, pretentious street, usually with horticultural or landmark features. |
| Bypass | Verbypad | A usually wide road which takes traffic around developed areas. |
| Circle | Sirkel | A road which roughly forms a circle. |
| Close (Cl) | Slot | A minor dead-end street |
| Court (Crt) | Hof | As a Square, but normally surrounded by residential buildings. |
| Crescent (Cres) | Singel (Sng) | A relatively short street which forms part of a circle. |
| Drive (Dr) | Ryiaan (Rln) | A relatively long, usually scenic route. |
| Expressway | Snelweg | A dual carriageway with limited, signal controlled or interchange access only. |
| Freeway | Deurpad | Usually a dual carriageway road with access limited to interchanges only. |
| Lane | Steeq | A narrow street, usually short. |
| Mall | Wandelhal | A major road mainly for pedestrian use, serving mostly commercial developments. |
| Parkway (PW) | Parkweg (PW) | A dual carriageway with limited, signal controlled or interchange access only, which has horticultural features. |
| Path | Voetpad | Surfaced road for walking. |
| Place (Pl) | Plek / Oord | A minor dead-end street |
| Road (Rd) | Weg | General term for streets usually, but not always, outside developed areas, streets which perform a distributor function as well. |
| Square (Sq) | Plein (Pln) | A road or portion of road the shape of which resembles a square or rectangle |
| Steps | Trappe | Street with steps, for pedestrian use only. |
| Street (St) | Straat (Str) | General term for streets usually in developed areas. |
| Terrace | | A road, normally for pedestrian use, which serves |

*New means streets and public places that are being proposed in connection with a proposed development

| | | |
|--------------|---------------------|---|
| (Ter) | Terras (Ter) | houses on a raised level. |
| Trail | Wandelpad | Unsurfaced road for walking. |
| Walk | Voetpad | Narrow street normally for pedestrian use only |
| Way | Weg | General term for streets usually, but not always, outside developed areas, streets which perform a distributor function as well. |

NOTE:

The abovementioned suffixes were referred for translation which confirmed that it is not possible to translate the suffixes into Xhosa as no equivalent terms exist in Xhosa.

| | |
|-------|---|
| 7.4 | FINANCIAL SERVICES: [CLLR S PETERS] |
| 7.4.1 | MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) FOR THE FINANCIAL PERIODS 2017/2018 – 2019/2020 |

1. PURPOSE OF THE REPORT

The purpose of this report is three-fold, namely:-

- a) To consider the views/submissions of the local community in terms of Section 23(1)(a) of the Municipal Finance Management Act (Act 56 of 2003), herein after called the MFMA, and to allow the Executive Mayor to respond to the views of the public as envisaged in terms of Section 23 (2) (a) and (b);
- b) To approve the Medium Term Revenue and Expenditure Framework for 2017-2020, the prescribed appendices, property tax increases, tariffs and tariff structures and revisions to the Budget and related Policies (where appropriate) in terms of Section 17 (1) – (3) of the MFMA (Act 56 of 2003); and
- c) that Council specifically notes and considers the need to take up external loans needed for investment in income generating infrastructure to the tune of R240 million over the next 2 years of which R160 million will be required in year 1 and R80 million in year 2 (refer to Section 1.3: Executive Summary and Table A1 Budget Summary), and to confirm approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

2. BACKGROUND

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

- (1) *“The municipal council must consider any views of the local community, the National Treasury, the relevant Provincial Treasury and any provincial or national organs of state or municipalities which made submissions on the budget.*
- (2) *After considering all budget submissions, the council must give the mayor an opportunity—*
 - (a) *to respond to the submissions; and*
 - (b) *if necessary, to revise the budget and table amendments for consideration by the council.*

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

3. DISCUSSION

The 2016 Medium Term Budget Policy Statement by the Minister of Finance highlighted the reduction in South Africa's growth rate and weakening economy, which will likely persist for the next few years.

The deteriorating state of the economy has an adverse and ripple effect on the public sector at large.

South African Gross Domestic Product growth for 2016 was forecast at 0.9 per cent at the time of the 2016 Budget and it has since been revised to 0.5 per cent. However, growth is expected to improve to 2.2 per cent by 2019 due to:

- more reliable electricity supply;
- improved labour relations;
- low inflation;
- recovery in business and consumer confidence;
- stabilising commodity prices; and
- stronger global growth.

In the last financial period, employment fell by 112 000 jobs although employment growth was achieved in most urban municipalities. Unemployment rate increased from 25 per cent to 26.6 per cent as evidence of our struggling economy. Based on the June 2016 Quarterly Employment Statistics, all sectors, except construction, shed jobs in the second quarter of 2016.

In his budget speech on 22 February 2017, the Minister of Finance highlighted the importance of using the budget as a mechanism to accelerate economic transformation. As part of Government's transformation action agenda, the following programmes are a priority:

- Dignified living;
- Improved access to services and economic participation across all racial lines;
- Energised growth and create jobs;
- Increased investment and development

National priorities directly aligned to the National Development Plan, which are the cornerstone for South Africa's economic development, remain priorities for the municipality.

- **Infrastructure development** plays a pivotal role in improving the economy. Municipalities are encouraged to invest in upgrading of municipal roads, building waste water treatment works, installation of electricity networks, upgrading of sewer systems, building water reservoirs, etc. With the population growth that Stellenbosch municipality has, especially in informal settlements, infrastructure needs to be upgraded to meet the demands of the communities. This also has a linkage in reduction of unemployment. Similar to 2015/16 and 16/17 financial years, the municipality's capital budget is huge.
- One of the biggest challenges South Africa is confronted with is lack of **job creation**, which remains a national and provincial priority. With the low scaling economy, it is a challenge for jobs to be created as

the two have a direct relationship. Thus, it is paramount for municipalities to continue to undertake joint planning with their communities and respective business sectors that drive the local economy. Municipalities should explore opportunities to mainstream labour intensive approaches to delivering services. As means to combat unemployment, the municipality would employ the following measures:

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

The President of South Africa, in his State of the Nation Address, on 9 February 2017 conceded that unemployment remains a national challenge and unpacked a nine point plan to reignite growth so that the economy can create much-needed jobs:

- Industrialisation
- Mining and beneficiation
- Agriculture and agro Processing
- Energy
- SMMEs
- Managing work place conflict Attracting investments
- Growing the oceans economy
- Tourism.

Curtailing the non-core expenditure has always been emphasized on by the National Treasury. In order to maintain a funded budget, municipalities need not only focus on tariff increases, but also need to eliminate expenditure that is unnecessary. The following additional cost containment measures introduced by National Treasury will still be implemented:

- Restrictions on filling managerial and administrative vacancies, to review of human resource plans and elimination of unnecessary positions;
- Reduced transfers for operating budgets of public entities;
- Capital budgeting reforms to align plans with budget allocations while strengthening maintenance procedures;

-
- Mandatory use of the new e-tender portal, thereby enforcing procurement transparency and accessible reference prices for a wide range of goods and services;
 - A national travel and accommodation policy and instructions on conference costs;
 - New guidelines to limit the value of vehicle purchases for political office-bearers;
 - Renegotiation of government leasing contracts;
 - New centrally negotiated contracts for banking services, ICT infrastructure and services, health technology, school building and learner support materials.

The emphasis of the National Budget is placed on ensuring that expenditure is allocated in an efficient manner, that management is enhanced and that cutting of waste occur. The 2017 Budget allocates resources to core social and economic priorities while containing aggregate expenditure growth. Spending plans give effect to priorities of the National Development Plan and the Medium Term Strategic Framework.

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

The Finance Minister also highlighted the importance of strengthening the financial management in municipalities and as a result, National Treasury and provincial treasuries have agreed to focus their efforts on four "game changers":

- The new Municipal Standard Chart of Accounts, which will be implemented from 1 July 2017, contributing to greater transparency and consistency of municipal finances.
- Targeted supply chain management interventions to achieve cost savings and combat fraud.
- Enhanced revenue management, including appropriate tariff-setting, regular billing and effective collection systems.
- Improved asset management, including adherence to 8 per cent of the value of assets being spent on their maintenance.

The municipality has embarked on developing a revenue enhancement strategy to optimize revenue, including the collection of debt owed by consumers. Furthermore, the municipality has undertaken various customer care initiatives to ensure the municipality truly involves all citizens in the process of ensuring a people lead government.

Municipalities are encouraged by National Treasury to keep increases in property rates, tariffs for trading services and charges for other municipal own revenue sources within the parameters of the country's inflation rate. Furthermore, it is recommended that municipalities adopt a tariff setting methodology that achieves an appropriate balance between the interests of poor households and other customers while ensuring financial

sustainability of the municipality. In light of the current drought being experienced across large parts of the country, and to mitigate the need for water tariff increases, it is important that municipalities put in place appropriate strategies to limit water losses to acceptable levels. Municipalities must therefore ensure that water used by its own operations is charged to the relevant service, and not simply attributed to water losses.

Demand management is becoming increasingly necessary as the country faces water shortages and an unstable electricity supply. The approach to tariff setting should consider all these factors and strive to achieve an equitable balance.

Municipalities should consider the following facts during tariff setting process, namely, the costs of bulk purchases and the fluctuation in the seasonal cost thereof; the consumption patterns to enable better demand planning and management; and in the event that municipalities have been under recovering costs, embark on a process to correct their tariff structures over a reasonable time period so that cost reflective tariffs are achieved.

It is anticipated that the cost of providing municipal services will increase faster than the transfers from national government. Resource scarcity will most likely increase the cost of bulk purchases in respect of water and electricity beyond the country's inflationary targets. Provision of free basic services in the case of poorer households must be carefully considered and, where some municipalities have opted to provide this benefit to all households, this may not be financially sustainable in the long-term. It is of utmost importance that a municipality should re-evaluate, where appropriate, the costs and benefits of universal or targeted provision of free basic services subsidies, in order to protect their delivery to poor households in particular. The provision of these subsidies should at no point remove resources from programmes that will expand access to infrastructure services for presently un-served households.

In instances where municipalities do not have an adequate revenue base and where they face a combination of challenges such as resource scarcity, high unemployment and slower than average economic growth, an aggressive approach to curbing non-core spending and improving operational efficiencies is strongly advised. The national budget focuses on fiscal consolidation. This means that we as municipalities must ensure that we do not borrow beyond our ability to repay and we do not spend money we do not have, until we ignite growth and generate revenue, we have to be tough of ourselves. During the compilation of the 2017/2018 MTREF budgets municipalities must consider improving the effectiveness of revenue management processes and procedures and pay special attention to cost containment measures by, amongst other things, controlling unnecessary spending on nice-to-have items and non-essential activities.

The municipality's revenue strategy was based on the following fundamentals:

- Tariff policies of the municipality
- Economic outlook and development for Stellenbosch and surrounding areas

-
- National Treasury's guidelines and macroeconomic policy
 - National, Provincial and Regional fiscal growth rates
 - Electricity tariffs as approved by National Electricity Regulator of South Africa (NERSA)

The main challenges experienced during the compilation of the 2017/18 MTREF can be summarized as follows:

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

The following budget principles and guidelines directly informed the compilation of the 2017/18 MTREF:

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

The total budget quantum for the 2017/2018 year is R1 868 097 719 of which R1 487 281 209 (79.61%), is allocated to the operating budget and R 380 816 510 (20.39%) to capital investment.

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

FINAL CAPITAL BUDGET 2017/2018 – 2019/2020

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

Council's attention is however drawn to the fact that not all needs identified by the community can realistically be funded by the municipality.

The main capital projects that the municipality will be investing in include:

- Extension of waste water treatment works in Stellenbosch and Klapmuts
- New Plankenburg Main Outfall Sewer
- Taking over electricity network in Pniel area from Drakenstein Municipality
- Bulk Sewer Outfall: Jamestown
- Upgrade Stormwater
- Upgrade Of Sport Facilities
- Major Drop-Offs : Construction – Franschhoek
- Upgrade Bulk Water Supply Pipeline & Reservoir – Jamestown
- Gravel Roads- Jamestown
- Bulk Water Supply Pipe Reservoir: Johannesdal / Kylemore / Pniel
- Kayamandi: Watergang/Zone O (Housing Project)
- New Community Hall Klappmuts
- Upgrade and Expansion of IT Infrastructure Platforms
- Energy Efficiency And Demand Side Management (Electrical)
- Integrated National Electrification Programme (Electrification of subsidy housing projects and informal settlements)

The detailed final capital budgets for 2017/2018, 2017/2018 and 2019/2020 are attached as **APPENDIX 1 – PART 2 – SECTION N.**

FINAL OPERATING BUDGET 2017/2018 – 2019/2020

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

- The increase in bulk purchases (water and electricity)
- Employee related costs, as per SALGBC wage agreement

- Councillor remuneration, as per SALGA upper limits
- Service delivery challenges
- Repairs and maintenance
- Operational projects impacting job creation and economic development
- Contractual commitments
- Day to day operational costs (fuel & oil, telephones, bank costs, etc.)
- Finance costs, influenced by level of borrowing

Taking all of these issues into consideration and to ensure the sustainability of our operations from realistically anticipated income flows, the following tariff and property tax increases are proposed for 2017/2018:

| | |
|--------------------------------------|---------------|
| Electricity | 1.88% |
| Sanitation | 9.00% |
| Refuse removal | 9.00% |
| Water | 7% |
| Property Rates – Residential | -26.63 |
| Property Rates – Agricultural | -26.31 |
| Property Rates – Business | -19.43 |

(The Property Rates tariffs excludes additional income derived from implementing the new General Valuation from 01 July 2017)

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

HIGH LEVEL CAPITAL AND OPERATING BUDGET FOR 2017/2018 – 2019/2020

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

TARIFFS

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

BUDGET RELATED POLICIES & BY-LAWS

The following budget related policies and by-laws were revised:

- Property rates by-law (Appendix 4)
- Tariff by-law (Appendix 5)
- Special ratings area by-law (Appendix 6)
- Property rates policy (Appendix 7)

Supply Chain Management policy (Appendix 8)
 Travel & subsistence policy (Appendix 9)
 Indigent policy (Appendix 10)
 Credit control & Debt collection policy (Appendix 11)
 Irrecoverable debt policy (Appendix 12)
 Tariff policy (Appendix 13)
 Grants In Aid policy (Appendix 14)
 Special ratings area policy (Appendix 15)
 Development Charges policy (Appendix 16)
 Virement policy (Appendix 17)
 Cash Management & Investment policy (Appendix 18)
 Asset Management policy (Appendix 19)
 Funding of External Bodies (Appendix 20)
 Accounting Policy (Appendix 21)

Summary of changes since the draft budget are as follows:

| Policy / By-law | Summarized Nature of change |
|--------------------------------|---|
| Virement Policy | Removed definitions that do not appear on the policy; Amended the wording for Directors to support the virement and not motivate it (as per virement form); Removed a clause of quarterly reporting approved virements to the Mayor; Included a clause to attach supporting docs on virements prior approval. |
| Asset Management Policy | The subsequent measurement for Land and Buildings as well as Investment property has changed to the cost model. |
| Supply Chain Management Policy | 1.4.5. PPPFA Regulations changed the year from 2011 to "2017". 2.1.1 (a) Understand and plan for their future needs "with the help of the DMP". 2.1.1 (b) Identify critical delivery dates in consultation with the Supply Chain Management unit "via the Demand Management Plan (DMP) ". 2.1.1 (d) Draft clear, complete and understandable specifications 2.1.2 (d) Contribute towards the finalisation of bid specifications in line with the Accounting Officer's delegations "via the Bid Specifications Committees". 3.1 PPPFA Regulations from 2011 to 2017 3.2 Changed 80/20 evaluation system from R30 001 – R10 mil to R30 001 – R50 mil; Changed 90/10 evaluation system from above R1mil minimum to above R50 mil minimum. Changed 80/20 BBBEE points of level 3 contributor from 16 to 14; Changed 90/10 BBBEE points of level 3 contributor from 8 to 6; Included "affidavits" for EME's; 4.2.1 (v) an executive member of the accounting authority of any national or provincial public entity; or 4.2.4 (b) iii the acquisition of services of information and communication technology, IT licences, licences and systems in |

| | |
|---|---|
| | <p>use,</p> <p>4.16.1.(a) may include an advertisement in the Government EPortal); and</p> <p>4.17 (iii) received after the closing time should not be considered and returned unopened immediately SCM manager can open the envelope to obtain the address.</p> <p>4.23.5. Added as per PPPFA REG: There is a material irregularity in the tender process</p> <p>4.23.5. Added as per PPPFA REG: An organ of state may only with the prior approval of relevant treasury cancel a tender invitation for the second time.</p> <p>4.25 (c) Added : (SCM to open to obtain the address)</p> <p>4.39 Added: In terms of the new Tax Compliance Status System implemented by SARS on 18 April 2016, taxpayers are now able to issue the municipality with a TCS Pin which will be used to verify a bidder's tax status online via SARS E-filing. This option will be used to verify the status of the service provider (which should be active or compliant) and will determine if the offer will be further evaluated or omitted. Service provider's status which is found inactive or non-compliant their offers will be omitted. Bidders who are not in possession of an original Tax Clearance Certificate must issue the municipality with the following:</p> <p>Tax Reference Number Tax Compliance Status Pin</p> <p>8.1.2. It is in the interests of all staff members and the Supply Chain Management Unit in particular to maintain the highest possible ethical standards including commitment, accountability, accuracy, honesty, cooperation, tolerance and acceptance of obligations as well as rights.</p> <p>Added Afrikaans as a medium of communication;</p> <p>Travelling, accommodation, subscriptions, tow-in services, service agents, franking machine postage, library books, books added to services of which no competitive bidding is necessitated.</p> |
| Cash Management & Investment Policy | Amended to allow for 50% of available funds to be placed with a single institution. |
| Travel & Subsistence Policy | Aligned with the SARS rates. |
| Property Rates Policy | To make provision for the new categories as per the Local Government : Municipal Property Rates Act,6 of 2004 To make provision for new rebates for the 2017/2018 financial year for residential properties, Heritage properties, Senior citizens and to provide for a phasing-in period for erven with exceptional valuation increases. |
| Indigent Policy | To make provision for the increase of the threshold for Indigent applications to R 6 000 To ensure a proper review process for annual reviewing of Indigent applicants Improve the administration of child-headed households |
| Credit control & Debt collection Policy | No principle changes, only cosmetic changes effected. |
| Irrecoverable Debt Policy | No principle changes, only cosmetic changes effected. |

| | |
|-----------------------------|---|
| Grants in Aid Policy | The call for proposals now makes provision for two categories of applications. Category A remains the normal GiA donations and category B make provision for bigger donations over a three year period to address specific IDP identified needs including night shelters. |
| Tariff Policy | To make provision for tariffs for export of renewable energy Structural changes to ensure consistency with the Tariff schedules |
| Tariff By-law | To make provision for tariffs for export of renewable energy Structural changes to ensure consistency with the Tariff schedules |
| Property Rates By-law | Cosmetic changes to address the content and interpretation of the By-Law |
| Special Ratings Area By-law | Cosmetic changes to address the content and interpretation of the By-Law |
| Development Charges Policy | Please refer to policy. |
| Special Ratings Area Policy | Cosmetic changes to address the content and interpretation of the By-Law |
| Accounting Policy | The accounting policy was updated to be in line with the GRAP accounting framework and Directive 5. The subsequent measurements for Land and Buildings as well as Investment Property were also changed. |

The following budget related policies and by-laws were not changed:

Budget Implementation & Monitoring policy (Appendix 22)
 Petty Cash Policy (Appendix 23)
 Borrowing, Funds & Reserves Policy (Appendix 24)
 Liquidity Policy (Appendix 25)
 Inventory Management Policy (Appendix 26)
 Preferential Procurement Policy (Appendix 27)
 Performance Management Policy Framework Policy (Appendix 28)

THE FOLLOWING MFMA CIRCULARS WERE USED AS A GUIDELINE WHEN PREPARING THE BUDGET (MTREF):

MFMA Circular No. 85 Municipal Budget Circular for 2017/2018
(Appendix 29)

MFMA Circular No.86 Municipal Budget Circular for 2017/2018
(Appendix 30)

OTHER SUPPORTING DOCUMENTATION

The additional information as prescribed by the budget and reporting regulations are attached as **APPENDIX 1 – PART 2 – SECTION 2.14.**

4. LEGAL IMPLICATION

None solicited/not required.

5. FINANCIAL IMPLICATION

Financial impact discussed above.

6. COMMENTS FROM OTHER RELEVANT DEPARTMENTS

Relevant input is incorporated into budget document.

MAYORAL COMMITTEE MEETING: 2017-03-22: ITEM 5.4.2**RESOLVED**

That it be recommended to Council:

- (a) that the Draft High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**, be approved for public release;
- (b) that the Draft Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved for public release;
- (c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved for public release;
- (d) that the three year Capital Budget for 2017/2018, 2018/2019 and 2019/2020, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved for public release;
- (e) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3**, be approved for public release;
- (f) that the proposed amendments to existing budget related policies and other policies as set out in **APPENDICES 6 - 27**, be approved for public release;
- (g) that Council specifically notes and considers the need to take up an external loan needed for investment in income generating infrastructure to the tune of R240 million of which R160 million will be required in year 1, and R80 million in year 2 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary), and confirms draft approval of same;
- (h) that Council specifically takes note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially; and
- (i) that Council takes note of MFMA circulars 85 and 86 that were published to guide the MTREF for 2017/2018 to 2019/2020 as set out in **APPENDICES 29 – 30**.

| | | | |
|---------------------|--|---|--|
| Meeting: Ref no: | 7 th Council: 2017-03-29 5/1/1/2015/2016 | Submitted by Directorate: Author Referred from: | Chief Financial Officer Manager: Budget Office Mayoral Committee: 2017-03-22 |
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| | |
|-------|--|
| 7.5 | HUMAN SETTLEMENTS: [CLLR PW BISCOMBE] |
| 7.5.1 | PROPOSED AMENDMENT OF SUPPLY CHAIN MANAGEMENT CONTRACT: GARY WHITE AND ASSOCIATES |

1. PURPOSE OF REPORT

To obtain the necessary authorization for the intended amendment of a contract concluded with Gary White and Associates (now trading as Tim Ziehl (architects)).

2. BACKGROUND

2.1 Initial appointment

During April 2012 Formal Quotations were invited for the appointment of an Architect to do the design of Klapmuts Multi-Purpose Community Centre.

Prospective bidders were requested to quote as follows:

- a) Phase 1: Up to work stage 4.1
- b) Phase 2: Contract Management

At the time the budget for the actual construction was not yet approved. For this reason it was agreed that, should the necessary funds be made available for the actual construction during the 2012/13 financial year, the Municipality would consider the appointment of the successful bidder for phase 2 of the project.

Gary White and Associates were initially appointed to do phase 1 for an amount of R132 990 (excluding Vat). They were later appointed to also attend to phase 2 for an amount of R134 400 (excluding Vat), thus totalling a contract value of R267 390 (excluding Vat).

2.2 Tender process: Construction of facility

During 2014 tenders were invited for the actual construction of the facility. An amount of R9million was available on the capital budget (Vote 5/6220/0811). Following the Tender process, the lowest tender was ±R17million.

For this reason the project was put on ice with the view of increasing the budget.

The budget (2015/16 and 16/17) was recently increased to R22million, and tenders were again invited. The tender was subsequently awarded for a contract amount of R20 751 6161.24.

3. DISCUSSION

3.1 Increase of project

When the prospective bidders were asked to quote for the initial project the estimated project value was **±R4million**. This was later extended to

R9million and is now at a contract amount of R20 751 616.24, (including VAT) i.e an increase of more than 350% on the original scope of work.

Under normal circumstances Architects are appointed on a % basis, based on the contract value of a project for a project value of ±R4.5M the prescribed fee is 8.5%. In this specific circumstances, however, Gary White and Associates were appointed for a fixed amount of R267 390 plus Vat =R304 824.60, thus at a discounted rate of 27.27%.

At a contract value of R20 751 616.24 the prescribed % fee of 7.2 % is applicable. If the same discount of 27.27% is applied, then the fee for the architect should amount to R1 086 670.83 (R149 416.36 minus 27.27%).

From the above it is clear that the project has drastically increased, whilst the contracted amount has stayed unchanged at R304 824.60.

3.2 Legal requirements

3.2.1 SCM Guide for Accounting Officer

In terms of paragraph 5.9.5.2, of the SCM Guide for Accounting Officers a **single source selection** may be appropriate, but only if it present a clear advantage over competition; e.g for tasks that represent a **natural continuation** of previous work carried out by the Service Provider.

Further in terms of paragraph 5.9.5.3 the reason for a single source selection should be recorded and approved by the Accounting Officer or his/her delegate prior to the conclusion of a contract. See **APPENDIX 1** for abstract from Guidelines.

The Municipal Manager subsequently considered a request for the appointment of Gary White & Associates (now trading as Tim Ziehl Architects) on the basis of a continuation. Having considered the request, she approved the appointment, subject to the prescribed process in terms of Section 116 of the MFMA*. A copy of the memo, setting out the detail is attached as **APPENDIX 2**.

3.2.2 Municipal Finance Management Act (MFMA)

In terms of Section 116(3) of the MFMA a contract or agreement procured through the supply chain management policy of the municipality may be amended by the parties, but only after-

- a) The reasons for the proposed amendment have been tabled in the council of the municipality; and
- b) The local community-
 - i) has been given reasonable notice of the intention to amend the contract or agreement; and
 - ii) has been invited to submit representations to the municipality or municipal entity.

3.3 Notice

A notice was published in the Eikestad Nuus of 2017-03-17, informing the public of the intended amendment, and inviting them to submit representations. A copy of the notice is attached as **APPENDIX 3**.

At the time of compiling this item, no submissions and/or representations were received.

No representations/submissions/objections were received.

4. INPUTS BY OTHER DEPARTMENTS

4.1 CFO

4.2 Legal Services

In terms of section 116(3) of the MFMA a contract or agreement procured through the supply chain management policy of a municipality may be amended by the parties, but only after –

- (a) the reasons for the proposed amendments have been tabled in the council of the municipality; and
- (b) the local community –
 - (i) has been given reasonable notice of the intension to amend the contract or agreement; and
 - (ii) has been invited to submit representations to the municipality.

In terms of Circular 62 Municipalities may expand or amend contracts for all other goods and/or services by not more than 15% of the original value of the contract. Anything above the aforementioned threshold must be reported to Council. The recommendations should be amended in line with the above.

The item and recommendations are supported.

5. CONCLUSION

From the above it is clear that there is a clear financial advantage of appointing the Service Provider on a natural continuation basis.

MAYORAL COMMITTEE MEETING: 2017-03-22: ITEM 5.5.2

RESOLVED

That it be recommended to Council:

- (a) that it be noted that the Municipal Manager has approved the amendment of the contract with Gary White and Associates, now trading as Tim Ziehl Architects, to allow for an all-inclusive cost of R457 236.90; subject to the prescribed Section 116 process;

-
- (b) that Council, in principle, approve the intention to amend the contract/agreement as listed under (a) above; and
- (c) that should any comment/input be received, same should first be considered by Council before a final decision in this regard is made.

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| <i>Meeting: Ref no:</i> | <i>7th Council: 2017-03-29 7/2/1/1</i> | <i>Submitted by Directorate: Author Referred from:</i> | <i>Human Settlements Manager: Property Management Mayoral Committee: 2017-03-22</i> |
|-----------------------------|---|--|---|

rejected. The consultant who has submitted the highest ranked technical proposal should be selected and invited to negotiate a contract.

5.9.3 Least-cost selection

5.9.3.1 This method is more appropriate to selection of consultants for assignments of a standard or routine nature (audits, noncomplex projects, and so forth) where well-established practices and standards exist and in which the contract amount is small. Under this method, a "minimum" qualifying mark for the "functionality" is established. Proposals to be submitted in two envelopes are invited. Technical envelopes are opened first and evaluated. Those securing less than the minimum mark should be rejected and the financial envelopes of the rest are opened in public. The firm with the highest points should then be selected. Under this method, the qualifying minimum mark should be established, keeping in view that all proposals above the minimum compete only on "cost" and promotion of HDIs and RDP objectives. The minimum mark to qualify should be stated in the RFP.

5.9.4 Selection based on consultants' qualifications

5.9.4.1 This method may be used for very small assignments for which the need for preparing and evaluating competitive proposals is not justified. In such cases, the accounting officer should prepare the TOR, request expressions of interest and information on the consultants' experience and competence relevant to the assignment and select the firm with the most appropriate qualifications and references. The selected firm should be requested to submit a combined technical-financial proposal and then be invited to negotiate the contract.

5.9.5 Single-source selection

5.9.5.1 Single-source selection of consultants does not provide the benefits of competition in regard to quality and cost and lacks transparency in selection and could encourage unacceptable practices. Therefore, single-source selection should be used only in exceptional cases. The justification for single-source selection should be examined in the context of the overall interests of the client and the project.

- 5.9.5.2 Single-source selection may be appropriate only if it presents a clear advantage over competition:
- for tasks that represent a natural continuation of previous work carried out by the firm,
 - where a rapid selection is essential (for example, in an emergency operation);
 - for very small assignments, or
 - when only one firm is qualified or has experience of exceptional worth for the assignment.
- 5.9.5.3 The reasons for a single-source selection should be recorded and approved by the accounting officer or his / her delegate prior to the conclusion of a contract.
- 5.9.5.4 When continuity for downstream work is essential, the initial RFP should outline this prospect and if practical, the factors used for the selection of the consultant should take the likelihood of continuation into account. Continuity in the technical approach, experience acquired and continued professional liability of the same consultant may make continuation with the initial consultant preferable to a new competition, subject to satisfactory performance in the initial assignment. For such downstream assignments, the accounting officer should ask the initially selected consultant to prepare technical and financial proposals on the basis of TOR furnished by the accounting officer, which should then be negotiated.
- 5.9.5.5 If the initial assignment was not awarded on a competitive basis or was awarded under tied financing or reserved procurement or if the downstream assignment is substantially larger in value, a competitive process acceptable to the accounting officer should normally be followed in which the consultant carrying out the initial work is not excluded from consideration if it expresses interest.
- 5.9.5.6 Where, in exceptional instances, it is impractical to appoint the required consultants through a competitive bidding process and a South African based consultant is used, the *Guidelines on Hourly Fee Rates for Consultants* issued by the Department of Public Service and Administration may be used as a benchmark to establish the appropriate tariffs, or to determine the reasonableness of the tariffs.



Kantoor van die Bestuurder: Eiendomsbestuur
Office of the Manager: Property Management

DOCUMENT ROUTE FORM

DOCUMENT TYPE

| | | | | | |
|------|-----------|----------|-------|------|---|
| ITEM | DEVIATION | CONTRACT | OTHER | MEMO | X |
|------|-----------|----------|-------|------|---|

SUBJECT: REQUEST FOR A SINGLE SOURCE SELECTION (CONFIRMATION OF APPOINTMENT): ARCHITECHT FOR THE DESIGN OF THE KLAPMUTS-MULTI PURPOSE CENTRE FQ/SM 275/12

| REQUESTED SIGNATORY | SUPPORTED/ NOT SUPPORTED/ APPROVED | SIGNATURE | DATE |
|---------------------|--|-----------|-------------|
| MANAGER | S | | 2017. 03.15 |
| DIRECTOR: HS&PM | S | | 14/03/2017 |
| THE MANAGER: SCM | S | | 15/3/2017 |
| CFO | Support | | 15/3/17 |
| MUNICIPAL MANAGER | A | | 16/3/17 |

RECIPIENT

COMMENTS



PROPERTY MANAGEMENT

TO / AAN : The Manager: SCM
FROM / VAN : Manager: Property Management
DATE / DATUM : 2017-03-13
RE / INSAKE : REQUEST FOR A SINGLE SOURCE SELECTION (CONFIRMATION OF APPOINTMENT): APPOINTMENT OF ARCHITECT FOR THE DESIGN OF THE KLAPMUTS MULTI-PURPOSE CENTRE FQ/SM 275/12

1. PURPOSE OF REPORT

The purpose of this report is to obtain approval for the appointment of Gary White & Associates on the basis of a single source selection (continuation of appointment), as provided for in the SCM Guide for Accounting Officers of Municipalities.

2. BACKGROUND

2.1 Initial appointment: FQ 275/12

During April 2012 Formal Quotations were invited for the appointment of an Architect to do the design of Klapmuts Multi-Purpose Community Centre for a contract value (budget) of ±R4M (exclusive of VAT).

Prospective bidders were requested to quote as follows:

- a) Phase 1: Up to work stage 4.1
- b) Phase 2: Contract Management

At the time the budget for the actual construction was not yet approved. For this reason it was agreed that, should the necessary funds be made available for the actual construction during the 2012/13 financial year, the Municipality would consider the appointment of the successful bidder for phase 2 of the project.

Gary White and Associates were initially appointed to do phase 1 (planning) for an amount of R132 990 (excluding Vat). They were later appointed to also attend to phase 2 (project

management) for an amount of R134 400 (excluding Vat), thus totalling a contract value of R267 390 (excluding Vat).

2.2 Tender process: Construction of facility

During 2014 tenders were invited for the actual construction of the facility. An increased amount of R9million was available on the capital budget (Vote 5/6220/0811). Following the Tender process, the lowest Tender was ±R17million.

For this reason the project was put on ice with the view of increasing the budget.

2.3 Request for increase of fee

Hereto attached as **APPENDIX 1** a self-explanatory letter/motivation received from Tim Ziehl, requesting an increased fee of R644 824.60 i.e a 111% increase on original fee.

3. DISCUSSION

3.1 Increase of project

When the prospective bidders were asked to quote for the initial project the estimated project value was ±R4million. This was later extended to R9million and is now at a contract amount of R20 751 616.24, (including VAT) i.e an increase of more than 350% on the original scope of work.

Under normal circumstances Architects are appointed on a % basis, based on the contract value of a project. For a project value of ±R4.5M the prescribed fee is 8.5%. In this specific circumstances, however, Gary White and Associates were appointed for a fixed amount of R267 390 plus Vat =R304 824.60, thus at a discounted rate of 27.27%.

At a contract value of R20 751 616.24 the prescribed % fee of 7.2 % is applicable.

If the same discount of 27.27% is applied, then the fee for the architect should amount to R1 086 670.83 (R149 416.36 minus 27.27%).

From the above it is clear that the project has drastically increased, whilst the contracted amount has stayed unchanged at R304 824.60.

3.2 Legal requirements

In terms of paragraph 5.9.5.2, of the SCM Guide for Accounting Officers a **single source selection** may be appropriate, but only if it present a clear advantage over competition; e.g for tasks that represent a **natural continuation** of previous work carried out by the Service Provider. Further in terms of paragraph 5.9.5.3 the reason for a single source selection should be recorded and approved by the Accounting Officer or his/her delegate prior to the conclusion of a contract.

See **APPENDIX 1** for abstract from Guidelines.

3.3 Financial implication

The current contract value amounts to R304 824.60 (Including Vat). If the appointment is increased by 111% (as requested) the financial implications (increase) would amount to R338 355.30 thus resulting in a total cost of R643 179.90.

Under normal circumstances, architectural fees for a contract of this nature would amount to 7.2% of the contract value, i.e R1 494 4116.36. Should the continuation be approved, based on an increase of 111% on his original fee, the architectural fees would amount to only 3%, thus a discount of 58% on prescribed fees. His original appointment was at a discount of 27.27%.

4. CONCLUSION

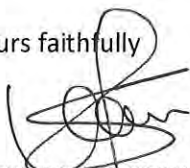
From the above it is clear that the task indeed represent a natural continuation of previous work and that such appointment present a clear advantage over competition.

In light of the above it is

RECOMMENDED:

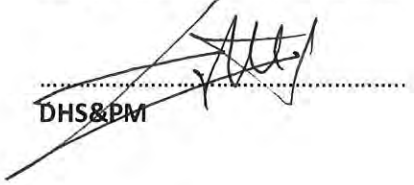
- a) That the appointment of Gary White & Associates (Tim Ziehl) on the basis of a continuation be approved for an additional amount of R338 355.30, thus resulting in a total cost of R643 179.90

Yours faithfully



.....
PIET SMIT
MANAGER: PROPERTY MANAGEMENT

RECOMMEND FOR APPROVAL


DHS&PM

YES/ NO

14/03/2017
DATE

RECOMMEND FOR APPROVAL


Head: SCM

YES/ NO

15/03/2017
DATE

RECOMMEND FOR APPROVAL


Act. CFO

YES/ NO

15/3/17
DATE

| | |
|----------|-------------------------------------|
| APPROVED | <input checked="" type="checkbox"/> |
|----------|-------------------------------------|

| | |
|--------------|--------------------------|
| NOT APPROVED | <input type="checkbox"/> |
|--------------|--------------------------|

Conditions (if any):..... Subject to sec 116(B) to be followed ,


MUNICIPAL MANAGER

16/3/2017
DATE

trekkings Kennisgewings Boedels Veilings



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



OFFICIAL NOTICE: STELLENBOSCH MUNICIPALITY

Notice is hereby given in terms of Section 116(3) of the Municipal Finance Management Act of Stellenbosch Municipality's intention to amend a contract concluded with Gary White and Associates (now trading as Tim Ziehl) for the design of the Klapmuts Multi-purpose centre, to bring it in line with the current contract value.

In terms hereof the contract value of R304 824.00 (Inclusive of VAT) is to be increased by 111%, i.e. by R340 000.60, thus resulting in a total, all inclusive a fee of 3.1% of the contract value.

Notice is further given in accordance with Section 21 of the Local Government: Municipal Systems Act, No 32/2000 that:-

- a) The local community and interested persons/parties are invited to submit comments or representations to the Municipality in respect of the above, such comments or representations must be received within 14 days of advertisement via electronic mail to the e-mail address provided below, or be delivered to the undersigned to the mailing address provide hereunder;
- b) Further detail is available from the undersigned during office hours.

Further details and clarity may be requested via e-mail from piet.srnit@stellenbosch.gov.za

Physical Address:

3rd Floor
Oude Bloemhof (ABSA) building
Pleinstreet
Stellenbosch
7600

Mailing Address:

The Manager: Property Management
Stellenbosch Municipality
P O Box 17
Stellenbosch
7599

Persons who are physically disabled or unable to write, but who wants to participate in the process, may present themselves during office hours at the office of the undersigned where a staff member will assist them to transcribe the relevant comments or representations.

| | |
|-------|--|
| 7.5.2 | PROPOSED AMENDMENT TO SUPPLY CHAIN MANAGEMENT CONTRACT: EIKESTAD MALL |
|-------|--|

1. PURPOSE OF REPORT

To obtain the necessary authorisation for the intended amendment of a contract concluded with Atterbury Holdings, trading as Eikestad Mall Joint Venture.

2. BACKGROUND**2.1 Tender process**

On 29 October 2015 a tender notice was published, calling upon landlords in the CBD of Stellenbosch to tender for the provision on $\pm 500\text{m}^2$ of Grade A office space in the CBD of Stellenbosch (BSM69/16).

Although 1 prospective tenderer attended the compulsory briefing session, no tenders were submitted on the closing date.

2.2 Deviation approved

Following the above, unsuccessful tender process, the Acting Municipal Manager was requested to approve a deviation, i.e. to conclude an agreement with Atterbury Holdings for the following offices space, without following a public tender process:

a) Rental:

Area A: $484.61\text{m}^2 @ R150/\text{m}^2 = R72\ 691.50$

Area B: $144.00\text{m}^2 @ R150/\text{m}^2 = R21\ 600.00$

Area C: $28.30\text{m}^2 @ R150/\text{m}^2 = R\ 4\ 245.00$

Total area: $656.91\text{m}^2 @ R150/\text{m}^2 = R98\ 536.50$

b) Fit out cost (based on a capital amount of R750 000)

Total Area: $656.91\text{m}^2 @ R30/\text{m}^2 = R19\ 707.30$

c) Utility Charges

| | | |
|---|---|---------------------------|
| Assessment rates, taxes & annual levies | : | R7.42/m ² GLA |
| Water | : | R0.86/m ² GLA |
| Sanitation | : | R0.78/m ² GLA |
| Refuse removal | : | R1.25/m ² GLA |
| Electricity | : | R26.34/m ² GLA |
| HVAC Consumption | : | R4.86/m ² GLA |

Total utility charges : $R41.51/\text{m}^2 \times 656.91\text{m}^2 = R27\ 268.33$

Total monthly cost : $R221.51/\text{m}^2 \times 656.91\text{m}^2 = R145\ 512.13$

Total annual cost : R1 746 145.60 (Excl. Vat)

Having considered the application, the Acting Municipal Manager eventually approved the deviation on 2016-07-04. The Manager: Property Management was subsequently authorised to negotiate and conclude a 3 year Lease Agreement, based on the proposal received, subject thereto that the expenditure be limited to the amount budgeted for over the 3 financial years.

2.3 Lease Agreement

Due to the long delay, when concluding the Lease Agreement with Atterbury Holdings, Area B, measuring 144m² in extent, was no longer available. For this reason the Lease Agreement was only concluded for Area A and C, totalling 512.91m².

2.4 Addendum to Lease Agreement

On 30 September 2016, following request from the Director: Planning & Economic Development, Atterbury Holding confirmed that additional space, measuring 144.4m² in extent, has subsequently become available, and that they would offer it at the same terms and conditions as the existing lease agreement.

On 13 October 2016 the Acting Municipal Manager approved the amendment to the Lease Agreement, allowing for the additional 144.4m² office space.

2.5 Fit-out cost

The agreement, *inter alia*, allowed for a fit out cost (increments of R250 000 to a maximum of R750 000) to be utilized, which, depending on the amount utilized would then be calculated into monthly rental over the course of the rental agreement's term. The Addendum Agreement, however did not allow for additional fit-out cost.

The Agreement is, however clear that all costs related to further improvements, based on the municipality's functional needs, will be for the municipality's account.

2.6 Further needs for fit-out cost

At present, expenses have been incurred for the demolition/breaking out/removal and making good on fixtures, etc on the third floor. The quotation and invoice to the amount of R240 000 (excl. VAT) has already been settled by Atterbury with the service provider. This leaves only R 510 000 (excl. VAT) available for the fit out and fixtures still to be undertaken in all three of the office spaces. The recent quotation received for such fit out and fixtures came in at much more than the allowable R510 000.00. This is largely due to the fact that the additional office on the first floor requires wet works, a kitchen, services as well as office fixtures and finishes, to transform it from the empty space it currently is into a functional office.

2.7 Application for a deviation

The Municipal Manager was subsequently requested to approve a deviation, to allow us to deviate from the normal procurement processes, i.e. to allow Atterbury Holdings to appoint and pay a

contractor for additional fit-out cost, to an amount not exceeding R318 106.14 (Exclusive of VAT).

Having considered the request on 17 March 2017, she approved the deviation, subject to a section 116 process*.

A copy of the memorandum that served before the Municipal Manager is attached as **APPENDIX 1**.

3. DISCUSSION

3.1 Legal requirements: Municipal Finance Management Act (MFMA)*

In terms of Section 116(3) of the MFMA a contract or agreement procured through the supply chain management policy of the municipality may be amended by the parties, but only after-

- (a) The reasons for the proposed amendment have been tabled in the council of the municipality; and
- (b) The local community-
 - (i) has been given reasonable notice of the intention to amend the contract or agreement; and
 - (ii) has been invited to submit representations to the municipality or municipal entity.

4. INPUTS BY OTHER DEPARTMENTS

4.1 CFO

4.2 Legal Department

In terms of section 116(3) of the MFMA a contract or agreement procured through the supply chain management policy of a municipality may be amended by the parties, but only after –

- (c) the reasons for the proposed amendments have been tabled in the council of the municipality; and
- (d) the local community –
 - (iii) has been given reasonable notice of the intension to amend the contract or agreement; and
 - (iv) has been invited to submit representations to the municipality.

In terms of Circular 62 Municipalities may expand or amend contracts for all other goods and/or services by not more than 15% of the original value of the contract. Anything above the aforementioned threshold must be reported to Council. The recommendations should be amended in line with the above.

The item and recommendations are supported.

4.3 Planning & Economic Development**4.4 Engineering Services****5. CONCLUSION**

From the above it is clear that, unless the additional fit-out cost is spent, the office space cannot be used.

MAYORAL COMMITTEE MEETING: 2017-03-22: ITEM 5.5.3**RESOLVED**

That it be recommended to Council:

- (a) that it be noted that a deviation was approved by the Municipal Manager allowing for the additional fit-out cost of R318 106.14 (Exclusive of VAT); subject to a section 116 process;
- (b) that Council, in principle, approve the intention to amend the contract/agreement as listed under (a) above;
- (c) that the intention to amend the contract/agreement go out for public participation and public input; and
- (d) that, should any comment/input be received, same should first be considered by Council before a final decision in this regard is made.

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|-----------------------------|---|--|---|
| <i>Meeting: Ref no:</i> | <i>7th Council: 2017-03-29 7/2/1/1</i> | <i>Submitted by Directorate: Author Referred from:</i> | <i>Human Settlements Manager: Property Management Mayoral Committee: 2017-03-22</i> |
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STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

PROPERTY MANAGEMENT

TO / AAN : The Municipal Manager
FROM / VAN : Manager: Property Management
DATE / DATUM : 2017-02-23
RE / INSAKE : PAYMENT OF FIT-OUT COSTS: EIKESTAD MALL

DEVIAATION

1. PURPOSE

The purpose of the memo is to obtain the necessary approval to deviate from the normal, prescribed process in procuring the services of a Service Provider.

2. BACKGROUND

2.1 Rental Agreements

Stellenbosch Municipality entered into a rental Agreement with Atterbury for office space in Eikestad Mall. The initial agreement that was signed allowed for offices on the third and second floor measuring 512.91m² in extent. Thereafter an additional space was identified and an addendum to the first agreement was concluded for the additional office space on the first floor measuring 144.40m² in extent.

The agreement, *inter alia*, allowed for a fit out cost (increments of R250 000 to a maximum of R750 000) to be utilized, which, depending on the amount utilized would then be calculated into monthly rental over the course of the rental agreement's term. The Addendum Agreement, however did not allow for additional fit-out cost, although it was requested to increase the amount.

The Agreement is, however clear that all costs related to further improvements, based on our functional needs, will be for our account.

2.2 Further needs for fit-out cost

At present, expenses have been incurred for the demolition/breaking out/removal and making good on fixtures, etc on the third floor. The quotation and invoice to the amount of R240 000 (excl. VAT) has already been settled by Atterbury/Attacq with the service provider. This leaves only R 510 000 (excl. VAT) available for the fit out and fixtures still to be undertaken in all three of the office spaces. The recent quotation received for such fit out and fixtures came in at much

2

more than the allowable R510 000.00. This is largely due to the fact that the additional office on the first floor requires wet works, a kitchen, services as well as office fixtures and finishes, to transform it from the empty space it currently is into a functional office.

3. DISCUSSION

3.1 SCM Policy

In terms of paragraph 4.13 of the SCM Policy goods and services equal to or above a transaction value of R200 001.00 and long term contracts may only be procured through a **competitive bidding process**.

In terms of Paragraph 4.36.1 (a) (v) of the SCM Policy, however, the **Accounting Offices may dispense with the official procurement processes** established in terms of the policy and may procure any such goods or services through any convenient process, which may include direct negotiates, in **exceptional cases where it is impractical** or impossible to follow the official procurement process.

From the above is clear that, in terms of the Lease Agreement, we are allowed to request improvements, but that such improvement would be for our account.

It is also clear that the services of a Service Provider has already been procured by Eikestad Mall, but that the estimated cost is in excess of the R750 000 provided for in the Lease Agreement.

4. CONCLUSION

It is clear from the above that it is impractical to follow the normal procurement processes. In light of the fact that the Municipality is not allowed to spend capital money on a 3rd party's property, and taking into account that there is ample budgetary provision on the operating budget and taking into account that Atterbury/Attacq have already confirmed in writing that they are willing to cover the additional costs by way of an advancement on condition that the Municipality reimburses them as part of the rental payment, it is

RECOMMENDED:

- a) that approval be granted in terms of paragraph 4.36 (1)(a)(v) to deviate from the normal procurement processes;
- b) that Atterbury/Attacq be requested to appoint and pay the contractor for the additional fit-out cost, not exceeding R 318,106.14 (excl. of VAT);
- c) that the costs so incurred be added to the monthly rental of the month following the actual expenditure; and
- d) that the consultant working on the project confirms in writing that the cost of R318,106.14 (excl. of VAT), as quoted by Room Service, is competitive/reasonable.

[Signature]

PIET SMIT
MANAGER: PROPERTY MANAGEMENT

2017.02.23
DATE

RECOMMEND FOR APPROVAL

YES/NO

[Signature]

DIRECTOR: HS & PM DATE

23/02/2017

RECOMMEND FOR APPROVAL

YES/NO

[Signature]

DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

24/02/2017
DATE

ISAAC BENS
HEAD: SCM

RECOMMEND FOR APPROVAL

Cap of R218 106.14 not to be exceeded.

DATE

YES/NO

YES/NO

HEAD: SCM
SENIOR LEGAL ADVISOR
ELIZABETH RHODA
ER

RECOMMEND FOR APPROVAL

DATE

YES/NO

Refer to attached email from SCM dated 9/3/2017. Amended after submission of documents re Contract which was signed in July 2016 - Discussion Property & SCM Manager has reference

HEAD: SCM CPO
Marius Wüst

APPROVED

subject to

NOT APPROVED

17/3/2017

Conditions (if any): - follow sec 116(3) process - contract price has increased with more than the allowed % - item to mayco before 116(3)

[Signature]
MUNICIPAL MANAGER

16/3/2017.
DATE

- Councillor did give in declaration of interests. Contract was conclude before the councillor joined the Council. Piet smit to verify date of contract.

Quotation

170101



Property Maintenance, Repairs & Improvements

To: BOOGERTMAN + PARTNERS
Att: Rohan Nothnagel
Ph : 0
Fax : 0
Pg's : 1 of 1

C: 0827 45 45 45
E: roomservice@vox.co.za
Date: 05 February 2017

DESCRIPTION OF PROPOSED PROJECT/S (not necessarily carried out as described below)

3RD FLOOR OFFICE

PAINTWORK

- > Prep work
 - >> Filling & fixing of all unwanted holes/gaps/imperfections on surfaces to be painted (ceilings, walls, other)
 - >> Priming and/or undercoating of surfaces prior to painting where required
 - >> Expandable foam filler to be inserted around piping through walls/ceiling to close up unwanted gaps
 - >> Filling of unwanted holes in face brick walls with relevant materials - filling to blend with existing colour
- > Paintwork
 - >> Ceilings (including bulkheads, electrical conduit up to lugs) - colour (white) - medium (pva)
 - >> Window Frames - as per colour spec - medium (enamel based)
 - >> IT Room Doors - as per colour spec - medium (enamel based)
 - >> Walls (including columns) - as per colour spec - medium (Dulux, emulsion, washable)

ELECTRICAL

- > Lighting
 - >> Replace all non functioning bulbs/globes/fluorescent tubes
 - >> Replace all non functioning fixtures
 - >> Service all fixtures
 - >> Clean all fixtures
- > Power Skirting
 - >> Fix damaged power skirting with existing stock (removed during demolishing phase)
 - >> Install power skirting where required
- > Wiring/Cabliing
 - >> Remove redundant wiring
 - >> Tidy up DB board cabling into IT room
- > Light Switches
 - >> Replace missing covers where required
 - >> Re-install switches & conduit which came out of demolished dry walls
- > Cable Trays
 - >> Neaten & tidy up all wiring carried by trays
 - >> Supply & install new trays where required
- > Old IT Room
 - >> Remove all unwanted cables/wires

DOORS

- > Entrance
 - >> Remove unwanted signage/vinyl/graphics/stickers
 - >> Clean
 - >> Service
 - >> Ensure proper operation
- > IT Room
 - >> Repair double doors
 - >> Ensure proper operation
 - >> Ensure that doors are secure & can be locked

CLEANING

- > Remove overpaint from Cable Trays, Face brick Walls, Aluminium Frames, Glass, Metal surfaces
- > Clean aircon ducting
- > Clean ceiling-run piping

METAL PANNELING (front boardroom)

- > Secure bulging paneling to wall with relevant materials - to tie in with existing look

WINDOW BLINDS

- > Service, repair & clean all blinds

WINDOWS

- > Replace all broken glass

CORNICE

- > Repair/replace missing
- > Prep & paint

Quote (again!) amended and

PAGE 1 OF 6

COMPLETING PAINTING RESTORING
 DECORATING IMPROVING SANDING
 REVIVING TILING FIXING
 MODERNISING ORGANISING TRANSFORMING
 RENOVATING ORGANISING RENEWING

approved.

[Signature]
10/02/2017

Quotation

170101



Property Maintenance, Repairs & Improvements

To: BOOGERTMAN + PARTNERS
 Att: Rohan Nothnagel
 Ph : 0
 Fax : 0
 Pg's : 1 of 1

C: 0827 45 45 45
 E: roomservice@vox.co.za
 Date: 21 January 2017

DESCRIPTION OF PROPOSED PROJECT/S (not necessarily carried out as described below)**FLOORING**

- > Carpet Tiles
 - >> Prep concrete floors to receive new carpeting after IT/ELECTRICAL installations finalised
 - >> Supply & install new carpet tiles as per spec
- > Vinyl
 - >> Prep concrete floors to receive new vinyl flooring
 - >> Supply & install vinyl flooring in new IT Room & walking Safe
- > Porcelain Tiles
 - >> Supply & fit tiles at entrance & kitchens 1 & 2
 - >> Light grey grout
 - >> 2mm spacing
 - >> Square pattern
 - >> Movements joints inserted as per spec where required
 - >> Transition strips inserted where tile & carpet meet
 - >> Skirting to be tiled to tie in with tiled floor (100mm height, aluminium straight edge trim on top)

SKIRTINGS

- > Prep
 - >> Fix all corners, fill holes, prime where required
 - >> Install where required (use existing stock reclaimed during demolition)
- > Paint
 - >> As per colour spec - medium (enamel based)

FIRE SAFETY

- > Smoke Detectors
 - >> Service existing units - **COMPLETED DURING DEMOLITION PHASE**
 - >> Re-locate old IT Room unit to new IT Room
- > Fire Extinguishers
 - >> Supply & install fire extinguishers with brackets where required as per fire safety officer
 - >> Fit appropriate signage indication location of extinguishers

AIRCONDITIONING

- > Existing Unit
 - >> Service unit
 - >> Clean all grills
 - >> Supply & replace missing grills
- > New Split Unit
 - >> Supply & install in new IT Room
- > Old IT Room
 - >> Re-direct existing drainage waste pipe as required
 - >> Encase drainage new layout pipe



PAGE 2 OF 6

COMPLETING PAINTING DECORATING REVIVING MODERNISING RENOVATING
 CREATING IMPROVING TILING ORGANISING
 RESTORING SANDING FIXING TRANSFORMING RENEWING

Quotation

170101



Property Maintenance, Repairs & Improvements

To: BOOGERTMAN + PARTNERS
 Att: Rohan Nothnagel
 Ph : 0
 Fax : 0
 Pg's : 1 of 1

C: 0827 45 45 45
 E: roomservice@vox.co.za
 Date: 21 January 2017

DESCRIPTION OF PROPOSED PROJECT/S (not necessarily carried out as described below)

KITCHENS

- > Kitchen 1 & 2 (main entrance & adjacent to walk in safe)
 - >> Supply & install new kitchen cupboards (floor based & top hung)
 - >>> Exterior finish - Windsor Grey Melamine
 - >>> Interior finish - white Bison melamine
 - >>> Edging of carcasses - Standard Windsor Grey PVC
 - >>> Doors & Drawer fronts - 1mm Impact Resistant Windsor Grey
 - >>> Handles - 128mm brushed silver flat arch handles
 - >>> Door hinges - slide on GRASS, lifetime guarantee
 - >>> Drawer runners - soft wheel GRASS, lifetime guarantee
 - >>> Shelving - adjustable in 5cm increments
 - >>> Backings on cupboards - white
 - >>> Brushed aluminium kickplates
 - >>> Tops - 30mm Formica postform (from the new Bison Square line range, std colours)
 - >> Tiling
 - >>> Splash backs to be tiled with gloss white subway tile (200x100)
 - >>> White grout
 - >>> 1mm spacing
 - >>> Kitchen 2 window sills to be tiled to tie in with splash back.
 - >> Plumbing
 - >>> Franke single basin
 - >>> Grohe Mixer
 - >>>
 - >>> Removal of redundant plumbing services & installation/modification of new - inlet & outlet
 - >> Electrical
 - >>> Plug points to be moved/installed as required for successful appliance operation

- > Kitchen 1 (main entrance)
 - >> Air vent to be cut into drywall shared with board room
 - >> Air vent grills to be installed both sides to match existing look

PAINT R40,804.50
ELECTRICAL R64,416.00
DOORS R2,660.00
CLEANING R2,760.00
METAL PANELS/CORNICE/SKIRTING R6,600.00
BLINDS R12,075.00
WINDOWS R3,300.00
FLOORING R242,357.50
FIRE R6,875.00
AIRCON R39,270.00
88,882.00 KITCHENS R88,882.00

COST FOR 3RD FLOOR OFFICE = R510,000.00

PAGE 3 OF 6

Quote (again!) amended and

COMPLETING PAINTING RESTORING
 DECORATING IMPROVING SANDING
 REVIVING TILING FIXING
 MODERNISING TRANSFORMING
 RENOVATING ORGANISING RENEWING

approved.

10/02/2017

Quotation

170101



To: BOOGERTMAN + PARTNERS
 Att: Rohan Nothnagel
 Ph : 0
 Fax : 0
 Pg's : 1 of 1

Property Maintenance, Repairs & Improvements

C: 0827 45 45 45
 E: roomservice@vox.co.za
 Date: 21 January 2017

DESCRIPTION OF PROPOSED PROJECT/S (not necessarily carried out as described below)**2ND FLOOR BOARDROOM****PAINTWORK**

- > Prep work
 - >> Filling & fixing of all unwanted holes/gaps/imperfections on surfaces to be painted (ceilings, walls, other)
 - >> Priming and/or undercoating of surfaces prior to painting where required
- > Paintwork
 - >> Ceilings (including bulkheads, electrical conduit up to lugs) - colour (white) - medium (pva)
 - >> Walls - as per colour spec - medium (Dulux, emulsion, washable)

ELECTRICAL

- > Lighting
 - >> Supply & install lighting as per spec & placement
- > Power Skirting
 - >> Supply & install power skirting with power points as per drawings
- > Light Switches
 - >> Supply & install light switch as per drawings

FLOORING

- > Carpet Tiles
 - >> Prep concrete floors to receive new carpeting
 - >> Supply & install new carpet tiles as per spec

AIRCONDITIONING


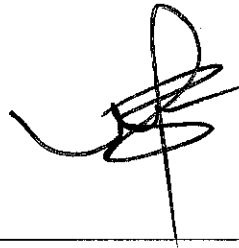
- > Existing Unit
 - >> Supply & replace missing cover for air duct
 - >> Ensure proper operation of unit

FIRE SAFETY

- > Smoke Detectors
 - >> Service existing unit
- > Fire Extinguisher
 - >> Supply & install fire extinguisher with bracket where required as per fire safety officer
 - >> Fit appropriate signage indication location of extinguisher

PAINT R10,171.50
 ELECTRICAL R12,210.00
 CLEANING R1,000.00
 FLOORING R12,350.00
 FIRE R2,062.50
 AIRCON R500.00

COST FOR 2ND FLOOR BOARDROOM = R38,294.00

PAGE 4 OF 6

COMPLETING PAINTING RESTORING
 DECORATING IMPROVING SANDING
 REVIVING TILING FIXING
 MODERNISING TRANSFORMING
 RENOVATING ORGANISING RENEWING

Quotation

170101



Property Maintenance, Repairs & Improvements

To: BOOGERTMAN + PARTNERS
 Att: Rohan Nothnagel
 Ph : 0
 Fax : 0
 Pg's : 1 of 1

C: 0827 45 45 45
 E: roomservice@vox.co.za
 Date: 21 January 2017

DESCRIPTION OF PROPOSED PROJECT/S (not necessarily carried out as described below)**1ST FLOOR OFFICE****PAINTWORK**

- > Prep work
 - >> Filling & fixing of all unwanted holes/gaps/imperfections on surfaces to be painted (ceilings, walls, other)
 - >> Priming and/or undercoating of surfaces prior to painting where required
- > Paintwork
 - >> Ceilings (including bulkheads, electrical conduit up to lugs) - colour (white) - medium (pva)
 - >> Window Frames - as per colour spec - medium (enamel based)
 - >> Walls (including columns) - as per colour spec - medium (Dulux, emulsion, washable)

ELECTRICAL

- > Lighting
 - >> Supply & fit of new lighting fixtures as per drawings
- > Power Skirting
 - >> Install new power skirting with power points as per drawings
- > Light Switches
 - >> Supply & fit of new light switches as per drawings

DOORS

- > Entrance
 - >> Supply & install new frameless glass door/shop front as per drawings
- > Kitchen
 - >> Install D19, removed during demo phase on 3rd floor
- > Andrew Office
 - >> Install D20, removed during demo phase on 3rd floor
- > New Storage Room
 - >> Supply & install new solid aluminium door with ventilation grill, same colour to match existing

KITCHEN

- > Kitchen
 - >> Supply & install new kitchen cupboards (floor based & top hung)
 - >>> Exterior finish - Windsor Grey Melamine
 - >>> Interior finish - white Bison melamine
 - >>> Edging of carcasses - Standard Windsor Grey PVC
 - >>> Doors & Drawer fronts - Imm Impact Resistant Windsor Grey
 - >>> Handles - 128mm brushed silver flat arch handles
 - >>> Door hinges - slide on GRASS, lifetime guarantee
 - >>> Drawer runners - soft wheel GRASS, lifetime guarantee
 - >>> Shelving - adjustable in 5cm increments
 - >>> Backings on cupboards - white
 - >>> Brushed aluminium kickplates
 - >>> Roller door, 3 units of 900mm wide x 900mm high (satin silver PVC)
 - >>> Tops - 30mm Formica postform (from the new Bison Square line range, std colours)
 - >> Tiling
 - >>> Splash backs to be tiled with gloss white subway tile (200x100)
 - >>> White grout
 - >>> Imm spacing
 - >> Plumbing
 - >>> Franke single basin
 - >>> Grohe Mixer
 - >>> Under counter electrical water heater (10 liters)
 - >>> Removal of redundant/existing plumbing services & installation/modification of new - inlet & outlet
 - >> Electrical
 - >>> Plug points to be moved/installed as required for successful appliance operation
 - >> Appliances
 - >>> Full size fridge to be supplied & installed, steel finish (Samsung or Bosch as requested)
 - >>> Microwave to be supplied & installed, steel finish (Samsung or Bosch as requested)

PAGE 5 OF 6

COMPLETING PAINTING RESTORING
 DECORATING IMPROVING SANDING
 REVIVING TILING FIXING
 MODERNISING ORGANISING TRANSFORMING
 RENOVATING ORGANISING RENEWING

Quotation

170101



Property Maintenance, Repairs & Improvements

To: BOOGERTMAN + PARTNERS
 Att: Rohan Nothnagel
 Ph : 0
 Fax : 0
 Pg's : 1 of 1

C: 0827 45 45 45
 E: roomservice@vox.co.za
 Date: 21 January 2017

DESCRIPTION OF PROPOSED PROJECT/S (not necessarily carried out as described below)

FLOORING

- > Carpet Tiles
 - >> Prep concrete floors to receive new carpeting
 - >> Supply & install new carpet tiles as per spec
- > Porcelain Tiles
 - >> Supply & fit tiles kitchen
 - >> Light grey grout
 - >> 2mm spacing
 - >> Square pattern
 - >> Movements joints inserted as per spec where required
 - >> Transition strips inserted where tile & carpet meet
 - >> Skirting to be tiled to tie in with tiled floor (100mm height, aluminium straight edge trim on top)

GLAZING

- > Reception
 - >> Supply & fit new glazing as per drawing

WETWORK

- > New Storage Room
 - >> Build brick wall/s as per drawings
 - >> Plaster, skim, prep, paint where required

ANDREW OFFICE

- > Construct new partition walls with glazing on top as per drawings

PAINT R22,156.00
ELECTRICAL R44,660.00
DOORS R45,540.00
CLEANING R2,000.00
FLOORING R58,057.95
FIRE R3,637.50
KITCHEN R59,403.19
ANDREW OFFICE R31,982.50
STORE ROOM R12,375.00

COST FOR 1ST FLOOR OFFICE = R279,812.14

Quote (originally) amended and approved by [Signature] 16/02/2017

PAGE 6 OF 6

CONDITIONS:

- 1.) Quote valid for 14 days.
- 2.) Materials subject to change without notification.
- 3.) All tools to be supplied by Room Service at no extra cost.
- 4.) If a project require tools and/or specialised labour not in the possession of Room Service, such tools or labour shall incur an additional fee.
- 5.) A **70% deposit** is required prior to starting any work. Balance payable on completion.
- 6.) All materials supplied by Room Service remains the property of Room Service until paid in full. Should payment not be made we reserve the right to remove such materials forthwith.

| | |
|--------------|-------------------|
| Subtotal | 828,106.14 |
| Vat | 115,934.86 |
| Total | 944,041.00 |

COMPLETING PAINTING DECORATING REVIVING MODERNISING RENOVATING
CREATING IMPROVING TILING ORGANISING
RESTORING SANDING FIXING TRANSFORMING RENEWING

ATTACO

43 Andringa Street.
Stellenbosch, 7600
Phone 021 886 6267
VAT: 4380258782

DATE 2017/02/13
Quotation # 1
Customer ID

Quotation For:
Stellenbosch Municipality
t/a Stellenbosch Municipality
Plein Street
Stellenbosch
021 808 8750

| QUANTITY | DESCRIPTION | ExVat | VAT | Total |
|----------|---|------------|-----------|--------------|
| 1 | MUNICIPAL SEWERAGE ~SHOP 133A | 136.22 | 19.07 | 155.29 |
| 1 | MUNICIPAL REFUSE ~SHOP 133A | 41.05 | 5.75 | 46.80 |
| 1 | MUNICIPAL SEWERAGE ~OFFICE 302 | 457.17 | 64.00 | 521.17 |
| 1 | RENTAL OFFICE ~SHOP 133A | 23 509.76 | 3 291.37 | 26 801.13 |
| 1 | MUNICIPAL REFUSE ~OFFICE 302 | 137.75 | 19.28 | 157.03 |
| 1 | MUNICIPAL SEWERAGE ~SHOP 207C2 | 26.70 | 3.74 | 30.44 |
| 1 | MUNICIPAL REFUSE ~SHOP 207C2 | 8.04 | 1.13 | 9.17 |
| 1 | MUNICIPAL RATES ~SHOP 133A | 1 133.96 | 158.75 | 1 292.71 |
| 1 | MUNICIPAL RATES ~SHOP 207C2 | 222.24 | 31.11 | 253.35 |
| 1 | RENTAL OFFICE ~SHOP 207C2 | 4 607.52 | 645.05 | 5 252.57 |
| 1 | RENTAL OFFICE ~OFFICE 302 | 78 899.35 | 11 045.91 | 89 945.26 |
| 1 | REFUSE CONTRACTOR ~SHOP 207C2 | 30.60 | 4.28 | 34.88 |
| 1 | REFUSE CONTRACTOR ~SHOP 133A | 156.12 | 21.86 | 177.98 |
| 1 | MUNICIPAL RATES ~OFFICE 302 | 3 805.61 | 532.79 | 4 338.40 |
| 1 | REFUSE CONTRACTOR ~OFFICE 302 | 523.96 | 73.35 | 597.31 |
| 1 | WATER: 2016-12-22 / 2017-01-25 Consumption 0.860 | 21.07 | 2.95 | 24.02 |
| 1 | WATER: 2016-12-22 / 2017-01-25 Consumption 14.850 | 425.52 | 59.57 | 485.09 |
| 1 | WATER: 2016-12-22 / 2017-01-25 Consumption 4.410 | 108.38 | 15.17 | 123.55 |
| 1 | AIRCON 2016-12-22 / 2017-01-25 | 254.82 | 35.67 | 290.49 |
| 1 | AIRCON 2016-12-22 / 2017-01-25 | 262.00 | 36.68 | 298.68 |
| 1 | Service Fee 2016-12-22 / 2017-01-25 | 61.00 | 8.54 | 69.54 |
| 1 | Service Fee 2016-12-22 / 2017-01-25 | 122.00 | 17.08 | 139.08 |
| 1 | Service Fee 2016-12-22 / 2017-01-25 | 61.00 | 8.54 | 69.54 |
| 1 | ELECTRICITY: 2016-12-22 / 2017-01-25 Consumption 173.930 | 575.80 | 80.61 | 656.41 |
| 1 | ELECTRICITY: 2016-12-22 / 2017-01-25 Consumption 3017.720 | 6 952.68 | 973.38 | 7 926.06 |
| 1 | ELECTRICITY: 2016-12-22 / 2017-01-25 Consumption 894.510 | 1 820.30 | 254.84 | 2 075.14 |
| 1 | Add Rental towards TI as per lease agreement Annex C | 13 140.75 | 1 839.71 | 14 980.46 |
| 1 | Operational Funds - 1st/2nd Floor as per quote | 318 106.14 | 44 534.86 | 362 641.00 |
| | | | SUBTOTAL | R 455 607.51 |
| | | | VAT | 14.00% |
| | | | VAT | R 63 785.04 |
| | | | OTHER | R 0.00 |
| | | | TOTAL | R 519 392.55 |

As discussed to cover operational expenditure in office maintenance
[Signature]
13/02/2017

THANK YOU FOR YOUR BUSINESS!

[Signature]
2017.02.14
See my notes on attached memo

Ilze Couvaras

From: Rohan Nothnagel <rohan@boogertmanpta.co.za>
Sent: 16 February 2017 04:39 PM
To: Ilze Couvaras
Subject: [EX] Room Service Kwotasie Eikestad Projek

Beste Ilze

As argitekte is ons van mening dat die kwotasie verskaf deur Room service vir werk aan die drie persele by Eikestad sentrum binne n redelike band van soortgelyke kleiner projekte val as dit in geheel gesien word.

Die eerste vloer prys in isolasie gesien is bo mark verwante pryse vir kantoor uitrusting maar kan toegeskryf word aan die omvang van werk om die dop uit te rus met menigde basiese dienste en afskortings met baie glas alvorens afwerking kan begin.

Die derde vloer is die mees redelikste geprys en kan waarskynlik toegeskryf word aan die groter oppervlakte wat dit beslaan.

In geheel is die prys dus in ons opinie nie onredelik nie.

Groete

Rohan Nothnagel

Email: rohan@boogertmanpta.co.za
Website: <http://www.boogertmanandpartners.com>
Telephone: +27 21 930 9210
Facsimile: +27 21 930 9211
Mobile: +27 82 5245493

Ilze Couvaras

From: Michael Clampett <michael@attacq.co.za>
Sent: 15 February 2017 05:00 PM
To: Ilze Couvaras; Ilanika@eikestadmall.co.za; Mark Taylor; Rohan Nothnagel
Cc: Dupre Lombaard; Nomie Tshetu; Marius Wust; Mariette@eikestadmall.co.za; Solet Viviers; Piet Smit; roomservice@vox.co.za; Mia Kitshoff; Gerrit van den Berg; Danelle Van Der Merwe
Subject: [EX] RE: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY WITH EIKESTAD MALL

Hi Ilze

I confirm that Eikestad JV (Attacq Retail Fund and Key Capital) will settle Room Service for the specific below mentioned amount with the agreed amount to be refunded from Council in the next billing period.

Kind regards

Michael Clampett

michael@attacq.co.za
 Mobile number 082 381 5644
 Landline number 087 845 1159

From: Ilze Couvaras [mailto:Ilze.Couvaras@stellenbosch.gov.za]
Sent: 14 February 2017 02:02 PM
To: Ilanika@eikestadmall.co.za; Mark Taylor; Rohan Nothnagel; Michael Clampett
Cc: Dupre Lombaard; Nomie Tshetu; Marius Wust; Mariette@eikestadmall.co.za; Solet Viviers; Michael Clampett; Piet Smit; roomservice@vox.co.za; Mia Kitshoff; Gerrit van den Berg; Danelle Van Der Merwe
Subject: RE: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY WITH EIKESTAD MALL
Importance: High

Hi Ilanika

Further to the above, I have been requested to obtain written confirmation from Attacq, that Attacq will be responsible for the payment of the service provider (Room Service) to the amount of R 944,041.00 (incl. VAT) as per quotation No 170101, upon completion of all work done and duly certified by the Professional Consultant, Mr Rohan Nothnagel of Boogertman & Partners and the Director : Planning and Economic Development. The payment of any deposit in this regard will also be the responsibility of Attacq.

This confirmation is on condition that Council reimburses Attacq with the amount of R 318,106.14 (excl. VAT) additional to the monthly rental payment for the next month (as depicted on Quotation #1 dated 13 February 2017).

Your written confirmation is awaited, upon receipt of which I will be furnishing you with the signed Quotation #1 dated 13 February 2017.



Kind regards,

Ilze Couvaras

Head : Customer Interface and

Administration
Planning & Economic Development

T: +27 21 808 8604 | Fax: +27 21 886 6899
 Postal : P O Box 17, Stellenbosch, 7600
 Physical : Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:
http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: Ilanika du Plessis [<mailto:ilanika@eikestadmall.co.za>]
Sent: 14 February 2017 08:53 AM
To: Mark Taylor; Rohan Nothnagel; Ilze Couvaras; michael@attacq.co.za
Cc: Dupre Lombaard; Nomie Tshefu; Marius Wust; Mariette Brandt; Solet Viviers; Michael Clampett; Piet Smit; roomservice@vox.co.za; Mia Kitshoff; Gerrit van den Berg; Danelle Van Der Merwe
Subject: [EX] RE: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY WITH EIKESTAD MALL

Morning,

I received the invoice from Room service but still waiting for the signed quote from Ilze.

Once I received all the signed documents, I will make payment.



ILANIKA DU PLESSIS
 FINANCIAL ASSISTANT

0649141111
 13 Andriesspruit, Eikestad Mall, Stellenbosch

021 886 6899
 021 808 8604

www.eikestadmall.co.za



EIKESTAD
 MALL

021 886 6899
 021 808 8604

From: Mark Taylor
Sent: 13 February 2017 01:28 PM
To: Rohan Nothnagel; Ilze Couvaras; michael@attacq.co.za
Cc: Dupre Lombaard; Nomie Tshefu; Marius Wust; Mariette Brandt; Solet Viviers; Michael Clampett; Piet Smit; roomservice@vox.co.za; Mia Kitshoff; Ilanika du Plessis; Gerrit van den Berg; Danelle Van Der Merwe
Subject: RE: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY WITH EIKESTAD MALL

Hi Rohan,

Please note that Ilanika this morning at 10:30 sent the quote to Ilze. We requested the invoice so that payment can be made today – still waiting on feedback.

Regards, Mark

From: Rohan Nothnagel [<mailto:rohan@boogertmanpta.co.za>]
Sent: Monday, February 13, 2017 1:13 PM

To: Ilze Couvaras <Ilze.Couvaras@stellenbosch.gov.za>; michael@attacq.co.za
Cc: Mark Taylor <Mark@eikestadmall.co.za>; Dupre Lombaard <Dupre.Lombaard@stellenbosch.gov.za>; Nomie Tshefu <Nomie.Tshefu@stellenbosch.gov.za>; Marius Wust <Marius.Wust@stellenbosch.gov.za>; Mariette Brandt <mariette@eikestadmall.co.za>; Solet Viviers <solet@atterbury.co.za>; Michael Clampett <michael@attacq.co.za>; Piet Smit <Piet.Smit@stellenbosch.gov.za>; roomservice@vox.co.za; Mia Kitshoff <Mia@atterbury.co.za>; Gerrit van den Berg <Gerrit@atterbury.co.za>; Danelle Van Der Merwe <danelle@atterbury.co.za>
Subject: Re: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY WITH EIKESTAD MALL

Dear Michael

For various reasons the time frames related to this contract are under severe pressure. Can you please arrange out of the regular sequence payment for a deposit invoice from the contractor to commence work asap. The next regular Attacq payment date at the end of the month is too late and will result in further delays.

Your assistance would be highly appreciated.

Best regards

Rohan Nothnagel

Email: rohan@boogertmanpta.co.za
 Website: <http://www.boogertmanandpartners.com>
 Telephone: +27 21 930 9210
 Facsimile: +27 21 930 9211
 Mobile: +27 82 5245493

On 10 Feb 2017, at 3:51 PM, Ilze Couvaras <Ilze.Couvaras@stellenbosch.gov.za> wrote:

Dear Mark

Attached please find the final and correct quote furnished by RoomService for the fit out of all three office spaces, duly signed off by the Director : Planning and Economic Development. (The amounts remain the same, the quote has merely been amended by the deletion of 3 items, for which the amount had already been adjusted)

Please proceed to quote us on the additional cost as discussed.

[Description: [cid:image001.png@01D277E5.7FA8C9F0](#)]

Kind regards,
 Ilze Couvaras
 Head : Customer Interface and Administration
 Planning & Economic Development

T: +27 21 808 8604 | Fax: +27 21 886 6899
 Postal : P O Box 17, Stellenbosch, 7600
 Physical : Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za<<http://www.stellenbosch.gov.za/>>

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cid:image002.png@01D277E5.7FA8C9F0]<<https://twitter.com/search?q=stellenbosch%20municipality&src=typd>>[Description:
cid:image003.png@01D277E5.7FA8C9F0]<<https://www.facebook.com/stellenboschmunicipality/>>

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From: Ilze Couvaras
Sent: 10 February 2017 02:28 PM
To: 'Michael Clampett'; Piet Smit
Cc: Dupre Lombaard; Nomie Tshefu; Marius Wust; Mariette@eikestadmall.co.za; 'Solet Viviers'; mark@eikestadmall.co.za
Subject: RE: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY WITH EIKESTAD MALL

Dear Michael

Thank you very much for your prompt and favourable response.

Mark you are welcome to contact me at 083 581 0131 or the above email address, in order to the quotation on the rental billing to be finalised.

[Description: <cid:image001.png@01D277E5.7FA8C9F0>]

Kind regards,
Ilze Couvaras
Head : Customer Interface and Administration
Planning & Economic Development

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From: Michael Clampett [<mailto:michael@attacq.co.za>]
Sent: 10 February 2017 02:25 PM
To: Piet Smit; Ilze Couvaras
Cc: Dupre Lombaard; Nomie Tshefu; Marius Wust; Mariette@eikestadmall.co.za; 'Solet Viviers'; mark@eikestadmall.co.za
Subject: [EX] RE: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY WITH EIKESTAD MALL

Hi all

I am happy with the proposed solution. Mark (from Eikestad centre management), please get in touch with Ilze to arrange all the administrative matters.

Kind regards

Michael Clampett

michael@attacq.co.za<<mailto:michael@attacq.co.za>>
Mobile number 082 381 5644
Landline number 087 845 1159

From: Piet Smit [<mailto:Piet.Smit@stellenbosch.gov.za>]
Sent: 09 February 2017 01:26 PM
To: Ilze Couvaras; Michael Clampett
Cc: Dupre Lombaard; Nomie Tshefu; Marius Wust; Mariette@eikestadmall.co.za; 'Solet Viviers'
Subject: RE: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY WITH EIKESTAD MALL

I confirm that I would sign-off on the R 318,106.14 (excl. VAT) on the basis that the amount be added to the following month's invoice(rental).To enable me to sign off on the quotation I will need confirmation by the consultant that the amount is reasonable and fair.

Piet

From: Ilze Couvaras
Sent: Thursday, February 09, 2017 1:14 PM
To: 'Michael Clampett (michael@attacq.co.za<<mailto:michael@attacq.co.za>>)
(michael@attacq.co.za<<mailto:michael@attacq.co.za>>)'
Cc: Piet Smit; Dupre Lombaard; Nomie Tshefu; Marius Wust; 'mariette@eikestadmall.co.za'; 'Solet Viviers'
Subject: RE: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY WITH EIKESTAD MALL

Dear Michael

With reference to my last email, attached hereto please find the signed off quotation for the fit out costs.

Kind regards,

[Description: [cid:image001.png@01D277E5.7FA8C9F0](#)]

Kind regards,
Ilze Couvaras
Head : Customer Interface and Administration
Planning & Economic Development

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[cid:image003.png@01D277E5.7FA8C9F0](#)]<<https://www.facebook.com/stellenboschmunicipality/>>

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From: Ilze Couvaras
Sent: 09 February 2017 12:55 PM
To: Michael Clampett (michael@attacq.co.za<<mailto:michael@attacq.co.za>>)
(michael@attacq.co.za<<mailto:michael@attacq.co.za>>)
Cc: Piet Smit; Dupre Lombaard; Nomie Tshefu; Marius Wust;
mariette@eikestadmall.co.za<<mailto:mariette@eikestadmall.co.za>>; 'Solet Viviers'
Subject: URGENT : RENTAL AGREEMENT : STELLENBOSCH MUNICIPALITY
WITH EIKESTAD MALL
Importance: High

Dear Michael

I understand that you are out of office today due to illness and I regret having to concern you with this matter whilst you are recovering. I however need a go ahead for the situation that currently presents itself and you are said to be the person who needs to provide that “go ahead”.

The situation is as follows :

Stellenbosch Municipality entered into a lease agreement with Atterbury Holdings for office space in Eikestad Mall. The initial rental agreement that was signed allowed for office space on the third and second floor (512.91m²). Thereafter an additional space was identified and an addendum to the first agreement was signed for the office on the first floor (144.40m²).

See extract out of Addendum:

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The first agreement for the office space on the third and second floor also allowed for a fit out cost (increments of R 250 000 to a maximum of R 750 000) to be utilised, which depending on the amount utilised would then be calculated into the monthly rental over the course of the rental agreement's term. The Addendum for the office space on the first floor had no allowable for fit out cost for itself.

At present expenses have been incurred for the demolition/breaking out/removal and making good of fixtures, etc on the third floor. The quotation and invoice to the amount of R 240 000 (excl. VAT) has already been settled by Atterbury/Attacq with the service provider (see quotation attached). This leaves only R 510 000 (excl. VAT) available for the fit out and fixtures still to be undertaken in all three of the office spaces. The recent quotation received for such fit out and fixtures came in much more than the allowable R 510 000.00.

Stellenbosch Municipality, however has been paying rent for these spaces for a number of months now and it is crucial that the fit out be finalised for the relocation of office staff to commence. The Municipality is willing to pay the additional costs in order to expedite the matter and enable the service provider to commence with the fit out. Council can however not spend Capital funds on property which it is not the owner of. In order to cover these costs, we would need to use Operational funds.

The proposal is therefore as follows :

Please refer to the attached quotation dated 17.01.01 (Version 3.)

1. Quotation for the third floor : R 510 000 (excl VAT) – the quotation has been signed off by the Municipality. Attacq/Atterbury needs to sign of the quotation as part of the capital provided for the fit out in terms of the rental agreement and furnish payment of the required deposit to the service provider as a matter of urgency in order to allow the service provider to commence.
2. Quotations for the second and first floors : R 318,106.14 (excl. VAT) : - the quotation has been signed off by the Municipality. Attacq/Atterbury needs to provide the Municipality (Piet Smit) with a quotation informing us that the rental for the month of February will be increased with the stated figure as part of functional requirements for the rental spaces. This quotation then needs to be signed off by the relevant official(s). When the rental account for February is generated it then needs to include the stated figure and payment thereof will be done from the Operational funds as part of the rental.

Kindly advise as a matter of urgency if this proposal is an acceptable solution to the current situation? Please also indicate if such quotation could be generated by your office for the necessary signatures.

Should you have any queries/questions regarding this matter you are most welcome to contact me on my Cell 083 581 0131. This matter is of the utmost urgency and your response in this matter is therefore eagerly awaited.

[Description: cid:image001.png@01D277E5.7FA8C9F0]

Kind regards,
Ilze Couvaras
Head : Customer Interface and Administration

Planning & Economic Development

T: +27 21 808 8604| Fax: +27 21 886 6899

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From: Hentus Baard [<mailto:roomservice@vox.co.za>]

Sent: 09 February 2017 10:59 AM

To: Rohan Nothnagel; Ilze Couvaras

Subject: [EX] Nuwe Kwotasie soos aangevra

Hentus

ROOM SERVICE

082 745 4545

roomservice@vox.co.za<<mailto:roomservice@vox.co.za>>

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Elizabeth Rhoda

From: Israel Saunders
Sent: 09 March 2017 01:10 PM
To: Geraldine Mettler
Cc: Marius Wust; Dupre Lombaard; Piet Smit; Elizabeth Rhoda; Theo Rhode; Andre Treurnich
Subject: Office space Stellenbosch
Attachments: Annexure2.pdf; DecalrationOfInterst1PagerHR.pdf; Disclosure form for benefits and interestsTemplate 2014-01-23.docx; CCF20170209_0001.pdf

Importance: High

MM hi

I just became aware that one of our newly appointed Councillors Mr JN De Villiers is a Director/Trustee/Member/Shareholder with the company (Atterbury Holdings) we appointed via deviation DSM01/17 on 04.07.2016.

No problems when the previous MM approved it - but now said company is deemed as "in service of the state" and according to SCM Regulations are we prohibited from doing business with such companies. SCM Regulations define municipal "in service of the state " as : (a)(i)

* MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

Any payment done after said Councillor formed part of Council will be seen as Irregular Expenditure if the AG picks it up.

We can do 3 things:

1.Councillor have to (a)resign from the company as a Director/Trustee/Member/Shareholder or (b) transfer his ownership to someone - then we're in the clear or 2.We (3)stop the process of occupying the Mall for office space which would not be a good idea as it would lead to "fruitless and wasteful expenditure" because of the expenditure incurred

I want to request MM to get "Declarations of interests (Attached)" from all newly appointed councillors for us SCM to verify if they have interests in companies on our database. I had a quick word with Pa of the Speaker who informed me that all Councillors were given these docs but not all were completed and handed in.

This is urgent. Regards

Israel Saunders

Head : Supply Chain Management
Finance Services

israel.saunders@stellenbosch.gov.za

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| | |
|------------|---|
| 7.6 | INFRASTRUCTURE: [CLLR J DE VILLIERS] |
|------------|---|

NONE

| | |
|------------|---|
| 7.7 | PARKS, OPEN SPACES AND ENVIRONMENT: (PC: CLLR N JINDELA) |
|------------|---|

(SEE ITEMS 9.1 AND 9.2 BELOW)

| | |
|------------|---|
| 7.8 | PROTECTION SERVICES: [PC: CLLR Q SMIT] |
|------------|---|

NONE

| | |
|------------|--|
| 7.9 | YOUTH, SPORTS AND CULTURE: [PC: XL MDEMKA (MS)] |
|------------|--|

NONE