



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2021-01-27

NOTICE OF THE 40TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY WEDNESDAY, 2021-01-27 AT 11:00

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

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that the **40TH MEETING** of the **COUNCIL** of **STELLENBOSCH MUNICIPALITY** will be held via **MS TEAMS** on **WEDNESDAY, 2021-01-27** at **11:00** to consider the items on the Agenda.

SPEAKER
WC PETERSEN (MS)

MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2021-01-27

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1.	OPENING AND WELCOME
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2.	MAYORAL ADDRESS
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3.	COMMUNICATION BY THE SPEAKER
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4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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5.	DISCLOSURE OF INTERESTS
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6.	APPLICATIONS FOR LEAVE OF ABSENCE
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7.	CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING
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7.1	39 TH COUNCIL MEETING: 2020-11-25
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The minutes of the 39th Council Meeting: 2020-11-25 is attached as **APPENDIX 1**.

FOR CONFIRMATION

APPENDIX 1



STELLENBOSCH

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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2020-11-25

MINUTES

39TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2020-11-25 AT 10:00

Detailed account of the meeting proceedings is available on audio recording, which is obtainable from The Municipal Manager's Office per Request for Information (RFI)

MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2020-11-25

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19.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
	(SEE IN-COMMITTEE DOCUMENTATION)	

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

PRESENT The Speaker, Cllr Cllr WC Petersen (Ms)
The Executive Mayor, Ald G Van Deventer (Ms)
The Deputy Executive Mayor, N Jindela [Chairperson] (until 14:00)

COUNCILLORS

F Adams (until 11:30)	LK Horsband (Ms)
FJ Badenhorst	MC Johnson
Ald PW Biscombe	DD Joubert
G Cele (Ms)	N Mananga-Gugushe (Ms) (until 13:00)
PR Crawley (Ms)	NE Mcombring (Ms)
A Crombie (Ms)	XL Mdemka (Ms)
Z Dalling (Ms)	C Moses (Ms)
R Du Toit (Ms)	N Olayi
J Fasser	SA Peters
A Florence	MM Pietersen
AR Frazenburg	SR Schäfer
E Fredericks (Ms)	Ald JP Serdyn (Ms)
T Gosa	N Sinkinya (Ms) (until 13:00)
E Groenewald (Ms) (until 11:30)	P Sitshoti (Ms) (until 13:00)
JG Hamilton	Q Smit
AJ Hanekom	LL Stander
DA Hendrickse	E Vermeulen
JK Hendriks	

Officials: Municipal Manager (Ms G Mettler)
Chief Financial Officer (K Carolus)
Director: Corporate Services (Ms A De Beer)
Director: Infrastructure Services (D Louw)
Director: Planning and Economic Development (AP Barnes)
Director: Community and Protection Services (G Boshoff)
Chief Audit Executive (F Hoosain)
Manager: Secretariat (EJ Potts)
Senior Administration Officer (T Samuels (Ms))

1.	OPENING AND WELCOME
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The Speaker, Cllr WC Petersen (Ms) welcomed all present at the 39th Council meeting via livestream.

2.	MAYORAL ADDRESS
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“Speaker, Munisipale Bestuurder, Burgemeesterskomiteelede, Direkteure

Goeiedag, Good Morning, Molweni, As-salaam Alaikum

- Covid-19 is still with us.
- From today 25 to 29 November, President Ramaphosa announced a morning period for the victims of COVID 19. Flags will be flown at half-mast during this period.
 - Due to COVID we have also made the difficult decision not to have a Festival of Lights event this year.
 - We will still install the customary festive season lights for our residents to enjoy however, but there will be no festival to celebrate the switching on of the lights.
 - Urge all residents to please continue to be cautious and careful and take all necessary steps to prevent the spread of COVID.
 - Wear your mask when you are in public or among large groups of people.
 - Sanitise or wash your hands regularly.
 - Avoid events with lots of people, especially when it is in a small enclosed space.
 - When meeting with friends and family, do so in open well ventilated spaces or outside in open spaces.
 - There have been increases in active cases in our region and I want to urge residents to take this threat very seriously.
- The Stellenbosch Waste Water Treatment works won the Stellenbosch the CESA (Consulting Engineers of South Africa) award for projects of between R250million to R1Billion.
 - We are incredibly proud of our wonderful facility.
 - Opened earlier this year, just before lockdown.
 - Facility resulted in a significant improvement of services for the region.
 - This also serves as motivation to tackle and continue all the upgrading work we are currently busy with at our other facilities.
 - Congratulations Zutari, the consulting engineers on this project and to Director Louw and his team.
- Congratulations to Stellenbosch FC
 - Stellenbosch FC secured a 2-0 victory over Chippa United in the DStv Premiership match at the Danie Craven Stadium on Saturday afternoon.
 - So proud of all our players and how well they represent us on the sport fields.
- Congratulations also goes to:
 - Lanzerac Wine Estate Hotel & Spa for being named ‘South Africa’s Leading Wine Region Hotel 2020’ at the World Travel Awards! This prestigious accolade reaffirms our status as a world-class travel destination!
 - Kleine Zalze, who achieved new heights after being named Top Performing Winery of the Year by Platter’s South African wine guide - one of the most comprehensive guides to South African wine and one of the most highly regarded internationally.

- From today, 25 November to 10 December we commemorate the annual 16 Days of Activism against Gender based Violence Campaign.
 - Continuous to be an even more deadly epidemic in our society than COVID-19
 - Still an issue because people are ashamed to speak out about abuse and violence in the home.
 - We have to talk and break the silence with regards to this evil.
 - Only when we shine a light on this, and admit and face the enormity of this challenge will we be able to tackle this and make a real and meaningful change
 - Please report violence against women and children, do not ignore it, do not look away.

- Early Christmas gift to Franschhoek.
 - Creating economic opportunities is more important than ever before.
 - I am so proud and impressed with this beautiful premises that has been built and made available to the community.
 - The informal trading space in this area has a long history:
 - Active for more than 15 years. Historically it consisted of temporary structures which traders erected daily, with wares being packed out every morning, and then stalls and wares being packed away at the end of each day,
 - In 2017, the Municipality as part of its commitment to promote informal trading as a means to increase household income, decided to upgrade the trading site and improve aesthetic and operational market conditions to the benefit of both the traders and the local community.
 - The total contract value: R 2 226 051.51.
 - Construction started in June 2018, and contract took 18 months to complete.
 - Traders have already been appointed in line with our informal trading policy
 - Want to encourage residents and councillors to visit this beautiful site and support our local entrepreneurs.
 - I was so impressed and surprised with the amazing quality of work on show.

- As we are now moving into the festive season, we expect an increase in traffic and influx of road users
 - Our law enforcement and traffic officers will be working hard throughout the festive season to help improve road safety and security.
 - Thank you to all our officers and officials who work very hard during this time.
 - I want to urge every councillor and every resident, to lead by example
 - DO NOT TEXT AND DRIVE
 - DO NOT TALK ON YOUR PHONE AND DRIVE
 - DO NOT DRINK AND DRIVE/ DRINK AND WALK
 - Make sure your vehicle is road worthy
 - Make sure your vehicle license and driver's license is valid and up to date
 - Take regular breaks if you are traveling long distances

- As it is our last formal Council Meeting for 2020, I want to wish all our Councillors, Officials and Staff a very blessed Festive Season.
- For those going on leave, please stay safe and take care.
- For those who celebrate Christmas, may it be a blessed time with friends and family.
- For Residents who celebrate Hanukah, may it be a time of light and joy for you and your loved ones.
- Please stay safe and be mindful of COVID, we want you to all return safely in 2021.

Thank you.”

3.	COMMUNICATION BY THE SPEAKER
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Good Morning to:

The Executive Mayor, Advocate Gesie Van Deventer

The Municipal Manager, Ms. Geraldine Mettler and other Staff

All Alderman's and other Councillors, Stellenbosch Community and all Protocols observed:

GREETINGS TO YOU ALL

Councillors, Madame Mayor & MM it is a privilege for me to **communicate the following to you:**

1. We are all AWARE OF THE DIFFICULT MONTH'S we had as a Town on the impact of COVID 19. The economic downturn of our Town and the hardship our families went through during the loss of love ones is examples of what our people went through.

"As we look back on a year of much pain and sorrow, it is important as a Town that we should honour and remember all those who have succumbed to this disease"
2. Madame Mayor, this time of the year the Country also remembered and reflect on GENDER BASED VIOLENCE – that still sits deeply rooted in our communities. Our children and women in particular are still being abused by men on a daily basis especially by those whom we know, and even people in prominent positions. Please help us to:
 - **End the Silence**
 - **Ending their pain**
3. Thirdly Madam Mayor and members – on Tuesday 1st December 2020 we will commemorate – World AIDS DAY. I would like to encourage you Councillors to participate in all possible events that do takes place in your wards in honour of our affected communities. Lets keep the candle of hope, and peace burning for all those affected and infected by the disease in our thoughts as they have to overcome and fight this for the rest of their lives.
4. During this time, may we also acknowledge the Matriculants of 2020 – who are currently writing their final year exams and may they be successful in their endeavours. It was indeed a very difficult year for all scholars from Grade R to Grade 12 and the university graduates in planning their academic year.
5. Executive Mayor, MM and Directors - we have had a few staff members passing on and I am aware that you and your offices have dealt with the trauma that their lost caused the Organization. May we remember their inputs and hard work done while on duty at the Stellenbosch Municipality.

With the above issues in our mind, may I therefore ask that the house go into a moment of silence and true reflection, on this year?

Once again thank you very much for this opportunity and I lastly want to notify Council that:

- I have taken note of the attacks on certain Councillors and Community members and the attack on Council's vacant land by disgruntled members of certain communities.
- Today's Council Meeting is the last meeting of the annual schedule. Council will go into recess on Friday 4 December 2020 till 10th January 2021
- Madame Mayor the following members will be celebrating their birthdays during the month of thanksgiving: They are:

Naughty Cllr Franklin Adams (17/12); Phelisa Sitshoti (20/12); Wilfred Pietersen (22/12); Nosibulele Sinkinya; Charles Manuel (25/12); Siegfried Schafer (28/12) and Rozette du Toit (31/12) and lastly allow me to congratulate Cllr Malcom Johnston and his newly wedded wife, may they also enjoy happiness during this time.

On this note may I request that we send our Best Wishes to our Stellenbosch Community and have a *Merry Christmas* and a Happy New year - to all the Stellenbosch Folk. Have a nice rest and come back in full strength next year to start with Service Delivery to our WC024 Community.

And lastly allow me to congratulate Cllr Malcom Johnson on his wedding.

I thank you.”

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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“Good morning Honourable Speaker;
Honourable Executive Mayor;
Councillors and
Colleagues.

- This was indeed a very extraordinary year for everyone.
- Covid was not only felt in the economy, in our households, by our children, and it had a great impact on people’s personal lives.
- I want to pay attention to our school going children, but in particular to our matriculants. As parents of these children, we need to pay special attention to them during this time, because the pressure is quite high on them to be successful and we need to watch out for symptoms around suicide and we need to make sure that we give the necessary support and attention to our children and school going children.
- November is Men’s Health Awareness Month, especially around cancer in men – want to acknowledge men during Movember, some of our male colleagues are wearing beards in remembrance and commemorating men’s health and cancer.
- As it is our official last Council meeting I want to thank all Staff and Councillors for this year. Please be safe, we’ve seen that in some countries a second wave of Covid has already hit some countries harder than the first wave. I want to appeal to everyone to observe the covid protocols. Most of our Councillors falls in the over 60 years of age category, and as per covid protocols they need to take special care. It is for this reason (covid) that all Council meetings are still held via livestream and MS Teams. This way more members of the public can attend and follow the open council meeting via the livestream.
- As you are aware, our recording system in the Council Chamber is not operational at the moment, and will cost in excess of around R1m to be replaced, and we are looking at repairing in new year.
- The 16 Days of Activism against Women and Children started on 25 November 2020 and will end on 10 December 2020. As mentioned in the Speaker and the Executive Mayor’s communications above, I want to appeal to our people that we must speak up and assist where possible if we see something in our communities are not right.
- I want to appeal to everyone to make donations to the Safehouse in particular.
- I want to congratulate our football team (FC Stellenbosch) who won to 2-0 against Chippa United FC, well done to our boys. It is things like this that makes us proud to be part of Stellenbosch Municipality.
- To those who go on leave, please be safe and come back safely. Do not drink and drive and observe Covid protocols.
- Please be safe and have a Merry Christmas!

I thank you.”

5.	DISCLOSURE OF INTERESTS
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Councillor SR Schäfer – Item 11.6.1

6.	APPLICATIONS FOR LEAVE OF ABSENCE
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6.1 The following applications for leave of absence were approved in terms of the Rules and Order By-law of Council:-

Cllr FT Bangani-Menziwa (Ms) – 25 November 2020
 Cllr C Manuel – 25 November 2020
 Cllr RS Nalumango (Ms) – 25 November 2020
 Cllr WF Pietersen – 25 November 2020

6.2 Permission was granted to the following Councillors to leave the meeting earlier:

Cllr F Adams – (until 11:30)
 Cllr E Groenewald Ms) – (until 11:30)
 Cllr N Jindela – (until 14:00)
 Cllr Mananga-Gugushe (Ms) – (until 13:00)
 Cllr N Sinkinya (Ms) – (until 13:00)
 Cllr P Sitshoti (Ms) – (until 13:00)

6.3 ABSENT

Cllr MD Oliphant – 25 November 2020

7.	APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING
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7.1	CONFIRMATION OF MINUTES OF THE 38TH COUNCIL MEETING: 2020-10-28
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The minutes of the 38th Council Meeting: 2020-10-28 were **confirmed as correct.**

7.2	CONFIRMATION OF MINUTES OF AN URGENT COUNCIL MEETING: 2020-11-02
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The minutes of an Urgent Council Meeting: 2020-11-02 **confirmed as correct.**

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

8.	STATUTORY MATTERS
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8.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR OCTOBER 2020
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

17 November 2020 and 25 November 2020

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR OCTOBER 2020

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2020/2021 to report the deviations to Council.

3. DELEGATED AUTHORITY

Council

FOR NOTING.

4. EXECUTIVE SUMMARY

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2020/2021) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during October 2020.

39TH COUNCIL MEETING: 2020-11-25: ITEM 8.1

NOTED

the deviations as listed below for the month of October 2020.

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 06/20	16 October 2020	Martin and East (Pty) Ltd	Schuilplaats road - safe disposal of hazardous waste	Emergency	<p>Substantiation for the deviation:</p> <p>1. The possibility of human injury or death and the possibility of serious damage occurring to the natural environment;</p> <p>The Hazardous waste needs to be handled by a specialist service</p>	R 508 183.96 (Excl. Vat)

				<p>provider, who have the relevant knowledge, equipment, expertise and insurances in place for the disposal of Hazardous waste. Should the waste that contains elements of mercury and other toxins not be effectively dealt with, the possibility of Human injury and death exist as well as the possibility of serious damage to the natural environment.</p> <p>2. Exceptional case and it is impractical or impossible to follow the official procurement processes</p> <p>This is an exceptional case, the uncovering of hazardous waste underneath a road construction site meets the exceptional event definition for the following reasons:</p> <ul style="list-style-type: none"> • It was not reasonably foreseen - as an event that could occur, • Such an event had never before occurred - in the history of Stellenbosch Municipality – Road Construction. <p>It is impractical to follow any other process since the Municipality has contractual agreements in place with the appointed contractor and had handed over the site. In order to follow any other process, the Municipality would be required to renegotiate new terms with the contractor to allow for de-establishment from the site and re-establishment after</p>	
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				<p>disposal of the hazardous waste. It would be impractical for another Service Provider to take possession of the site, take over and carry out the supporting operational works e.g. removal, loading and backfilling and facilitating and managing of the transporting and disposal of the hazardous waste and then de-establish and hand the site back to the originally appointed contractor.</p> <p>It would also be impractical to cancel the contract with the appointed contractor, establish a new contract and new Service Provider to address the hazardous waste and to commence with a new contract to continue and complete with the Road Construction Project.</p> <p>These options would result in sever delays (estimated at 6 months to 1 year) to essential services delivery as well as significant additional costs implications associated with the de-establishment and re-establishment of a Service Provider, cancellation of contract, loss of production time etc., all of which would be detrimental impact on the Municipality.</p> <p>3. The interruption of essential services, including transportation and communication facilities or support</p>	
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MINUTES

**39TH MEETING OF THE COUNCIL
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				<p>services critical to the effective functioning of the municipality as a whole;</p> <p>Following any other process will result in an interruption of an essential service (as described above), the timeous completion of the extension of Schuilplaats road is essential for safe and effective transportation in the region. The timeous completion of the road project is also linked to housing developments, the municipality will not be in a position to allow occupation of these housing units (should other process be followed) thereby impacting on rights of housing security for residents.</p>	
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FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	Senior Manager: Supply Chain Management
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8588
E-MAIL ADDRESS	Dalleel.Jacobs@stellenbosch.gov.za
REPORT DATE	05 November 2020

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2020-11-25

8.2	ADJUSTMENTS BUDGET FOR 2020/2021 FOR REDUCED ALLOCATIONS AND ROLL-OVER OF UNSPENT CONDITIONAL GRANTS
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

25 November 2020

1. SUBJECT: ADJUSTMENTS BUDGET FOR 2020/2021 FOR REDUCED ALLOCATIONS AND ROLL-OVER OF UNSPENT CONDITIONAL GRANTS

2. PURPOSE

To table the adjustments budget for the 2020/2021 financial year to Council for approval. The adjustments budget emanates from the approval of roll-over of unspent conditional grants from the Western Cape Provincial Government.

3. DELEGATED AUTHORITY

Council has the delegated authority to revise an approved annual budget through an adjustments budget in terms of Section 28 of the Municipal Financial Management Act 56 of 2003.

4. EXECUTIVE SUMMARY

Roll-over of unspent conditional grants

The Western Cape Provincial Minister of Finance and Economic Opportunities has granted approval, in terms of section 10(2) of the Western Cape Appropriation Act (WCAA) 2019 (ACT No. 4 of 2019) to roll-over the unspent amount of R360 097 Western Cape Financial Management Capacity Building Grant, R37 752 for Community Development Workers Grant and R73 655 for Local Government Internship Grant. Approval was also granted to roll-over the 2018/19 unspent amount of R1 839 711.35 for the Title Deeds Restoration Grant with the condition that the funds is fully spent by 30 June 2021.

39TH COUNCIL MEETING: 2020-11-25: ITEM 8.2

RESOLVED (majority vote)

- (a) that an Adjustments Budget for 2020/2021 as set out in **APPENDIX 2**, be approved; and
- (b) that the Service Delivery and Budget Implementation Plan be adjusted accordingly, inclusive of the non-financial information (performance measurement).

FOR FURTHER DETAILS CONTACT:

NAME	MONIQUE STEYL
POSITION	SENIOR MANAGER: FINANCIAL MANAGEMENT SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8512
E-MAIL ADDRESS	Monique.Steyl@stellenbosch.gov.za
REPORT DATE	25 November 2020

9.	REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS
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NONE

10.	ITEMS FOR NOTING
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10.1	REPORT/S BY THE EXECUTIVE MAYOR
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NONE

10.2	REPORT/S BY THE SPEAKER
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NONE

10.3	REPORT/S BY THE MUNICIPAL MANAGER
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NONE

11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]
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11.1	COMMUNITY DEVELOPMENT AND PROTECTION SERVICES: (PC : CLLR R BADENHORST)
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NONE

MINUTES

39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2020-11-25

11.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
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11.2.1	CLOSURE OF MUNICIPAL OFFICES DURING THE FESTIVE SEASON
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

17 November 2020 and 25 November 2020

1. SUBJECT: CLOSURE OF MUNICIPAL OFFICES DURING THE FESTIVE SEASON**2. PURPOSE**

To request Council's approval for the closure of municipal offices during the festive season.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Over the years there were various decision by Council in regard to the closure of the municipal offices. The trade unions have over the last three years on a regular basis requested that the municipal offices be closed during the period between Christmas and New Year and it was dealt with on an ad hoc basis. In January 2020 the trade unions requested that the employer close the offices between Christmas and New Year.

The matter has been discussed at the LLF, and the guidelines (attached as **APPENDIX 1**) have been agreed to by both unions.

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.2.1**RESOLVED** (nem con)

- (a) that Council approves the annual closure of the Municipal Offices between 13h00 on 24 December and 02 January at 08h00;
- (b) that should 02 January be regarded as a public holiday due to 01 January falling on a Sunday, the offices will reopen on the first working day after the public holiday at 08h00;
- (c) that employees will have to put in leave on the dates the offices are closed, and no additional leave will be granted to staff; and
- (d) that the Municipal Manager will ensure that the operations of the municipality continue through, inter alia, the attached guidelines.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene De Beer</i>
POSITION	<i>Director Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021 – 808 8018</i>
E-MAIL ADDRESS	<i>Annalene.Debeer@stellenbosch.gov.za</i>
REPORT DATE	<i>10 November 2020</i>

MINUTES

**39TH MEETING OF THE COUNCIL
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2020-11-25

11.2.2	APPLICATION FOR A OF LEASE AGREEMENT: FRANSCHHOEK LIFE CRAFT CENTRE: ERF 143, FRANSCHHOEK
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

17 November 2020 and 25 November 2020

1. SUBJECT: APPLICATION FOR A OF LEASE AGREEMENT: FRANSCHHOEK LIFE CRAFT CENTRE: ERF 143, FRANSCHHOEK

2. PURPOSE

For Council to consider the application for the approval of a Lease Agreement with Franschhoek Life Craft Centre.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

Various Lease Agreements terminated over the past few years, where the contracts did not allow for an automatic renewal. The Supply Chain Management Policy (at the time) also did not provide for the renewal of these agreements, without following a tender process. The agreements continued in terms of common law on a month to month basis as council did not terminate the agreement and the tenant kept using the property.

The new Property Management Policy, however, now allow for a process whereby Council can dispose with the prescribed, competitive process, subject to Council's intention so to act being advertised for public inputs, before making a final decision.

The tenants in October 2019 send letters requesting to renew the lease agreement (**APPENDIX 1 and 2**). Technically the agreement has lapsed especially as they are not paying the rent. They have however continued to use the building.

The item was submitted to Mayco in January 2020, but was referred back to the department. The Executive Mayor wanted to gather more information in regard to the use of the property and the viability. Since then the Covid-19 pandemic brought major changes to the economy and the tourist industry. No further feedback was received and the item is resubmitted for consideration.

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.2.2**RESOLVED** (majority vote with 1 abstention)

- (a) that a portion of Erf 143, Franschhoek, be identified as land not needed for own use as provided for in Regulation 36 of the Asset Transfer Regulations;
- (b) that Council does not approve the application;
- (c) that the department be requested to advertise for businesses to provide proposals on the future use of the property, and that the proposals include an indication of the type of business, a business plan, and the number of employment opportunities;
- (d) that Council will consider the proposals and then make a determination on which proposal to approve before a lease agreement will be entered into with a new lessee; and
- (e) that the Life Craft Centre be given notice to vacate the property by no later than 30 March 2021.

FOR FURTHER DETAILS CONTACT:

NAME	PIET SMIT
POSITION	MANAGER: PROPERTY MANAGEMENT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	<u>Piet.smit@stellenbosch.gov.za</u>
REPORT DATE	2020-11-01

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

11.2.3	POSSIBLE DISPOSAL OF A PORTION OF REMAINDER FARM 180 AND REMAINDER ERF 4648, STELLENBOSCH (PORTION OF KROMRIVIER ROAD) TO ADJACENT OWNER: E.VAN WYK
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

17 November 2020 and 25 November 2020

1. SUBJECT: POSSIBLE DISPOSAL OF A PORTION OF REMAINDER FARM 180 AND REMAINDER ERF 4648, STELLENBOSCH (PORTION OF KROMRIVIER ROAD) TO ADJACENT OWNER: E.VAN WYK

2. PURPOSE

To consider an application from the owner of erf 4409, Stellenbosch, to acquire a portion of unused street (Kromrivier Road) for the purpose of consolidating it with his erf.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

The owner of erf 4409, Stellenbosch, has applied to Council to acquire a portion of (unused) Kromrivier Road with the intention of consolidating it with his erf.

The property is encumbered with a water pipeline and electrical cable servitude and can therefore not be utilised as a free standing erf. The erf is currently used and enclosed as if it is part of the erf 4409 and was enclosed when sold to the current owner. The properties behind the two erven have been consolidated and there cannot be a thoroughfare or a road built to serve any other properties. It is adjacent to the development "Die Rand ". Due to the infrastructure services that run across the property no buildings can be put up on the property and it is therefore not recommended that it be sold as a separate erf. If not sold as a separate erf the only owner who will have any use for the property is the adjacent owner, and Council has sold the property behind to the adjacent owner in 2002.

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.2.3

RESOLVED (majority vote)

- (a) that Council considered the disposal of the land at market-related value and resolves not to dispose of the land due to the infrastructure that is allocated in the erf;
- (b) that, should the adjacent owner be interested in the lease of the land, he should apply for the lease and not for an encroachment; and
- (c) that the land may not be used by the adjacent property should the owner not apply for a lease.

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**39TH MEETING OF THE COUNCIL
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2020-11-25

11.2.4	PROPOSED SUB-LEASE FROM THE STELLENBOSCH FLYING CLUB
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

17 November 2020 and 25 November 2020

1. SUBJECT: PROPOSED SUB-LEASE FROM THE STELLENBOSCH FLYING CLUB**2. PURPOSE**

To consider a request received from the Western Cape Government for a proposed sub-lease at the Stellenbosch Flying Club.

3. DELEGATED AUTHORITY

Council.

Delegated authority to Executive Mayor in consultation with the Executive Mayoral Committee

4. EXECUTIVE SUMMARY

Stellenbosch Municipality concluded a Lease Agreement with the Stellenbosch Flying Club on 10 February 1992, which agreement is due to expire on 21 March 2021. (Portion L of Farm 502). An item is serving before Council to consider a further lease agreement with the Flying club.

The Western Cape Government requested to sub-lease a piece of land from the flying club to establish an Aeronautical High School on the property. The request is attached as **APPENDIX 1**. The request served before Mayco in November 2019 but was referred back to be refined. The aeronautical school that the Western Cape Government envisaged to establish in the Stellenbosch area has a direct link to the Stellenbosch airfield as it intends on the long run to use the facilities at the airfield for the training of the learner pilots and other related skills. In the short term it envisaged leasing from the Flying Club and or using the facilities at the airfield for training purposes. The Flying club has provided some input/response to the request of the Western Cape Government. **(APPENDIX 2). In view of the response** the Western Cape Government has requested to acquire a piece of land from the Municipality for the purposes of building the school. The land for this purpose has not being identified and the item will be brought to council as soon as this has been done.

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.2.4**RESOLVED** (majority vote)

- (a) that the request from the Western Cape Government be noted;
- (b) that the response from the Flying Club be noted;
- (c) that the Flying Club be allowed to enter into a sub-lease with the Western Cape Department of Education to enable learners to use the facilities at the Flying Club; and
- (d) that the content of the agreement be reported to the Executive Mayor in consultation with the Executive Mayoral Committee.

Councillor F Adams requested that his vote of dissent be minuted.

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11.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]
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NONE

11.4	HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)
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NONE

11.5	INFRASTRUCTURE: (PC: CLLR Q SMIT)
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11.5.1	INTEGRATED WASTE MANAGEMENT PLAN FOR STELLENBOSCH MUNICIPALITY
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Collaborator No: 696778
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 17 November 2020 and 25 November 2020

1. SUBJECT: INTEGRATED WASTE MANAGEMENT PLAN FOR STELLENBOSCH MUNICIPALITY

2. PURPOSE

To obtain Council's approval to circulate the draft Integrated Waste Management Plan (IWMP) for public comment (**APPENDIX 1**).

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

In terms of Section 25 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) each council must, within a prescribed period after the start of its elected term, adopt a single, inclusive and strategic plan (IDP) for the development of the municipality. In relation to waste management, the IDP is required to include sectoral environmental plans which would be an IWMP for waste management.

Stellenbosch Municipality has drafted an IWMP and has appointed Jan Palm (Pty) Ltd to review and finalize this draft IWMP. This revised IWMP has been internally reviewed and requires public comment to be finalised.

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39TH COUNCIL MEETING: 2020-11-25: ITEM 11.5.1**RESOLVED** (majority vote)

- (a) that Council accepts the draft Integrated Waste Management Plan (IWMP) and approves that the draft IWMP be circulated for public comment;
- (b) that the draft Integrated Waste Management Plan (IWMP) By-Law be submitted to D:EA&DP (Department of Environmental Affairs & Development Planning) for comment. In this process internal stakeholders will also be given an opportunity to comment; and
- (c) that relevant comments be incorporated for final approval and adoption by Council.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	<i>DIRECTOR: INFRASTRUCTURE SERVICES</i>
DIRECTORATE	<i>INFRASTRUCTURE SERVICES</i>
CONTACT NUMBERS	<i>021 -808 8213</i>
E-MAIL ADDRESS	<i>Deon.louw@stellenbosch.gov.za</i>
REPORT DATE	<i>19 October 2020</i>

MINUTES

39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2020-11-25

11.6	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))
11.6.1	INVESTIGATION WITH REGARDS TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE

Collaborator No: 697006
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 17 November 2020

1. SUBJECT: INVESTIGATION WITH REGARDS TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE

2. PURPOSE

To put forward a recommendation as to the conclusion of the investigation with regards to the various residential properties in Mont Rochelle Nature Reserve.

3. DELEGATED AUTHORITY

Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

Council decided to investigate all possible options in dealing with the residential properties located in the Mont Rochelle Nature Reserve (the reserve) in an effort to achieve the most effective environmental outcome, address potential negative impact associated with possible development of the various properties whilst at the same time maintaining and preserving the use of the reserve for recreation by the broader public.

The above options investigated included maintaining the *status quo* (trust that no further development within the reserve take place), expropriation or buying-back of the 14 sold (but undeveloped) erven or an exchange of land (swop of erven within the reserve from sensitive to less-sensitive locations). Experience gained from the above investigation has now led to a proposed redesign of the current layout of erven clustered around the current access roads, within the existing layout footprint.

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.6.1

RESOLVED (majority vote with 1 abstention)

- (a) that Council approves Option 3: the redesign of the existing layout of erven in Mont Rochelle Nature Reserve;
- (b) that Option 3 be implemented once budget for this purpose becomes available;
- (c) that existing landowners of erven in sensitive areas be offered a like-for-like (with reference to erf size) proposal in a less sensitive location within the revised layout, as provided for in Paragraph 9.2.3 of the Property Management Policy;
- (d) that the Municipal Manager be authorised to finalise the above process insofar as an agreement between the relevant landowners can be reached; and
- (e) that the remaining unsold erven be de-proclaimed and consolidated into Mont Rochelle Nature Reserve.

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

11.6.2	PROGRESS REPORT (2) - IDENTIFICATION AND ACQUISITION OF AUTHORISATIONS AND APPROVALS FOR THE ESTABLISHMENT OF ONE OR MORE REGIONAL CEMETERIES FOR STELLENBOSCH MUNICIPALITY
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Collaborator No: 697733
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 17 November 2020 and 25 November 2020

1. SUBJECT: PROGRESS REPORT (2) - IDENTIFICATION AND ACQUISITION OF AUTHORISATIONS AND APPROVALS FOR THE ESTABLISHMENT OF ONE OR MORE REGIONAL CEMETERIES FOR STELLENBOSCH MUNICIPALITY

2. PURPOSE

To report on the status of the above project. This is the second progress report following the one submitted to the February 2020 Section 80 Meeting.

3. DELEGATED AUTHORITY

Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

During 2016 Stellenbosch Municipality commenced with a project of identifying and acquiring the necessary environmental and land use approvals for the establishment of one or more large (± 30 ha) cemeteries for the WC024 area.

During a comprehensive feasibility study conducted 54 sites were considered against a set of criteria which included:

- Ownership (Municipal / State / Private)
- Extent
- Location (proximity to settlements / accessibility / surrounding land uses)
- Zoning and land use
- Environmental characteristics (current status / vegetation / geology / pedology / hydrology)
- Soil characteristics (excavability / permeability / drainage / topography / basal buffer / stability / workability)

A total of 4 sites were identified as being feasible:

- Louw's Bos (Farm 502, south of Stellenbosch)
- Culcatta Bos (Farm 29, north of Koelenhof)
- Meerlust (Portion 1 of Farm Meer Lust No 1006, Groot-Drakenstein)
- De Novo (Portion 10 of Farm De Novo No 727, south of Muldersvlei)

Of the 4 sites 2 were included in the process of acquiring the necessary environmental and land use approvals for the establishment of a cemetery. These 2 sites were Louw's Bos and Culcatta Bos. Even though the Meerlust site is ideally located (in terms of need for burial space) it was (for the time being) excluded due to risks associated with the site's location in close proximity to an existing settlement. The National Health Act, 61 of 2003, Regulations Relating to the Management of Human Remains (Government Notice R363), includes the following:

15. *Burial sites and burials*

- (2) *All burial sites must comply with the following environmental requirements-*
- (a) *be located outside the 100 year floodplain;*
 - (b) *be located at least 350m from ground water sources used for drinking purposes and 500m from the nearest habitable building;*
 - (c) *...*

Even though there are examples of cemetery sites that have been established within these zones since the above regulations came into effect proceeding with an application for establishing a cemetery site within these zones is a risk if the relevant authorities cannot be convinced of the need and impact of such development. The De Novo site (property of the Department of Transport and Public Works) was excluded due to uncertainty regarding the long term planning of the property.

Both sites (Louw's Bos and Culcatta Bos) require the following approvals:

- Environmental Authorization (in terms of the National Environmental Management Act, 107 of 1998, Environmental Impact Assessment Regulations)
- Water Use Licensing (in terms of the National Water Act, 36 of 1998)
- Land Use Approval (in terms of the Stellenbosch Land Use Planning By-Law)

The process of acquiring all 3 sets of approvals for both sites have commenced and are at different stages of conclusion.

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.6.2**NOTED**

the report on the status of the project: Identification and acquisition of authorisations and approvals for the establishment of one or more regional cemeteries for Stellenbosch Municipality.

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11.7	PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: (PC: CLLR E GROENEWALD (MS))
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NONE

11.8	RURAL MANAGEMENT: (PC: CLLR S PETERS)
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NONE

11.9	YOUTH, SPORTS AND CULTURE: (PC: CLLR M PIETERSEN)
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11.9.1	GUIDELINES ON THE IMPLEMENTATION OF THE CHILDREN'S ACT, ACT 38 OF 2005
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Collaborator No:	695199
IDP KPA Ref No:	Dignified Living: Municipal Focus Area 21
File Plan:	8/1/4/2/3
Meeting Date:	17 November 2020 and 25 November 2020

1. SUBJECT: GUIDELINES ON THE IMPLEMENTATION OF THE CHILDREN'S ACT, ACT 38 OF 2005

2. PURPOSE

To obtain a formal position on the Guidelines for Municipalities on the Implementation of the Children's Act as introduced to municipalities on 14 August 2020 during a SALGA consultation process.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Children's Act, 2005 (Act No. 38 of 2005) is the primary legislation that regulates protection and developmental services to children. Among others, it provides for the norms and standards linked to the registration, de-registration and monitoring of child care facilities.

It is 10 years since the Children's Act was implemented. The Department of Social Development (DSD) as the custodian of the Children's Act took an initiative and developed the guidelines for Municipalities to enhance implementation of some of the critical provisions in the Act, namely the assignment of functions to Municipalities.

The Guidelines aim to:

1. Guide both Provincial DSD and Municipalities on the implementation of the Children's Act;
2. Draw attention to the roles and responsibilities of Municipalities as part of Government in providing services to children; and
3. Assist both Provincial DSD and Municipalities with processes to assign functions in a uniform and coordinated manner.

Thus the Guidelines provide guidance in line with provisions of the Children's Act on: The functions in the Children's Act, which may be assigned to municipalities.

Secondly, to guide municipalities on their role to support and facilitate the implementation of the Act generally.

This item seeks to find agreement with the Guidelines in terms of process and interpretation of the Children's Act and the role of local government in the implementation of said Act.

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.9.1

RESOLVED (majority vote with 1 abstention)

- (a) that the municipality assists ECD's to comply with registration requirements;
- (b) that the municipality encourages ECD's to apply for Grant in Aid funding; and
- (c) that Stellenbosch Municipality does not accept the responsibilities as listed in the Guidelines as the municipality does not have the financial and/or human resource capacity to implement the guidelines.

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

Cllrs N Mananga-Gugushe (Ms); C Moses; N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Michelle Aalbers
POSITION	Manager Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8408
E-MAIL ADDRESS	Michelle.aalbers@stellenbosch.gov.za
REPORT DATE	18-08-2020

11.10	MUNICIPAL MANAGER
11.10.1	MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

17 November 2020

1. SUBJECT: MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS

2. PURPOSE

To obtain Council's approval for entering into a partnership with a Swedish Municipality on the topic of Human Rights. The detail of this project will be discussed and negotiated during the inception phase. This partnership will be undertaken in accordance with the 2030 Agenda for Sustainable Development and its Global Goals.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality (SM) has been approached by the Swedish International Centre for Local Democracy (ICLD) to explore the possibility of entering into a partnership with a Swedish Municipality selected by ICLD on the topic of Human Rights. The Human Rights topic that the Municipality wants to work on with SM will be finalised during the Inception Phase.

SM has over the years developed various programmes premised on enhancing and protecting the Human Rights of its citizens. These programmes allow explicitly for the inclusion of minorities, such as the disabled, the frail and infirm and provide this traditionally marginalised group full access to its attempts at local government. Governmentality refers to the relationship in this case between the local government and its local community. It also refers to inclusivity and an attempt by mostly the local government at moving away from top-down relations and the community having its voice heard on many issues. A good example of governmentality is the Integrated Development Plan's public participation processes. The recent iteration of the IDP saw new innovations being introduced to secure an inclusive process and therewith ensuring that local government meets the community.

In essence, SM has an exportable product which has attracted the attention of in this instance international institutions. It is therefore, incumbent upon us to strengthen our understanding of governmentality by sharing our learnt experiences and learning from an ages old democracy.

The programme consists of various phases and under normal circumstances runs over a four (4) year period. The first phase is the Inception Phase which runs for one (1) year. During this phase the exact collaboration project is finalised for implementation in the 3 outer years.

The project is funded by ICLD and will according to their programme commence in January 2021.

MINUTES

39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2020-11-25

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.10.1

During deliberations on the matter, Cllr P Sitshoti (Ms) requested that the topic of Human Rights be discussed with Council, before the partnership is undertaken. The Speaker replied that her request is NOTED.

RESOLVED (majority vote with 1 abstention)

- (a) that Council notes the invitation by ICLD annexed hereto as “**APPENDIX 1**”;
- (b) that Council approves that Stellenbosch Municipality enters into a partnership with a Swedish Municipality on the topic of Human Rights;
- (c) that the Municipal Manager be authorized to negotiate the terms of the partnership agreement with the identified Swedish Municipality as per the requirements of the Inception Phase of the partnership; and
- (d) that the Municipal Manager submits a report to Council subsequent to the conclusion of the Inception Phase, i.e. after one (1) year or as soon as practically possible thereafter.

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

FOR FURTHER DETAILS, CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@stellenbosch.gov.za
REPORT DATE	9 November 2020

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
12.1.1	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY KILOTREADS (PTY) LTD

Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

05 November 2020 & 25 November 2020

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY KILOTREADS (PTY) LTD

2. PURPOSE OF REPORT

To provide information regarding the expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to ratify the expenditure in terms of the MFMA Section 32 (2). The expenditure with regard to the procurement of services for the supply, delivery, repair and fitment of tyres on various vehicles for Waste Management during the months of November and December 2019 is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

FQ 16/19 was awarded to Kilotreads (Pty) Ltd on 9 November 2018 for the supply, deliver, repair and fitment of tyres on vehicles for Waste Management Services. Various order numbers were generated on this FQ with the last order number being, Order Number: 357 798 (Annexure B) which was generated on 18 November 2019 for a total amount of R30 000 (incl. VAT) for all tyres on the FQ. The official in charge of fleet services was given the incorrect impression by the service provider that there were sufficient funds on the order. The services of Kilotreads (Pty) Ltd were immediately terminated once this information came to light and a new FQ process was initiated. The work performed was thus based on the expired FQ and the service rendered continued by default.

39TH COUNCIL MEETING: 2020-11-25: ITEM 12.1.1

Councillor DA Hendrickse requested that a report be submitted to Council where MPAC must indicate if they did oversight to see if the training of staff did take place.

RESOLVED (nem con)

- (a) that Council certifies the irregular expenditure to the amount of R 9407,00 (excluding VAT) as irrecoverable; and
- (b) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32(2).

12.1.2	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY SIYAYA TYRES
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

05 November 2020 & 25 November 2020

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY SIYAYA TYRES

2. PURPOSE OF REPORT

To provide information regarding the expenditure incurred for investigation by MPAC and to be recommended for consideration by Council to ratify the expenditure in terms of the MFMA Section 32 (2). The expenditure with regard to the procurement of services for the supply, delivery, repair and fitment of tyres on various vehicles for Waste Management during the festive period in December 2019 is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

During the festive season of 2019, the period 24 December 2019 to 14 January 2020, Waste Management Services was required to render an essential service. A very important component of the waste management service is the transfer of all waste collected in the WC024, to Vissershok Private landfill in Cape Town. The transferring of waste from the Municipality to a landfill needs to be conducted without any interruption. The transferring of waste is reliant on a digger loader to load waste and the digger loader is prone to tyre punctures because of the sharp objects in the waste.

The former Foreman: Disposal from the Waste Management Department was responsible to ensure that the transfer station is operational had he required the services of a tyre company to repair and/or replace tyres. He requested the approval from the former Senior Manager: Mr Saliem Haider, (acting Director: Infrastructure Services at the time), to use the services of Siyaya Tyres to do repairs on the tyres. According to the former Foreman, Siyaya Tyres was the only company available during this time, as other companies had closed for the festive season. According to the then Senior Manager, a once off permission was granted, however the former Foreman interpreted the approval as on-going approval until a service provider had been appointed. The services of Siyaya Tyres were immediately terminated once this information came to light and a FQ process was initiated.

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

39TH COUNCIL MEETING: 2020-11-25: ITEM 12.1.2**RESOLVED** (majority vote)

- (a) that Council certifies the irregular expenditure to the amount of R70 270,22 (excluding VAT) as irrecoverable; and
- (b) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32(2).

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

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	Chief Financial Officer
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	kevin.carolus@stellenbosch.gov.za
REPORT DATE	22 October 2020

12.1.3	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO LOCAL PRODUCTION AND CONTENT
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

05 November 2020 & 25 November 2020

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO LOCAL PRODUCTION AND CONTENT

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred relating to local production and content and, to be recommended and considered by Council to certify the expenditure as irrecoverable and to be written off by Council as per the Stellenbosch Municipal Supply Chain Management Policy (2020/2021) embodied from the principles as specified in the Preferential Procurement Regulations of 2017.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Preferential Procurement Regulations (PPR) 2017, PPR 8(2), requires that, an organ of the state must, in case of a designated sector, advertise the invitation to tender with a specific condition that only locally produced or locally manufactured goods, meeting the stipulated minimum threshold for local production and content, will be considered.

The Auditor-General, in its findings during the 2017/2018 financial year, identified that the Municipality did not include a specific condition that local production and content is applicable when inviting bidders to tender (advertisement). Furthermore the Municipality also did not include the local production and content in the bid documents (MBD 6.2) and the suppliers declared accordingly. The Auditor-General concluded that the tender award does not comply with Preferential Procurement Regulations 2017.

However, the Municipality disagrees with the findings of the Auditor-General, as the PPFA Regulations of 2017 does not stipulate in brackets (advertisement) as alluded in the findings. In order to advertise, the invitation to tender places emphasis on the tender document that need to include the minimum thresholds (MBD6.2) that are advertised as a complete document and from which potential bidders submit bid offers.

Irregular expenditure is defined in the Municipal Finance Management Act (Act 56 of 2003) as expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of the supply chain management policy of the municipality or entity or any of the municipality's by-laws giving effect to such policy, and which has not been condoned in terms of such policy or by-law. Furthermore expenditure incurred means the amounts that were expensed or work done, therefore the MPAC and municipal council can only considered amounts already expensed.

This item did serve before MPAC and was certified as irrecoverable and written-off by the municipal council, but council only considered the expenditure that was incurred up to that specific point. This return item is to consider the expenditure that was incurred subsequent to council's resolution.

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

39TH COUNCIL MEETING: 2020-11-25: ITEM 12.1.3**RESOLVED** (majority vote)

- (a) that Council certifies the irregular expenditure of the second year of the contract to the amount of R 43 610 656, 28 (excluding VAT) as irrecoverable; and
- (b) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32(2).

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

Cllrs G Cele (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); C Moses; N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	Chief Financial Officer
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	kevin.carolus@stellenbosch.gov.za
REPORT DATE	22 October 2020

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

13.	REPORTS BY THE MUNICIPAL MANAGER
13.1	SCHEDULE OF PROPOSED DATES FOR MEETINGS OF COUNCIL, MAYORAL COMMITTEE, STANDING COMMITTEES AND OTHER COMMITTEES OF COUNCIL FOR THE 2021 CALENDAR YEAR

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

25 November 2020

1. SUBJECT: SCHEDULE OF PROPOSED DATES FOR MEETINGS OF COUNCIL, MAYORAL COMMITTEE, STANDING COMMITTEES AND OTHER COMMITTEES OF COUNCIL FOR THE 2021 CALENDAR YEAR

2. PURPOSE

To inform Council of the schedule of proposed dates for meetings of Council, Mayoral Committee, Standing Committees and other Committees of Council for the 2021 calendar year.

3. DELEGATED AUTHORITY

The Speaker determines the dates of Municipal Council meetings. Dates for other meetings are determined by the Speaker in consultation with the various chairpersons of the meetings. The Executive Mayor may determine dates for the Mayoral Committee.

4. EXECUTIVE SUMMARY

An annual schedule of proposed dates for meetings is compiled in the interest of good governance and proper order. Besides complying with legislated requirements, a schedule of proposed dates of meetings enables councillors to plan their events, engagements and community activities.

Section 19 of the Local Government: Municipal Systems Act, 32 of 2000, stipulates that:

“The municipal manager of a municipality must give notice to the public, in a manner determined by the municipal council, of the time, date and venue of every -

(a) ordinary meeting of the council; and

(b) special or urgent meeting of the council, except when time constraints make this impossible.”

In line with legislated requirements, the publishing of such a schedule of proposed dates for meetings in the media and on the municipal website, seeks to foster a healthy culture of public involvement and participation in Council affairs.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.1**RESOLVED** (majority vote)

- (a) that the schedule with the proposed dates for Council meetings, Mayoral Committee meetings, Standing Committees and other committees of Council for the 2021 calendar year (attached as **APPENDIX 1**), be noted;
- (b) that Council determines that the notice to the public of the time, date and venue of said meetings, as provided for in Section 19 of the Local Government: Municipal Systems Act, 32 of 2000, must be given on the Municipal website and in a newspaper that circulates in the WC024; and
- (c) that it be noted that the Speaker, as provided for in the Standing Rules and Order By-Law and the Systems Act, determines the dates of Council meetings and may call urgent- or special Council meetings over and above the proposed scheduled meetings and may vary the dates in the schedule if and when needed.

NAME	<i>Annalene De Beer</i>
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-808 8018</i>
E-MAIL ADDRESS	<i>Annalene.DeBeer@stellenbosch.gov.za</i>
REPORT DATE	<i>18 November 2020</i>

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

13.2	AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

25 November 2020

1. SUBJECT: AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER**2. PURPOSE**

To obtain Council's approval of the Audit and Performance Audit Committee Charter attached as **APPENDIX 1**.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Audit & Performance Audit Committee reviews its Charter as and when required, based on legislative changes or to implement new best practice principles in line with the IIA standards.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.2**RESOLVED** (majority vote)

that Council approves the Audit and Performance Audit Committee Charter.

FOR FURTHER DETAILS CONTACT:

NAME	Faiz Hoosain
POSITION	Chief Audit Executive
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	0218088555
E-MAIL ADDRESS	Faiz.Hoosain@stellenbosch.gov.za
REPORT DATE	25 November 2020

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

13.3	INTERNAL AUDIT CHARTER
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

25 November 2020

1. SUBJECT: INTERNAL AUDIT CHARTER**2. PURPOSE**

To obtain Council's approval of the Internal Audit Charter attached as **APPENDIX 1**.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Section 62 of the MFMA requires amongst others, that the accounting officer of a municipality must take all reasonable steps to ensure that the municipality has and maintains effective, efficient and transparent systems of internal audit operating in accordance with any prescribed norms and standards. The Terms of reference for Internal Audit is updated as when required taking into consideration legislative changes if any and best practice guidance in line with the IIA Standards. The Internal Audit Charter was reviewed by Management and the Audit and Performance Audit Committee and recommended to Council for approval at a meeting of the committee dated 26 August 2020.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.3

Cllr DA Hendrickse expressed his disappointment in the Municipal Manager's response to the effect that the reports which the Internal Audit Committee submits to Council, is for noting purposes only.

RESOLVED (majority vote)

that Council approves the Internal Audit Charter.

FOR FURTHER DETAILS CONTACT:

NAME	Faiz Hoosain
POSITION	Chief Audit Executive
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	0218088555
E-MAIL ADDRESS	Faiz.Hoosain@ Stellenbosch.gov.za
REPORT DATE	25 November 2020

13.4	REQUEST FOR APPROVAL OF STELLENBOSCH MUNICIPALITY DRAFT BY-LAW ON STORMWATER
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Collaborator No: 696719
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 05 November 2020

1. SUBJECT: REQUEST FOR APPROVAL OF STELLENBOSCH MUNICIPALITY DRAFT BY-LAW ON STORMWATER

2 PURPOSE

That Council notes and approves the Draft By-Law on Stormwater.

3. DELEGATED AUTHORITY

Municipal Council, however the Mayor may request the Portfolio Committee to render assistance in terms of Section 80 of the Local Government Municipal Structures Act, Act 117 of 1998, as amended.

4. EXECUTIVE SUMMARY

The Draft By-Law on Stormwater gives effect to rights contained in Section 24 of the Constitution, of the Republic of South Africa, 1996, and Section 11 of the Local Government Municipal Systems Act 200 (Act 32 of 2000), where, a Local Government may proclaimate By-Laws to govern the services that is delivered to the constituencies of the Republic of South Africa.

The Draft By-Law on Stormwater regulates stormwater systems in built-up areas and regulates activities which may have a detrimental effect on the development, operation or maintenance of the stormwater system.

The By-Law aims to improve the management of stormwater systems in a sustainable manner with due consideration for the scarce resource, reducing the impacts flooding (on community lively hoods, regional communities, residents, businesses ect.), preventing damage to properties, safeguarding human health, protecting natural aquatic environments and maintaining acceptable water quality within the stormwater system.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.4

RESOLVED (majority vote)

- (a) that the Draft By-Law on Stormwater, attached as **ANNEXURE A**, be accepted as the Final By-Law as per Section 12(2) to 12(4) & 13; and
- (b) that Council notes that a public participation process was followed and that no comment or feedback was received.

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

13.5	REQUEST FOR INTRODUCTION OF STELLENBOSCH MUNICIPALITY DRAFT BY-LAW ON INTEGRATED WASTE MANAGEMENT
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Collaborator No: 696777
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 05 November 2020 and 25 November 2020

1. SUBJECT: REQUEST FOR INTRODUCTION OF STELLENBOSCH MUNICIPALITY DRAFT BY-LAW ON INTEGRATED WASTE MANAGEMENT

2. PURPOSE

That Council adopts the By-Law on Integrated Waste Management as per Section 12 of the Municipal Systems Act, as amended.

3. DELEGATED AUTHORITY

Municipal Council, as per Section 12 of the Municipal Systems Act, as amended. However the Mayor may request the Portfolio Committee to render assistance in terms of Section 80 of the Local Government Municipal Structures Act, Act 117 of 1998, as amended.

4. EXECUTIVE SUMMARY

The By-Law (**ANNEXURE A**) gives effect to the rights contained in Section 24 of the Constitution, Schedules 4(B) & 5(B) supported by Section 11 of the Local Government Municipal Systems Act 200 (Act 32 of 2000), where, a Local Government may proclaim By-Laws to govern the services that is delivered to the constituencies of the Republic of South Africa.

As the functions of Cleansing, Refuse Removal, Refuse Dumps and Solid Waste Disposal falls within the jurisdiction of the Municipality, the Council may define and regulate, activities and functions on any matters pertaining the above and abbreviated as Integrated Waste Management

The By-Law on Integrated Waste Management aims to promote a safe environment for the benefit of all within Waste management and to give effect to the right contained in section 24 of the Constitution of the Republic of South Africa, 1996 and to regulate

- the avoidance, minimisation, generation, collection, cleaning and disposal of waste; and
- matters related thereto.

Council has noted the draft By-law and that it would be circulated for public comment. The public commenting period was between 14 September 2020 until 14 October 2020 (**ANNEXURE B**). The public was notified with an advertisement that was placed in the media "Die Burger" and on the Municipal website. No comments or objections were received.

This report serves to request that the new Integrated Waste Management By-Law be adopted by Council and that it be published in the provincial gazette.

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.5**RESOLVED** (majority vote)

- (a) that the By-Law on Integrated Waste Management, attached as **ANNEXURE A**, be adopted as per Section 12(2) to 12(4) & 13 of the Municipal Systems Act, as amended;
- (b) that Council notes that a public participation process was followed and no comments or objections were received; and
- (a) that the adopted By-Law be sent to Provincial Government to be published in the provincial gazette.

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

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	<i>Deon.louw@stellenbosch.gov.za</i>
REPORT DATE	

13.6	LEASE OF COUNCIL- OWNED LAND FOR (ADDITIONAL) PARKING PURPOSES: ATTERBURY: PORTION OF LEASE FARM 369P
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

GOOD GOVERNANCE

25 November 2020

1. SUBJECT: LEASE OF COUNCIL- OWNED LAND FOR (ADDITIONAL) PARKING PURPOSES: ATTERBURY: PORTION OF LEASE FARM 369P

2. PURPOSE

To obtain Council approval (in principle) to enter into a lease Agreement with Atterbury for the use of a portion of Council-owned land for parking purposes.

3. DELEGATED AUTHORITY

Council

Executive Mayor in consultation with the Executive Mayoral Committee if the lease is for less than 10 years and the value of the lease if less than R5 million.

As this item was received after closure of the Mayco agenda, the Executive Mayor requested that the item serves at Council.

4. EXECUTIVE SUMMARY

Atterbury, the owners of Portion 3 of Farm 961, Stellenbosch apply to use a portion of Lease Farm 369 for parking purposes. The land they want to lease is adjacent to their property.

When this property (Farm 961/3) was previously owned by Medi Clinic, they had an Encroachment Agreement with Council to use the portion of Lease Farm 369P for parking purposes. This area was excluded from the K.W.V Lease Agreement. They developed the parking on the piece of land. This encroachment agreement, however, lapsed when they sold the property and relocated their offices to the ex-BAT property in Stellenbosch.

Atterbury has now applied to use the already developed parking area consisting of 100 parking bays for additional parking bays for their staff. They also applied for an encroachment, which in effect amounts to a lease agreement. It was decided that encroachments will no longer be used for these kind of applications. In the light of the change in direction on encroachment leases, a short term lease is proposed as the parking is currently being used on a daily basis without any income to Council.

Council must now, in principle, consider the application.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.6**RESOLVED** (majority vote)

- (a) that the portion of Lease Farm 369P, consisting of 100 parking bays, be identified as land not needed for any other municipal service;
- (b) that Council in principle approves the lease agreement with Atterbury to enable them to use a portion of Lease Farm 369P, consisting of 100 parking bays;
- (c) that Council's intention to conclude a lease Agreement with Atterbury for a period of 12 months without following a supply chain process be advertised for public comments/inputs/objections, whereafter a return item will be submitted to Council to make a final determination in this regard;
- (d) that Council leases the land based on the "encroachment" parking tariffs as approved in the latest tariff book; and
- (e) that the applicants be allowed to use the parking bays until Council can make a final determination provided that the tariff set out in the tariff book is paid on a monthly basis.

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

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

13.7	TIMEFRAMES FOR PUBLIC PARTICIPATION PERIODS FOR LAND USE - / BUILDING DEVELOPMENT MANAGEMENT PROCESSES/OTHER PUBLIC PARTICIPATION AND TENDER PROCESSES NEEDED DURING THE 2020 FESTIVE SEASON
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Collaborator No: 698289
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 25 November 2020

1. SUBJECT: TIMEFRAMES FOR PUBLIC PARTICIPATION PERIODS FOR LAND USE - / BUILDING DEVELOPMENT MANAGEMENT PROCESSES/OTHER PUBLIC PARTICIPATION AND TENDER PROCESSES NEEDED DURING THE 2020 FESTIVE SEASON

2. PURPOSE

To obtain approval for the changes to the time frames for the processing and public participation periods for land use and building development management processes and other public participation needed during the 2020 festive season.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Due to the impact of the Covid-19 pandemic and resulting National Lockdown on service delivery and the economy, it is proposed to minimize the standard practice to exclude the core festive period from the timeframes in the processing and the public participation applicable for land use and building development management applications and other public participation needed over the festive period from 15 December to 15 January to the period between 22 December 2020 to 15 January 2021. This period will not be included in the normal calculation of periods for public to comment/give inputs/land use and building development applications and processes etcetera.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.7

RESOLVED (nem con)

- (a) that Council approves that the period between 22 December 2020 to 15 January 2021 be excluded from the timeframes in the processing and the public participation applicable to land use and building development applications as well as other municipal processes for public participation during the festive season; and
- (b) that the Municipal Manager informs the public through an advertisement in a local newspaper.

13.8	APPOINTMENT OF SECTION 80 PORTFOLIO CHAIRPERSONS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and Compliance

25 November 2020

1. SUBJECT: APPOINTMENT OF SECTION 80 PORTFOLIO COMMITTEE CHAIRPERSONS

2. PURPOSE OF REPORT

To inform Council on the reshuffling of the Mayoral Committee that has led to a change in the Section 80 Portfolio Committee chairpersons.

3. DELEGATED AUTHORITY

Executive Mayor appoints the chairpersons for the section 80 committees.

4. EXECUTIVE SUMMARY

The Executive Mayor, in terms of Section 60 of the Municipal Structures Act 117 of 1998 reshuffled her Mayoral Committee members effective from 1 November 2018. This led to a change in the Councilors that served as Chairpersons to the Section 80 Committees as well as the portfolios which they represent, and the introduction of two new S80 Committees.

The National and Provincial elections on 8 May 2019 led to the resignation of Cllr de Villiers, who was the Mayco member for Community Safety and Portfolio Chair for Community and Protection Services, and the position became vacant. Cllr Q Smit then also acted as Portfolio Chair of the particular committee. Cllr R Badenhorst was subsequently appointed as Mayco member for Community Safety.

On 11 November 2019 the Speaker and the Deputy Mayor both resigned, and the ex-Deputy Mayor was appointed as interim Speaker. On 14 November 2019 a new Deputy Mayor and Speaker were re-elected.

On 30 October 2020, the Speaker resigned, and the Deputy Mayor resigned at the Special Council meeting on 2 November 2020. At this special Council meeting, Cllr WC Petersen was elected as Speaker and Cllr N Jindela was elected as Deputy Mayor. [letter of resignation as **APPENDIX 1**]. The Executive Deputy Mayor is part of the Executive Mayoral Committee through the provisions of the legislation. The Executive Mayor herewith gives notice that she has appointed the Deputy Mayor, Cllr Jindela as the chairperson of Human Settlements. The other portfolio members are the same as before. The Speaker, Councillor Wilhelmina Petersen, does not form part of the Mayoral committee anymore since her election as Speaker.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.8**NOTED**

that the Executive Mayor has appointed the following Mayco members as Chairpersons of the Section 80 Committees –

Human Settlements

Deputy Mayor, Cllr Nyaniso Jindela

Financial Services

Cllr Patricia Crawley

Parks, Open Spaces and Environment

Cllr Xoliswa Mdemka

Planning, Local Economic Development and Tourism

Cllr Esther Groenewald

Youth, Sports and Culture

Cllr Manie Pietersen

Rural Management

Cllr Salie Peters

Community and Protection Services

Cllr Rikus Badenhorst

Infrastructure Services

Cllr Quintin Smit

Corporate Services

Cllr Aldridge Frazenburg

FOR FURTHER DETAILS CONTACT:

NAME	Donovan Muller
POSITION	<i>Manager: Council Support</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	021 808 8314
E-MAIL ADDRESS	Donovan.Muller@ Stellenbosch.gov.za
REPORT DATE	2020-11-18

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

13.9	POLICY AND PROCEDURES FOR WARD COMMITTEES, INCLUDING COVID-19 PROTOCOLS
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Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

25 November 2020

1. SUBJECT: POLICY AND PROCEDURES FOR WARD COMMITTEES, INCLUDING COVID19 PROTOCOLS

2. PURPOSE

To submit the amended Policy and Procedures for Ward Committees, which include the relevant COVID-19 protocols for ward committee meetings (hereafter “Policy”) to Council for approval.

3. DELEGATED AUTHORITY

Council approves policy.

4. EXECUTIVE SUMMARY

The Local Government Municipal Structures Act, 117 of 1998 prescribes amongst other that municipalities must devise a regulatory framework in respect of the procedure to elect members of a ward committee, the circumstances under which those members must vacate office and the frequency of meetings of ward committees.

To give effect to this stipulation a Policy and Procedures for Ward Committees was developed and adopted by Council in 2006. It was amended in 2010, 2012 and 2015 and was due for a review following the August 2016 local government elections.

The Policy was adopted by Council on 24 April 2019.

With the outbreak of the COVID-19 pandemic, ward offices had to close and ward committee meetings that depended on the ward office as a venue for meetings had to cease meeting if the ward committee was not able to meet on a virtual platform.

With the relaxation to level 2 of the COVID-19 levels, ward offices were allowed to re-open again on 1 September 2020, under the strict COVID-19 protocols. With this re-opening, ward committees in certain wards can resume physical meetings but must adhere to the strict COVID19 regulations and protocols.

The revised policy is now ready for adoption.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.9

RESOLVED (majority vote)

- (a) that Council adopts the revised Policy and Procedures for Ward Committees as per **APPENDIX 1**;
- (b) that this policy replaces all previous policies; and
- (c) that the policy be distributed to ward committees.

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

13.10	FEEDBACK ON PUBLIC PARTICIPATION PROCESS: PROPOSED DISPOSAL (THROUGH A LAND AVAILABILITY AGREEMENT) OF MUNICIPAL LAND, ERF 7001, CLOETESVILLE, STELLENBOSCH AND THE APPOINTMENT OF A TURNKEY DEVELOPER / IMPLEMENTING AGENT IN ORDER TO FACILITATE THE DELIVERY OF GAP HOUSING UNITS
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Collaborator No: 698326
IDP KPA Ref No: Dignified Living
Meeting Date: 25 November 2020

1. SUBJECT: FEEDBACK ON PUBLIC PARTICIPATION PROCESS: PROPOSED DISPOSAL (THROUGH A LAND AVAILABILITY AGREEMENT) OF MUNICIPAL LAND, ERF 7001, CLOETESVILLE, STELLENBOSCH AND THE APPOINTMENT OF A TURNKEY DEVELOPER / IMPLEMENTING AGENT IN ORDER TO FACILITATE THE DELIVERY OF GAP HOUSING UNITS

2. PURPOSE

To obtain Council's final approval for:

- a) The disposal of municipal land, Erf 7001, Cloetesville, Stellenbosch through a Land Availability Agreement (LAA) after taking into consideration the comments/objections received during the public participation process; and
- b) The Municipal Manager to commence with the process of appointing a Turn-key Developer through a Call for Proposal in order to facilitate the delivery of a range of housing options on the land identified in (a) above and indicated on figures 1 and 3 below.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

In accordance with the housing need, Stellenbosch Municipality has identified a portion of land, Erf 7001 at Cloetesville for residential development. Ownership of the property currently vests with Stellenbosch Municipality. "Erf 7001, referred to as "Soek-mekaar" ... is characterised by numerous trees and is located immediately adjacent to a man-made water retention structure. Furthermore, it is situated a stone's throw away from Welgevonden Estate (gated community)."

The original reason that this portion of land for development was included in the housing pipeline, was specifically to address the needs of the backyarders residing primarily in privately owned properties. Hence a social economic survey was conducted to include the number of occupants in a structure, employment, health and education in order to comprehend the communities needs and priorities.

The successful bidder will be appointed as a Turnkey Developer / Implementing Agent. Legal consideration is taken into account in the request for this proposal and include, Municipal Finance Management Act, No 56 of 2003 (MFMA), Asset Transfer Regulations (ATR) and the Disposal / Awarding of Rights.

MINUTES

39TH MEETING OF THE COUNCIL
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2020-11-25

The Developer is appointed as Turnkey Developer/ Implementing Agent of the Property on the basis that, it shall at all times act as an independent contractor and in accordance with the scope of its appointment detailed herein, account for the entire cost of the development and for its own profit and loss.

A public participation process was followed with inputs/comments received. All public inputs have been effectively dealt with.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.10**RESOLVED** (majority vote)

- (a) that Council takes note of inputs/comments that were received, following the public notice advertised;
- (b) that preference be given to residents that qualify as first-time home owners living in Cloetesville area and thereafter to qualifying first-time home owners within the WCO24;
- (c) that the procurement process to appoint a Turnkey Developer / Implementing Agent for the planning and implementation of Erf 7001, Cloetesville, Stellenbosch, continues as advertised; and
- (d) that after the procurement process has been concluded by the BAC, a further report will be submitted to Council.

FOR FURTHER DETAILS, CONTACT:

<i>NAME</i>	Lester van Stavel
<i>POSITION</i>	<i>Manager: Housing Development</i>
<i>DIRECTORATE</i>	<i>Planning and Economic Development</i>
<i>CONTACT NUMBERS</i>	<i>021- 808 8462</i>
<i>E-MAIL ADDRESS</i>	<i>Lester.vanstavel@stellenbosch.gov.za</i>
<i>REPORT DATE</i>	<i>20.11.2020</i>

13.11	A NEW SPORT FACILITY MANAGEMENT MODEL (PLAN) FOR STELLENBOSCH MUNICIPALITY (WC024)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

Council Meeting: 25 November 2020

1. SUBJECT: A NEW SPORT FACILITY MANAGEMENT MODEL (PLAN) FOR STELLENBOSCH MUNICIPALITY (WC024)

2. PURPOSE

To seek Council approval for the proposed new Sport Facility Management Model (Plan).

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

On 24 July 2019 the Stellenbosch Municipal Council resolved to revise the current Sports Facility Management Plan in order to improve the maintenance and management of sport facilities in WC024. The Community Services Department was mandated to facilitate the review process and to advise Council on alternative models (plans) for the management of municipal sport facilities. After an extensive consultation process with the SSRA, the official representative structure of the sports fraternity, the following sport facility management models are put forward for consideration:

Option I: The current Sport Facility Management Model (Status Quo).

Option II: Stellenbosch Municipality manage and maintain all the sport facilities within Stellenbosch (WC024).

Option III: Hybrid Model: A combination of key elements of Option I and Option II.

The Community Services Department supports the implementation of the Hybrid Model for Stellenbosch Municipality. The process that was followed is discussed in detail in the attached report (Annexure 1), which elaborates on the advantages and disadvantages of each of the three models.

39TH COUNCIL MEETING: 2020-11-25: ITEM 13.11**RESOLVED** (majority vote)

- (a) that Council takes note of the Report: Sport Facility Management Model (Annexure 1);
- (b) that Council takes note of the three Sport Facility Management Model Options (I, II and III).
- (c) that Council approves Option III, Hybrid Model, for implementation; and
- (d) that Council mandates the Community Services Department to start with the phased-in implementation of the approved Sport Facility Management Model, with immediate effect.

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

FOR FURTHER DETAILS CONTACT:

NAME	Albert van Der Merwe
POSITION	Senior Manager: Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8165
E-MAIL ADDRESS	Albert.vandermerwe@ Stellenbosch.gov.za
REPORT DATE	20 July 2020

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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14.1	QUESTION BY COUNCILLOR F ADAMS: BREAKDOWN: SUBSIDIZED AND GAP HOUSING
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A Notice of a Question, dated 2020-10-27, was received from Councillor F Adams regarding breakdown: subsidized and GAP Housing.

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

FOR CONSIDERATION

39TH COUNCIL MEETING: 2020-11-25: ITEM 14.1

In view of the absence of the member,

The Speaker **RULED**

that this matter has lapsed.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@ Stellenbosch.gov.za</i>
REPORT DATE	<i>November 2020</i>

14.2	QUESTION BY COUNCILLOR F ADAMS: WASTE WATER TREATMENT PLANT IN DEVON VALLEY
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A Notice of a Question, dated 2020-10-27, was received from Councillor F Adams regarding Waste Water Treatment Plant in Devon Valley.

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

FOR CONSIDERATION

39TH COUNCIL MEETING: 2020-11-25: ITEM 14.2

In view of the absence of the member,

The Speaker **RULED**

that this matter has lapsed.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@stellenbosch.gov.za</i>
REPORT DATE	<i>November 2020</i>

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

14.3	QUESTION BY COUNCILLOR LK HORSBAND (MS): 5-YEAR CONTRACT OF THE MUNICIPAL MANAGER (MS G METTLER)
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A Notice of a Question, dated 2020-11-10, was received from Councillor LK Horsband (Ms) regarding 5-year contract of the Municipal Manager (Ms G Mettler).

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

FOR CONSIDERATION

39TH COUNCIL MEETING: 2020-11-25: ITEM 14.3

It is noted that the Speaker RULED that Cllr LK Horsband (Ms) is welcome to submit, in writing, a follow-up question.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	<i>Municipal.Manager@stellenbosch.gov.za</i>
REPORT DATE	<i>November 2020</i>

14.4	QUESTION BY COUNCILLOR LK HORSBAND (MS): MINIMUM COMPETENCY QUALIFICATIONS: MS G METTLER
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A Notice of a Question, dated 2020-11-10, was received from Councillor LK Horsband (Ms) regarding minimum competency qualifications: Ms G Mettler.

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

FOR CONSIDERATION

39TH COUNCIL MEETING: 2020-11-25: ITEM 14.4

It is noted that the Speaker RULED that Cllr LK Horsband (Ms) is welcome to submit, in writing, a follow-up question.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@stellenbosch.gov.za</i>
REPORT DATE	<i>November 2020</i>

MINUTES

**39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2020-11-25

14.5	QUESTION BY COUNCILLOR DA HENDRICKSE: PRIVATE SECURITY COMPANIES
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A Notice of a Question, dated 2020-11-10, was received from Councillor DA Hendrickse regarding private security companies.

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

FOR CONSIDERATION

39TH COUNCIL MEETING: 2020-11-25: ITEM 14.5

It is noted that Councillor DA Hendrickse was not satisfied with the written response from the Municipal Manager. The Speaker RULED that Cllr DA Hendrickse is welcome to submit, in writing, a follow-up question.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@stellenbosch.gov.za</i>
REPORT DATE	<i>October 2020</i>

15.	CONSIDERATION OF URGENT MOTIONS
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NONE

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

17.	REPORTS SUBMITTED BY THE SPEAKER
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NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

19.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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NONE

The meeting adjourned at 15:50.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments**

8.	STATUTORY MATTERS
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8.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER 2020 AND DECEMBER 2020
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 January 2021 and 27 January 2021

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER 2020 AND DECEMBER 2020

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2020/2021 to report the deviations to Council.

3. DELEGATED AUTHORITY

Council

FOR NOTING.

4. EXECUTIVE SUMMARY

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2020/2021) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during November 2020 and December 2020.

5. RECOMMENDATION

that Council notes the deviations as listed for the months of November 2020 and December 2020.

6. DISCUSSION / CONTENTS

6.1. Background/Legislative Framework

The regulation applicable is as follows:

GNR.868 of 30 May 2005: Municipal Supply Chain Management Regulations

Deviation from and ratification of minor breaches of, procurement processes

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

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

(i) in an emergency;

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

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

(iv) acquisition of animals for zoos; or

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

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

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

6.2. Discussion

Reporting the deviations as approved by the Accounting Officer for November 2020 and December 2020:

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

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE (R)
D/SM 07/21	19 Nov 2019	Livewire (Pty) Ltd	Meter reading of large power users	Exceptional case and it is impractical or impossible to follow the official procurement processes	The contract with the current service provider (BSM 28/19) was cancelled on 5 November 2020 with effect from 30 November 2020. The service has to continue without interruption to ensure that the municipality does not incur a substantial loss of revenue. It is impractical and impossible to go out on a new tender and make an award within the time period that is available.	R 262 550.87 VAT incl
D/SM 08/21	23 Dec 2020	TMT Services	Provision of Traffic Law Enforcement equipment, back office system and related services	Exceptional case and it is impossible to follow the official procurement process	Due to an appeal the successful bidder as per Tender: B/SM 04/20 cannot commence with the service from 01 January 2021. The appeal was subsequently resolved. The service has to continue without interruption to ensure that the municipality does not incur a substantial loss of revenue.	Rates: R121.49 per fine.

D/SM 09/21	23 Dec 2020	Nedbank	Provision of banking services	Exceptional case and it is impossible to follow the official procurement process	<p>A service provider was appointed for the provision of banking services (B/SM 22/20) that includes opening new bank accounts.</p> <p>The old bank account need to remain open while the municipality is migrating to new bank. Given the vast customer base that includes foreign customers it is recommend that the old bank account remain open on a month to month basis not exceeding twelve months.</p> <p>National Treasury prefers that municipalities keep its old banking accounts open for a period of two months. The municipality has opted to make this period longer due to the vast consumer base that includes foreign customers.</p>	Rates.
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6.3 Financial Implications

As per table above.

6.4 Legal Implications

The regulation applicable is:

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

6.5 Staff Implications:

No staff implications

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

That the market may not be tested.

The measures in place to deal with deviations mitigate the risk to an acceptable level.
The auditor general also audit the deviations during the yearly audit.

6.8 Comments from Senior Management:

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

6.8.1 Municipal Manager

Supports the recommendations.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 6.1

that Council notes the deviations as listed below for the months of November 2020 and December 2020.

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE (R)
D/SM 07/21	19 Nov 2019	Livewire (Pty) Ltd	Meter reading of large power users	Exceptional case and it is impractical or impossible to follow the official procurement processes	The contract with the current service provider (BSM 28/19) was cancelled on 5 November 2020 with effect from 30 November 2020 due to poor performance that impacted the billing. The service has to continue without interruption to ensure that the municipality does not incur a substantial loss of revenue. It is impractical and impossible to go out on a new tender and make an award within the time period that is available.	R 262 550.87 VAT incl

<p>D/SM 08/21</p>	<p>23 Dec 2020</p>	<p>TMT Services</p>	<p>Provision of Traffic Law Enforcement equipment, back office system and related services</p>	<p>Exceptional case and it is impossible to follow the official procurement process</p>	<p>Due to an appeal the successful bidder as per Tender: B/SM 04/20 cannot commence with the service from 01 January 2021. The appeal was subsequently resolved.</p> <p>The service has to continue without interruption to ensure that the municipality does not incur a substantial loss of revenue.</p>	<p>Rates: R121.49 per fine.</p>
<p>D/SM 09/21</p>	<p>23 Dec 2020</p>	<p>Nedbank</p>	<p>Provision of banking services</p>	<p>Exceptional case and it is impossible to follow the official procurement process</p>	<p>A service provider was appointed for the provision of banking services (B/SM 22/20) that includes opening new bank accounts.</p> <p>The old bank account need to remain open while the municipality is migrating to new bank. Given the vast customer base that includes foreign customers it is recommend that the old bank account remain open on a month to month basis not exceeding twelve months.</p> <p>National Treasury prefers that municipalities keep its old banking accounts open for a period of two months. The municipality has opted to make this period longer due to the vast consumer base that includes foreign customers.</p>	<p>Bank charges.</p>

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	<i>Senior Manager: SCM</i>
DIRECTORATE	<i>Financial Services</i>
CONTACT NUMBERS	<i>021 808 8588</i>
E-MAIL ADDRESS	<i>Dalleel.Jacobs@stellenbosch.gov.za</i>
REPORT DATE	<i>06 January 2021</i>

8.2	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY- REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 2 (01 OCTOBER 2020 - 31 DECEMBER 2020)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 January 2021 and 27 January 2021

1. **SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY - REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 2 (01 OCTOBER 2020 - 31 DECEMBER 2020)**
2. **PURPOSE**
To submit to Executive Management a report for the period 01 October 2020 - 31 December 2020 on the implementation of Council's Supply Chain Management Policy. The report covers the performance of the various delegated functions and the implementation thereof.
3. **FOR DECISION BY MUNICIPAL COUNCIL**
Section 6 (3) & 4 of the SCM Policy 2020/2021, determines that the Accounting Officer must within 10 days at the end of each quarter; submit a report on the implementation of the SCM Policy to the Executive Mayor. This report must be made public in accordance with section 21A of the Municipal Systems Act (32 of 2000).
4. **EXECUTIVE SUMMARY**
On a quarterly basis the Accounting Officer must submit a report on the implementation of the Supply Chain Management Policy to the Executive Mayor. In terms of the SCM Regulations and Council's SCM Policy the SCM unit has been delegated to perform powers and functions that related to the procurement of goods and services, disposal of goods no longer needed, the selection of contractors to provide assistance in the provision of municipal services.
5. **RECOMMENDATIONS**
 - (a) that Council takes note of this report and **APPENDIX 1** attached to the report; and
 - (b) that the report be made public in accordance with section 21A of the Municipal Systems Act.
- 6 **DISCUSSION/CONTENTS**
 - 6.1 **Background**
SCM must report within 10 days before the end of each quarter on the implementation of the SCM System.
 - 6.2 **Constitutional and Policy Implications**
Paragraph 2(1) of Council's SCM Policy determines that all officials and other role players in the supply chain management system of the Stellenbosch Municipality must implement the SCM Policy in a way that gives effect to section 217 of the Constitution and Part 1 of Chapter 11 of the Municipal Finance Management Act (56 of 2003) and other applicable provisions of the Act; is fair, equitable, transparent, competitive and cost-effective; complies with the Regulations and any norms and standards that may be prescribed in terms of section 168 of the MFMA; is consistent with other applicable legislation; does not undermine the objective for uniformity in supply chain management systems between organs of state in all spheres; and is consistent with national economic

policy concerning the promotion of investments and doing business with the public sector.

Paragraph 6(1) of the Supply Chain Management Policy of Council determines that the Council of Stellenbosch municipality reserves the right to maintain oversight over the implementation of the SCM Policy as approved and amended from time to time. Paragraph 6(3) of the above stated Policy determines that the Accounting Officer must within 10 days of the end of each quarter; submit a report on the implementation of the Supply Chain Management Policy to the Executive Mayor.

6.3 Environmental implications

None.

6.4 Financial Implications

The financial implications are the transactions for the procurement of goods and services that were processed during the 01 October 2020 - 31 December 2020 and the payments that will derive from these commitments.

6.5 Legal Implications

The Municipal Finance Management Act (section 112) stipulates that the SCM Policy should comply with a prescribed framework as set out in section 112(1) and section 112(2) that stipulates that the regulatory framework for the municipal supply chain must be fair, equitable, transparent, competitive and cost-effective. Reporting back in terms of paragraph 6(3) of the SCM Policy 2020/2021 to the Executive Mayor and Council on the implementation of the supply chain management system and processes enables the Executive Mayor and Council to maintain the oversight role over the implementation of the SCM Policy as approved by Council.

6.6 Staff Implications

None.

6.7 Previous / Relevant Council Resolutions

None.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 6.2

- (a) that Council takes note of this report and **APPENDIX 1** attached to the report; and
- (b) that the report be made public in accordance with section 21A of the Municipal Systems Act.

APPENDICES

APPENDIX 1: Report for the period 01 October 2020 - 30 December 2020 on the Implementation of Council's Supply Chain Management Policy

FOR FURTHER DETAILS CONTACT:

NAME	<i>Dalleel Jacobs</i>
CONTACT NUMBERS	<i>021 808 8588</i>
E-MAIL ADDRESS	<i>Dalleel.Jacobs@stellenbosch.gov.za</i>
DIRECTORATE	<i>Financial Services</i>
REPORT DATE	<i>06 January 2021</i>

APPENDIX 1

STELLENBOSCH MUNICIPALITY
IMPLEMENTATION OF SYSTEM – SUPPLY CHAIN MANAGEMENT
SECTION 6 OF SCM POLICY:
OVERSIGHT ROLE OF COUNCIL OVER THE IMPLEMENTATION OF SCM POLICY

PERIOD: OCTOBER 2020 - DECEMBER 2020

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
3(1)(a)	Prepare and submit a draft supply chain management policy complying with regulation 2 to the council of the municipality for adoption.	Accounting Officer	Chief Financial Officer	YES	Done
3(1)(b)	Review at least annually the implementation of the policy.	Accounting Officer	Chief Financial Officer	YES	Done
3(1)(c)	Submit when considered necessary, proposals for amendment of the policy by the Council.	Accounting Officer	Chief Financial Officer	YES	The SCM Policy are part of the budget related policies that are annually reviewed.
3(2)(a)	Make use of any Treasury guidelines determining standards for municipal supply chain management policies, and submit to the council that guidelines standard or modified version therefore, as a draft policy.	Accounting Officer	Chief Financial Officer	YES	All NT guidelines are included in standard documents and the municipalities SCM policy is aligned with the Model SCM policy of NT.
3(2)(b)	Ensure that a draft policy submitted to council that differs from the guideline standard complies with Regulation 2.	Accounting Officer	Chief Financial Officer	YES	Not Applicable
3(1)(c)	Report any deviation from the guideline standard to the National Treasury and relevant provincial treasury	Accounting Officer	Chief Financial Officer	YES	Not Applicable
3(4)	Must, in terms of section 62(1)(f)(iv) take all reasonable steps to ensure that the municipality has and implements a supply chain management policy as set out in Regulation 2	Accounting Officer	Chief Financial Officer	YES	Done

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
5(2)(a)	Make a final award above R10 million (VAT included).	Accounting Officer (after considering recommendation of Bid Adjudication Committee)		YES	In the second quarter there were eight final awards above R10 million.
5(2)(b)	Make a final award above R200 000(VAT included), but not exceeding R10 million (VAT included).	Accounting Officer	Bid Adjudication Committee	YES	In the second quarter there were twenty-one final awards above R200 000 but not exceeding R10 million.
5(2)(c)	Make a final award not exceeding R200 000(VAT included) including the appointment of consultants	Accounting Officer	CFO and Senior Manager - SCM and Senior Accountants	YES	Operational Delegations are in place with clear segregation of duties as stipulated in MFMA section 115 (b)
5(3)	Submit to the officials referred to in regulation 5(4) within five days of the end of each month a written report containing particulars of each final award, except procurements made out of petty cash, made during that month, including – (a) the amount of the award; (b) the name of the person to whom the award was made; (c) the reason why the award was made to that person; and (d) the BEE/HDI status of that entity/person.	Bid Adjudication Committee (refer regulation 5(4)(a) Chief Financial Officer – 5(4)(b)	Chief Financial Officer Senior Manager SCM	YES	The awards made were submitted ,on the following dates within this quarter: 03 November 2020 03 December 2020 04 January 2021
6(1)	Maintain oversight over the implementation of the supply chain management policy	Municipal Council		YES	The Supply Chain Management policy has been submitted to council in the last quarter of the previous financial year as part of the Budget Related policies.

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6(2)(a)(i)	Submit a report to council within 30 days of the end of each financial year on the implementation of the supply chain management policy of the municipality.	Accounting Officer		YES	Done
6(2)(a)	Immediately submit a report to council whenever there are serious and material; problems in the implementation of the supply chain management policy, including such a report from any municipal entity as envisaged by this Regulation 6(2)(a)(iii)	Accounting Officer		N/A	To date no serious or material problems occurred in implementing the SCM policy.
6(3)	Submit a report to the mayor of the municipality within ten days of each quarter on the implementation of the supply chain management policy.	Accounting Officer	Chief Financial Officer	YES	Done.
7(1)	Establish a supply chain management unit.	Accounting Officer	Chief Financial Officer	YES	Unit operates under direct supervision of CFO
12(1)	<p><u>Direct that:</u></p> <p>a) cash purchases up to transaction value as defined I Council's Petty Cash policy</p> <p>b) one verbal quotation be obtained for any specified procurement of a transaction value lower than R2,000 (VAT included);</p> <p>c) written or verbal quotations for procurement of goods and/or services of a transaction value between R 2, 000.00 and R 10 000.00 (VAT included)</p> <p>d) formal written price quotations for procurement of goods and/or services of a transaction value between R 10,000.00 and R 200,000.00</p> <p>e) a competitive bidding process be followed for any specific procurement of a transaction value higher than R200 000.</p>	Accounting Officer	Operational delegations in place	YES	The SCM unit is responsible for procurement within these thresholds. Delegations approved and signed by the relevant officials.

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12(2)(a)	Allow the Accounting Officer to lower, but not to increase, the different threshold values specified in sub regulation(1).	Accounting Officer	Chief Financial Officer	YES	Delegated officials act within delegated thresholds.
14(1)(a)(ii)	Invite prospective providers of goods and services at least once a year through newspaper commonly circulating locally, the website of the municipality	Accounting Officer	Senior : Manager SCM	YES	Will be advertised in the third quarter
14(1)(b)	Specify the listing criteria for accredited prospective providers.	Accounting Officer	Chief Financial Officer	YES	Listing criteria is contained within the registration form.
14(1)(c)	Disallow the listing of any prospective provider whose name appears on the National Treasury's database as a person prohibited from doing business with the public sector.	Accounting Officer		YES	SCM consult National Treasury's database of defaulters before awarding of tenders and quotations
14(2)	Update the list of prospective providers at least quarterly to include any additional prospective providers and any new commodities or types of services.	Municipal Council	Chief Financial Officer	YES	Done
15	Requesting reconciliation's on petty cash purchases on a monthly basis.	Chief Financial Officer	Manager: Expenditure section	YES	Done
16(c)	If it is not possible to obtain at least three written quotations, record and report quarterly to the accounting officer, or another official designated by the accounting officer, the reasons for this.	Accounting Officer	Chief Financial Officer	YES	Reports were submitted on the following dates within this quarter. 03 November 2020 03 December 2020 04 January 2021

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16(e)	Record the name of potential providers requested to provide written quotation with their quoted prices.	Accounting Officer	Chief Financial Officer		Reports were submitted on the following dates within this quarter. 03 November 2020 03 December 2020 04 January 2021
17(1)(c)	Approve the recorded reasons for not obtaining at least three written price quotations.	Chief Financial Officer	Senior Manager SCM & CFO: below R200,000 Accountants: Acquisitions, Contracts and SCM: Accountant Demand and Chief Buyer : below R200,000		
17(1)(d)	Record the names of the potential formal written price quotation providers and their written quotations.	Accounting Officer	Senior Manager : Supply Chain Management		
17(2)	Report to the CFO within three days at the end of the month on any approvals given during that month by that the designed official referred to in sub-regulation (1) (c).	Chief Financial Officer	Senior Manager: Supply Chain Management		
18 (a)	All requirements in excess of R30,000 (VAT included) by means of formal written price quotations should be advertised for at least 7 days on the website and municipal official website.	Chief Financial Officer	Senior Manager: Supply Chain Management	YES	
18 (b)	When using the list of accredited prospective providers, it should promote ongoing competition amongst providers by inviting providers to submit quotations on a rotational basis.	Chief Financial Officer	Senior Manager: Supply Chain Management	YES	Done
18(c)	Must take all reasonable steps to ensure that the procurement of goods and services through written quotations or formal written price quotations is not abused.	Accounting Officer	Chief Financial Officer	YES	Quotations and Formal written quotations are placed on the website and only opened on the closing date and time and mitigate the risks during the calling for quotations.

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18(d)	Notify the Accounting Officer or CFO in writing on a monthly basis of all written quotations and formal written price quotations accepted by the official acting in terms of a sub-delegation .	Chief Financial Officer	Senior Manager : Supply Chain Management	YES	Reports were submitted on the following dates within this quarter. 03 November 2020 03 December 2020 04 January 2021
22 (b) (i)	The publication notice must contain the closure date for the submission of bids, which may not be less than 3 weeks in case of transactions over R10m (VAT included), or which are of long term nature, or 14 days in any other case, from date on which the advertisement is placed in a newspaper.	Accounting Officer	Bid Specifications Committee	YES	For quarter two a total of thirty-eight tender specifications served before the Bid Specifications committee.
22(2)	The Accounting Officer may determine the closure date for the submission of bids which is less than the 30 days or 14 days requirement, but only if such shorter period can be justified on the grounds of urgency or emergency or any exceptional case where it is impractical or impossible to follow the official procurement process	Accounting Officer		N/A	None
23(a) (i)(ii)	The handling, opening and recording of bids should be (i) be opened in public (ii) must be opened at the same time and as soon as possible after the period for the submission of bids has expired;	Accounting Officer	Senior Manager: Supply Chain Management	YES	Done
23 (c)	(ii) make the register available for public inspection (iii) publish the entries in the register and the bid results on the website of the municipality	Accounting Officer	Senior Manager: Supply Chain Management	YES	Done

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24(1)	Negotiate the final terms of a contract with bidders identified through a competitive bidding process as preferred bidders, provided that such negotiation – (a) does not allow any preferred bidder a second or unfair opportunity; (b) is not to the detriment of any other bidder; and (c) does not lead to a higher price than the bid submitted. Minutes of such negotiations must be kept.	Accounting Officer	Relevant user department Head of Department or Executive Director	YES	Provision for the signing of a Form of Tender/Service Level Agreement with successful vendors is being made in the tender documents.
26(1)(b)	Appoint the members of the bid specification, evaluation and adjudication committees, taking into account Section 117 of the MFMA.	Accounting Officer		YES	Done
26(1)(c)	Appoint a neutral or independent observer to a bid specification, evaluation or adjudication committee for an attendance and oversight process when this is appropriate for ensuring fairness and promoting transparency.	Accounting Officer		N/A	Not Applicable
26(3)	Apply the committee system to formal written price quotations.	Accounting Officer		N/A	Committee system is applied for goods/services above R200 000
27(1)	Compile specifications for the procurement of goods and services by the municipality.	Accounting Officer	Bid Specifications Committee, upon advice of the relevant user department	YES	The Director signs for items to serve on Specification committee.
27(2)(g)	Approve specifications compiled by the bid specification committee prior to publication of the invitation for bids.	Accounting Officer	Bid Specifications Committee, upon advice of the relevant user department	YES	The specifications are accompanied with a questionnaire that the relevant department has to complete. Meetings are held according pre-determined schedule.

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28(1)(a)	Evaluate bids in accordance with – (i) the specifications for a specific procurement ; and (ii) the points system as must be set out in the supply chain management policy of the municipality in terms of Regulation 27(2)(f) and a prescribed in terms of the Preferential Procurement Policy Framework Act.	Accounting Officer	Bid Evaluation Committee upon advice of the relevant user department.	YES	Have regular BEC scheduled meetings.
28(1)(b)	Evaluate each bidder's ability to execute the contract.	Accounting Officer	Bid Evaluation Committee, upon advice from SCM	YES	Currently part of the Standard Evaluation Report
28(1)(c)	Check in respect of the recommended bidder whether municipal rates and taxes and municipal service charges are not in arrears.	Accounting Officer	Bid Evaluation Committee	YES	Has a screening list that has to be completed.
28(1)(d)	Submit to the adjudication committee a report and recommendations regarding the award of the bid or any other related matter.	Bid Evaluation Committee		YES	Currently part of the Standard Evaluation Report
29(1)(a)	Consider the report and recommendations of the bid evaluation committee where the award value exceeds R200 000 (VAT incl.) and make the award up to value of R10m (as per delegated authority)	Accounting Officer	Bid Adjudication Committee	YES	In the second quarter there were twelve BAC meetings
29(1)(b)(i)	For bids above R10 million, the SCM BAC will make recommendation to the Municipal Manager to make the final award.	Accounting Officer		YES	In the second quarter there were eight final awards above R10 million.
29(1)(b)(ii)	Make another recommendation to the accounting officer on how to proceed with the relevant procurement.	Accounting Officer		YES	None.
29(3)	Appoint the chairperson of the bid adjudication committee.	Accounting Officer		YES	Delegations given is kept for record purposes

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29(5)(a)	<p>If a bid adjudication committee decides to award a bid other than the one recommended by the bid evaluation committee, the bid adjudication committee must prior to awarding the bid –</p> <p>(i) check in respect of the preferred bidder whether that bidder's municipal rates and taxes and municipal service charges are not in arrears; and</p> <p>(ii) notify the accounting officer.</p>	Bid Adjudication Committee		YES	None
29(5)(b)	<p>(i) After due consideration of the reasons for the deviation, ratify or reject the decision of the bid adjudication committee referred to in Regulation 29(5)(a); and</p> <p>(ii) If the decision of the bid adjudication committee is rejected, refer the decision of the adjudication committee back to that committee for reconsideration.</p>	Accounting Officer		YES	None
29(6)	Refer any recommendation made by the evaluation committee or adjudication committee back to that committee for reconsideration of the recommendation.	Accounting Officer		YES	Seven tenders were referred back to the BEC in the second quarter
29(7)	Comply with Section 114 of the MFMA within ten working days.	Accounting Officer		YES	Not applicable
31(1)	Request the State Information Technology Agency (SITA) to assist the municipality with the acquisition of IT related goods or services through a competitive bidding process.	Accounting Officer	Bid Adjudication Committee	YES	Not Applicable
31(2)	Enter into a written agreement to regulate the services rendered by, and the payments made to,	Accounting Officer		YES	Not Applicable

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	SITA.				
31(3)	<p>Notify SITA together with a motivation of the IT needs of the municipality if –</p> <p>(a) the transaction value of IT related goods or services required by the municipality in any financial year will exceed R50 million (VAT incl); or</p> <p>(b) the transaction value of a contract to be procured by the municipality whether for one or more years exceeds R50 million.</p>	Accounting Officer		YES	Not Applicable
31(4)	Submit to the Council, the National Treasury, the relevant provincial treasury and the Auditor General the SITA comments and the reasons for rejecting or not following such comments if the municipality disagrees with SITA's comments.	Accounting Officer	Senior Manager: Supply Chain Management	YES	Not Applicable
32(1)	<p>To procure goods or services for the municipality under a contract secured by another organ of state, but only if –</p> <p>(a) the contract has been secured by that organ of state by means of a competitive bidding process applicable to that organ of state;</p> <p>(b) the municipality has no reason to believe that such contract was not validly procured;</p>	Accounting Officer	Bid Adjudication Committee	YES	None

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	(c) there are demonstrable discounts or benefits of the municipality; and that other organ of state and the provider have consented to such procurement in writing.				
35(1)	Procure consulting services above the value of R200 000 (VAT incl.) provided that any Treasury guidelines in respect of consulting services or CIDB guidelines in respect of services related to the build environment and construction works are taken into account when such procurements are made.	Accounting Officer	Bid Adjudication Committee	YES	New tender has been advertised
35(4)	Ensure that copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system or process designed or devised, by a consultant in the course of the consultancy service is vested in the municipality.	Municipal Council	Relevant user Department	YES	Not Applicable

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36(1)(a)	<p>Dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only –</p> <ul style="list-style-type: none"> (i) in an emergency; (ii) if such goods or services are produced or available from a single provider only; (iii) for the acquisition of special worker of art or historical objects where specifications are difficult to compile; (iv) acquisition of animals or zoos; or (v) in any other exceptional case where it is impractical or impossible to follow the official procurement processes (vi) any contract relating to the publication of notices and advertisements by or on behalf of the municipality (vii) any purchase on behalf of the municipality at a public auction (viii) any contract with an organ of state, local authority or a public utility corporation or company (ix) any contract in respect of which compliance therein would not be in the public interest or interest of Council (x) ad-hoc repairs to plant and equipment where it is not possible to ascertain the nature or extent of the work required in order to call for bids (xi) workshop strip & quote 	Accounting Officer	BAC considers deviations and recommend to the Accounting Officer.	YES	Delegations are in place for BAC to recommend deviations to the Accounting Officer. Records and recordings are kept of all meetings. Departments draft memorandums and table items at BEC for consideration and recommendation to the BAC. The BAC upon approval will recommend deviation to the Accounting –Officer.
36(1)(b)	Ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.	Accounting Officer		YES	Done

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36(2)	Record the reasons for any deviations in terms of Regulations 36(1)(a) and (b); and Report them to the next meeting of the Council and include as a note to the annual financial statements.	Municipal Council	Accounting Officer	YES	Done
37(2)	Decide to consider an unsolicited bid but only if – (a) the product or service offered is a demonstrably or proven unique innovative concept; (b) the product or service will be exceptionally beneficially to, or have exceptional cost advantages for, the municipality; (c) the person who made the bid is the sole provider of the product or service; and (d) the reasons for not going through the normal bidding processes are found to be sound by the accounting officer.	Accounting Officer		NO	None
37(4)	Submit written comments received pursuant to Regulation 37(3), including any responses from the unsolicited bidder, to the National Treasury and the relevant provincial treasury for comment.	Accounting Officer		NO	None
37(5)	Consider and may award the bid or make recommendations to the accounting officer depending on the delegations to the adjudication committee.	Accounting Officer	Bid Adjudication Committee	YES	None
37(7)	When considering an unsolicited bid, take into account where considering an unsolicited bid – (i) any comments submitted by the public; and	Accounting Officer		NO	None

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	any written comments and recommendations of the National Treasury or the relevant provincial treasury.				
37(8)	Submit to the Auditor General, the relevant provincial treasury and the National Treasury the reasons for rejecting or not following any recommendations of the National Treasury or provincial treasury in regard to the unsolicited bid.	Accounting Officer	Senior Manager: Supply Chain Management	NO	None
38(1)(a)	Take all reasonable steps to prevent abuse of the supply chain management system.	Accounting Officer	Chief Financial Officer	YES	The National Treasury Code of Conduct has been circulated and communicated to municipal staff at various formal and informal meetings.
38(1)(b)	Investigate any allegations against an official or other role player of fraud, corruption, favoritism, unfair or irregular practices or failure to comply with the supply chain management policy, and when justified – (i) take appropriate steps against such official or other role player; or (ii) report any alleged criminal conduct to the South African Police Service.	Accounting Officer	Internal Audit	YES	None
38(1)(c)	Check the National Treasury's database prior to awarding any contract to ensure that no recommended bidder, or any of its directors, is listed as a person prohibited from doing business with the public sector.	Accounting Officer	Senior Manager: Supply Chain Management	YES	The National Treasury website information of the List of Defaulters is currently used to verify.
38(1)(d)	Reject any bid from a bidder – (i) if any municipal rates and taxes or municipal service charges owed by that bidder or any directors to the municipality are in arrears for more than three months;	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place

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	(ii) who during the last five years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.				
38(1)(e)	Reject a recommendation for the award of a contract if the recommended bidder, or any of its directors, has committed a corrupt or fraudulent act in competing for the particular contract.	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place
38(1)(f)	Cancel a contract awarded to a person if – the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract; or (i) an official or other role player committed any corrupt or fraudulent act during the bidding process or the execution of the contract that benefited that person.	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place
38(1)(g)	Reject the bid of any bidder if that bidder or any of its directors – (i) has abused the supply chain management system of the municipality or has committed any improper conduct in relation to such system; (ii) has been convicted for fraud or corruption during the last five years; (iii) has willfully neglected or reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place

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	(iv) has been listed in the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).				
38(2)	Inform the National Treasury and relevant provincial treasury in writing of any actions taken in terms of Regulation 38(1)(b)(ii), (e)	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place
40(1)	The Supply chain policy must provide for an effective system of disposal management for the disposal or letting of assets, including unserviceable, redundant or obsolete assets, subject to sections 14&90 of MFMA	Municipal Council	Chief Financial Officer	YES	Delegations are in place
40(2) a	A Supply Chain management policy must specify the ways in which assets may be disposed of, including by – (i) Transferring the asset to another organ of state in terms of a provision of the MFMA enabling the transfer of assets (ii) Transferring the asset to another organ of state at market related value or, when appropriate, free of charge (iii) Selling the asset (iv) Destroying the asset	Municipal Council	Chief Financial Officer	YES	. As per delegations
40(2) (b)	Stipulate that – Immoveable property may be sold only at market	Municipal Council		YES	Not Applicable

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	related prices except when public interest or the plight of the poor demands otherwise				
40(2)(b)(ii)	Movable assets may be sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous to the municipality	Accounting Officer	Chief Financial Officer		As per delegations
40(2)(b)(iii)	In the case of the free disposal of computer equipment, the Provincial Department of Education must first be approached to indicate within 30 days whether any of the local schools are interested in the equipment.	Accounting Officer	Chief Financial Officer		Not Applicable
40(2)(b)(iv)	In the case of the disposal of firearms, the National Conventional Arms Control Committee has approved any sale or donation of firearms to any person or institution within or outside the Republic	Accounting Officer			Not Applicable
40(2)(c)(ii)	All fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed	Municipal Council		YES	Not Applicable
40(2)(d)	Ensure that where assets are traded in for other assets, the highest possible trade-in is negotiated	Municipal Council			None
40(2)(b)(iii)	In the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.				Not Applicable
41(1)	A Supply chain management policy must provide for an effective system of risk management for the identification, consideration and avoidance of	Accounting Officer	Internal Audit		Busy implementing a system for risk management

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	potential risks in the supply chain management system				
42	Establish and implement an internal monitoring system in order to determine, on a retrospective analysis, whether the authorized supply chain management processes were followed and whether the objectives of this policy were achieved.	Accounting Officer	Chief Financial Officer		Busy implementing a system for performance management in SCM
43(2)	Check with SARS whether a person's tax matters are in order before making an award to such person.	Municipal Council	Senior Manager: Supply Chain Management	YES	The Tax Clearance of vendors registered on the Central Supplier Database are checked regularly and before awards are made.
45	Disclose in the notes to the annual financial statements of the municipality particulars of any award of more than R2,000 to a person who is a spouse, child or parent of a person in the service of the state, or has been in the service of the state in the previous twelve months, including – (a) the name of that person; (b) the capacity in which that person is in the service of the state; and (c) the amount of the award.	Municipal Council	Chief Financial Officer	YES	This information was disclosed within the 19/20 financial statements of the municipality.
46(3)(a)	Keep a register of all declarations in terms of Regulation 46(2)(d) and (e).	Accounting Officer	Senior Manager: Supply Chain Management	YES	SCM keep record of it.
46(3)(b)	Declarations must be made to the mayor of the municipality who must ensure that such declarations are recorded in the register.	Accounting Officer	Chief Financial Officer	YES	Declarations are kept at SCM section and hard copy on file.
46(4)	Adopt the National Treasury's code of conduct and Schedule 2 of the Systems Act for supply chain	Accounting Officer	Senior Manager: Supply Chain Management	YES	Code of conduct are circulated annually to all officials

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	management practitioners and other role players involved in supply chain management.		Council's Speaker		
47(2)	Report any alleged contravention of Regulation 47(1) to the National Treasury for considering whether the offending person, and any representative or intermediate through which such person is alleged to have acted, should be listed in the National Treasury's database of persons prohibited from doing business with the public sector.	Accounting Officer	Chief Financial Officer	YES	Not Applicable
48	Disclose to the National Treasury and the relevant provincial treasury any sponsorship promised, offered or granted to the municipality whether directly or through a representative or intermediate, by any person who is – (a) a provider or prospective provider of goods or services to the municipality; or (b) a recipient or prospective recipient of goods disposed or to be disposed, of by the municipality.	Accounting Officer	Senior Manager: Supply Chain Management	YES	None.
49	Persons aggrieved by decisions or actions taken in the implementation of this supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint against the decision or action.	Accounting Officer		YES	Have an administrative process in place.
50(1)	Appoint an independent and impartial person to assist in the resolution of disputes between the municipality and other persons and to deal with objections, complaints or queries as described more fully in Regulation 49.	Accounting Officer		YES	Done.
50(1)(a)	Responsible to assist the person appointed in terms of Regulation 50(1) to perform his or her functions effectively.	Accounting Officer		YES	Done

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50(4)(b)	Appointed must submit monthly reports to the Accounting Officer on all disputes, objections, complaints or queries received, attended to or resolved.	Accounting Officer		YES	The appointed official is responsible for the submission of the monthly report to the Municipal Manager.
51	Service provider that acts on behalf of municipality to provide any service or act as a collector of fees, service charges or taxes and the compensation payable to service provider, contract must stipulate a cap on compensation payable to the service provider; that such compensation must be performance based.	Accounting Officer		YES	Done

8.3	REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2020/21
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 January 2021 and 27 January 2021

1. SUBJECT: REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2020/21

2. PURPOSE

To obtain Council's approval for the revisions made to the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2020/21.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The TL SDBIP 2020/21 was approved by the Executive Mayor on 24 June 2020. It is common practice for a municipality, as provided for in the MFMA, to review its performance indicators and targets after approving the adjustments budget. The TL SDBIP 2020/21 (as approved by the Executive Mayor) is attached hereto as **Annexure A**. All changes (for ease of reference) which should be deleted and amended are indicated with a strikethrough and an underline respectively. It must also be noted that the TL SDBIP 2020/21 is the in-year plan of the municipality and amendments made to the TL SDBIP 2020/21 must also be read in conjunction with the Integrated Development Plan (IDP). Therefore, changes made to the Revised TL SDBIP 2020/21 are considered to be made in the IDP as well.

These changes will be effected with the review process of the IDP 2017-2022 to be submitted to Council for final approval during May 2021.

The reasons for the amendments to the following KPIs are as follows:

- a) KPI080- The target due date for the 2020/21 was moved due to capacity constraints and to negate the effects of the Covid-19 pandemic;
- b) KPI073- Target moved to negate the effects of the Covid-19 pandemic;
- c) KPI018- Target reduced from 90% to 80% as a result of capacity constraints experienced in the Department as well as to deal with the backlogs created by the Covid-19 pandemic;
- d) KPI019- The SMART (specific, measurable, attainable, realistic and time bound) principle is applied. The target was also reduced from 80% to 70% due to infrastructural challenges currently experienced at one of the waste water treatment works;
- e) KPI037- The SMART principle is applied;
- f) KPI042- The SMART principle is applied;
- g) KPI063- The SMART principle is applied;
- h) KPI083- Target moved to negate the effects of the Covid-19 pandemic;
- i) KPI074, KPI076 and KPI077- Targets reduced to bring it in line with the municipal valuation role for residential properties; and
- j) KPI084- New indicator

Any detected spelling and grammatical errors in the document were also corrected, where needed.

5. RECOMMENDATIONS

- (a) that the Revised TL SDBIP 2020/21 be approved;
- (b) that the Revised TL SDBIP 2020/21 be published on the Municipal Website; and
- (c) that the Revised TL SDBIP 2020/21 be submitted to:
 - i. Internal Audit Unit (for notification);
 - ii. Department of Local Government: Western Cape;
 - iii. Provincial Treasury: Western Cape;
 - iv. Auditor General of South Africa; and
 - v. National Treasury.

6. DISCUSSION**6.1 Background**

In terms of the MFMA, the Mayor of a municipality must take all reasonable steps to ensure that the municipality's TL SDBIP is approved within 28 days after the municipal budget has been approved.

The Draft Top Layer SDBIP 2020/21 was made public for public participation during April 2020 as part of the Integrated Development Plan (IDP) and Budget consultative process.

The Municipal Manager, Directors and all affected managers participated in the setting of key performance indicators and targets.

Subsequent to the approval of the IDP and Budget in May 2020, the TL SDBIP 2020/21 was approved by the Executive Mayor on 24 June 2020. Council should note that the provisions of the MFMA allows the Executive Mayor to approve the TL SDBIP within 28 days after the approval of the Budget.

Section 54(1) of the MFMA also allow the Executive Mayor to review the TL SDBIP in line with the adjustments budget. In terms of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), section 54(1)(c) *"the mayor must, consider and, if necessary, make any revisions to the service delivery and budget implementation plan, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget..."*

6.2 Financial Implications

There are no financial implications beyond that which was approved in the 2020/21 MTRF Budget.

6.3 Legal Implications

In terms of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), section 54(1)(c) *"On receipt of a statement or report submitted by the accounting officer of the municipality in terms of section 71 or 72 the mayor must, consider and, if necessary, make any revisions to the service delivery and budget implementation plan, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget"*

6.4 Staff Implications

This report has no staff implications to the Municipality.

6.5 Risk Implication

None

6.6 Comments from Senior Management**6.6.1 Director: Community and Protection Services**

Agree with the recommendations.

6.6.2 Chief Financial Officer

Agree with the recommendations.

6.6.3 Director: Infrastructure Services

Agree with the recommendations.

6.6.4 Director: Corporate Services

Agree with the recommendations.

6.6.5 Director: Planning and Economic Development

Agree with the recommendations.

6.6.6 Comments from the Municipal Manager

Agree with the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 6.3

- (a) that the Revised TL SDBIP 2020/21 be approved;
- (b) that the Revised TL SDBIP 2020/21 be published on the Municipal Website; and
- (c) that the Revised TL SDBIP 2020/21 be submitted to:
 - (i) Internal Audit Unit (for notification);
 - (ii) Department of Local Government: Western Cape;
 - (iii) Provincial Treasury: Western Cape;
 - (iv) Auditor General of South Africa; and
 - (v) National Treasury.

ANNEXURES**Annexure A:** Revised Top Layer Service Delivery and Budget Implementation Plan 2020/21**FOR FURTHER DETAILS CONTACT:**

NAME	Gurswin Cain
POSITION	Manager: IDP/PMS/PP
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8174
E-MAIL ADDRESS	Gurswin.Cain@stellenbosch.gov.za
REPORT DATE	12 January 2021

ANNEXURE A



STELLENBOSCH

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REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2020/21

(January 2021)

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1. MUNICIPAL MANAGER'S QUALITY CERTIFICATE

I, Geraldine Mettler, the Municipal Manager of the Stellenbosch Municipality, submits the Final Revised Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) for the 2020/21 financial year for approval by the Executive Mayor. This Revised TL SDBIP 2020/21 has been prepared in terms of the stipulated requirements as documented in the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and regulations made under this Act.

GERALDINE METTLER
MUNICIPAL MANAGER

Date: _____

2. EXECUTIVE MAYOR'S CERTIFICATE OF APPROVAL

I, Gesie Van Deventer, in my capacity as the Executive Mayor of the Stellenbosch Municipality, hereby approves the Final Revised Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) for the 2020/21 financial year as required in terms of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and regulations made under this Act.

CLLR ADV GESIE VAN DEVENTER
EXECUTIVE MAYOR

Date: _____

3. IMPLEMENTATION, MONITORING AND REVIEW – ONE YEAR

The Local Government: Municipal Finance Management, 2003 (Act No. 56 of 2003) (MFMA) requires that municipalities prepare a Service Delivery and Budget Implementation Plan (SDBIP) as a strategic financial management tool to ensure that budgetary decisions that are adopted by municipalities for the financial year are aligned with their strategic planning tool, the Integrated Development Plan (IDP). The SDBIP is a contract between Council, administration and the community. It gives effect to the IDP and budget of the municipality.

The municipal budget shall give effect to the Strategic Focus Areas as contained in the IDP. The Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) shall contain details on the execution of the budget and information on programmes and projects. Quarterly, half-yearly and annual performance reports must also be submitted to Council as a means to monitor the implementation of the predetermined objectives as contained in the IDP.

The SDBIP is a one – year detailed implementation plan which gives effect to the IDP and Budget of the Municipality. It is a contract between the administration, Council and community expressing the goals and objectives set by Council as quantifiable outcomes that can be implemented by the administration over the next twelve months. This provides the basis of measuring the performance in service delivery against end year targets and implementing budget.

Indicators developed for the Stellenbosch Municipality addresses the Strategic Focus Areas of the Municipality. The Municipality utilises the one-year TL SDBIP to ensure that it delivers of its service delivery mandate by indicating clear indicators and targets. These indicators also forms the basis of the performance plans of the Directors, hence, the Directors are being evaluated on the approved TL SDBIP indicators.

The five necessary components are:

1. Monthly projections of revenue to be collected for each month;
2. Monthly projections of expenditure (operating and capital) and revenue for each vote;
3. Quarterly projections of service delivery targets and performance indicators;
4. Ward information for expenditure and service delivery; and
5. Detailed capital works plan broken down by ward over three years.

4. FINAL REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2020/21: PER STRATEGIC FOCUS AREA (SFA)

4.1 SFA 1 - VALLEY OF POSSIBILITY

SFA 1 – Valley of Possibility															
IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI007	TL58	Planning and Economic Development	The number of jobs created through the Municipality's local economic development initiatives including capital projects (NKPI Proxy - MSA, Reg. S10(d))	Number of job opportunities created through the Municipality's local economic development initiatives including capital projects by 30 June	Programme	All	1 300 per annum	153.10	1 300 job opportunities created through the Municipality's local economic development initiatives including capital projects by 30 June	400 (400)	900 (900)	1 100 (1 100)	1 300 (1 300)	EPWP reporting system	Outcome
KPI008	TL59	Planning and Economic Development	Land-use applications considered by the Municipal Planning Tribunal within 120 days from a complete land-use application	Percentage of land-use applications considered by the Municipal Planning Tribunal within 120 days after a complete land-use application	Programme	All	90% per annum	40%	90% of land-use applications considered by the Municipal Planning Tribunal within 120 days after a complete land-use application	90%	90%	90%	90%	Minutes of the MPT Meeting	Outcome
KPI009	TL60	Planning and Economic Development	Training opportunities provided for entrepreneurs and Small, Medium and Micro Enterprises (SMMEs)	Number of quarterly training opportunities provided for entrepreneurs and SMMEs	Programme	All	4 per annum	5	4 quarterly training opportunities provided for entrepreneurs and SMMEs	1 (1)	1 (2)	1 (3)	1 (4)	Attendance Registers	Output
KPI012	TL61	Planning and Economic Development	Revised Housing Pipeline (document) submitted to the Mayoral Committee (MayCo)	Number of Revised Housing Pipelines (documents) submitted to the MayCo by 31 May March	Programme	All	1 per annum	1	1 Revised Housing Pipeline (document) submitted to the MayCo by 31 May March	N/A	N/A	N/A 1	1 N/A	Proof of submission of the Revised Housing Pipeline (document) to the MayCo	Output

SFA 1 – Valley of Possibility															
IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI080	TL62	Planning and Economic Development	Submission of Tourism Strategic Plan to the Municipal Manager	Number of Tourism Strategic Plans submitted to the Municipal Manager by 30 June November	Key Initiative	All	1 per annum	New KPI	1 Tourism Strategic Plan submitted to the Municipal Manager by 30 June November	N/A	N/A 1	N/A	1 N/A	Proof of submission of the Tourism Strategic Plan to the Municipal Manager	Output

4.2 SFA 2 - GREEN AND SUSTAINABLE VALLEY

SFA 2 - Green and Sustainable Valley															
IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		

SFA 2 - Green and Sustainable Valley

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI016	TL64	Infrastructure Services	Conduct an external audit of the Stellenbosch Municipality Waste Disposal Facilities	Number of external audits of the Stellenbosch Municipality Waste Disposal Facilities conducted by 30 June	Programme	All	1 per annum	1	1 external audit of the Stellenbosch Municipality Waste Disposal Facilities conducted by 30 June	N/A	N/A	N/A	1	Audit report	Output
KPI073	TL65	Infrastructure Services	Implementation of identified waste minimisation projects	Number of identified waste minimisation projects implemented by 30 June	Key Initiative	All	2 per annum	New KPI	2 identified waste minimisation projects implemented by 30 June	N/A	N/A	N/A 1 (+)	2 1 (2)	Waste minimisation report submitted to the Municipal Manager	Output
KPI018	TL63	Planning and Economic Development	Building plan applications processed within 30 days	Percentage of building plan applications of <500sqm processed within 30 days after date of receipt	Programme	All	90% per annum	76.29%	80% 90% of building plan applications of <500sqm processed within 30 days after date of receipt	80% 90%	80% 90%	80% 90%	80% 90%	Building plan application register	Outcome
KPI019	TL66	Infrastructure Services	Waste water quality managed and measured to the <u>Department of Water and Sanitation's License Conditions for SANS Accreditation</u> physical and micro parameters	Percentage waste water quality compliance as per analysis certificate, measured quarterly by <u>30 June</u>	Programme	All	80% per annum	72.72%	70% 80% waste water quality compliance as per analysis certificate measured by 30 June	70% N/A	70% N/A	70% N/A	70% 80%	Report submitted by the service provider and report from GDS system	Outcome
KPI078	TL52	Corporate Services	Submission of the Revised Facility Management Plan to the MayCo	Number of Revised Facility Management Plans submitted to the MayCo by 31 May	Programme	All	1 per annum	New KPI	1 Revised Facility Management Plan submitted to the MayCo by 31 May	N/A	N/A	N/A	1	Proof of submission of the Revised Facility Management Plan to the MayCo	Output

SFA 2 - Green and Sustainable Valley

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI081	TL67	Infrastructure Services	Reduce organic waste	Percentage of organic waste reduced by 30 June	Programme	All	20%	New KPI	20% of organic waste reduced by 30 June	N/A	N/A	N/A	20%	Weighbridge data and monthly progress reports	Outcome
KPI082	TL68	Infrastructure Services	Submission of an Integrated Waste Management Plan to the MayCo	Number of Integrated Waste Management Plans submitted to the MayCo by 31 March	Key Initiative	All	1 per annum	New KPI	1 Integrated Waste Management Plan submitted to the MayCo by 31 March	N/A	N/A	1	N/A	Proof of submission of the Integrated Waste Management Plan to the MayCo	Output

4.3 SFA 3 - SAFE VALLEY

SFA 3 - Safe Valley

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21	POE	Delivery Indicator
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								2018/19)		Q1	Q2	Q3	Q4		
KPI025	TL49	Community and Protection Services	Revised Disaster Management Plan submitted to the Municipal Manager	Number of Revised Disaster Management Plans submitted to the Municipal Manager by 31 March	Programme	All	1 per annum	1	1 Revised Disaster Management Plan submitted to the Municipal Manager by 31 March	N/A	N/A	1	N/A	Proof of submission of the Disaster Management Plan to the Municipal Manager	Output
KPI026	TL50	Community and Protection Services	Revised Safety and Security Strategy submitted to the Municipal Manager	Number of Revised Safety and Security Strategies submitted to the Municipal Manager by 31 March	Programme	All	1 per annum	1	1 Revised Safety and Security Strategy submitted to the Municipal Manager by 31 March	N/A	N/A	1	N/A	Proof of submission of the Revised Safety and Security Strategy to the Municipal Manager	Output
KPI027	TL51	Community and Protection Services	Revised Traffic Management Plan submitted to the Municipal Manager	Number of Revised Traffic Management Plans submitted to the Municipal Manager by 28 February	Programme	All	1 per annum	New KPI	1 Revised Traffic Management Plan submitted to the Municipal Manager by 28 February	N/A	N/A	1	N/A	Proof of submission of the Revised Traffic Management Plan to the Municipal Manager	Output

4.4 SFA 4 - DIGNIFIED LIVING

SFA 4 - Dignified Living

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		

SFA 4 - Dignified Living

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI037	TL69	Infrastructure Services	Provision of waterborne toilet facilities <u>in informal settlements as identified by the Department: Integrated Human Settlements</u>	Number of waterborne toilet facilities provided <u>in Informal settlements as identified by the Department: Integrated Human Settlements</u> by 30 June	Programme	All	50 per annum	69	50 waterborne toilet facilities provided <u>in informal settlements as identified by the Department: Integrated Human Settlements</u> by 30 June	N/A	20 (20)	N/A	50 (50)	Completion certificates / <u>Formal request by the Department: Integrated Human Settlements (IHS)</u>	Output
KPI039	TL74	Financial Services	Registered indigent formal households with access to free basic water (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage registered indigent formal households with access to free basic water, measured quarterly	Programme	All	100% per annum	100%	100% of registered indigent formal households with access to free basic water, measured quarterly	100%	100%	100%	100%	Indigent Register	Outcome
KPI040	TL70	Infrastructure Services	Limit unaccounted electricity to less than 9% annually {(Number of Electricity Units Purchased and/or Generated - Number of Electricity Units Sold(incl. Free basic electricity)) / Number of Electricity Units Purchased and/or Generated} x 100}	Percentage average electricity losses measured by 30 June	Programme	All	<9% per annum	7.55%	<9% average electricity losses measured by 30 June	N/A	N/A	N/A	<9%	Monthly Eskom Accounts and Vending Reports from service provider and Notes to the AFS and monthly and annual Consumption reports generated by the Finance Department	Outcome
KPI041	TL71	Infrastructure Services	Water quality managed and measured quarterly to the SANS 241 physical and micro parameters	Percentage water quality level as per analysis certificate measured quarterly	Programme	All	90% per annum	99.90%	90% water quality level as per analysis certificate measured quarterly	90%	90%	90%	90%	Quarterly Supply System Drinking Water Quality Report - DWA Blue Drop System (BDS)	Outcome
KPI042	TL72	Infrastructure Services	Limit unaccounted water to less than 25%	Average percentage water losses measured by 30 June	Programme	All	<25% per annum	28%	<25% average percentage water losses measured by 30 June	<25% N/A	<25% N/A	<25% N/A	<25%	Quarterly water balance sheet and Monthly Consumption Report	Outcome

SFA 4 - Dignified Living

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI043	TL75	Financial Services	Registered indigent formal households with access to free basic electricity provided by the Municipality (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic electricity provided by the Municipality, measured quarterly	Programme	All	65% per annum	71%	65% of registered indigent formal households with access to free basic electricity provided by the Municipality, measured quarterly	65%	65%	65%	65%	Prepaid Electricity Service Provider Report	Output
KPI044	TL76	Financial Services	Registered indigent formal households with access to free basic refuse removal (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic refuse removal, measured quarterly	Programme	All	100% per annum	100%	100% of registered indigent formal households with access to free basic refuse removal, measured quarterly	100%	100%	100%	100%	Indigent Register	Output
KPI045	TL77	Financial Services	Registered indigent formal households with access to free basic sanitation (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic sanitation, measured quarterly	Programme	All	100% per annum	100%	100% of registered indigent formal households with access to free basic sanitation, measured quarterly	100%	100%	100%	100%	Indigent Register	Output
KPI074	TL78	Financial Services	Formal households with access to water (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to water, measured quarterly	Programme	All	26 500 per annum	26 088	25 500 26 500 formal households with access to water, measured quarterly	<u>25 500</u> 26 500	<u>25 500</u> 26 500	<u>25 500</u> 26 500	<u>25 500</u> 26 500	ValuProp report	Output
KPI075	TL79	Financial Services	Formal households with access to electricity (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to electricity, measured quarterly	Programme	All	24 000 per annum	26 088	24 000 formal households with access to electricity, measured quarterly	24 000	24 000	24 000	24 000	ltron management report	Output
KPI076	TL80	Financial Services	Formal households with access to refuse removal (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to refuse removal, measured quarterly	Programme	All	26 500 per annum	26 088	25 500 26 500 formal households with access to refuse removal, measured quarterly	<u>25 500</u> 26 500	<u>25 500</u> 26 500	<u>25 500</u> 26 500	<u>25 500</u> 26 500	ValuProp report	Output

SFA 4 - Dignified Living

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI077	TL81	Financial Services	Formal households with access to sanitation (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to sanitation, measured quarterly	Programme	All	26 500 per annum	26 088	25 500 26 500 formal households with access to sanitation, measured quarterly	25 500 26 500	25 500 26 500	25 500 26 500	25 500 26 500	ValuProp report	Output

4.5 SFA 5 - GOOD GOVERNANCE AND COMPLIANCE

SFA 5 - Good Governance and Compliance

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI055	TL82	Financial Services	Financial viability measured in terms of the available cash to cover fixed operating expenditure (NKPI Proxy - MSA, Reg. S10(g)(iii))	Cost coverage as at 30 June annually [(Cash and Cash Equivalents - Unspent Conditional Grants - Overdraft) + Short Term Investment) / Monthly Fixed Operational Expenditure excluding (Depreciation)	Programme	All	4 per annum	4.7	4 (months)	N/A	N/A	N/A	4 (months)	Financial Statements	Outcome

SFA 5 - Good Governance and Compliance

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI056	TL83	Financial Services	Achieve an average payment percentage of 96% by 30 June (Gross Debtors Opening Balance + Billed Revenue - Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100	(Gross Debtors Opening Balance + Billed Revenue - Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100	Programme	All	96% per annum	100.24%	96%	N/A	N/A	N/A	96%	Debtors transaction summary: BS-Q909E extract generated from the Samras Financial System	Outcome
KPI057	TL84	Financial Services	Actual expenditure on the approved Capital Budget for the Municipality by 30 June (NKPI - MSA, Reg. S10(c))	Percentage of approved Capital Budget for the Municipality actually spent by 30 June	Programme	All	90% per annum	87.82%	90% of approved Capital Budget for the Municipality actually spent by 30 June	10%	30%	60%	90%	Report from the financial system	Input
KPI058	TL43	Office of the Municipal Manager	Employment equity appointments made within the financial year in the three highest levels of management	Percentage of employment equity appointments made within the financial year in the three highest levels of management, measured by 30 June	Programme	All	75% per annum	33%	75% of employment equity appointments made within the financial year in the three highest levels of management, measured by 30 June	N/A	N/A	N/A	75%	Employment Equity Report	Outcome
KPI059	TL53	Corporate Services	The percentage of actual payroll budget spent on implementing the Municipal Workplace Skills Plan (NKPI Proxy- MSA, Reg. S10(f))	Percentage of municipality's payroll budget actually spent on implementing its Workplace Skills Plan ((Total Actual Training Expenditure/ Total Annual payroll Budget) x100), measured by 30 June	Programme	All	0.58% per annum	0.43%	0.58% of Municipality's payroll budget actually spent on implementing its workplace skills plan, measured by 30 June	N/A	N/A	N/A	0.58%	Report from the financial system	Input

SFA 5 - Good Governance and Compliance

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI060	TL85	Financial Services	Financial viability measured in terms of the Municipality's ability to meet its service debt obligations (NKPI Proxy - MSA, Reg. S10(g)(i))	Debt coverage ratio ((Total operating revenue - operating grants received) / (Debt service payments due within the year)) measured by 30 June	Programme	All	15% per annum	43.3%	15%	N/A	N/A	N/A	15%	Annual Financial Statements, supported by figures as per the SAMRAS financial system	Outcome
KPI061	TL86	Financial Services	Financial viability measured in terms of the outstanding service debtors (NKPI Proxy - MSA, Reg. S10(g)(ii))	Service debtors to revenue ratio – (Total outstanding service debtors / revenue received for services) measured by 30 June	Programme	All	27% per annum	20%	27%	N/A	N/A	N/A	27%	Annual Financial Statements, supported by figures as per the SAMRAS financial system	Outcome
KPI062	TL44	Office of the Municipal Manager	Revised Risk-Based Audit Plan (RBAP) submitted to the Audit Committee	Number of Revised RBAPs submitted to the Audit Committee by 30 June	Programme	All	1 per annum	1	1 Revised RBAP submitted to the Audit Committee by 30 June	N/A	N/A	N/A	1	Proof of submission of the RBAP to the Audit Committee	Output
KPI063	TL45	Office of the Municipal Manager	<u>AGSA</u> Audit Action Plan (AAP) submitted to the Audit Committee	Number of <u>AGSA</u> Audit Action Plans submitted to the Audit Committee by 28 February	Programme	All	1 per annum	1	1 <u>AGSA</u> Audit Action Plan submitted to the Audit Committee by 28 February	N/A	N/A	1	N/A	Proof of submission of the <u>AGSA</u> AAP to the Audit Committee	Output
KPI064	TL46	Office of the Municipal Manager	Revised Strategic Risk Register (SRR) submitted to the Risk Management Committee	Number of Revised Strategic Risk Registers submitted to the Risk Management Committee by 30 June	Programme	All	1 per annum	1	1 Revised Strategic Risk Register submitted to the Risk Management Committee by 30 June	N/A	N/A	N/A	1	Proof of submission of the SRR to the Risk Management Committee	Output
KPI065	TL54	Corporate Services	Revised Information and Communication Technology (ICT) Backup Disaster Recovery Plan submitted to the ICT Steering Committee	Number of Revised ICT Backup Disaster Recovery Plans submitted to the ICT Steering Committee by 31 March	Programme	All	1 per annum	1	1 Revised ICT Backup Disaster Recovery Plan submitted to the ICT Steering Committee by 31 March	N/A	N/A	1	N/A	Proof of submission of the Revised ICT Backup Disaster Recovery Plan to the ICT Steering Committee	Output

SFA 5 - Good Governance and Compliance

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI066	TL55	Corporate Services	Revised Strategic ICT Plan submitted to the ICT Steering Committee	Number of Revised Strategic ICT Plans submitted to the ICT Steering Committee by 31 March	Programme	All	1 per annum	1	1 Revised Strategic ICT Plan submitted to the ICT Steering Committee by 31 March	N/A	N/A	1	N/A	Proof of submission of the Revised Strategic ICT Plan to the ICT Steering Committee	Output
KPI067	TL47	Office of the Municipal Manager	Draft Integrated Development Plan (IDP) submitted to Council	Number of Draft IDPs submitted to Council by 31 March	Programme	All	1 per annum	1	1 Draft IDP submitted to Council by 31 March	N/A	N/A	1	N/A	Proof of submission of the Draft IDP to Council	Output
KPI070	TL48	Office of the Municipal Manager	IDP / Budget / SDF time schedule (process plan) submitted to Council	Number of IDP / Budget / SDF time schedules (process plan) submitted to Council by 31 August	Programme	All	1 per annum	1	1 IDP / Budget / SDF time schedule (process plan) submitted to Council by 31 August	1	N/A	N/A	N/A	Proof of submission of the IDP / Budget / SDF time schedule (process plan) to Council	Output
KPI071	TL73	Infrastructure Services	Revised Electrical Master Plan submitted to Council	Number of Revised Electrical Master Plans submitted to Council by 30 June	Programme	All	1 per annum	1	1 Revised Electrical Master Plan submitted to Council by 30 June	N/A	N/A	N/A	1	Proof of submission of the Revised Electrical Master Plan to Council	Output
KPI072	TL56	Corporate Services	Submission of a Draft Smart City Framework to the MayCo	Number of Draft Smart City Frameworks submitted to the MayCo by 31 May	Key Initiative	All	1 per annum	New KPI	1 Draft Smart City Framework submitted to the MayCo by 31 December	N/A	N/A	N/A	1	Proof of submission of the Draft Smart City Framework to the MayCo	Output
KPI083	TL57	Corporate Services	Submission of a Cyber-attack Mitigation and Resilience Strategy to the Municipal Manager	Number of a Cyber-attack Mitigation and Resilience Strategies submitted to the Municipal Manager by 31 March 30 September	Key Initiative	All	1 per annum	New KPI	1 Cyber-attack Mitigation and Resilience Strategy submitted to the Municipal Manager by 31 March 30 September	N/A 1	N/A	1 N/A	N/A	Proof of submission of the Cyber-attack Mitigation and Resilience Strategy to the Municipal Manager	Output

SFA 5 - Good Governance and Compliance

IDP Ref No	TL Ref No	Directorate	Indicator (Activity/ Project/ Programme/ Key Initiative)	Unit of Measurement	Indicator Type	Wards	5 year target	Baseline (Actual result 2018/19)	Annual Target 2020/21	TOP LAYER: Service Delivery and Budget Implementation Plan (SDBIP) 2020/21				POE	Delivery Indicator
										Q1	Q2	Q3	Q4		
KPI084	New	Infrastructure Services	<u>Submission of the Revised Comprehensive Integrated Transport Plan (CTIP) to the MayCo</u>	<u>Number of Revised Comprehensive Integrated Transport Plans (CTIPs) submitted to the MayCo by 30 June</u>	Programme		<u>1 per annum</u>	<u>New KPI</u>	<u>1 Revised Comprehensive Integrated Transport Plan (CTIPs) submitted to the MayCo by 30 June</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>1</u>	<u>Proof of submission of the CTIP to the MayCo</u>	<u>Output</u>

8.4	MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2020/2021
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 January 2021 and 27 January 2021

1. SUBJECT: MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2020/2021

2. PURPOSE

To submit the Section 72 report (Mid-year Budget and Performance Assessment Report) to Council.

3. DELEGATED AUTHORITY

FOR NOTICE BY MUNICIPAL COUNCIL

In terms of Section 54 of the Municipal Finance Management Act (MFMA), 56 of 2003.

4. EXECUTIVE SUMMARY

This report provides the progress made by the Municipality in terms of the Service Delivery Budget and Implementation Plan (SDBIP) for the period 1 July 2020 to 31 December 2020.

5. RECOMMENDATIONS

- (a) that Council takes note of the report and more specifically the assessment and forecasts contained in the report;
- (b) that Council takes note that an Adjustments Budget will be tabled to Council as a result of the following:
 - i the appropriation of additional allocations received and increased realistically anticipated revenue during the financial year;
 - ii the reprioritization of projects in line with being completed by the communicated cut-off dates to facilitate year- end preparation;
- (c) that Council notes the performance of the Municipality against the set objectives contained in Section 2; and
- (d) that the Accounting Officer attends to ensuring that Directors put the necessary corrective measures in place to ensure that projects are managed proactively in a bid to ensure that Council meets its strategic objectives contained in the Service Delivery and Budget Implementation Plan and to report on same at the end of quarter.

6. DISCUSSION / CONTENTS

6.1 Background

In terms of the Municipal Finance Management Act (MFMA) Section 72(1) the Accounting Officer of the municipality must by 25 January each year assess:

-
- (a) the performance of the municipality during the first half of the financial year; taking into account the following:
 - (i) the monthly statements referred to in Section 71 for the first half of the financial year;
 - (ii) the municipality's service delivery performance during the first half of the financial year, and the service delivery targets and performance indicators set in the service delivery and budget implementation plan;
 - (iii) the past year's annual report, and progress on resolving problems identified in the annual report; and
 - (b) submit a report on such assessment to-
 - (i) the Mayor of the municipality;
 - (ii) the National Treasury; and
 - (iii) the relevant Provincial Treasury

Once the Mayor has considered the section 72 report, it must be submitted to Council by the 31st of January of each year in terms of section 54 (1) (f) of the MFMA.

The statements as referred to in section 71 (1) of the MFMA for the first half of the financial year, specifically the sixth month, is incorporated into the mid-year budget and performance assessment in accordance with section 72 (2) of the MFMA.

As part of the review in terms of Section 72 (3) the Accounting Officer must:

- (a) make recommendations on whether an adjustments budget is necessary; and
- (b) recommend revised projections for revenue and expenditure to the extent that this may be necessary.

6.2 Discussion

The Financial Mid-year Performance is reported on in **APPENDIX 1** (Section 1). This report encapsulates the performance of the first six months of the financial year and places emphasis on the positive as well as the areas of concern.

The condensed comparative statement report for operating revenue and operating expenditure for the period ending 31 December 2020 can be found in the budget performance analysis of the attached report. It should however be noted that the following services included in the Operating Revenue relate to actual levied amounts against consumer accounts and not actual cash received:

- Property Rates
- Property Rates-Penalties imposed and collection charges
- Service Charges
 - Electricity
 - Refuse Removal
 - Sewerage
 - Water
- Interest earned - Outstanding Debtors

It is important to note that in the past the following services were levied for the full year and minimal movement were seen for the rest of the financial year:

- Property Rates
- Refuse Removal
- Sewerage

Due to the implementation of mSCOA all services are levied on a monthly basis and consumers must apply if they want annual levies for above services.

An over performance has been noted for property rates revenue due to the change in the interim valuations done during the year which resulted in additional property rates revenue being billed. The budget will be increased with R6 000 000 during the Mid-year adjustment budget process

An under performance is noted for electricity revenue due to the noticeable decline in consumption. The service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. The budget will be reduced with R40 000 000 during the Mid-year adjustment budget process.

An under performance is noted for water revenue due to the noticeable decline in billed revenue. The decline is as a result of the utilization of alternative water sources such as water tanks and boreholes as well as the impact the COVID-19 pandemic has had on the local economy. The budget will be reduced with R20 000 000 during the Mid-year adjustment budget process.

An under performance is noted for sanitation revenue due to the noticeable decline in billed revenue. The municipality has re-assessed the sanitation revenue budget as the decline in the industrial waste water charges has negatively affected the revenue stream. The budget will be reduced with R10 000 000 during the Mid-year adjustment budget process.

An under performance is noted for interest earned – external investments. The decline in interest is mainly due to the COVID- 19 pandemic which resulted in the prime interest rate being reduced. This reduction has resulted in a significant decrease in our call accounts and primary bank account interest rates. Furthermore, we have received lower rates on offer from investing institutions than the previous financial year. The budget will be reduced with R15 000 000 during the Mid-year adjustment budget process.

An underperformance is noted for fines, penalties and collection charges. The budget will be reduced with R10 000 000 during the Mid-year Adjustment budget process.

The transfers and subsidies will be increased by R4 179 794 during the Mid-year Adjustment budget process due to the following;

- To account for the unspent grant balances as at 30 June 2020 in respect of the Cape Winelands Disaster Grant (R2 030 541) and the Development Bank of South Africa grant (R1 827 853).
- To account for the R376 000 Discretionary grant allocation from LGSETA.
- To account for the movement of R55 000 from the transfers and subsidies operational to the transfers and subsidies – capital in respect of the Library Services Conditional Grant.
- To account for the correction of a system error to the amount of R1000 in respect of the Financial Management Capacity Building Grant.

An under-performance is noted for employee-related costs. The under-spending is due to vacancies which have not yet been filled. Various advertisements for vacancies have been issued during the last quarter. The expenditure budget for this line item will have to be adjusted downwards with R40 235 278 during the Mid-year adjustment budget process.

An under-performance is noted for materials and bulk purchases. A decline in consumption has been noted, as indicated under Service charges - electricity revenue, which directly impacts the expenditure incurred on bulk purchases. This decline is largely due to the impact of COVID-19 on the local economy. A decline has also been noted for water purchases as alluded to under Service charges – water revenue on page 4 of the Mid-year Budget assessment report. The decline in consumption has necessitated a decrease of R28 000 000 which will be implemented during the Mid-year adjustment budget process.

An under-performance is noted for other materials. The under-performance is skewed as a result of the monthly projections which will be adjusted during the Mid-year adjustment budget process. The expenditure budget for this line item will be adjusted upwards with R1 794 218 during the Mid-year adjustment budget process due to additional procurement needs.

An under-performance is noted for contracted services. The under-performance is mainly due to slow project implementation for which remedial actions are in place. The budget will be increased with R30 800 319 due to unforeseen additional security services received from Engineering Directorate to secure 13 of their sites as well the additional land invasion monitoring at Watergang, Enkanini and Lanquedoc on a 24 hour basis will the funds not be sufficient to render these services until the end of June 2021. Additional funding has also been requested for road maintenance work.

An under-performance is noted for other expenditure. The under-performance is mainly due to seminars, conferences, workshop and events which could not be attended due to the COVID-19 lockdown regulations, the deferment of the operational cost: external audit fees as well as the skewed budget projections on certain items. Remedial actions are in place. Additional funding has however been requested due to operational pressure. The budget will be increased with R6 367 859 during the Mid-year adjustment budget process.

Mid-year Non-Financial Performance Assessment

Non-Financial Mid-year Performance is reported on in **APPENDIX 2** Section 2). It covers the overall performance of the Municipality on the Key Performance Indicators (KPI's) that are assessed in the period from 1 July 2019 to December 2019. The performance of the first six months of the financial year should be assessed and reported on in terms of Section 72 of the MFMA. This assessment must include the measurement of performance, the identification of corrective actions and recommendations for the adjustments of KPI's, if necessary.

6.3. Financial Implications

The financial implications of this report will be dealt with in the adjustments budget.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

The previous resolution relevant to this item was made on:

- 34th Council meeting, 29th January 2020, item 8.2.1.

6.7 Risk Implications

None

6.8 Comments from Senior Management:**6.8.1 Municipal Manager:**

Supported

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 6.5

- (a) that Council takes note of the report and more specifically the assessment and forecasts contained in the report;
- (b) that Council takes note that an Adjustments Budget will be tabled to Council as a result of the following:
 - i the appropriation of additional allocations received and increased realistically anticipated revenue during the financial year;
 - ii the reprioritization of projects in line with being completed by the communicated cut-off dates to facilitate year- end preparation;
- (c) that Council notes the performance of the Municipality against the set objectives contained in Section 2; and
- (d) that the Accounting Officer attends to ensuring that Directors put the necessary corrective measures in place to ensure that projects are managed proactively in a bid to ensure that Council meets its strategic objectives contained in the Service Delivery and Budget Implementation Plan and to report on same at the end of quarter.

ANNEXURES

Appendix 1: Financial Mid-year Performance

Appendix 2: Mid-year Non-Financial Performance Assessment

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	Chief Financial Officer
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 – 808 8528
E-MAIL ADDRESS	Kevin.Carolus@ Stellenbosch.gov.za
REPORT DATE	18 January 2021

APPENDIX 1



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Appendix 1

MID YEAR BUDGET AND PERFORMANCE ASSESSMENT

DECEMBER 2020



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BUDGET & FINANCIAL PERFORMANCE OF STELLENBOSCH MUNICIPALITY AS AT 31 DECEMBER 2020

1. PURPOSE

The mid-year report is used as a management tool to assess the Municipality's performance and financial position against the approved budget by analyzing trends and patterns for the first six months of the 2020/2021 financial year, with a view of giving effect to the Mayor and Council's oversight role and to recommend the need for an adjustment budget as envisaged by the Municipal Finance Management Act.

2. LEGISLATIVE BACKGROUND

In terms of Section 72 (1) (a) of the Local Government Municipal Finance Management Act No. 56 of 2003 (MFMA) the Accounting Officer must by the 25th of January of each year assess the performance of the Municipality during the first half of the financial year. A report on such assessment must then be submitted to the Mayor, Provincial Treasury and National Treasury in terms of Section 72 (1) (b) of the Act. Once the Mayor has considered the report in terms of Section 54 (1) (f) of the MFMA, she must table the report with recommendations to Council by 31 January of each year.

3. BUDGET PERFORMANCE ANALYSIS

3.1 Overview of Operating Revenue and Expenditure performance for the period July to December 2020.

Description	Adjusted Budget	Year-to-date Budget	Year-to-date Actual	Year-to-date Variance
Revenue By Source				
Property rates	392 239 042	196 119 522	232 726 387	18.67%
Service charges - electricity revenue	707 441 162	353 720 574	288 332 435	-18.49%
Service charges - water revenue	168 720 115	84 360 066	59 513 194	-29.45%
Service charges - sanitation revenue	118 311 571	59 155 782	46 814 139	-20.86%
Service charges - refuse revenue	78 304 939	39 152 472	41 259 677	5.38%
Rental of facilities and equipment	16 292 168	8 146 074	4 634 190	-43.11%
Interest earned - external investments	37 870 453	18 935 232	10 844 113	-42.73%
Interest earned - outstanding debtors	13 281 347	6 640 680	4 778 869	-28.04%
Fines, penalties and forfeits	140 880 961	70 440 486	38 991 383	-44.65%
Licences and permits	5 502 903	2 751 456	2 790 456	1.42%
Agency services	2 930 946	1 465 476	1 521 555	3.83%
Transfers and subsidies	198 258 760	99 129 336	142 392 370	43.64%
Other revenue	39 408 262	19 704 144	11 517 316	-41.55%
Gains on disposal of PPE	-	-	-	
Total Revenue (excluding capital transfers and contributions)	1 919 442 629	959 721 300	886 116 085	-7.67%

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

<u>Expenditure</u>	Adjusted Budget	Year-to-date Budget	Year-to-date Actual	Year-to-date Variance
Employee costs	577 905 299	288 952 716	274 300 708	-5.07%
Remuneration of Councillors	21 132 587	10 566 288	9 242 599	-12.53%
Depreciation & asset impairment	205 627 580	102 813 822	126 787	-99.88%
Finance charges	39 348 891	19 674 444	14 575 845	-25.91%
Materials and bulk purchases	523 682 801	262 314 592	214 421 244	-18.26%
Transfers and subsidies	11 072 999	6 784 016	9 182 608	35.36%
Other expenditure	528 384 848	261 362 989	138 065 365	-47.17%
Total Expenditure	1 907 155 005	952 468 867	659 915 155	-30.72%

Below follows a synopsis of significant revenue and expenditure variances:

Property Rates and Service Charges

Property rates, service charges refuse and sanitation are billed monthly. However some consumers applied to have their property rates and service charges billed annually.

Property Rates

The municipality has billed R36 606 865 more property rates than initially anticipated. This is due to the change in the interim valuations done during the year which resulted in additional property rates revenue being billed. The budget will be increased with R6 000 000 during the Mid-year adjustment budget process.

Service charges - electricity revenue

The municipality has billed R65 388 139 less electricity charges than initially anticipated. The largest under performance relates to the prepaid electricity usage (R17 486 291), Industrial consumption (R14 732 201), low usage during peak times reflected for the time of use tariffs (R24 905 932) and the Commercial users (R6 047 403). The billings reflect a decline of R28 638 538 in comparison with the same period last year. It is evident that this service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. The budget will be preliminary reduced with R40 000 000 during the Mid-year adjustment budget process.

Service charges - water revenue

The municipality has billed R24 846 872 less water charges than initially anticipated. This decline in billings is a result of the decrease in consumption. The categories reflecting the largest underperformance pertains to industrial water (R9 738 131) and the sale of conventional water (R13 287 058). An increase is anticipated over the summer months however it is envisaged that the municipality will not reach its adjusted budget of R168 720 115 if the current trend continues. The billings reflect a decline of R12 900 664 in comparison with the same period last year. It is evident that this service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. The budget will be preliminary reduced with R20 000 000 during the Mid-year adjustment budget process.

Service charges - sanitation revenue

The municipality has billed R12 341 644 less sanitation charges than initially anticipated. The largest under performance has been noted for the industrial waste water at R11 161 565. When taking into account the average monthly utilisation of the service, the risk exist that the municipality will only realise 79 per cent or R93 638 277 of its adjusted budget amount. This service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. The budget will be preliminary reduced with R10 000 000 during the Mid-year adjustment budget process.

Rental of facilities and equipment

An under performance was noted for rental on facilities and equipment to the amount of R3 511 884. The variance is mainly due to the housing rental units. The user department indicated that the occupants of the municipal rental units have been subject to affordability testing since October 2019 which resulted in a decline in rentals. The budget will be preliminary reduced with R5 700 000 during the Mid-year adjustment budget process.

Interest Earned- External Investments

An under performance was noted for interest earned – external investments to the amount of R8 091 119. The variance is mainly due to the COVID- 19 pandemic which resulted in the prime interest rate being reduced. This reduction has resulted in a significant decrease in our call accounts and primary bank account interest rates. Furthermore, we have received lower rates on offer from investing institutions than the previous financial year. The interest on the investment journal to the amount of R1 245 179 will be processed during January 2021, which will result in an improvement for the next reporting period. The budget will be preliminary reduced with R15 000 000 during the Mid-year adjustment budget process.

Fines, penalties and forfeits

An underperformance was noted to the amount of R31 449 103. The recognition of traffic fines in terms of iGRAP 1 will be done on a monthly basis, including journals that need to be processed on the financial system. The budget will however be reduced with R10 000 000 during the Mid-year Adjustment budget process.

Transfers and subsidies

The transfers and subsidies will be increased by R4 179 794 during the Mid-year Adjustment budget process due to the following;

- To account for the unspent grant balances as at 30 June 2020 in respect of the Cape Winelands Disaster Grant (R2 030 541) and the Development Bank of South Africa grant (R1 827 853).
- To account for the R376 000 Discretionary grant allocation from LGSETA.

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

- To account for the movement of R55 000 from the transfers and subsidies operational to the transfers and subsidies – capital in respect of the Library Services Conditional Grant.
- To account for the correction of a system error to the amount of R1000 in respect of the Financial Management Capacity Building Grant.

Other revenue

An under performance is noted for other revenue to the amount of R8 186 828. The budget will be increased with R4 197 382 during the Mid-year adjustment budget process. The decrease has been necessitated due to the following;

- The sales of goods and rendering of services: Parking Fees

The underperformance can mainly be attributed to no revenue being recognised in respect of parking fees. This is due to the fact that no parking marshals operated during levels 5-2 of the COVID-19 lockdown regulations. The budget will be reduced with R7 500 000 during the Mid-year adjustment budget process.

- The sales of goods and rendering of services: Development Charges

The revenue budget will be increased with R11 697 382 due to the change in accounting treatment for development charges. The municipality has previously accounted for Development Charges as Unspent Conditional Grants in terms of GRAP 23, Revenue from non-exchange transactions. The reasoning for this was the notion that Developers Charges would be utilised for the funding of future infrastructure requirements. With the revisiting of our application to GRAP and assessing our comparability and alignment to our neighbouring municipalities this accounting decision was revisited and motivated the need for change. Developers Contributions must be accounted for as Revenue from exchange transactions in terms of GRAP 9. Revenue must be recognised when Development charges are levied and a subsequent transfer done to the CRR for capital investment in municipal infrastructure.

Operating Expenditure

The expenditure to date reflects an under spending of R292 553 711 when comparing the financial performance of the first six months to the pro-rata budget.

It should be noted that three budget items reflected an under spending when compared to the year-to-date budget and is as follows:

- Employee costs: An under performance of R14 652 008 is noted against the year to date budget projections. The underspending is due to vacancies which have not yet been filled. Various advertisements for vacancies have been issued during the last quarter. The expenditure budget for this line item will have to be preliminary adjusted downwards with R40 235 278 during the Mid-year adjustment budget process.
- Remuneration of Councillors: An underperformance of R1 323 689 is noted against the year to date budget projections. This is largely due to the increase in councilor remuneration which will only be implemented during the end of quarter 3 of the 2020/21 financial year.
- Depreciation and asset impairment: An underperformance of R102 687 036 is noted against the year to date budget projections. The underperformance is skewed as a result of the monthly projections which will be adjusted during the Mid-year adjustment budget process.
- Finance charges: An underperformance of R5 098 599 is noted against the year to date budget projections. The underperformance is skewed as a result of the monthly projections which will be adjusted during the Mid-year adjustment budget process.
- Materials and Bulk purchases: An underperformance of R47 893 348 is noted for materials and bulk purchases. A decline in consumption has been noted, as indicated under Service charges - electricity revenue on page 4 of this report, which directly impacts the expenditure incurred on bulk purchases. This decline is largely due to the impact of COVID-19 on the local economy. Although it is envisaged that the demand for electricity will increase during the winter months, the budget will be preliminary decreased by R25 000 000 during the Mid-year adjustment budget process. A decline has also been noted for water purchases as alluded to under Service charges – water revenue on page 4 of this report. The decline in consumption has necessitated a preliminary decrease of R3 000 000 which will be implemented during the Mid-year adjustment budget process.
- Other materials: An under performance of R9 823 890 is noted against the year to date budget projections. The underperformance is skewed as a result of the monthly projections which will be adjusted during the Mid-year adjustment budget process. The expenditure budget for this line item will be adjusted upwards with

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

R1 794 218 during the Mid-year adjustment budget process due to additional procurement needs.

- Contracted Services: An under performance of R36 585 275 is noted against the year to date budget projections. The underperformance is due to the following;
 - Contractors:Prepaid Electricity Vendors: The user department planned to spend R4 884 672 of the adjusted budget. The year to date actual expenditure incurred amounted to R2 556 663. Orders amounting to R4 399 606 have been loaded on the financial system.
 - Outsourced Services:Refuse Removal (Landfill site): The user department planned to spend R7 200 000 of the adjusted budget. The year to date actual expenditure incurred amounted to R3 658 603. Orders to the amount of R9 621 409 have been loaded on the financial system. Invoices to the amount of R230 920 have been submitted for payment.
 - Contractors:Maintenance of Unspecified Assets (Sewerage Purification Stellenbosch): The user department planned to spend R4 167 228 of the adjusted budget. The year to date actual expenditure incurred amounted to R41 073. Orders to the amount of R8 080 184 have been loaded on the financial system.
 - Outsourced Services: Traffic Fines Management: The user department planned to spend R4 430 808 of the adjusted budget. The year to date actual expenditure incurred amounted to R3 478 575. The user department indicated that due to the COVID-19 lockdown regulations the enforcement of speed control was minimised. Drivers adjusted their driving speed due to the visibility of law enforcement officials. This resulted in less speed fines being issued which had a domino effect on the expenditure incurred to date.

The expenditure budget for this line item will be preliminary adjusted upwards with R30 800 319 due to the following;

- Outsourced Services: Security Services: A budget increase of R10 883 751 has been requested due to unforeseen additional security services received from Engineering Directorate to secure 13 of their sites as well the additional land invasion monitoring at Watergang, Nkanini and Lanquedoc on a 24 hour basis will the funds not be sufficient to render these services until the end of June 2021.
- Contractors:Maintenance of Unspecified Assets: A budget increase of R2 000 000 has been requested to continue with the maintenance of

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

roads. If no funds are allocated it will have an adverse effect on the implementation of maintenance work.

- Transfer Station Klappmuts: Outsourced Services: Refuse Removal: A budget increase of R5 000 000 has been requested for the transport and disposal of waste.
- Transfers and subsidies: An over performance of R2 398 592 is noted against the year to date budget projections. The underperformance is skewed as a result of the monthly projections which will be adjusted during the Mid-year adjustment budget process.
- Other expenditure: An underspending of R123 297 624 against a year to date budget of R261 362 989 has been noted. The underspending is largely due to the following;
 - Seminars, Conferences, Workshops and Events: National
The user department planned to spend R2 342 718 of the adjusted budget. The year to date actual expenditure incurred amounted to R1 424 690. The user department indicated that due to the COVID-19 lockdown regulations the conferences could not be attended. Plans are however in place to be rolled out for the 2021 calendar year.
 - Operational Cost: External Audit Fees
The user department planned to spend R3 562 134 of the adjusted budget. The year to date actual expenditure incurred amounted to R1 550 773. The Minister of Finance has issued Government Gazette number 851 which exempts municipalities in terms of S177 (1)(b) of the MFMA. The exemption relates to the adhering to the deadlines for the submission of the Annual Financial Statements, Annual reports and Oversight reports. Due to the municipality opting to take the exemption of 31 October 2020 the spending has been deferred.
 - Operational Cost: Bargaining Council
The user department planned to spend R 2 194 500 of the adjusted budget. No spending has been incurred to date. The user department indicated that it is an annual payment which is done during the last quarter of the financial year. The year-to-date budget projections will be amended during the Mid-year adjustment budget process.

Various other line items were also identified where additional funds are requested due to operational pressure. This will be addressed in the Mid-Year Adjustments Budget and

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

will result in an envisaged budget increase to the amount of R6 367 859 for other expenditure.

3.2 Overview of Capital Budget performance for the period July to December 2020

	Approved Adjustment Budget	Planned	Actuals	Variance (Planned vs Actuals)	Variance (Planned vs Actuals)%
Municipal Manager	40 000	9 500	16 381	6 881	72.43%
Planning & Development	16 367 078	8 283 114	752 338	-7 530 776	-90.92%
Community and Protection Services	48 316 949	19 804 960	9 435 350	-10 369 610	-52.36%
Infrastructure Services	344 670 420	155 512 362	78 505 495	-77 006 867	-49.52%
Strategic & Corporate Services	73 466 511	62 308 443	58 191 231	-4 117 212	-6.61%
Financial Services	850 000	450 000	110 497	-339 503	-75.45%
Grand Total	483 710 959	246 368 379	147 011 293	-99 357 086	-40.33%

Expenditure on the Capital Budget for the six months ended 31 December 2020 is R147 011 293 representing 30% capital spending performance measured against the total capital budget of R613 274 958 which is lower than the spending performance of 33% for the same period in December 2019.

Period	Dec-17	Dec-18	Dec-19	Dec-20
Total Capital Budget	535 057 640	587 748 280	613 274 958	483 710 958
Actual Spending	84 806 586	147 499 939	202 978 608	147 011 293
Spending Performance	15.85%	25.10%	33.10%	30.39%

This spending only represents actual payments, whilst orders for work still in progress amount to R135 179 825. Of concern is the fact that R181 918 075 worth of capital projects have not yet been provisionally committed. The capital budget will have to be adjusted to make the necessary amendments to various projects in order to accelerate progress on the priorities identified.

3.3 Financial performance analysis

3.3.1 Liquidity Analysis- Acid Test Ratio

The liquidity position of the municipality was 4.37:1 at 31 December 2019 and has regressed to 3.19:1 at 31 December 2020. This indicates that funding could be made available immediately to cover short-term commitments. The municipality is operating above the norm of 2:1.

3.3.2 Financial Performance – Net Operating Surplus Margin

The municipality's net operating surplus margin has remained stable indicated at 25.92 at 31 December 2019 to 25.53% at 31 December 2019. The positive ratio indicates that the municipality is able to generate a surplus which will assist to contribute towards its capital funding requirements and ensure sustainable service delivery.

3.3.3 Cost Coverage Ratio

The municipality's cost coverage ratio has decreased from 19 months at 31 December 2019 to 12 months at 31 December 2020. The ratio is above the norm of 1 to 3 months. This ratio indicates the municipality's ability to meet at least its monthly fixed operating commitments from cash and short-term investment without collecting any additional revenue, during that month.

3.3.4 Debtors collection rate

The debtors collection rate has decreased from 99.64% at 31 December 2019 to 96.95% at 31 December 2020. Cognisance should be taken that the percentages includes the collection of arrear debt. The municipality will continue to enforce strict credit control procedures to ensure an improvement is evident during the next 6 months of the current financial year. It is evident that the COVID-19 pandemic has had an adverse effect on the collection of debt due to the financial strain it has placed on the local economy.

3.3.5 Liability Management

3.3.5.1 Cost required to service borrowings

The municipality's cost required to service borrowings has decreased marginally from 4.55% at 31 December 2019 to 4.31% at 31 December 2020. The ratio depicts the borrowing or payment obligation expressed as a percentage of total operating expenditure. The municipality is well below the norm of 6% to 8%.

3.3.5.2 Affordability of total borrowings

The municipality's affordability of borrowings has decreased from 19.85% at 31 December 2019 to 17.02% year to date. The decline is largely due to the decrease in the budgeted operating revenue of R138 842 339. The municipality is however still well below the norm of 45% and has the capacity to increase funding from borrowings.

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3.4 Outstanding Debtors

Below is an analysis of the outstanding consumer debtors as at 31 December 2020 compared to the position as at 31 December 2019:

Debtors' Age Analysis as at 31 December 2020:

WC024 Stellenbosch - Supporting Table SC3 Monthly Budget Statement - aged debtors - Mid-Year Assessment													
Description	NT Code	Budget Year 2020/21										Actual Bad Debts Written Off against Debtors	Impairment - Bad Debts i.t.o Council Policy
		0-30 Days	31-60 Days	61-90 Days	91-120 Days	121-150 Dys	151-180 Dys	181 Dys-1 Yr	Over 1Yr	Total	Total over 90 days		
R thousands													
Debtors Age Analysis By Income Source													
Trade and Other Receivables from Exchange Transactions - Water	1200	13 849	3 600	3 977	2 770	78 566	-	-	-	102 762	81 336	-	-
Trade and Other Receivables from Exchange Transactions - Electricity	1300	33 037	1 800	1 978	1 844	11 211	-	-	-	49 871	13 056	-	-
Receivables from Non-exchange Transactions - Property Rates	1400	18 246	1 758	1 520	1 162	29 043	-	-	-	51 730	30 206	-	-
Receivables from Exchange Transactions - Waste Water Management	1500	6 807	937	990	1 000	20 735	-	-	-	30 468	21 734	-	-
Receivables from Exchange Transactions - Waste Management	1600	4 375	670	707	583	23 952	-	-	-	30 287	24 535	-	-
Receivables from Exchange Transactions - Property Rental Debtors	1700	729	174	177	170	9 073	-	-	-	10 323	9 242	-	-
Interest on Arrear Debtor Accounts	1810	-	-	-	-	-	-	-	-	-	-	-	-
Recoverable unauthorised, irregular, fruitless and wasteful expenditure	1820	-	-	-	-	-	-	-	-	-	-	-	-
Other	1900	742	309	409	305	9 893	-	-	-	11 659	10 198	-	-
Total By Income Source	2000	77 786	9 248	9 758	7 833	182 473	-	-	-	287 099	190 307	-	-
2019/20 - totals only													
Debtors Age Analysis By Customer Group													
Organs of State	2200	4 471	1 593	1 858	1 771	3 374	-	-	-	13 067	5 144	-	-
Commercial	2300	13 462	262	246	267	15 981	-	-	-	30 218	16 247	-	-
Households	2400	46 438	6 584	6 860	4 981	139 927	-	-	-	204 791	144 908	-	-
Other	2500	13 414	810	793	815	23 192	-	-	-	39 024	24 007	-	-
Total By Customer Group	2600	77 786	9 248	9 758	7 833	182 473	-	-	-	287 099	190 307	-	-

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

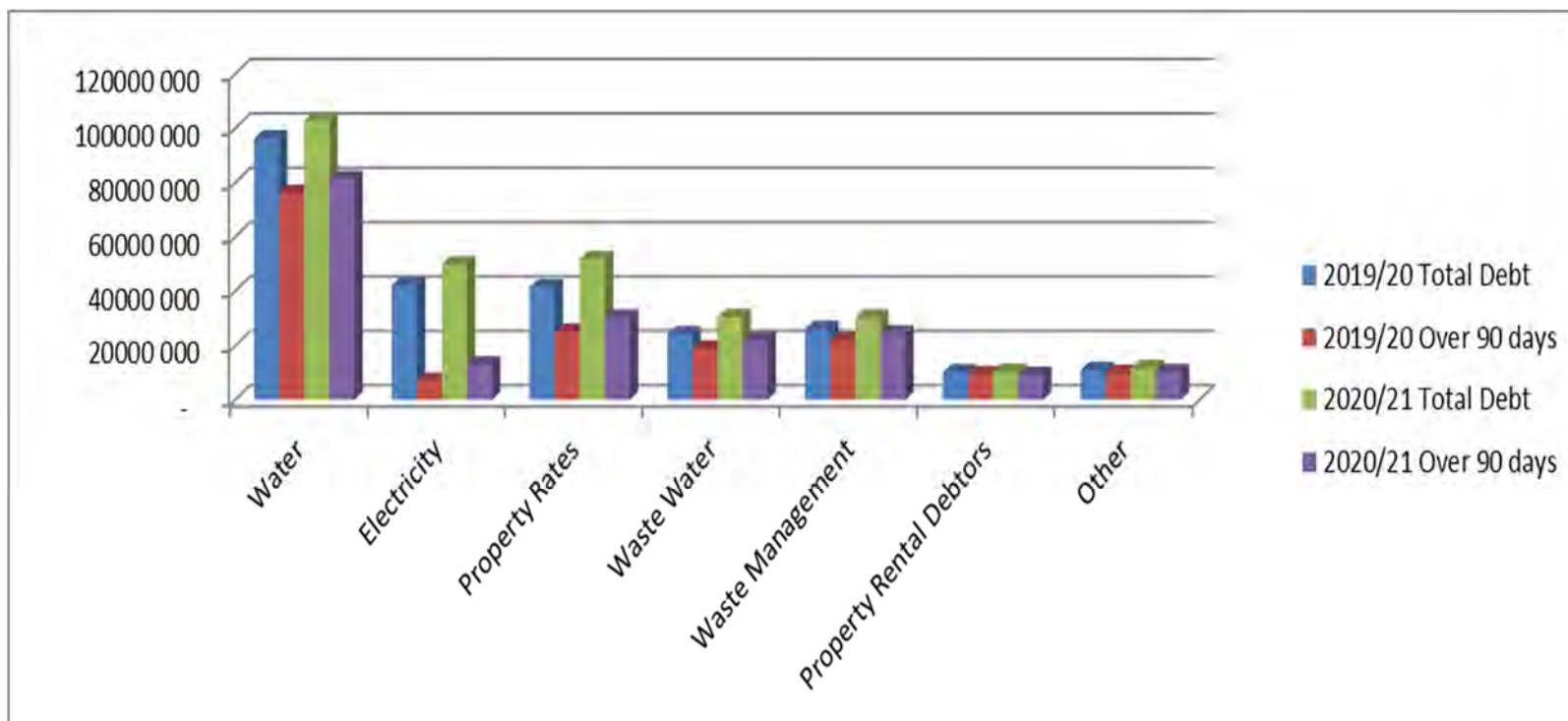
Debtors' Age Analysis as at 31 December 2019:

WC024 Stellenbosch - Supporting Table SC3 Monthly Budget Statement - aged debtors - Mid-Year Assessment

Description	NT Code	Budget Year 2019/20										Actual Bad Debts Written Off against Debtors	Impairment - Bad Debts i.t.o Council Policy
		0-30 Days	31-60 Days	61-90 Days	91-120 Days	121-150 Dys	151-180 Dys	181 Dys-1 Yr	Over 1Yr	Total	Total over 90 days		
R thousands													
Debtors Age Analysis By Income Source													
Trade and Other Receivables from Exchange Transactions - Water	1200	15 537	2 276	2 147	1 534	74 730	-	-	-	96 225	76 265	-	-
Trade and Other Receivables from Exchange Transactions - Electricity	1300	33 171	876	1 022	526	6 590	-	-	-	42 186	7 116	-	-
Receivables from Non-exchange Transactions - Property Rates	1400	14 840	859	658	574	24 483	-	-	-	41 414	25 057	-	-
Receivables from Exchange Transactions - Waste Water Management	1500	4 571	427	366	353	18 485	-	-	-	24 203	18 838	-	-
Receivables from Exchange Transactions - Waste Management	1600	3 406	498	453	425	21 342	-	-	-	26 124	21 767	-	-
Receivables from Exchange Transactions - Property Rental Debtors	1700	383	151	119	120	9 332	-	-	-	10 105	9 451	-	-
Interest on Arrear Debtor Accounts	1810	-	-	-	-	-	-	-	-	-	-	-	-
Recoverable unauthorised, irregular, fruitless and wasteful expenditure	1820	-	-	-	-	-	-	-	-	-	-	-	-
Other	1900	692	196	163	274	9 654	-	-	-	10 979	9 927	-	-
Total By Income Source	2000	72 601	5 284	4 930	3 806	164 615	-	-	-	251 236	168 421	-	-
2018/19 - totals only													
Debtors Age Analysis By Customer Group													
Organs of State	2200	2 002	79	42	23	786	-	-	-	2 932	809	-	-
Commercial	2300	13 211	146	92	163	13 389	-	-	-	27 000	13 552	-	-
Households	2400	39 181	4 192	3 781	2 980	130 620	-	-	-	180 754	133 600	-	-
Other	2500	18 207	867	1 015	640	19 821	-	-	-	40 550	20 461	-	-
Total By Customer Group	2600	72 601	5 284	4 930	3 806	164 615	-	-	-	251 236	168 421	-	-

The abovementioned data set indicates that consumer debt increased by R35 863 042 from December 2019 to December 2020. The increase is mainly due to the property rates debt increase of R10 315 415. Debtors over 90 days have increased with R21 885 520 over same period. The largest part of the increase in overdue debt relates to electricity (R5 939 941 or 27%)

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Subsidies and Rebates:

Number of registered indigent families 31 December 2019: 17 988

Formal Indigents: 6 941
 Informal Indigents: 11 047

Number of registered indigent families 31 December 2020: 17 576

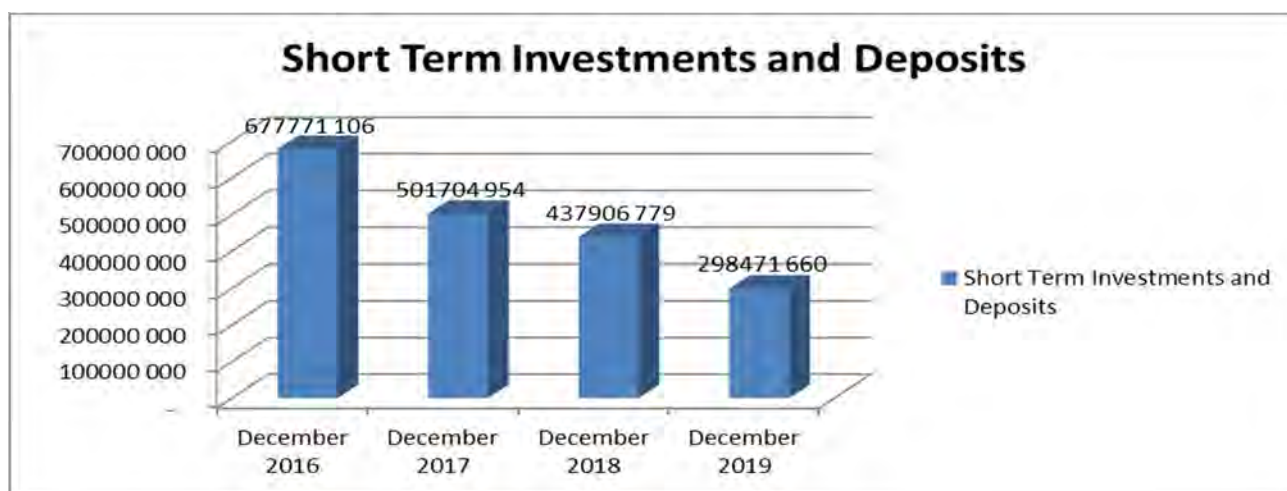
Formal Indigents: 7 174
 Informal Indigents: 10 402

The informal indigent households have increased by 233 households due to an increase in applications received. The municipality continuously ensures that there is increased community awareness regarding indigent applications and rebates available. An overall decrease of 412 indigent households has been noted from December 2019 to December 2020.

3.5 Investments

The investment portfolio decreased from R437 906 779 as at 31 December 2019 to R298 471 660 million at 31 December 2020.

Description	Dec-17	Dec-18	Dec-19	Dec-20	%Decrease
Short Term Investments and Deposits	677 771 106	501 704 954	437 906 779	298 471 660	-31.84%

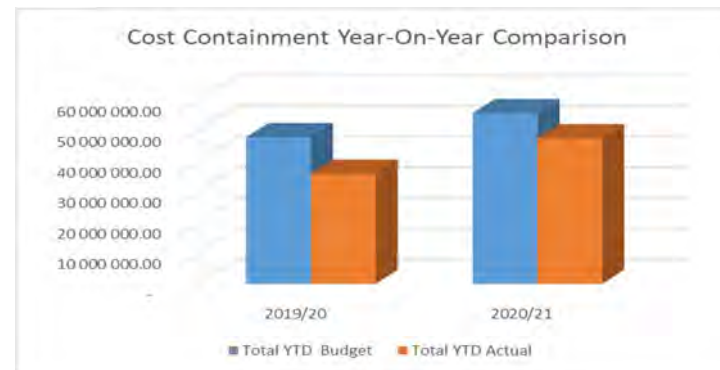


The decline in the investments portfolio is due to the COVID- 19 pandemic which resulted in the prime interest rate being reduced. This reduction has resulted in a significant decrease in our call accounts and primary bank account interest rates. Furthermore, we have received lower rates on offer from investing institutions than the previous financial year.

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

3.6 Cost Containment Reporting

Measures	COST CONTAINMENT REPORTING							
	31-Dec-20				31-Dec-19			
	Amended Budget	Total YTD Budget	Total YTD Actual	Saving/ (Over spending)	Amended Budget	Total YTD Budget	Total YTD Actual	Saving/ (Over spending)
Use of consultants	40 566 309.00	19 783 462.00	15 653 373.62	4 130 088.38	51 843 383.00	15 886 403.00	8 344 304.71	7 542 098.29
Vehicles used for political office -bearers	-	-	-	-	-	-	-	-
Accommodation, Travel and Incidental costs	20 969 322.00	10 484 700.00	6 767 267.58	3 717 432.42	18 991 990.00	9 075 873.00	6 871 262.77	2 204 610.23
Sponsorships, events and catering	2 683 816.00	1 342 908.00	884 959.76	457 948.24	3 056 647.00	1 593 604.00	1 157 344.84	436 259.16
Communication	7 795 749.00	4 216 378.00	3 870 435.76	345 942.24	7 349 438.00	3 348 984.00	2 511 057.72	837 926.28
Other related expenditure items	39 957 018.00	19 978 524.00	20 405 100.47	- 426 576.47	36 710 519.00	18 034 240.00	17 133 283.85	900 956.15
Grand Total	111 972 214.00	55 805 972.00	47 581 137.19	8 224 834.81	117 951 977.00	47 939 104.00	36 017 253.89	11 921 850.11



Description	2019/20	2020/21
Total YTD Budget	47 939 104.00	55 805 972.00
Total YTD Actual	36 017 253.89	47 581 137.19

The municipality has implemented the Cost Containment policy as from 1 October 2019. The purpose of the policy is to regulate spending and to implement cost containment measures at Stellenbosch Local Municipality. As depicted above the municipality has achieved a saving of R8 224 835 when compared to the year-to-date budget projections at the end of December 2020. The year-on-year comparison however depicts an increase of R11 563 883 when compared to December 2019. The largest increase can be

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

attributed to the use of consultants (R7 309 069 or 88%). It should however be noted that the municipality has decreased the overall budget on the cost containment items reflected above by R5 979 763 or 5%.

Item for report	Description	31-Dec-20				31-Dec-19			
		Amended Budget	YTD		Saving/ (Overspending)	Amended Budget	YTD		Saving/ (Overspending)
			Total YTD Budget	Total YTD Actual			Total YTD Budget	Total YTD Actual	
Use of consultants	Business and Advisory:Accounting and Auditing	47 025.00	23 514.00	-	23 514.00	50 000.00	24 996.00	-	24 996.00
	Business and Advisory:Audit Committee	1 093 301.00	546 654.00	141 750.00	404 904.00	954 529.00	384 294.00	166 259.56	218 034.44
	Business and Advisory:Business and Financial Manag	7 019 739.00	3 509 874.00	2 050 471.02	1 459 402.98	12 794 685.00	2 420 969.00	4 287 319.34	1 866 350.34
	Business and Advisory:Commissions and Committees	-	-	-	-	-	60 516.00	-	60 516.00
	Business and Advisory:Communications	8 100.00	4 050.00	-	4 050.00	8 000.00	64 512.00	-	64 512.00
	Business and Advisory:Human Resources	306 274.00	153 138.00	39 930.30	113 207.70	559 627.00	196 505.00	26 652.68	169 852.32
	Business and Advisory:Occupational Health and Safe	52 470.00	26 238.00	-	26 238.00	55 000.00	19 313.00	-	19 313.00
	Business and Advisory:Organisational	315 468.00	157 734.00	-	157 734.00	1 123 292.00	412 445.00	-	412 445.00
	Business and Advisory:Project Management	12 830 859.00	5 630 520.00	6 183 104.38	552 584.38	13 178 439.00	1 776 356.00	295 035.22	1 481 320.78
	Business and Advisory:Research and Advisory	1 290 381.00	645 192.00	33 187.65	612 004.35	1 089 187.00	580 327.00	151 906.89	428 420.11
	Business and Advisory:Qualification Verification	-	-	-	-	-	60 516.00	-	60 516.00
	Business and Advisory:Quality Control	-	-	-	-	-	60 516.00	-	60 516.00
	Business and Advisory:Valuer and Assessors	2 331 000.00	1 165 500.00	1 185 359.33	19 859.33	3 084 315.00	1 083 016.00	846 825.16	236 190.84
	Business and Advisory:Forensic Investigators	725 902.00	362 946.00	-	362 946.00	397 753.00	754 596.00	-	754 596.00
	Infrastructure and Planning:Architectural	16 067.00	8 034.00	5 673.56	2 360.44	17 083.00	5 998.00	17 083.00	11 085.00
	Engineering:Civil	-	-	-	-	-	-	-	-
	Engineering:Structural	4 500 000.00	2 649 996.00	2 761 588.08	111 592.08	6 157 794.00	5 018 892.00	2 990.00	5 015 902.00
	Infrastructure and Planning:Land and Quantity Surv	-	-	-	-	161 809.00	56 817.00	-	56 817.00
	Laboratory Services:Water	1 539 495.00	669 966.00	205 365.77	464 600.23	1 596 000.00	797 982.00	953 056.25	155 074.25
	Legal Cost:Legal Advice and Litigation	8 425 228.00	4 197 610.00	3 045 281.75	1 152 328.25	10 542 070.00	2 070 937.00	1 591 264.44	479 672.56
Legal Cost:Issue of Summons	65 000.00	32 496.00	1 661.78	30 834.22	73 800.00	36 900.00	5 912.17	30 987.83	
Vehicles used for political office -bearers	N/A	-	-	-	-	-	-	-	
Accommodation, Travel and Incidental	Allowance:Travel or Motor Vehicle	457 659.00	228 828.00	-	228 828.00	420 256.00	201 281.00	60 000.00	141 281.00
	Allowance:Travel or Motor Vehicle	173 903.00	86 952.00	-	86 952.00	159 690.00	76 483.00	-	76 483.00
	Allowance:Accommodation, Travel and Incidental	19 887.00	9 942.00	-	9 942.00	18 261.00	8 745.00	68.69	8 676.31
	Allowance:Travel or Motor Vehicle	173 903.00	86 952.00	-	86 952.00	159 690.00	76 483.00	10 000.00	66 483.00
	Allowance:Travel or Motor Vehicle	-	-	-	-	175 683.00	84 143.00	-	84 143.00
	Allowance:Accommodation, Travel and Incidental	-	-	-	-	-	-	-	-
	Allowance:Travel or Motor Vehicle	-	-	-	-	-	-	-	-
	Allowance:Travel or Motor Vehicle	191 319.00	95 658.00	-	95 658.00	175 683.00	84 143.00	-	84 143.00
	Allowance:Accommodation, Travel and Incidental	16 508.00	8 256.00	-	8 256.00	15 158.00	7 259.00	-	7 259.00
	Allowance:Travel or Motor Vehicle	191 319.00	95 658.00	-	95 658.00	175 683.00	84 143.00	69 600.00	14 543.00
	Allowances:Accommodation, Travel and Incidental	374 476.00	187 254.00	9 166.08	178 087.92	291 811.00	139 762.00	73 425.51	66 336.49
	Allowances:Travel or Motor Vehicle	14 398 104.00	7 199 070.00	4 571 311.56	2 627 758.44	12 692 175.00	6 114 615.00	4 603 913.96	1 510 701.04
	Allowances and Service Related Benefits:Travelling	-	-	-	-	-	-	-	-
	Allowances and Service Related Benefits:Travelling	-	-	-	-	-	-	-	-
	Allowances and Service Related Benefits:Travelling	275 783.00	137 892.00	-	137 892.00	260 172.00	122 090.00	107 433.90	14 656.10
	Allowances and Service Related Benefits:Travelling	220 627.00	110 316.00	-	110 316.00	208 138.00	97 672.00	85 946.88	11 725.12
	Allowances and Service Related Benefits:Travelling	1 656 281.00	828 138.00	-	828 138.00	1 562 529.00	733 236.00	322 301.28	410 934.72
Allowances and Service Related Benefits:Travelling	2 794 293.00	1 397 148.00	2 186 789.94	789 641.94	2 636 125.00	1 237 033.00	1 538 572.55	301 539.55	
Operational Cost:Travel Agency and Visa's	19 456.00	9 732.00	-	9 732.00	25 382.00	6 013.00	-	6 013.00	
Travel and Subsistence:Non-employees	5 804.00	2 904.00	-	2 904.00	15 554.00	2 772.00	-	2 772.00	
Sponsorships, events and catering	Contractors:Catering Services	955 860.00	478 926.00	26 305.00	452 621.00	1 127 649.00	705 020.00	286 864.47	418 155.53
	Outsourced Services:Catering Services	1 151 712.00	575 856.00	849 932.60	274 076.60	1 352 245.00	638 098.00	698 393.47	60 295.47
	Advertising, Publicity and Marketing:Gifts and Pro	161 975.00	80 988.00	4 361.08	76 626.92	155 000.00	82 525.00	26 368.45	56 156.55
	Contractors:Event Promoters	252 294.00	126 150.00	-	126 150.00	266 753.00	85 436.00	119 350.00	33 914.00
	Advertising, Publicity and Marketing:Gifts and Pro	161 975.00	80 988.00	4 361.08	76 626.92	155 000.00	82 525.00	26 368.45	56 156.55
Communication	Communication:Cellular Contract (Subscription and	471 510.00	243 258.00	15 206.05	228 051.95	482 443.00	244 080.00	15 213.11	228 866.89
	Communication:Licences (Radio and Television)	31 504.00	15 750.00	-	15 750.00	30 381.00	14 667.00	-	14 667.00
	Communication:Radio and TV Transmissions	2 270 361.00	1 135 176.00	888 942.48	246 233.52	2 137 379.00	1 098 193.00	647 822.65	450 370.35
	Communication:Postage/Stamps/Frinking Machines	2 493 158.00	1 232 586.00	601 636.57	630 949.43	2 322 575.00	899 377.00	483 241.07	416 135.93
	Communication:SMS Bulk Message Service	181 705.00	90 852.00	38 366.31	52 485.69	173 880.00	79 985.00	25 602.02	54 382.98
	Communication:Telephone, Fax, Telegraph and Telex	2 347 511.00	1 498 756.00	2 326 284.35	827 528.35	2 202 780.00	1 012 682.00	1 339 178.87	326 496.87
Other related expenditure items	Entertainment:Senior Management	94 832.00	47 418.00	-	47 418.00	106 992.00	45 908.00	3 176.94	42 731.06
	Entertainment:Total for All Other Councillors	104 709.00	52 356.00	525.61	51 830.39	100 200.00	46 092.00	3 824.45	42 267.55
	Entertainment:Executive Mayor	259 610.00	129 804.00	1 300.00	128 504.00	248 430.00	114 278.00	29 654.41	84 623.59
	Overtime:Non Structured	35 891 131.00	17 945 574.00	17 171 203.16	774 370.84	32 942 931.00	16 241 690.00	14 034 814.04	2 206 875.96
	Overtime:Shift Additional Remuneration	2 026 274.00	1 013 142.00	2 263 874.17	1 250 732.17	1 860 670.00	891 171.00	2 093 597.23	1 202 426.23
	Overtime:Structured	1 580 462.00	790 230.00	968 197.53	177 967.53	1 451 296.00	695 101.00	968 216.78	273 115.78
Grand Total	111 972 214.00	55 805 972.00	47 581 137.19	8 224 834.81	117 951 977.00	47 939 104.00	36 017 253.89	11 921 850.11	

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

4. PAST YEAR'S ANNUAL REPORT AND PROGRESS ON RESOLVING PROBLEMS IDENTIFIED IN THE ANNUAL REPORT

The Minister of Finance has issued Government Gazette number 851 which exempts municipalities in terms of S177 (1)(b) of the MFMA. The exemption relates to the adhering to the deadlines for the submission of the Annual Financial Statements, Annual reports and Oversight reports. Due to the municipality opting to take the exemption of 31 October 2020 the compilation of the Annual Report has been deferred to after the audit opinion and audited Annual Financial Statements for the 2019/20 financial year has been concluded.

Areas for improvement as identified during the previous year's audit will be encapsulated in an Audit Finding Action Plan which will address the areas of concern. This plan and the implementation thereof will be monitored by senior management as well as the Audit Committee. The GRAP disclosure checklist in addition to the findings raised in the previous audit will be used to mitigate the risk of recurring audit findings.

5. RECOMMENDATIONS FROM THE ACCOUNTING OFFICER

After having assessed the performance of the municipality for the first half of the year (ended 31 December 2020), the following is recommended:

- a) That the Executive Mayor tables this report to Council as the contents indicate the need to approve an adjustment budget.
- b) That the revised projections as contained in this report inform the adjustment budget.

6. RECOMMENDATIONS FROM THE EXECUTIVE MAYOR

- a) that Council take note of the report and more specifically the assessment and forecasts contained in the report,
- b) that Council take note that an Adjustments Budget will be tabled to Council as a result of the following:
 - the appropriation of additional allocations received and increased realistically anticipated revenue during the financial year;
 - the reprioritization of projects in line with being completed by the communicated cut-off dates to facilitate year- end preparation;
- c) that Council note the performance of the Municipality against the set objectives contained in Section 2; and
- d) that the Accounting Officer attend to ensuring that Directors put the necessary corrective measures in place to ensure that projects are managed proactively in a

bid to ensure that Council meet its strategic objectives contained in the Service Delivery and Budget Implementation Plan and to report on same at the end of quarter

QUALITY CERTIFICATE

I, Geraldine Mettler, the Municipal Manager of Stellenbosch Municipality, hereby **certify** that the mid-year budget and performance assessment for the period 1 July 2020 to December 2020 has been prepared in accordance with Section 72 of the Municipal Finance Management Act and Regulations made under the Act and accordingly submit the required report on the state of Stellenbosch Municipality's performance.

Name: Geraldine Mettler

Municipal Manager of Stellenbosch Municipality - WC024



Signature

Date : 18 January 2021

MID YEAR BUDGET AND PERFORMANCE ASSESSMENT PART A

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Monthly Budget Statements

Table C1: Monthly Budget Statement Summary

WC024 Stellenbosch - Table C1 Monthly Budget Statement Summary - Mid-Year Assessment									
Description	Budget Year 2020/21								
	2019/20 Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands									
Financial Performance									
Property rates	361 912	392 239	392 239	26 639	232 726	196 120	36 607	19%	392 239
Service charges	880 126	1 072 778	1 072 778	47 223	435 919	536 389	(100 469)	-19%	1 072 778
Investment revenue	40 472	37 870	37 870	1 517	10 844	18 935	(8 091)	-43%	37 870
Transfers and subsidies	160 652	178 547	198 259	65 804	142 392	99 129	43 263	44%	198 259
Other own revenue	175 060	218 297	218 297	7 563	64 234	109 148	(44 915)	-41%	218 297
Total Revenue (excluding capital transfers and contributions)	1 618 222	1 899 731	1 919 443	148 745	886 116	959 721	(73 605)	-8%	1 919 443
Employee costs	481 583	579 439	577 905	45 436	274 301	288 953	(14 652)	-5%	577 905
Remuneration of Councillors	19 121	21 133	21 133	1 535	9 243	10 566	(1 324)	-13%	21 133
Depreciation & asset impairment	192 334	205 628	205 628	73	127	102 814	(102 687)	-100%	205 628
Finance charges	56 004	39 349	39 349	14 576	14 576	19 674	(5 099)	-26%	39 349
Materials and bulk purchases	475 558	523 902	523 683	33 715	214 421	262 315	(47 893)	-18%	524 720
Transfers and subsidies	10 855	10 069	11 073	102	9 183	6 784	2 399	35%	11 073
Other expenditure	421 001	507 944	528 385	23 138	138 065	261 363	(123 298)	-47%	527 348
Total Expenditure	1 656 456	1 887 463	1 907 155	118 575	659 915	952 469	(292 554)	-31%	1 907 155
Surplus/(Deficit)	(38 234)	12 267	12 288	30 170	226 201	7 252	218 948	3019%	12 288
Transfers and subsidies - capital (monetary allocations)	124 374	113 429	88 514	-	17 532	44 257	(26 725)	-60%	88 514
Contributions & Contributed assets	-	-	-	-	-	-	-	-	-
Surplus/(Deficit) after capital transfers & contributions	86 141	125 696	100 802	30 170	243 733	51 510	192 223	373%	100 802
Share of surplus/ (deficit) of associate	-	-	-	-	-	-	-	-	-
Surplus/ (Deficit) for the year	86 141	125 696	100 802	30 170	243 733	51 510	192 223	373%	100 802
Capital expenditure & funds sources									
Capital expenditure	405 962	375 750	483 711	26 333	147 011	246 368	(99 357)	-40%	483 711
Capital transfers recognised	124 376	145 341	120 481	12 387	32 343	51 612	(19 268)	-37%	120 481
Public contributions & donations	-	-	-	-	-	-	-	-	-
Borrowing	33 365	102 780	108 070	2 767	9 585	50 489	(40 904)	-81%	108 070
Internally generated funds	248 221	127 630	255 160	11 178	105 083	144 267	(39 184)	-27%	255 160
Total sources of capital funds	405 962	375 750	483 711	26 333	147 011	246 368	(99 357)	-40%	483 711
Financial position									
Total current assets	712 097	822 269	939 722		730 432				752 008
Total non current assets	5 700 564	5 507 560	6 253 518		5 847 449				6 255 630
Total current liabilities	407 397	325 826	481 125		208 825				463 312
Total non current liabilities	554 003	601 220	849 515		554 003				849 515
Community wealth/Equity	5 451 262	5 402 784	5 862 600		5 815 053				5 594 007
Cash flows									
Net cash from (used) operating	281 984	328 247	324 800	31 028	179 441	(812 651)	(992 092)	122%	(1 627 520)
Net cash from (used) investing	(314 403)	(375 773)	(483 734)	(27 452)	(213 414)	(246 532)	(33 119)	13%	(483 711)
Net cash from (used) financing	(25 870)	76 469	94 508	(13 822)	(13 371)	(8 271)	5 099	-62%	(8 271)
Cash/cash equivalents at the month/year end	111 202	452 675	359 307	-	376 389	(643 722)	(1 020 111)	158%	(1 695 770)
Debtors & creditors analysis	0-30 Days	31-60 Days	61-90 Days	91-120 Days	121-150 Dys	151-180 Dys	181 Dys-1 Yr	Over 1Yr	Total
Debtors Age Analysis									
Total By Income Source	77 786	9 248	9 758	7 833	182 473	-	-	-	287 099
Creditors Age Analysis									
Total Creditors	58 226	-	-	-	-	-	-	-	58 226

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Table C2: Monthly Budget Statement – Financial Performance (standard classification)

WC024 Stellenbosch - Table C2 Monthly Budget Statement - Financial Performance (functional classification) - Mid-Year Assessment										
Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands	1									
Revenue - Functional										
Governance and administration		488 228	495 016	504 810	51 180	292 314	252 405	39 909	16%	504 810
Executive and council		206	706	706	50	389	353	36	10%	706
Finance and administration		488 022	494 310	504 104	51 130	291 925	252 052	39 873	16%	504 104
Internal audit		-	-	-	-	-	-	-	-	-
Community and public safety		152 633	257 793	235 529	1 968	63 049	117 764	(54 715)	-46%	235 529
Community and social services		15 697	16 882	13 492	223	4 029	6 746	(2 717)	-40%	13 492
Sport and recreation		2 700	8 915	8 915	0	104	4 458	(4 354)	-98%	8 915
Public safety		125 347	166 187	166 187	1 165	43 671	83 094	(39 422)	-47%	166 187
Housing		8 890	65 809	46 934	580	15 245	23 467	(8 222)	-35%	46 934
Health		-	-	-	-	-	-	-	-	-
Economic and environmental services		68 252	23 815	23 815	752	5 906	11 908	(6 002)	-50%	23 815
Planning and development		64 468	11 220	11 220	251	3 024	5 610	(2 586)	-46%	11 220
Road transport		2 942	12 465	12 465	498	2 776	6 232	(3 456)	-55%	12 465
Environmental protection		841	131	131	3	106	65	41	63%	131
Trading services		1 032 011	1 236 429	1 243 696	94 574	542 061	621 848	(79 787)	-13%	1 243 696
Energy sources		593 253	757 248	756 264	40 338	317 954	378 132	(60 178)	-16%	756 264
Water management		196 651	191 604	193 169	15 829	75 143	96 584	(21 441)	-22%	193 169
Waste water management		152 991	177 313	180 766	20 712	82 046	90 383	(8 337)	-9%	180 766
Waste management		89 117	110 265	113 497	17 694	66 918	56 749	10 169	18%	113 497
Other	4	100	107	107	9	55	53	1	2%	107
Total Revenue - Functional	2	1 741 225	2 013 160	2 007 957	148 483	903 385	1 003 978	(100 593)	-10%	2 007 957
Expenditure - Functional										
Governance and administration		222 128	329 110	329 543	19 273	120 091	164 641	(44 550)	-27%	329 543
Executive and council		56 361	56 162	56 162	3 483	21 173	28 081	(6 908)	-25%	56 162
Finance and administration		154 297	258 354	258 787	14 223	94 642	129 263	(34 621)	-27%	258 787
Internal audit		11 470	14 595	14 595	1 567	4 276	7 297	(3 021)	-41%	14 595
Community and public safety		364 662	406 547	405 295	24 940	121 435	201 502	(80 067)	-40%	405 295
Community and social services		33 120	39 532	35 945	2 247	13 443	17 952	(4 509)	-25%	35 945
Sport and recreation		43 759	49 049	49 545	4 221	20 058	24 624	(4 566)	-19%	49 545
Public safety		255 613	281 078	281 081	16 548	76 281	139 572	(63 291)	-45%	281 081
Housing		32 170	36 888	38 724	1 924	11 653	19 355	(7 702)	-40%	38 724
Health		-	-	-	-	-	-	-	-	-
Economic and environmental services		170 062	215 381	213 308	9 475	75 400	107 392	(31 992)	-30%	213 308
Planning and development		61 996	89 452	89 545	4 859	41 487	45 509	(4 022)	-9%	89 545
Road transport		91 373	97 635	95 881	3 174	26 778	47 940	(21 162)	-44%	95 881
Environmental protection		16 693	28 294	27 882	1 442	7 135	13 943	(6 809)	-49%	27 882
Trading services		899 456	936 301	958 884	64 887	342 990	478 871	(135 882)	-28%	958 884
Energy sources		507 135	537 272	555 249	34 348	220 647	277 155	(56 508)	-20%	555 249
Water management		129 788	148 325	144 833	13 605	39 173	72 416	(33 243)	-46%	144 833
Waste water management		143 285	145 692	144 094	11 045	47 771	71 946	(24 174)	-34%	144 094
Waste management		119 248	105 013	114 709	5 888	35 398	57 354	(21 956)	-38%	114 709
Other		148	124	124	-	-	62	(62)	-100%	124
Total Expenditure - Functional	3	1 656 456	1 887 463	1 907 155	118 575	659 915	952 469	(292 554)	-31%	1 907 155
Surplus/ (Deficit) for the year		84 768	125 696	100 802	29 907	243 470	51 510	191 960	373%	100 802

Table C2: Monthly Budget Statement – Financial Performance, reflects the operating revenue and operating expenditure in the standard classifications which are the Government Finance Statistics Functions and Sub-functions. The main functions are Governance and Administration; Community and Public safety; Economic and Environmental services; and Trading Services.

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Table C3: Monthly Budget Statement – Financial Performance (revenue & expenditure by municipal vote)

WC024 Stellenbosch - Table C3 Monthly Budget Statement - Financial Performance (revenue and expenditure by municipal vote) - Mid-Year										
Vote Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands										
Revenue by Vote	1									
Vote 1 - OFFICE OF THE MUNICIPAL MANAGER		(9 230)	-	-	-	-	-	-	-	-
Vote 2 - PLANNING AND DEVELOPMENT SERVICES		23 949	81 766	62 892	916	19 178	31 446	(12 268)	-39.0%	62 892
Vote 3 - INFRASTRUCTURE SERVICES		1 094 404	1 246 146	1 253 413	95 227	545 038	626 707	(81 669)	-13.0%	1 253 413
Vote 4 - COMMUNITY AND PROTECTION SERVICES		143 439	192 985	189 595	1 509	48 029	94 797	(46 768)	-49.3%	189 595
Vote 5 - CORPORATE SERVICES		(25 053)	4 303	4 376	370	2 111	2 188	(77)	-3.5%	4 376
Vote 6 - FINANCIAL SERVICES		515 086	487 960	497 681	50 723	289 291	248 840	40 451	16.3%	497 681
Vote 7 - [NAME OF VOTE 7]		-	-	-	-	-	-	-	-	-
Vote 8 - [NAME OF VOTE 8]		-	-	-	-	-	-	-	-	-
Vote 9 - [NAME OF VOTE 9]		-	-	-	-	-	-	-	-	-
Vote 10 - [NAME OF VOTE 10]		-	-	-	-	-	-	-	-	-
Vote 11 - [NAME OF VOTE 11]		-	-	-	-	-	-	-	-	-
Vote 12 - [NAME OF VOTE 12]		-	-	-	-	-	-	-	-	-
Vote 13 - [NAME OF VOTE 13]		-	-	-	-	-	-	-	-	-
Vote 14 - [NAME OF VOTE 14]		-	-	-	-	-	-	-	-	-
Vote 15 - [NAME OF VOTE 15]		-	-	-	-	-	-	-	-	-
Total Revenue by Vote	2	1 742 596	2 013 160	2 007 957	148 745	903 648	1 003 978	(100 330)	-10.0%	2 007 957
Expenditure by Vote	1									
Vote 1 - OFFICE OF THE MUNICIPAL MANAGER		29 595	47 884	47 884	2 917	12 922	23 942	(11 020)	-46.0%	47 884
Vote 2 - PLANNING AND DEVELOPMENT SERVICES		69 991	105 954	107 794	5 091	40 048	54 636	(14 588)	-26.7%	107 794
Vote 3 - INFRASTRUCTURE SERVICES		993 246	1 082 795	1 103 623	68 592	374 315	551 240	(176 925)	-32.1%	1 103 623
Vote 4 - COMMUNITY AND PROTECTION SERVICES		374 549	359 246	355 836	25 393	123 457	176 781	(53 324)	-30.2%	355 836
Vote 5 - CORPORATE SERVICES		157 494	181 001	181 434	10 164	66 101	90 709	(24 608)	-27.1%	181 434
Vote 6 - FINANCIAL SERVICES		31 580	110 584	110 584	6 419	43 072	55 161	(12 089)	-21.9%	110 584
Vote 7 - [NAME OF VOTE 7]		-	-	-	-	-	-	-	-	-
Vote 8 - [NAME OF VOTE 8]		-	-	-	-	-	-	-	-	-
Vote 9 - [NAME OF VOTE 9]		-	-	-	-	-	-	-	-	-
Vote 10 - [NAME OF VOTE 10]		-	-	-	-	-	-	-	-	-
Vote 11 - [NAME OF VOTE 11]		-	-	-	-	-	-	-	-	-
Vote 12 - [NAME OF VOTE 12]		-	-	-	-	-	-	-	-	-
Vote 13 - [NAME OF VOTE 13]		-	-	-	-	-	-	-	-	-
Vote 14 - [NAME OF VOTE 14]		-	-	-	-	-	-	-	-	-
Vote 15 - [NAME OF VOTE 15]		-	-	-	-	-	-	-	-	-
Total Expenditure by Vote	2	1 656 456	1 887 463	1 907 155	118 575	659 915	952 469	(292 554)	-30.7%	1 907 155
Surplus/ (Deficit) for the year	2	86 141	125 696	100 802	30 170	243 733	51 510	192 223	373.2%	100 802

Table C3: Monthly Budget Statement – Financial Performance, reflects the operating revenue and operating expenditure by municipal vote. The municipal directorates are Municipal Manager; Planning Development; Human Settlements; Engineering Services; Community and Protection Services; Corporate Services; and Financial Services. The operating expenditure budget is approved by Council on the municipal vote level.

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Table C4: Monthly Budget Statement – Financial Performance (revenue & expenditure)

WC024 Stellenbosch - Table C4 Monthly Budget Statement - Financial Performance (revenue and expenditure) - Mid-Year Assessment										
Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands										
Revenue By Source										
Property rates		361 912	392 239	392 239	26 639	232 726	196 120	36 607	19%	392 239
Service charges - electricity revenue		562 275	707 441	707 441	25 297	288 332	353 721	(65 388)	-18%	707 441
Service charges - water revenue		171 632	168 720	168 720	9 310	59 513	84 360	(24 847)	-29%	168 720
Service charges - sanitation revenue		83 262	118 312	118 312	7 364	46 814	59 156	(12 342)	-21%	118 312
Service charges - refuse revenue		62 957	78 305	78 305	5 252	41 260	39 152	2 107	5%	78 305
Service charges - other		-	-	-	-	-	-	-	-	-
Rental of facilities and equipment		13 601	16 292	16 292	702	4 634	8 146	(3 512)	-43%	16 292
Interest earned - external investments		40 472	37 870	37 870	1 517	10 844	18 935	(8 091)	-43%	37 870
Interest earned - outstanding debtors		6 954	13 281	13 281	989	4 779	6 641	(1 862)	-28%	13 281
Dividends received		-	-	-	-	-	-	-	-	-
Fines, penalties and forfeits		99 993	140 881	140 881	609	38 991	70 440	(31 449)	-45%	140 881
Licences and permits		5 725	5 503	5 503	456	2 790	2 751	39	1%	5 503
Agency services		2 664	2 931	2 931	190	1 522	1 465	56	4%	2 931
Transfers and subsidies		160 652	178 547	198 259	65 804	142 392	99 129	43 263	44%	198 259
Other revenue		46 089	39 408	39 408	4 615	11 517	19 704	(8 187)	-42%	39 408
Gains on disposal of PPE		33	-	-	-	-	-	-	-	-
Total Revenue (excluding capital transfers and contributions)		1 618 222	1 899 731	1 919 443	148 745	886 116	959 721	(73 605)	-8%	1 919 443
Expenditure By Type										
Employee related costs		481 583	579 439	577 905	45 436	274 301	288 953	(14 652)	-5%	577 905
Remuneration of councillors		19 121	21 133	21 133	1 535	9 243	10 566	(1 324)	-13%	21 133
Debt impairment		123 187	74 007	74 007	8	213	37 004	(36 791)	-99%	74 007
Depreciation & asset impairment		192 334	205 628	205 628	73	127	102 814	(102 687)	-100%	205 628
Finance charges		56 004	39 349	39 349	14 576	14 576	19 674	(5 099)	-26%	39 349
Bulk purchases		445 621	482 196	482 196	30 484	203 029	241 098	(38 069)	-16%	482 196
Other materials		29 937	41 706	41 487	3 231	11 393	21 217	(9 824)	-46%	42 524
Contracted services		183 482	245 478	244 685	15 627	83 171	119 756	(36 585)	-31%	243 689
Transfers and subsidies		10 855	10 069	11 073	102	9 183	6 784	2 399	35%	11 073
Other expenditure		114 332	188 459	209 692	7 504	54 682	104 603	(49 921)	-48%	209 651
Loss on disposal of PPE		-	-	-	-	-	-	-	-	-
Total Expenditure		1 656 456	1 887 463	1 907 155	118 575	659 915	952 469	(292 554)	-31%	1 907 155
Surplus/(Deficit)		(38 234)	12 267	12 288	30 170	226 201	7 252	218 948	0	12 288
Transfers and subsidies - capital (monetary allocations) (National / Provincial and District)		124 374	113 429	88 514	-	17 532	44 257	(26 725)	(0)	88 514
Transfers and subsidies - capital (monetary allocations) (National / Provincial Departmental Agencies, Households, Non-profit Institutions, Private Enterprises, Public Corporations, Higher Educational Institutions)		-	-	-	-	-	-	-	-	-
Transfers and subsidies - capital (in-kind - all)		-	-	-	-	-	-	-	-	-
Surplus/(Deficit) after capital transfers & contributions		86 141	125 696	100 802	30 170	243 733	51 510			100 802
Taxation		-	-	-	-	-	-	-	-	-
Surplus/(Deficit) after taxation		86 141	125 696	100 802	30 170	243 733	51 510			100 802
Attributable to minorities		-	-	-	-	-	-	-	-	-
Surplus/(Deficit) attributable to municipality		86 141	125 696	100 802	30 170	243 733	51 510			100 802
Share of surplus/ (deficit) of associate		-	-	-	-	-	-	-	-	-
Surplus/ (Deficit) for the year		86 141	125 696	100 802	30 170	243 733	51 510			100 802

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

1. Operating Revenue

The following table shows the actual billed operating revenue per source as per the accrual basis as well as actual direct revenue per source against that planned in the SDBIP at 31 December 2020. It should be noted that the figures relate to billed revenue and not cash collected.

Operating Revenue by Source:

Description	Original Budget	Adjustment Budget	YTD budget	YTD actual	YTD variance	YTD variance %	Monthly budget	Monthly actual	MTD variance	MTD variance %
Revenue by Source										
Rental of facilities and equipment	16 292 168	16 292 168	8 146 074	4 634 190	(3 511 884)	-43%	1 357 679	702 442	(655 237)	-48%
Interest earned - external investments	37 870 453	37 870 453	18 935 232	10 844 113	(8 091 119)	-43%	3 155 872	1 516 893	(1 638 979)	-52%
Interest earned - outstanding debtors	13 281 347	13 281 347	6 640 680	4 778 869	(1 861 811)	-28%	1 106 780	989 422	(117 358)	-11%
Fines, penalties and forfeits	140 880 961	140 880 961	70 440 486	38 991 383	(31 449 103)	-45%	11 740 081	609 399	(11 130 682)	-95%
Licences and permits	5 502 903	5 502 903	2 751 456	2 790 456	39 000	1%	458 576	456 292	(2 284)	0%
Agency services	2 930 946	2 930 946	1 465 476	1 521 555	56 079	4%	244 246	189 611	-	-
Transfers and subsidies	178 547 000	198 258 760	99 129 336	142 392 370	43 263 034	44%	16 521 556	65 803 583	49 282 027	298%
Other revenue	39 408 264	39 408 262	19 704 144	11 517 316	(8 186 828)	-42%	3 284 024	4 615 475	1 331 451	41%
Gains on disposal of PPE	-	-	-	-	-	-	-	-	-	-
Total Revenue (excluding capital transfers and contributions)	1 899 730 875	1 919 442 629	959 721 300	886 116 085	(73 605 215)	-8%	159 953 550	148 745 435	-11 153 480	-7%

Operating Revenue Variance Report

The variances between actual operating revenue and the planned operating revenue contained in the SDBIP are explained per revenue source and are as follows:

Revenue by Source

Property Rates and Service Charges

Property rates and service charges refuse are billed monthly. However some consumers applied to have their property rates and service charges billed annually.

Service charges - water revenue

The municipality has billed R24 846 872 less water charges than initially anticipated. This decline in billings is a result of the decrease in consumption. The categories reflecting the largest underperformance pertains to industrial water (R9 738 131) and the sale of conventional water (R13 287 058). An increase is anticipated over the summer months however it is envisaged that the municipality will not reach its adjusted budget of R168 720 115 if the current trend continues. The billings reflect a decline of R12 900 664 in comparison with the same period last year. It is evident that this service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. It is advisable that the budget be reduced during the Mid-year adjustment budget process.

Service charges - electricity revenue

The municipality has billed R65 388 139 less electricity charges than initially anticipated. The largest under performance relates to the prepaid electricity usage (R17 486 291), Industrial consumption (R14 732 201), low usage during peak times reflected for the time of use tariffs (R24 905 932) and the Commercial users (R6 047 403). The billings reflect a decline of R28 638 538 in comparison with the same period last year. It is evident that this service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. It is advisable that the budget be reduced during the Mid-year adjustment budget process.

Service charges - sanitation revenue

The municipality has billed R12 341 644 less sanitation charges than initially anticipated. The largest under performance has been noted for the industrial waste water at R11 161 565. When taking into account the average monthly utilisation of the service, the risk exist that the municipality will only realise 79 per cent or R93 638 277 of its adjusted budget amount. This service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. It is advisable that the budget be reduced during the Mid-year adjustment budget process.

Rental on facilities and equipment

An under performance was noted for rental on facilities and equipment to the amount of R3 511 884. The variance is mainly due to the housing rental units. The user department indicated that the occupants of the municipal rental units have been subject to affordability testing since October 2019 which resulted in a decline in rentals. The budget will be reduced with R5 700 000 during the Mid-year adjustment budget process.

Interest earned – external investments

An under performance was noted for interest earned – external investments to the amount of R8 091 119. The variance is mainly due to the Covid- 19 pandemic which resulted in the prime interest rate being reduced. This reduction has resulted in a significant decrease in our call accounts and primary bank account interest rates. Furthermore, we have received lower rates on offer from investing institutions than the previous financial year. The interest on the investment journal to the amount of R1 245 179 will be processed during January 2021, which will result in an improvement for the next reporting period. It is advisable that the budget be reduced during the Mid-year adjustment budget process.

Interest earned - outstanding debtors

An underperformance was noted for the interest levied on outstanding debtors to the amount of R1 861 811. Interest on overdue accounts are charged at the South African Reserve Banks prime rate plus one percent and levied on accounts outstanding after the relevant due dates thereof. The decrease in the prime interest rate has a direct correlation to the underperformance. It is advisable that the budget be reduced during the Mid-year adjustment budget process.

Fines, penalties and forfeits

An underperformance was noted to the amount of R31 449 103. The recognition of traffic fines in terms of iGRAP 1 will be done on a monthly basis, including journals that need to be processed on the financial system.

Other revenue

An under performance is noted for other revenue to the amount of R8 186 828. The under performance is mainly due to no revenue being recognised in respect of parking fees for the period under review as no parking marshalls operated during levels 5-2 of the COVID-19 lockdown regulations. It is advisable that the budget be reduced during the Mid-year adjustment budget process.

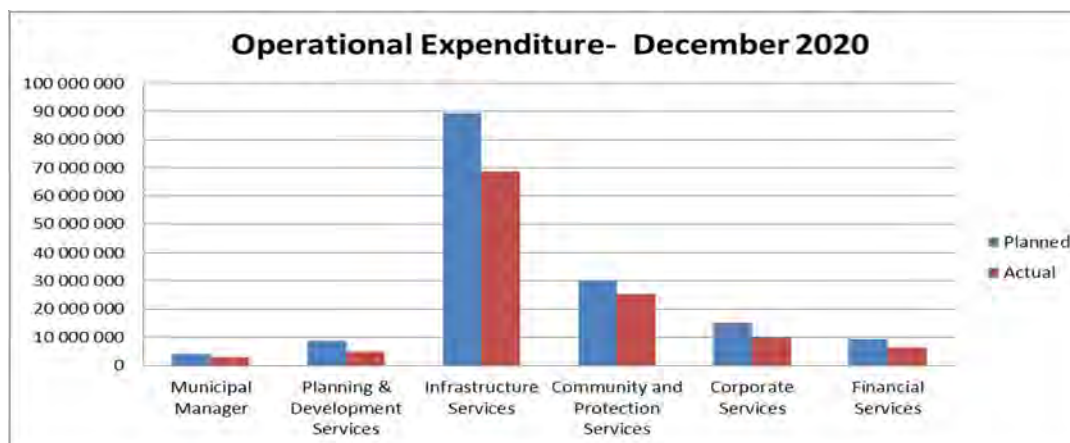
MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2019

2. Operating Expenditure

The following table shows the actual operating expenditure for each Directorate against the planned in the SDBIP as at 31 December 2020.

Operating Expenditure (Per Directorate):

Directorate	Original Budget	Adjusted Budget	Year To Date		December 2020		November Variance (Actual - Plan)	Variance %
			Planned	Actuals	Planned	Actuals		
Municipal Manager	47 883 653	47 883 653	23 941 877	12 922 170	3 990 313	2 917 324	(1 072 989)	-27%
Planning & Development Services	105 524 846	107 793 987	54 635 598	40 048 084	8 859 703	5 090 611	(3 769 092)	-43%
Infrastructure Services	1 082 794 555	1 103 622 771	551 240 308	374 315 211	89 461 700	68 592 074	(20 869 626)	-23%
Community and Protection Services	359 246 177	355 836 322	176 781 134	123 456 690	30 309 147	25 392 557	(4 916 590)	-16%
Corporate Services	181 428 720	181 434 472	90 708 956	66 101 293	15 120 931	10 164 363	(4 956 568)	-33%
Financial Services	110 583 964	110 583 800	55 160 994	43 071 706	9 237 143	6 418 528	(2 818 615)	-31%
TOTALS	1 887 461 915	1 907 155 005	952 468 867	659 915 155	156 978 937	118 575 458	(38 403 479)	-24%



MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Operating Expenditure Variance Report

The variances between actual operating expenditure and planned operating expenditure contained in the SDBIP are explained per item and are as follows:

2.1 Municipal Manager

The Municipal Manager directorate planned to spend R23 941 877 of the adjusted budget. The year to date actual expenditure incurred amounted to R12 922 170 which resulted in an underspending of R11 019 707. The items that attributed to the underspending are as follows:

2.1.1 Operational Cost: External Audit Fees

The user department planned to spend R3 562 134 of the adjusted budget. The year to date actual expenditure incurred amounted to R1 550 773. The Minister of Finance has issued Government Gazette number 851 which exempts municipalities in terms of S177 (1)(b) of the MFMA. The exemption relates to the adhering to the deadlines for the submission of the Annual Financial Statements, Annual reports and Oversight reports. Due to the municipality opting to take the exemption of 31 October 2020 the spending has been deferred.

2.2 Planning and Development Services

The Planning and Development Services directorate planned to spend R54 635 598 of the adjusted budget. The year- to date actual expenditure incurred amounted to R40 048 084 which resulted in an underspending of R14 587 514. The items that attributed to the underspending are as follows:

2.2.1 Outsourced Services: Professional Staff

The user department planned to spend R337 500 of the adjusted budget. No spending has been incurred to date. The user department indicated that formal quotations to the amount of R500 000 is in progress.

2.2.2 Operating Leases: Furniture and Office Equipment

The user department planned to spend R582 864 of the adjusted budget. The year to date actual expenditure incurred amounted to R226 512. Orders to the amount of R862 753 have been loaded on the financial system. A request has been submitted to the ICT Steering Committee for a lease agreement. Specifications was submitted to the Senior Manager: ICT and the matter served at the ICT Steercom meeting held on 2 December 2020.

2.2.3 Business and Advisory: Project Management

The user department planned to spend R261 670 of the adjusted budget. No spending has been incurred to date. The budget was intended to be used for the service level agreement in respect of the Housing Demand Data Software and Application. The deviation was however referred back by the Bid Adjudication Committee to the ICT Steering committee. Specifications for a formal quotation in respect of the appointment of a service provider to ascertain rental prices for public rental flats (based on a similar premises as that of Social Housing) are being developed.

2.2.4 Contractors: Management of Informal Settlements

The user department planned to spend R954 000 of the adjusted budget. The year to date actual expenditure incurred amounted to R230 634. The service provider for the backyarder survey could not submit an invoice as yet due to the lockdown restrictions that did not allow for the contact or door-to-door surveys. The wendy houses that must be constructed are procured on a needs basis.

2.2.5 Operational Cost: Supplier Development Programme

The user department planned to spend R499 998 of the adjusted budget. No spending has been incurred to date. A budget saving of R264 375 is anticipated. A proposal for improvements to the job seekers database will be submitted. Orders to the amount of R735 625 have been loaded on the financial system.

2.3 Community and Protection Services

The Community and Protection Services directorate planned to spend R176 781 134 of the adjusted budget. The year to date actual expenditure incurred amounted to R123 456 690 which resulted in an underspending of R53 324 444. The items that attributed to the under spending are as follows:

2.3.1 Contractors: Maintenance of buildings and facilities: Cemetery: Stellenbosch

The user department planned to spend R504 324 of the adjusted budget. The year to date actual expenditure incurred amounted to R45 801. Orders to the amount of R208 076 have been loaded on the financial system. The user department indicated that the contractors will only be able to commence work in January 2021.

2.3.2 Operational Cost:Uniform and Protective Clothing (Fire Services)

The user department planned to spend R490 002 of the adjusted budget. The year to date actual expenditure incurred amounted to R25 435. The user department indicated that an order to the amount of R158 696 have been loaded on the financial system.

2.3.3 Outsourced Services:Traffic Fines Management

The user department planned to spend R4 430 808 of the adjusted budget. The year to date actual expenditure incurred amounted to R3 478 575. The user department indicated that due to the COVID-19 lockdown regulations the enforcement of speed control was minimised. Drivers adjusted their driving speed due to the visibility of law enforcement officials. This resulted in less speed fines being issued which had a concomitant effect on the expenditure incurred.

2.3.4 Outsourced Services:Drivers Licence Cards

The user department planned to spend R 728 634 of the adjusted budget. The year to date actual expenditure incurred amounted to R184 443. The user department indicated that the decline in expenditure can be attributed to the COVID-19 lockdown regulations.

2.3.5 Inventory consumed: Materials and Suppliers (Disaster Management)

The user department planned to spend R1 300 002 of the adjusted budget. The year to date actual expenditure incurred amounted to R602 366.14. The user department indicated that the utilisation of the materials and supplies are dependant on the occurrence of fire disasters. An increase is anticipated during the summer months. Orders to the value of R574 404 has been loaded on the financial system.

2.3.6 Contractors: Forestry (Commonage and plantations)

The user department planned to spend R900 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that the funds have been allocated for the pruning and felling of trees as well as the clearing of alien vegetation. The tree pruning and felling tender is in place and the alien clearing tender is awaiting a date to serve before the Bid Evaluation Committee.

2.4 Infrastructure Services

The Infrastructure Services directorate planned to spend R551 240 308 of the adjusted budget. The year to date actual expenditure incurred amounted to R374 315 221 which resulted in an underspending of R176 925 096. The items that attributed to the under spending are as follows:

2.4.1 Electricity:ESKOM

The user department planned to spend R227 626 890 of the adjusted budget. The year to date actual expenditure incurred amounted to R194 284 300. The user department indicated that the demand for electricity will increase during the winter months. A decline in consumption has been noted as indicated in point 3.2 on page 12 of this report which directly impacts the expenditure incurred on bulk purchases. This decline is largely due to the impact of COVID-19 on the local economy.

2.4.2 Operational Cost:Indigent Relief

The user department planned to spend R10 413 996 of the adjusted budget. The year to date actual expenditure incurred amounted to R1 355 047. The spending relates to the solar electricity provision and Eskom indigent relief customers. The user department indicated that an increase in expenditure will be noted during the ensuing months.

2.4.3 Contractors:Prepaid Electricity Vendors

The user department planned to spend R4 884 672 of the adjusted budget. The year to date actual expenditure incurred amounted to R2 556 663. Orders amounting to R4 399 606 have been loaded on the financial system.

2.4.4 Outsourced Services:Refuse Removal (Landfill site)

The user department planned to spend R7 200 000 of the adjusted budget. The year to date actual expenditure incurred amounted to R3 658 603. Orders to the amount of R9 621 409 have been loaded on the financial system. Invoices to the amount of R230 920 have been submitted for payment.

2.4.5 Contractors:Maintenance of Unspecified Assets (Sewerage Purification Stellenbosch)

The user department planned to spend R4 167 228 of the adjusted budget. The year to date actual expenditure incurred amounted to R41 073. Orders to the amount of R8 080 184 have been loaded on the financial system.

2.4.6 Bulk Purchases:Water

The user department planned to spend R12 499 998 of the adjusted budget. The year to date actual expenditure incurred amounted to R8 744 200. The user department indicated that the reduction in expenditure is directly related to the decline in consumption as stated in point 3.1 on page 12.

2.5 Corporate Services

The Corporate Services directorate planned to spend R90 708 956 of the adjusted budget. The year to date actual expenditure incurred amounted to R66 101 293 which resulted in an underspending of R24 607 663. The items that attributed to the under spending are as follows:

2.5.1 Seminars, Conferences, Workshops and Events:Nation

The user department planned to spend R2 342 718 of the adjusted budget. The year to date actual expenditure incurred amounted to R1 424 690. The user department indicated that due to the COVID-19 lockdown regulations the conferences could not be attended. Plans are however in place to be rolled out for the 2021 calendar year. Orders to the amount of R784 388 have been loaded on the financial system.

2.5.2 Operational Cost: Bargaining Council

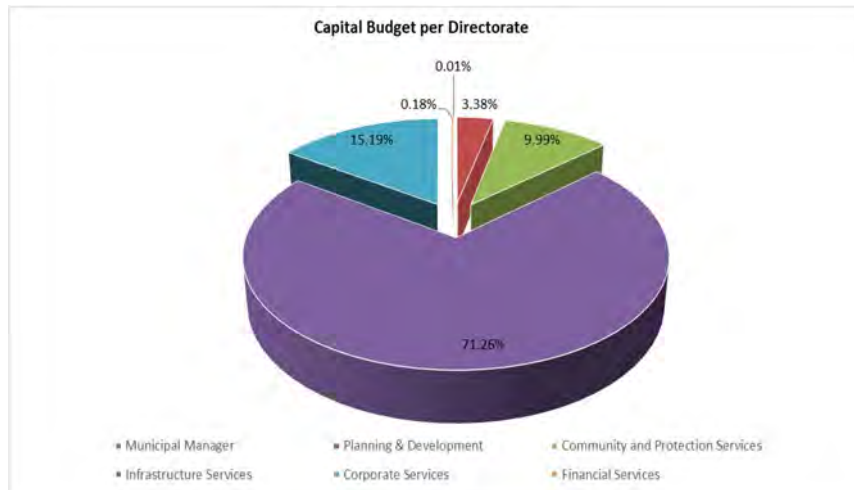
The user department planned to spend R 2 194 500 of the adjusted budget. No spending has been incurred to date. The user department indicated that it is an annual payment which is done during the last quarter of the financial year. The year-to-date budget projections will be amended during the Mid-year adjustment budget process.

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

3 Capital Expenditure

Stellenbosch municipality vested the majority of the 2020/21 capital budget in trading services (R 210 069 511 or 56.54 per cent of the R483 710 959 capital budget) which is needed to ensure effective service delivery.

The capital budgets for trading services are largely allocated to the investments in waste water management infrastructure (R109 670 000 or 52.21 per cent of the R 210 069 511 trading services capital budget).



MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

The following table shows the actual capital expenditure for each Directorate against that planned in the SDBIP as at 31 December 2020.

Directorate	Amended Budget	Capital Expenditure					Year To Date Actual Spent
		Year To Date Budget	Actual Expenditure	Commitments	Provisional Cost	Actuals + Commitments & Provisional	
Municipal Manager	40 000	9 500	16 381	761	4 348	21 490	40.95%
Planning & Development	16 367 078	8 283 114	752 338	1 759 398	8 295	2 520 031	4.60%
Community and Protection Services	48 316 949	19 804 960	9 435 350	17 807 295	10 428 866	37 677 991	19.53%
Infrastructure Services	344 670 420	155 512 362	78 505 495	109 432 678	8 842 421	192 939 859	22.78%
Corporate Services	73 466 511	62 308 443	58 191 231	6 100 556	315 335	64 607 123	79.21%
Financial Services	850 000	450 000	110 497	39 008	2 499	152 004	13.00%
TOTALS	483 710 959	246 368 379	147 011 293	135 139 695	19 601 764	297 918 498	30.39%

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Table C5: Monthly Budget Statement – Capital Expenditure

Table C5: Monthly Budget Statement – Capital Expenditure consists of three sections:
Appropriations by vote; Standard classification and funding portion.

WC024 Stellenbosch - Table C5 Monthly Budget Statement - Capital Expenditure (municipal vote, functional classification and funding) - Mid-Year Assessment										
Vote Description	Ref	2019/20		Budget Year 2020/21						
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands	1									
Multi-Year expenditure appropriation	2									
Vote 1 - OFFICE OF THE MUNICIPAL MANAGER		35	40	40	1	16	10	7	72%	40
Vote 2 - PLANNING AND DEVELOPMENT SERVICES		2 544	2 000	2 467	-	-	774	(774)	-100%	2 467
Vote 3 - INFRASTRUCTURE SERVICES		60 642	60 880	78 921	10 081	25 849	35 390	(9 541)	-27%	78 921
Vote 4 - COMMUNITY AND PROTECTION SERVICES		8 769	11 690	20 928	1 074	5 130	10 309	(5 178)	-50%	20 928
Vote 5 - CORPORATE SERVICES		1 090	8 100	11 543	853	3 260	6 712	(3 452)	-51%	11 543
Vote 6 - FINANCIAL SERVICES		-	-	-	-	-	-	-	-	-
Vote 7 - [NAME OF VOTE 7]		-	-	-	-	-	-	-	-	-
Vote 8 - [NAME OF VOTE 8]		-	-	-	-	-	-	-	-	-
Vote 9 - [NAME OF VOTE 9]		-	-	-	-	-	-	-	-	-
Vote 10 - [NAME OF VOTE 10]		-	-	-	-	-	-	-	-	-
Vote 11 - [NAME OF VOTE 11]		-	-	-	-	-	-	-	-	-
Vote 12 - [NAME OF VOTE 12]		-	-	-	-	-	-	-	-	-
Vote 13 - [NAME OF VOTE 13]		-	-	-	-	-	-	-	-	-
Vote 14 - [NAME OF VOTE 14]		-	-	-	-	-	-	-	-	-
Vote 15 - [NAME OF VOTE 15]		-	-	-	-	-	-	-	-	-
Total Capital Multi-year expenditure	4,7	73 080	82 710	113 899	12 009	34 256	53 194	(18 939)	-36%	113 899
Single Year expenditure appropriation	2									
Vote 1 - OFFICE OF THE MUNICIPAL MANAGER		-	-	-	-	-	-	-	-	-
Vote 2 - PLANNING AND DEVELOPMENT SERVICES		6 279	10 311	13 900	219	752	7 509	(6 757)	-90%	13 900
Vote 3 - INFRASTRUCTURE SERVICES		219 470	256 380	265 750	12 788	52 657	120 123	(67 466)	-56%	265 750
Vote 4 - COMMUNITY AND PROTECTION SERVICES		22 687	15 950	27 389	938	4 305	9 496	(5 191)	-55%	27 389
Vote 5 - CORPORATE SERVICES		84 004	9 550	61 924	375	54 931	55 596	(665)	-1%	61 924
Vote 6 - FINANCIAL SERVICES		442	850	850	3	110	450	(340)	-75%	850
Vote 7 - [NAME OF VOTE 7]		-	-	-	-	-	-	-	-	-
Vote 8 - [NAME OF VOTE 8]		-	-	-	-	-	-	-	-	-
Vote 9 - [NAME OF VOTE 9]		-	-	-	-	-	-	-	-	-
Vote 10 - [NAME OF VOTE 10]		-	-	-	-	-	-	-	-	-
Vote 11 - [NAME OF VOTE 11]		-	-	-	-	-	-	-	-	-
Vote 12 - [NAME OF VOTE 12]		-	-	-	-	-	-	-	-	-
Vote 13 - [NAME OF VOTE 13]		-	-	-	-	-	-	-	-	-
Vote 14 - [NAME OF VOTE 14]		-	-	-	-	-	-	-	-	-
Vote 15 - [NAME OF VOTE 15]		-	-	-	-	-	-	-	-	-
Total Capital single-year expenditure	4	332 883	293 040	369 812	14 324	112 755	193 174	(80 419)	-42%	369 812
Total Capital Expenditure	3	405 962	375 750	483 711	26 333	147 011	246 368	(99 357)	-40%	483 711
Capital Expenditure - Functional Classification										
Governance and administration		85 571	18 540	74 357	1 233	58 318	62 768	(4 450)	-7%	74 357
Executive and council		35	40	40	1	16	10	7	72%	40
Finance and administration		85 536	18 500	74 317	1 232	58 302	62 758	(4 457)	-7%	74 317
Internal audit		-	-	-	-	-	-	-	-	-
Community and public safety		33 595	34 581	55 173	2 165	8 545	21 926	(13 380)	-61%	55 173
Community and social services		1 705	3 190	4 071	36	733	1 683	(950)	-56%	4 071
Sport and recreation		11 298	14 330	21 761	1 122	5 417	7 450	(2 033)	-27%	21 761
Public safety		17 186	6 700	17 281	788	2 159	6 916	(4 757)	-69%	17 281
Housing		3 405	10 361	12 061	219	236	5 877	(5 641)	-96%	12 061
Health		-	-	-	-	-	-	-	-	-
Economic and environmental services		91 027	108 360	109 751	9 765	33 006	51 234	(18 228)	-36%	109 751
Planning and development		23 763	52 540	33 534	1 208	10 075	14 998	(4 923)	-33%	33 534
Road transport		67 264	54 020	72 633	8 490	21 857	34 100	(12 243)	-36%	72 633
Environmental protection		-	1 800	3 584	66	1 074	2 136	(1 062)	-50%	3 584
Trading services		195 769	214 270	244 430	13 170	47 142	110 440	(63 299)	-57%	244 430
Energy sources		45 263	43 475	48 745	1 229	6 960	25 820	(18 860)	-73%	48 745
Water management		21 658	53 380	68 069	3 325	9 715	32 171	(22 456)	-70%	68 069
Waste water management		100 922	109 670	112 748	6 499	24 447	49 489	(25 042)	-51%	112 748
Waste management		27 926	7 745	14 869	2 117	6 020	2 960	3 060	103%	14 869
Other		-	-	-	-	-	-	-	-	-
Total Capital Expenditure - Functional Classification	3	405 962	375 750	483 711	26 333	147 011	246 368	(99 357)	-40%	483 711
Funded by:										
National Government		62 677	63 690	59 490	5 545	15 967	25 455	(9 488)	-37%	59 490
Provincial Government		61 699	49 739	29 079	414	7 578	13 360	(5 802)	-43%	29 079
District Municipality		-	-	-	-	-	-	-	-	-
Other transfers and grants		-	31 912	31 912	6 428	8 798	12 777	(3 979)	-31%	31 912
Transfers recognised - capital		124 376	145 341	120 481	12 387	32 343	51 612	(19 268)	-37%	120 481
Public contributions & donations	5	-	-	-	-	-	-	-	-	-
Borrowing	6	33 365	102 780	108 070	2 767	9 585	50 489	(40 904)	-81%	108 070
Internally generated funds		248 221	127 630	255 160	11 178	105 083	144 267	(39 184)	-27%	255 160
Total Capital Funding		405 962	375 750	483 711	26 333	147 011	246 368	(99 357)	-40%	483 711

Capital Expenditure Variance Report

The variances between actual capital expenditure and the planned capital expenditure contained in the SDBIP are explained per directorate and are as follows:

3.1 Planning and Development

The Directorate planned to spend R8 283 114 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R752 338. This resulted in an under performance of R7 530 776. The projects that attributed to the under performance are as follows:

3.1.1 Local Economic Development Hub Jamestown

The user department planned to spend R230 000 of the adjusted budget. No spending has been incurred to date. The department indicated that the funds will be transferred to the Establishment of Informal Trading Markets: Kayamandi. The Jamestown LED Hub Project must be aligned with Jamestown Phase 1 and 2 Housing Projects, which will realistically only commence during the 2022/2023 financial year. The budget to the amount of R1 500 000 will be removed during the Mid-year adjustment budget process.

3.1.2 Establishment of Informal trading markets Cloetesville

The user department planned to spend R332 826 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R69 207. Orders to the amount of R369 903 have been loaded on the financial system. The user department indicated that the project will be completed by 31 March 2021. All funds will be spent.

3.1.3 Establishment of Informal trading markets: Groendal

The user department planned to spend R909 874 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R306 223. Orders to the amount of R774 199 have been loaded on the financial system. The user department indicated that the construction work has been completed. The funds will be paid once confirmation of completion has been obtained from the implementing agent.

3.1.4 Establishment of Informal Trading Sites: Kayamandi

The user department planned to spend R294 000 of the adjusted budget. No spending has been incurred to date. The department indicated that co-funding has been received to the amount of R2 600 000 and will be brought in during the Mid-year Adjustment budget process. The budget will also be increased with an additional R1 500 000. Reduced scope of works have been obtained and has been submitted to the Bid Specifications Committee on 10 December 2020. Four (4) months construction is anticipated to be completed by 31 May 2021.

3.1.5 Establishment of Informal trading markets: Klapmuts

The user department planned to spend R324 614 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R132 913. Orders to the amount of R132 376 have been loaded on the financial system. The user department indicated that the project has been completed and the funds will be paid by mid January 2021.

3.1.6 Langrug Planning

The user department planned to spend R500 000 of the adjusted budget. No spending has been incurred to date. The department indicated that a revised funding allocation letter has been received from the Department of Human Settlements. The funding to the amount of R1 000 000 will be utilised by the appointed Non-Government Organisation and will be removed from the municipal budget during the Mid-year Adjustment budget process.

3.1.7 Kayamandi Town Centre: Planning (+/- 700 units)

The user department planned to spend R500 000 of the adjusted budget. No spending has been incurred to date. The department indicated that a service provider has been appointed. Funds cannot be paid until the Project feasibility report is approved by the Department of Human Settlements.

3.1.8 Northern Extention: Feasibility

The user department planned to spend R1000 000 of the adjusted budget. No spending has been incurred to date. The department indicated that a service provider was appointed by the Bid Adjudication Committee but due to a contractual dispute the contract was cancelled during October 2020. In light of the cancellation of the previous tender and the Supply Chain Management procurement process associated with the new tender, it is therefore requested to reduce the current budgeted funding by R1 500 000 during the adjustment budget process. The user department further requests that this amount of R1 500 000 be rolled over to the 2021/22 financial year.

3.1.9 La Motte Old Forest Station (±430 services & ±430 units)

The user department planned to spend R600 000 of the adjusted budget. No spending has been incurred to date. The department indicated that they are liaising with the Department of Human Settlements to assist with the transfer of land. In light of the uncertainty of the transfer of land, the request is that funding be removed from the 2020/21 grant Business Plan. Furthermore, that the amount be roll over funding to the 2022/23 financial year.

3.1.10 Enkanini Planning

The user department planned to spend R2 100 000 of the adjusted budget. No spending has been incurred to date. The department indicated that a revised funding allocation letter has been received from the Department of Human Settlements. The funding of R1 279 000 will be utilised by the appointed Non-Government Organisation. The budget of R4 1279 000 will therefore be reduced during the Mid-year Adjustment budget process.

3.2 Community and Protection Services

The Directorate planned to spend R19 804 960 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R9 441 830. This resulted in an under spending of R10 363 130. The projects that attributed to the under spending are as follows:

3.2.1 Major Fire Pumper

The user department planned to spend R1 400 000 of the adjusted budget. No spending has been incurred to date. Orders of R4 491 570 have been loaded on the financial system. The user department indicated that the vehicle will be delivered during February 2021.

3.2.2 Upgrading of Stellenbosch Fire Station

The user department planned to spend R1 200 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that construction will commence during January 2021 and additional funding is required to complete phase 1 of the project. The budget will be increased with R1 000 000 during the Mid-year adjustment budget process.

3.2.3 Install and Upgrade CCTV/ LPR Cameras In WC024

The user department planned to spend R1 600 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R511 179. The user department indicated that orders amounting to R1 132 388 have been loaded on the financial system. An improvement will be noted for the next reporting period.

3.2.4 Law Enforcement: Vehicle Fleet

The user department planned to spend R1 200 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R186 853. Orders to the amount of R741 212 have been loaded on the financial system.

3.2.5 Urban Forestry: Vehicle Fleet

The user department planned to spend R1 400 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that delivery of one (1) vehicle has taken place and payment will reflect during the next reporting period. They are currently awaiting the delivery of two (2) vehicles.

3.2.6 Replacement of Patrol Vehicles

The user department planned to spend R1 200 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that the Bid Evaluation Committee is scheduled for 8 December 2020 and the Bid Adjudication Committee is scheduled for 11 December 2020.

3.3 Infrastructure Services

The Directorate planned to spend an amount of R155 512 362 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R74 664 760. This resulted in an under spending of R80 847 602. The projects that attributed to the under spending are as follows:

3.3.1 General System Improvements - Franschhoek

The user department planned to spend R2 000 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R533 571. Orders to the amount of R533 901 have been loaded on the financial system.

3.3.2 General System Improvements - Stellenbosch

The user department planned to spend R4 496 732 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R2 508 722. Orders to the amount of R352 428 have been loaded on the financial system. Invoices to the amount of R878 256 have been submitted for payment.

3.3.3 Integrated National Electrification Programme (Enkanini)

The user department planned to spend R7 350 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R377 394. The user department indicated that a tender is currently in the process of being awarded.

3.3.4 Kwarentyn Sub cables: 11kV 3 core 185mmsq copper cabling, 3.8km

The user department planned to spend R2 750 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R297 845. Orders to the amount of R1 341 708 have been loaded on the financial system. The user department requested the budget to be increased by R1 976 831 during the Mid-year adjustment budget

process. The funds will be utilised to cater for the shortfall pertaining to the Longlands Development.

3.3.5 Basic Improvements: Langrug

The user department planned to spend R1 103 447 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R215 848. The user department indicated that the line item has three (3) projects linked to it as follows;

- Design and construction of emergency road and construction of underground services: The project is at the design development stage. The consultant submitted civil designs for approval on 9 October 2020. The project is currently running behind schedule due to delays with the inputs received.
- Geotechnical study and civil designs on Erf 3229: The project is at the design development stage. The user department has split the procurement process of the project into two phases to expedite expenditure of funds allocated to the project this financial year. The split is as follows;
 - Site rehabilitation of Erf 3229: The tender documents have been completed during December 2020.
 - Procurement of the civil component of the project will be followed once a favourable outcome is received.
- Obtaining of Land Use Rights and Environmental Authorisation on Erf 3229: The land use application has been submitted to the planning department. The environmental checklist report was submitted to the Department of Environment Affairs and Development Planning.

3.3.6 Smartie Town

The user department planned to spend R1 578 533 of the adjusted budget. No spending has been incurred to date. The user department indicated that a contractor has commenced with the external ratification works. The contractor is currently in the process of procuring two (2) mobile homes to be utilised for the decanting of residents. The internal portion of the scope of works will commence in January 2021. This is a multi-year project and will continue in the next financial year. The budget will be reduced with R1 000 000 during the Mid-year adjustment budget process.

3.3.7 Upgrading of The Steps/Orlean Lounge

The user department planned to spend R3 500 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R1 663 639. The user department indicated that 12 units have been completed and handed over. Order to the amount of R5 292 882 have been loaded on the financial system. This is a multi-year project and

will continue in the next financial year. The budget will be reduced with R3 000 000 during the Mid-year adjustment budget process.

3.3.8 Watergant Farm Upgrading

The user department planned to spend R1 900 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that tender number B/SM 18/21 for the appointment of a contractor closed on 9 November 2020. The consulting engineer is finalising the technical report for submission to the Bid Evaluation Committee meeting. Expenditure is anticipated to reflect during February 2021 when the contractor has established on site.

3.3.9 Bulk Sewer Outfall: Jamestown

The user department planned to spend R17 235 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R5 227 062. Orders amounting to R25 258 747 have been loaded on the financial system. Funding to the amount of R419 507 will be reallocated in alignment with the Integrated Urban Development Grant business plan during the Mid-year adjustment budget process.

3.3.10 Franschoek Sewer Network Upgrade

The user department planned to spend R2 500 000 of the adjusted budget. No spending has been incurred to date. The user department has indicated that a consultant has been appointed and work will commence in January 2021. This multi-year project is currently in the planning phase and will continue in the next financial year. The budget will be reduced with R4 000 000 during the Mid-year adjustment budget process.

3.3.11 Sewerpipe Replacement: Dorp Street

The user department planned to spend R5 500 000 of the adjusted budget. No spending has been incurred to date. The user department indicated the tender process has been put on hold due to insufficient funding.

3.3.12 Upgrade of WWTW Wemmershoek

The user department planned to spend R3 800 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R461 806. The user department indicated that invoices to the amount of R117 161 have been submitted for payment. Orders to the amount of R1 076 153 have been loaded on the financial system. This multi-year project is currently in the planning phase and will continue in the next financial year. The budget will be reduced with R12 000 000 during the Mid-year adjustment budget process.

3.3.13 Upgrade of WWTW: Pniel & Decommissioning of Franschhoek

The user department planned to spend R21 284 518 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R15 509 848. The user department indicated that invoices to the amount of R851 492 have been submitted for payment Orders amounting to R21 609 342 have been loaded on the financial system. Additional funding is required to complete the project. The budget will be increased with R22 000 000 during the Mid-year adjustment budget process.

3.3.14 Bulk water supply Klapmuts

The user department planned to spend R5 063 721 of the adjusted budget. No spending has been incurred to date. The user department indicated that the contractor has been appointed and will commence work during January 2021.

3.3.15 Bulk water supply pipe and Reservoir: Kayamandi

The user department planned to spend R8 800 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R15 509 848. The user department indicated that improvement in expenditure will be noted during the ensuing months. This multi-year project is currently in the planning phase and will continue in the next financial year. The budget will be reduced with R10 000 000 during the Mid-year adjustment budget process.

3.3.16 Main road intersection improvements: R44/Helshoogte

The user department planned to spend R1 850 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that the contractor is in the process of being appointed.

3.3.17 Taxi Rank: Franschhoek

The user department planned to spend R3 407 961 of the adjusted budget. No spending has been incurred to date. The user department indicated that consultants and contractors have been appointed. Construction will be accelerated.

3.3.18 Taxi Rank: Kayamandi

The user department planned to spend R5 510 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R315 319. The user department indicated that consultants and contractors have been appointed. Construction will be accelerated.

3.3.19 Taxi Rank: Klapmuts

The user department planned to spend R2 362 310 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R20 995. The user department indicated that consultants and contractors have been appointed. Construction will be accelerated.

3.4 Corporate Services

The Directorate planned to spend an amount of R62 308 443 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R58 191 231. This resulted in an under spending of R4 117 212. The projects that attributed to the under spending are as follows:

3.4.1 Upgrade and Expansion of IT Infrastructure Platforms

The user department planned to spend R4 000 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R2 269 353. The user department indicated that R1 100 000 will be utilised for the procurement of hardware. Orders to the amount of R944 942 have been loaded on the financial system.

3.4.2 Upgrading of Stellenbosch Town Hall

The user department planned to spend R2 650 000 of the adjusted budget. No spending has been incurred to date. Orders to the amount of R2 848 786 have been loaded on the financial system. The budget will be reduced by R273 894 during the Mid-year adjustment budget process due to savings on the project.

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

4 Supporting Documentation

Debtors Age Analysis

Supporting Table SC3: Monthly Budget Statement - Aged Debtors

WC024 Stellenbosch - Supporting Table SC3 Monthly Budget Statement - aged debtors - Mid-Year Assessment													
Description	NT Code	Budget Year 2020/21										Actual Bad Debts Written Off against Debtors	Impairment - Bad Debts i.t.o Council Policy
		0-30 Days	31-60 Days	61-90 Days	91-120 Days	121-150 Dys	151-180 Dys	181 Dys-1 Yr	Over 1Yr	Total	Total over 90 days		
R thousands													
Debtors Age Analysis By Income Source													
Trade and Other Receivables from Exchange Transactions - Water	1200	13 849	3 600	3 977	2 770	78 566	-	-	-	102 762	81 336	-	-
Trade and Other Receivables from Exchange Transactions - Electricity	1300	33 037	1 800	1 978	1 844	11 211	-	-	-	49 871	13 056	-	-
Receivables from Non-exchange Transactions - Property Rates	1400	18 246	1 758	1 520	1 162	29 043	-	-	-	51 730	30 206	-	-
Receivables from Exchange Transactions - Waste Water Management	1500	6 807	937	990	1 000	20 735	-	-	-	30 468	21 734	-	-
Receivables from Exchange Transactions - Waste Management	1600	4 375	670	707	583	23 952	-	-	-	30 287	24 535	-	-
Receivables from Exchange Transactions - Property Rental Debtors	1700	729	174	177	170	9 073	-	-	-	10 323	9 242	-	-
Interest on Arrear Debtor Accounts	1810	-	-	-	-	-	-	-	-	-	-	-	-
Recoverable unauthorised, irregular, fruitless and wasteful expenditure	1820	-	-	-	-	-	-	-	-	-	-	-	-
Other	1900	742	309	409	305	9 893	-	-	-	11 659	10 198	-	-
Total By Income Source	2000	77 786	9 248	9 758	7 833	182 473	-	-	-	287 099	190 307	-	-
2019/20 - totals only													
Debtors Age Analysis By Customer Group													
Organs of State	2200	4 471	1 593	1 858	1 771	3 374	-	-	-	13 067	5 144	-	-
Commercial	2300	13 462	262	246	267	15 981	-	-	-	30 218	16 247	-	-
Households	2400	46 438	6 584	6 860	4 981	139 927	-	-	-	204 791	144 908	-	-
Other	2500	13 414	810	793	815	23 192	-	-	-	39 024	24 007	-	-
Total By Customer Group	2600	77 786	9 248	9 758	7 833	182 473	-	-	-	287 099	190 307	-	-

Creditors Age Analysis

WC024 Stellenbosch - Supporting Table SC4 Monthly Budget Statement - aged creditors - Mid-Year Assessment										
Description	NT Code	Budget Year 2020/21								Total
		0 - 30 Days	31 - 60 Days	61 - 90 Days	91 - 120 Days	121 - 150 Days	151 - 180 Days	181 Days - 1 Year	Over 1 Year	
R thousands										
Creditors Age Analysis By Customer Type										
Bulk Electricity	0100	32 946	-	-	-	-	-	-	-	32 946
Bulk Water	0200	4 578	-	-	-	-	-	-	-	4 578
PAYE deductions	0300	-	-	-	-	-	-	-	-	-
VAT (output less input)	0400	-	-	-	-	-	-	-	-	-
Pensions / Retirement deductions	0500	-	-	-	-	-	-	-	-	-
Loan repayments	0600	-	-	-	-	-	-	-	-	-
Trade Creditors	0700	20 702	-	-	-	-	-	-	-	20 702
Auditor General	0800	-	-	-	-	-	-	-	-	-
Other	0900	-	-	-	-	-	-	-	-	-
Total By Customer Type	1000	58 226	-	-	-	-	-	-	-	58 226

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

3 Investments

ACC. NR	BANK	Type/ Period	INTEREST RATE	MATURITY DATE	OPENING BALANCE AS AT 1 JULY 2020	December		TOTAL INVESTMENTS/ WITHDRAWALS	INTEREST CAPITALISED FOR THE MONTH UNDER REVIEW	INTEREST ACCRUED YTD	CLOSING BALANCE YTD
						INVEST	WITHDRAW				
	ABSA BANK										
'9354572592	A#2592	CALL	6.700%	CALL	20 978 743.64			(21 255 268.40)		276 524.75	(0.01)
'2079161942	A#942	FIXED / 6 Mths	6.690%	12-Oct-20	101 411 315.07			(103 299 178.08)		1 887 863.01	0.00
9360655689	A#689	CALL	4.600%				- 50 000 000.00	151 000 000.00	723 019.64	1 882 076.20	152 882 076.20
					122 390 058.71			26 445 553.52	723 019.64	4 046 463.97	152 882 076.20
	FNB										
74877638964	F#8964	FIXED / 5 Mths	4.240%	27-Aug-19				145 000 000.00	522 158.90	589 534.25	145 589 534.25
				28-Aug-19							
				30-Aug-19				145 000 000.00	522 158.90	589 534.25	145 589 534.25
	NEDBANK										
037881123974/...008	N#008	CALL	3.750%	CALL	46 299 984.67			(46 342 726.03)	-	42 741.37	0.01
03/7881123974/...019	N#019	FIXED / 8 MTHS	7.650%	27-Oct-20	123 143 835.62			(126 111 616.44)		2 967 780.82	(0.00)
					169 443 820.28			(172 454 342.47)	-	3 010 522.19	0.01
	STANDARD BANK										
258489367-025	S#025	CALL ACCOUNT	6.750%	CALL ACCOUNT	21 958 157.17			(22 200 686.72)		242 529.65	0.10
258489367-030	S#030	FIXED 9 MNTHS	7.600%	27-Nov-20	82 082 191.78			(84 497 534.25)	-	2 415 342.47	(0.00)
					104 040 348.95			(106 698 220.97)	-	2 657 872.11	0.10
INVESTMENT TOTAL					395 874 227.94			(107 707 009.92)	1 245 178.55	10 304 392.52	298 471 610.55

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

WC024 Stellenbosch - Supporting Table SC5 Monthly Budget Statement - investment portfolio - Mid-Year Assessment									
Investments by maturity Name of institution & investment ID	Ref	Period of Investment	Type of Investment	Expiry date of investment	Accrued interest for the month	Yield for the month 1 (%)	Market value at beginning of the month	Change in market value	Market value at end of the month
R thousands		Yrs/Months							
Municipality									
N#019-Nedbank		8M	Deposits - Ban	27/11/2020	-	7.65%	(0)	-	(0)
S#025-Standard Bank		CALL ACCOU	Deposits - Ban	CALL ACCOU	-	6.75%	0	-	0
S#030- Standard Bank		9M	Deposits - Ban	27/10/2020	-	7.60%	(0)	-	(0)
A#2592 - ABSA		CALL ACCOU	Deposits - Ban	CALL ACCOU	-	6.70%	(0)	-	(0)
A#942-ABSA		6M	Deposits - Ban	15/05/2020	-	6.69%	0	-	0
N#008 - Nedbank		CALL ACCOU	Deposits - Ban	CALL ACCOU	-	3.75%	(0)	-	(0)
A#689- ABSA		CALL ACCOU	Deposits - Ban	CALL ACCOU	723	4.60%	202 159	(50 000)	152 882
F#8964 - FNB		5M	Deposits - Ban	26/04/2021	522	4.24%	145 067	-	145 590
-		-			-		-	-	-
-		-			-		-	-	-
Municipality sub-total					1 245		347 226	(50 000)	298 472
TOTAL INVESTMENTS AND INTEREST	2				1 245		347 226	(50 000)	298 472

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

4 Borrowings

Lending Institution	Balance 1/12/2020	Received December 2020	Interest Capitalised December 2020	Capital Repayments December 2020	Balance 31/12/2020	Percentage	Sinking Funds (R'000)
DBSA @ 9.25%	1 846 984	-	-	1 846 984	(0)	9.25%	
DBSA@ 11.1%	15 969 032	-	-	1 231 065	14 737 966	11.10%	
DBSA@ 10.25%	46 230 654	-	-	2 865 806	43 364 848	10.25%	
DBSA @ 9.74%	78 807 272	-	-	2 586 430	76 220 842	9.74%	
NEBANK @ 9.70%	150 076 499	-	-	5 353 607	144 722 892	9.70%	
	292 930 440	-	-	13 883 892	279 046 548		

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

7 Allocations and grant receipts and expenditure

OPERATING & CAPITAL GRANTS	TOTAL 2019/20 INCLUSIVE OF ROLL OVER AMOUNTS	EXPECTED ALLOCATION	UNSPENT CONDITIONAL GRANTS (ROLL OVERS)	CAPITAL DEBTORS	ACCUMULATED ACTUAL RECEIPTS	ACCUMULATED ACTUAL EXPENDITURE	ACTUAL MONTHLY EXPENDITURE	ACTUAL MONTHLY RECEIPTS	UNSPENT CONDITIONAL GRANTS	% OF RECEIPTS SPENT TO DATE	% OF GAZETTED ALLOCATIONS SPENT TO DATE
Unconditional Grant:Equitable Share	170 632 000	170 632 000			133 181 000	15 735 307	922 063	65 769 000	117 445 693	11.81%	9.22%
Grand Total (Unconditional Grants)	170 632 000	170 632 000	-	-	133 181 000	15 735 307	922 063	65 769 000	117 445 693	11.81%	
EPWP Integrated Grant for Municipalities	4 961 000	4 961 000			3 564 000	1 471 110	259 950	2 323 000	2 092 890	41.28%	29.65%
Local Government Financial Management Grant	1 550 000	1 550 000			1 550 000	439 829	112 399	-	1 110 171	28.38%	28.38%
Integrated National Electrification Programme (Municipal) Grant	12 000 000	12 000 000			12 000 000	377 394	-	-	11 622 606	3.14%	3.14%
Integrated Urban Development Grant	47 490 000	47 490 000			24 995 000	15 590 089	5 544 517	7 970 000	9 404 911	62.37%	32.83%
LGSETA Funding	-	-			4 000	-	-	-	4 000	0.00%	0.00%
Community Development Workers Operational Support Grant	93 296	56 000	37 296		-	9 245	-	-	28 051	24.79%	9.91%
Library Services: Conditional Grant	9 650 000	9 650 000			9 650 000	3 971 332	592 286	-	5 678 668	41.15%	41.15%
Human Settlements Development Grant	31 994 416	31 829 000	165 416	19 449 132	14 046 604	12 647 161	920 015	1 500 000	(17 884 273)	0.00%	39.53%
Title Deeds Restoration Grant	1 839 711		1 839 711						1 839 711	0.00%	0.00%
Municipal Accreditation and Capacity Building Grant	238 000	238 000			-	-	-	-	-	0.00%	0.00%
Financial Management Capacity Building Grant	760 097	400 000	360 097		-	-	-	-	360 097	0.00%	0.00%
LG Graduate Internship Grant	73 655		73 655			41 667	7 083	-	31 988	0.00%	56.57%
Maintenance and Construction of Transport Infrastructure	450 000	450 000			-	-	-	-	-	0.00%	0.00%
Regional Socio-Economic Project/violence through urban upgrading (RSEP/VPUL)	4 000 000	4 000 000			4 000 000	-	-	-	4 000 000	0.00%	0.00%
Integrated Transport Planning	600 000	600 000			600 000	-	-	-	600 000	0.00%	0.00%
Safety Initiative Implementation-whole of society approach (WOSA)	440 000	440 000			-	-	-	-	-	0.00%	0.00%
Grand total (Conditional Grants)	116 140 175	113 664 000	2 476 175	19 449 132	70 409 604	34 547 827	7 436 250	11 793 000	18 888 820	47.40%	29.75%

- Please note: The Department of Human Settlements currently owes the municipality an amount of R17 884 273 in respect of the Human Settlement Development Grant (beneficiaries) due to claims which have not yet been honoured. The user department has submitted claims during December 2020 and the Department of Human Settlements has transferred an amount of R7 231 321. Unfortunately clarity could not be obtained as to whether or not the amount pertains solely to grant funding. The amount will be allocated once clarity has been obtained and will reflect in the next reporting period. Obstacles have also been encountered pertaining to the implementation of the capital projects as the transferring department has not provided contracts for some of the gazetted allocations. The municipality could therefore not proceed with implementation which places the spending of the grant at risk. The municipality is liaising with the Department of Human Settlement to resolve the latter. Human Settlement Development Grant disbursements to the amount of R4 118 393 has been transferred into the municipal bank account during December 2019. The funds will be allocated on the financial system during January 2020.

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Supporting Table SC6: Monthly Budget Statement – Transfers and grant receipts

WC024 Stellenbosch - Supporting Table SC6 Monthly Budget Statement - transfers and grant receipts - Mid-Year Assessment										
Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands										
RECEIPTS:	1,2									
Operating Transfers and Grants										
National Government:		143 163	156 315	177 618	68 092	138 295	88 571	49 724	56.1%	177 143
Operational Revenue:General Revenue:Equitable Share		136 177	149 804	170 632	65 769	133 181	85 316	47 865	56.1%	170 632
Expanded Public Works Programme Integrated Grant for Municipalities [Schedule 5B]		5 227	4 961	5 436	2 323	3 564	2 481	1 083	43.7%	4 961
Local Government Financial Management Grant [Schedule 5B]		1 550	1 550	1 550	-	1 550	775	775	100.0%	1 550
Municipal Disaster Grant [Schedule 5B]		209	-	-	-	-	-	-	-	-
Provincial Government:		17 130	21 791	21 909	-	9 654	10 338	(684)	-6.6%	20 676
Community Development Workers Operational Support Grant		112	56	56	-	-	-	-	-	-
Financial Management Capacity Building Grant		380	400	4 000	-	-	10 338	(10 338)	-100.0%	20 676
Human Settlements Development Grant	4		7 570	7 570	-	-	-	-	-	-
Libraries, Archives and Museums	4	12 454	13 077	9 595	-	9 650	-	9 650	#DIV/0!	-
Local Government Support Grant	4	900	-	-	-	-	-	-	-	-
LGSETA Bursary Fund	4	63	-	-	-	4	-	4	#DIV/0!	-
WC Financial Management Support Grant	4	255	-	-	-	-	-	-	-	-
LG Graduate Internship Grant	4	80	-	-	-	-	-	-	-	-
Maintenance and Construction of Transport Infrastructure	4	384	450	450	-	-	-	-	-	-
Cape Winelands District Grant	4	2 503	-	-	-	-	-	-	-	-
Municipal Accreditation and Capacity Building Grant	4	-	238	238	-	-	-	-	-	-
Waste Water Infrastructure - Maintenance	4	-	-	-	-	-	-	-	-	-
Water Supply Infrastructure - Maintenance		-	-	-	-	-	-	-	-	-
District Municipality:		472	440	440	-	-	220	(220)	-100.0%	440
Safety Initiative Implementation-whole of society approach (WOSA)		472	440	440	-	-	220	(220)	-100.0%	440
Other grant providers:		172	-	-	-	-	-	-	-	-
Public Corporations		172	-	-	-	-	-	-	-	-
Total Operating Transfers and Grants	5	160 938	178 546	199 967	68 092	147 949	99 129	48 820	49.2%	198 259
Capital Transfers and Grants										
National Government:		62 526	63 690	59 490	7 970	36 995	29 745	7 250	24.4%	59 490
Integrated National Electrification Programme (Municipal Grant) [Schedule 5B]		15 640	16 200	12 000	-	12 000	6 000	6 000	100.0%	12 000
Municipal Infrastructure Grant [Schedule 5B]		-	-	-	-	-	-	-	-	-
Maintenance and Construction of Transport Infrastructure		-	-	-	-	-	-	-	-	-
Integrated Urban Development Grant		46 886	47 490	47 490	7 970	24 995	23 745	1 250	5.3%	47 490
Provincial Government:		8 836	49 739	29 079	1 500	18 647	14 512	4 134	28.5%	29 024
Human Settlements Development Grant		6 736	45 139	24 424	1 500	14 047	-	14 047	#DIV/0!	-
Integrated Transport Planning		600	600	600	-	600	14 512	(13 912)	-95.9%	29 024
Regional Socio-Economic Project/violence through urban upgrading (RSEP/VPUU)		1 500	4 000	4 000	-	4 000	-	4 000	#DIV/0!	-
Libraries, Archives and Museums		-	-	55	-	-	-	-	-	-
Road Infrastructure		-	-	-	-	-	-	-	-	-
Sports and Recreation		-	-	-	-	-	-	-	-	-
Waste Water Infrastructure		-	-	-	-	-	-	-	-	-
Water Supply Infrastructure		-	-	-	-	-	-	-	-	-
District Municipality:		-	-	-	-	-	-	-	-	-
All Grants		-	-	-	-	-	-	-	-	-
Other grant providers:		-	-	-	-	-	-	-	-	-
Departmental Agencies and Accounts		-	-	-	-	-	-	-	-	-
Total Capital Transfers and Grants	5	71 362	113 429	88 569	9 470	55 642	44 257	11 384	25.7%	88 514
TOTAL RECEIPTS OF TRANSFERS & GRANTS	5	232 300	291 975	288 537	77 562	203 591	143 387	60 204	42.0%	286 773

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Supporting Table SC7 (1) Monthly Budget Statement – transfers and grant expenditure

WC024 Stellenbosch - Supporting Table SC7(1) Monthly Budget Statement - transfers and grant expenditure - Mid-Year Assessment										
Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands										
EXPENDITURE										
Operating expenditure of Transfers and Grants										
National Government:		18 761	156 315	177 618	1 294	17 646	13 907	3 739	26.9%	27 814
Operational Revenue:General Revenue:Equitable Share		11 696	149 804	170 632	922	15 735	10 414	5 321	51.1%	20 828
Expanded Public Works Programme Integrated Grant for Municipalities [Schedule 5B]		5 117	4 961	5 436	260	1 471	2 718	(1 247)	-45.9%	5 436
Natural Resource Management Project		191	-	-	-	-	-	-	-	-
Local Government Financial Management Grant [Schedule 5B]		1 550	1 550	1 550	112	440	775	(335)	-43.2%	1 550
Municipal Disaster Grant [Schedule 5B]		209	-	-	-	-	-	-	-	-
Municipal Systems Improvement Grant		(2)	-	-	-	-	-	-	-	-
Natural Resource Management Project		-	-	-	-	-	-	-	-	-
Provincial Government:		-	21 791	21 947	1 098	9 040	10 327	(1 287)	-12.5%	20 655
Community Development Workers Operational Support Grant		-	56	94	-	-	-	-	-	-
Financial Management Capacity Building Grant		-	400	4 000	-	-	10 327	(10 327)	-100.0%	20 655
Human Settlements Development Grant		-	7 570	7 570	506	5 124	-	5 124	#DIV/0!	-
Libraries, Archives and Museums		-	13 077	9 595	592	3 917	-	3 917	#DIV/0!	-
Local Government Support Grant		-	-	-	-	-	-	-	-	-
LGSETA Bursary Fund		-	-	-	-	-	-	-	-	-
WC Financial Management Support Grant		-	-	-	-	-	-	-	-	-
LG Graduate Internship Grant		-	-	-	-	-	-	-	-	-
Maintenance and Construction of Transport Infrastructure		-	450	450	-	-	-	-	-	-
Cape Winelands District Grant		-	-	-	-	-	-	-	-	-
Municipal Accreditation and Capacity Building Grant		-	238	238	-	-	-	-	-	-
Waste Water Infrastructure - Maintenance		-	-	-	-	-	-	-	-	-
Water Supply Infrastructure - Maintenance		-	-	-	-	-	-	-	-	-
District Municipality:		472	440	440	-	-	220	(220)	-100.0%	440
Safety Initiative Implementation-whole of society approach (WOSA)		472	440	440	-	-	220	(220)	-100.0%	440
Other grant providers:		235	-	-	-	-	-	-	-	-
Departmental Agencies and Accounts		63	-	-	-	-	-	-	-	-
Public Corporations		172	-	-	-	-	-	-	-	-
Total operating expenditure of Transfers and Grants:		19 468	178 546	200 005	2 392	26 687	24 454	2 232	9.1%	48 909
Capital expenditure of Transfers and Grants										
National Government:		62 049	63 690	59 490	5 545	15 967	25 455	(9 488)	-37.3%	59 490
Integrated National Electrification Programme (Municipal Grant) [Schedule 5B]		15 163	16 200	12 000	-	377	6 000	(5 623)	-93.7%	12 000
Municipal Infrastructure Grant [Schedule 5B]		46 886	-	-	-	-	-	-	-	-
Maintenance and Construction of Transport Infrastructure		-	-	-	-	-	-	-	-	-
Integrated Urban Development Grant		-	47 490	47 490	5 545	15 590	19 455	(3 865)	-19.9%	47 490
Provincial Government:		65 676	49 739	29 079	414	7 578	13 380	(5 802)	-43.4%	29 079
Libraries, Archives and Museums		-	-	55	-	55	30	25	82.3%	55
Human Settlements Development Grant		65 676	45 139	24 424	414	7 523	13 350	(5 827)	-43.6%	29 024
Integrated Transport Planning		-	600	600	-	-	-	-	-	-
Regional Socio-Economic Project/violence through urban upgrading (RSEP/VPDU)		-	4 000	4 000	-	-	-	-	-	-
District Municipality:		-	-	-	-	-	-	-	-	-
All Grants		-	-	-	-	-	-	-	-	-
Other grant providers:		151	-	-	-	-	-	-	-	287 072
Departmental Agencies and Accounts		151	-	-	-	-	-	-	-	-
Total capital expenditure of Transfers and Grants		127 877	113 429	88 569	5 959	23 546	38 835	(15 289)	-39.4%	375 641
TOTAL EXPENDITURE OF TRANSFERS AND GRANTS		147 345	291 975	288 574	8 351	50 232	63 289	(13 057)	-20.6%	424 550

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Supporting Table SC7 (2) Monthly Budget Statement – Expenditure against approved rollovers**WC024 Stellenbosch - Supporting Table SC7(2) Monthly Budget Statement - Expenditure against approved rollovers - Mid-Year Assessment**

Description	Ref	Budget Year 2020/21				
		Approved Rollover 2019/20	Monthly actual	YearTD actual	YTD variance	YTD variance %
R thousands						
EXPENDITURE						
Operating expenditure of Approved Roll-overs						
National Government:		-	-	-	-	
Operational Revenue:General Revenue:Equitable Share		-	-	-	-	
Expanded Public Works Programme Integrated Grant for Municipalities [Schedule 5B]		-	-	-	-	
Local Government Financial Management Grant [Schedule 5B]		-	-	-	-	
Natural Resource Management Project		-	-	-	-	
Integrated Urban Development Grant		-	-	-	-	
Provincial Government:		2 311	7	51	(2 260)	-97.8%
Community Development Workers Operational Support Grant		38	-	9	(29)	-75.5%
Financial Management Capacity Building Grant		360	-	-	(360)	-100.0%
Human Settlements Development Grant		-	-	-	-	
LG Graduate Internship Grant		74	7	42	(32)	-43.4%
Title Deeds Resroration Grant		1 840	-	-	(1 840)	-100.0%
District Municipality:		-	-	-	-	
Safety Initiative Implementation-whole of society approach (WOSA)		-	-	-	-	
Other grant providers:		-	-	-	-	
Departmental Agencies and Accounts		-	-	-	-	
Foreign Government and International Organisations		-	-	-	-	
Total operating expenditure of Approved Roll-overs		2 311	7	51	(2 260)	-97.8%
Capital expenditure of Approved Roll-overs						
National Government:		-	-	-	-	
Integrated National Electrification Programme (Municipal Grant) [Schedule 5B]		-	-	-	-	
Municipal Infrastructure Grant [Schedule 5B]		-	-	-	-	
Maintenance and Construction of Transport Infrastructure		-	-	-	-	
Fire Services Capacity Building Grant		-	-	-	-	
Integrated Urban Development Grant		-	-	-	-	
Provincial Government:		-	-	-	-	
Human Settlements Development Grant		-	-	-	-	
Integrated Transport Planning		-	-	-	-	
Libraries, Archives and Museums		-	-	-	-	
Regional Socio-Economic Project/violence through urban upgrading (RSEP/VPUU)		-	-	-	-	
District Municipality:		-	-	-	-	
All Grants		-	-	-	-	
Other grant providers:		-	-	-	-	
Departmental Agencies and Accounts		-	-	-	-	
Public Corporations		-	-	-	-	
Total capital expenditure of Approved Roll-overs		-	-	-	-	
TOTAL EXPENDITURE OF APPROVED ROLL-OVERS		2 311	7	51	(2 260)	-97.8%

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

8 Employee related costs

Employee - Related Costs	Original Budget	Adjustments Budget	Year-to-date Budget	Year-to-date Actual	% Variance	Monthly Budget	Monthly Actual	% Variance
Basic Salary and Wages	339 270 102	337 736 316	168 868 080	164 357 021	-3%	38 900 197	29 198 583	-25%
Bonus	29 815 702	29 815 702	14 907 846	23 866 646	60%	21 000	437 513	1983%
Acting and Post Related Allowances	1 544 833	1 544 833	772 416	234 539	-70%	63 251	38 558	-39%
Non Structured	35 891 131	35 891 131	17 945 574	17 171 203	-4%	2 498 290	3 084 869	23%
Standby Allowance	15 561 395	15 561 395	7 780 704	7 939 024	2%	2 498 290	1 387 883	-44%
Travel or Motor Vehicle	15 586 207	15 586 207	7 793 118	4 571 312	-41%	1 498 290	775 230	-48%
Accommodation, Travel and Incidental	410 871	410 871	205 452	9 166	-96%	800	7 007	776%
Bargaining Council	241 838	241 838	120 942	176 116	46%	23 515	26 058	11%
Cellular and Telephone	1 143 313	1 143 313	571 680	889 816	56%	132 555	150 285	13%
Current Service Cost	7 762 777	7 762 777	3 881 388	3 735 661	0%	857 102	-	-100%
Essential User	732 117	732 117	366 060	369 361	1%	75 000	58 346	-22%
Entertainment	128 048	128 048	64 026	-	0%	-	-	0%
Fire Brigade	2 864 717	2 864 717	1 432 356	1 293 295	-10%	230 000	222 037	-3%
Group Life Insurance	4 252 794	4 252 794	2 126 406	1 944 497	-9%	300 000	380 754	27%
Housing Benefits	3 164 837	3 164 837	1 582 398	1 378 504	-13%	245 000	228 171	-7%
Interest Cost	22 368 457	22 368 457	11 184 228	-	0%	-	-	0%
Leave Gratuity	-	-	-	-	0%	-	-	0%
Leave Pay	2 246 376	2 246 376	1 123 200	1 457 962	30%	72 000	520 686	623%
Long Term Service Awards	1 067 046	1 067 046	533 526	53 014	-90%	-	-	0%
Medical	27 962 039	27 962 039	13 981 032	12 308 668	-12%	2 498 290	2 073 109	-17%
Non-pensionable	914 001	914 001	457 002	40 719	-91%	7 000	7 124	2%
Pension	58 058 040	58 058 040	29 029 026	27 307 464	-6%	4 498 290	5 865 794	30%
Scarcity Allowance	1 643 789	1 643 789	821 904	807 399	-2%	130 000	137 161	6%
Shift Additional Remuneration	2 026 274	2 026 274	1 013 142	2 263 874	123%	390 000	492 895	26%
Structured	1 580 462	1 580 462	790 230	968 198	23%	326 512	144 902	-56%
Unemployment Insurance	3 201 919	3 201 919	1 600 980	1 157 251	-28%	250 142	199 169	-20%
Totals	579 439 085	577 905 299	288 952 716	274 300 708	-5%	55 515 523	45 436 135	-18%

MID-YEAR BUDGET PERFORMANCE ASSESSMENT FOR DECEMBER 2020

Councillor Allowances and Employee Benefits

WC024 Stellenbosch - Supporting Table SC8 Monthly Budget Statement - councillor and staff benefits - Mid-Year Assessment										
Summary of Employee and Councillor remuneration	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands										
	1	A	B	C						D
Councillors (Political Office Bearers plus Other)										
Basic Salaries and Wages		12 108	13 710	13 710	1 012	6 101	6 855	(754)	-11%	13 710
Pension and UIF Contributions		559	848	848	-	-	424	(424)	-100%	848
Medical Aid Contributions		215	92	92	-	-	46	(46)	-100%	92
Motor Vehicle Allowance		4 331	4 947	4 947	364	2 187	2 473	(287)	-12%	4 947
Cellphone Allowance		1 754	1 339	1 339	146	877	669	208	31%	1 339
Housing Allowances		-	-	-	-	-	-	-	-	-
Other benefits and allowances		155	197	197	13	77	99	(21)	-21%	197
Sub Total - Councillors		19 121	21 133	21 133	1 535	9 243	10 566	(1 324)	-13%	21 133
% increase	4		10.5%	10.5%						10.5%
Senior Managers of the Municipality	3									
Basic Salaries and Wages		5 410	7 532	7 532	398	2 580	3 766	(1 186)	-32%	7 532
Pension and UIF Contributions		179	1 374	1 374	-	-	687	(687)	-100%	1 374
Medical Aid Contributions		24	235	235	-	-	118	(118)	-100%	235
Overtime		-	-	-	-	-	-	-	-	-
Performance Bonus		430	300	300	-	-	150	(150)	-100%	300
Motor Vehicle Allowance		161	1 188	1 188	-	-	594	(594)	-100%	1 188
Cellphone Allowance		51	132	132	-	-	66	(66)	-100%	132
Housing Allowances		-	-	-	-	-	-	-	-	-
Other benefits and allowances		0	61	61	0	0	30	(30)	-100%	61
Payments in lieu of leave		-	-	-	-	-	-	-	-	-
Long service awards		-	-	-	-	-	-	-	-	-
Post-retirement benefit obligations	2	21 200	-	-	-	3 736	-	3 736	#DIV/0!	-
Sub Total - Senior Managers of Municipality		27 454	10 822	10 822	398	6 315	5 411	904	17%	10 822
% increase	4		-60.6%	-60.6%						-60.6%
Other Municipal Staff										
Basic Salaries and Wages		316 733	331 738	330 204	28 800	161 777	165 102	(3 325)	-2%	330 204
Pension and UIF Contributions		51 074	59 886	59 886	6 065	28 465	29 943	(1 478)	-5%	59 886
Medical Aid Contributions		23 313	27 727	27 727	2 073	12 309	13 863	(1 555)	-11%	27 727
Overtime		52 117	55 059	55 059	5 111	28 342	27 530	813	3%	55 059
Performance Bonus		-	-	-	-	-	-	-	-	-
Motor Vehicle Allowance		9 133	14 398	14 398	775	4 571	7 199	(2 628)	-37%	14 398
Cellphone Allowance		1 579	1 011	1 011	150	890	506	384	76%	1 011
Housing Allowances		2 916	3 165	3 165	228	1 379	1 582	(204)	-13%	3 165
Other benefits and allowances		33 204	42 188	42 188	1 315	28 742	21 094	7 648	36%	42 188
Payments in lieu of leave		(2)	2 246	2 246	521	1 458	1 123	335	30%	2 246
Long service awards		6	72	72	-	53	36	17	46%	72
Post-retirement benefit obligations	2	(21 622)	31 126	31 126	-	-	15 563	(15 563)	-100%	31 126
Sub Total - Other Municipal Staff		468 451	568 617	567 083	45 038	267 985	283 542	(15 556)	-5%	567 083
% increase	4		21.4%	21.1%						21.1%
Total Parent Municipality		515 026	600 572	599 038	46 972	283 543	299 519	(15 976)	-5%	599 038

APPENDIX 2



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Appendix 2

Mid-year Performance Assessment Report 2020/21

01 July – 31 December 2020

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1. INTRODUCTION

In terms of Section 72(1)(a) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), the Accounting Officer must by 25 January of each year assess the performance of the municipality during the first half of the financial year. A report on such an assessment must, in terms of Section 72(1)(b) of the MFMA, be submitted to the Mayor, Provincial and National Treasury.

Once the Mayor has considered the report, it must be submitted to Council by 31 January in terms of Section 54 of the MFMA.

The Mid-year Performance Assessment Report and supporting tables of Stellenbosch Municipality is prepared in accordance with MFMA Circular 13 and the Municipal Budget and Reporting Regulations.

2. FINANCIAL PERFORMANCE

A report assessing the Municipality's financial performance for the period 01 July- 31 December 2020 will be submitted to Council together with this item.

3. SERVICE DELIVERY PERFORMANCE ANALYSIS

3.1 CREATING A CULTURE OF PERFORMANCE

3.1.1 Performance Framework

Performance management is prescribed by Chapter 6 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA), and the Local Government: Municipal Planning and Performance Management Regulations, 796 of August 2001. Section 7(1) of the aforementioned regulation states that *"A Municipality's Performance Management System entails a framework that describes and represents how the municipality's cycle and processes of performance planning, monitoring, measurement, review, reporting and improvement will be conducted, organised and managed, including determining the responsibilities of the different role players."* This framework, *inter alia*, reflects the linkage between the Integrated Development Plan (IDP), Budget, Service Delivery and Budget Implementation Plan (SDBIP) and individual as well as service provider performance.

The Stellenbosch Municipality revised its Performance Management Policy and was submitted to Council for approval in September 2020.

3.1.2 Implementation of Performance Management

The revised IDP 2017/2022 was approved by Council in May 2020. Performance is evaluated by means of a municipal scorecard (the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP)) at organisational level and through the Departmental SDBIP at departmental level.

The SDBIP is a plan that converts the IDP and Budget into measurable criteria on how, where and when the strategies, objectives and normal business processes of the Municipality is implemented. It also allocates responsibilities to Directorates to deliver services in terms of the IDP and Budget.

The TL SDBIP was prepared and approved by the Executive Mayor on 24 June 2020.

3.1.3 Monitoring Performance

The SDBIP is loaded on an electronic web based system (after approval). The web based system sends automated e-mails to the users of the system as a reminder to all staff responsible for updating their actual performance against Key Performance Indicator (KPI) Targets for the previous month's performance. The actual results against monthly targets set, are discussed at Executive Management level to determine early warning indicators as well as to discuss corrective measures, if needed. The Quarter 1 Performance

Assessment Report 2020/21 (01 July – 30 September 2020) was submitted to the Executive Mayoral Committee and Council for review in October 2020 and thereafter to the Internal Audit Section for auditing.

Table 3:1: Explanation of colour codes

Colour	Category	Explanation
	KPI Not Yet Measured	KPI's with no targets or actual results for the selected period
	KPI Not Met	Actual vs. target less than 75%
	KPI Almost Met	Actual vs. target between 75% and 100%
	KPI Met	Actual vs. target 100% achieved
	KPI Well Met	Actual vs. target more than 100% and less than 150% achieved
	KPI Extremely Well Met	Actual vs. target more than 150% achieved

3.2 OVERALL SERVICE DELIVERY PERFORMANCE

3.2.1 Performance against the National Key Performance Indicators

The following tables indicate the Municipality's performance in terms of the National Key Performance Indicators (NKPIs) required in terms of the Local Government: Municipal Planning and the Performance Management Regulations of 2001 and section 43 of the MSA. These key performance indicators are linked to the National Key Performance Areas (NKPAs).

a) Municipal Transformation and Institutional Development

Table 3:2: Municipal Transformation and Institutional Development

INDICATOR	ANNUAL TARGET	MUNICIPAL TARGET	MUNICIPAL ACHIEVEMENT
		01 July – 31 December 2020	01 July – 31 December 2020
The number of people from employment equity target groups employed in the three highest levels of management in compliance with a municipality's approved employment equity plan <i>*The Stellenbosch Municipality use a % to measure this indicator.</i>	75%*	N/A	N/A
The percentage of a municipality's budget actually spent on implementing its workplace skills plan	0.58%	N/A	N/A

b) Basic Service Delivery

Table 3:3: Basic Service Delivery

INDICATOR	ANNUAL TARGET	MUNICIPAL TARGET	MUNICIPAL ACHIEVEMENT
		01 July – 31 December 2020	01 July – 31 December 2020
The percentage of households earning less than R 6 500 per month with access to free basic services <i>(In the case of Stellenbosch Municipality- percentage of registered Indigent households is being reported)</i>	100%	100%	100% (7 174 / 7 174 x 100 =100%)
Percentage of formal households with access to basic level of water	100%	100%	100% (7 174 / 7 174 x 100 =100%)
Percentage of formal households with access to basic level of sanitation	100%	100%	100% (7 174 / 7 174 x 100 =100%)
Percentage of formal households with access to basic level of electricity	100%	100%	100% (5 056 / 7 174 x 100 = 70.47%)
Percentage of formal households with access to basic level solid waste removal	100%	100%	100% (7 174 / 7 174 x 100 =100%)

c) Local Economic Development

Table 3:4: Local Economic Development

INDICATOR	ANNUAL TARGET	MUNICIPAL TARGET	MUNICIPAL ACHIEVEMENT
		01 July – 31 December 2020	01 July – 31 December 2020
The number of jobs created through municipality's local economic development initiatives including capital projects	1 300	900	860

d) Municipal Financial Viability and Management

Table 3:5: Municipal Financial Viability and Management

INDICATOR	ANNUAL TARGET	MUNICIPAL TARGET	MUNICIPAL ACHIEVEMENT
		01 July – 31 December 2020	01 July – 31 December 2020
Debt coverage (Total operating revenue-operating grants received)/ debt service payments due within the year)	15%	N/A	N/A
Service debtors to revenue – (Total outstanding service debtors/ revenue received for services)	27%	N/A	N/A
Cost coverage (Available cash+ investments)/ Monthly fixed operating expenditure	4	N/A	N/A

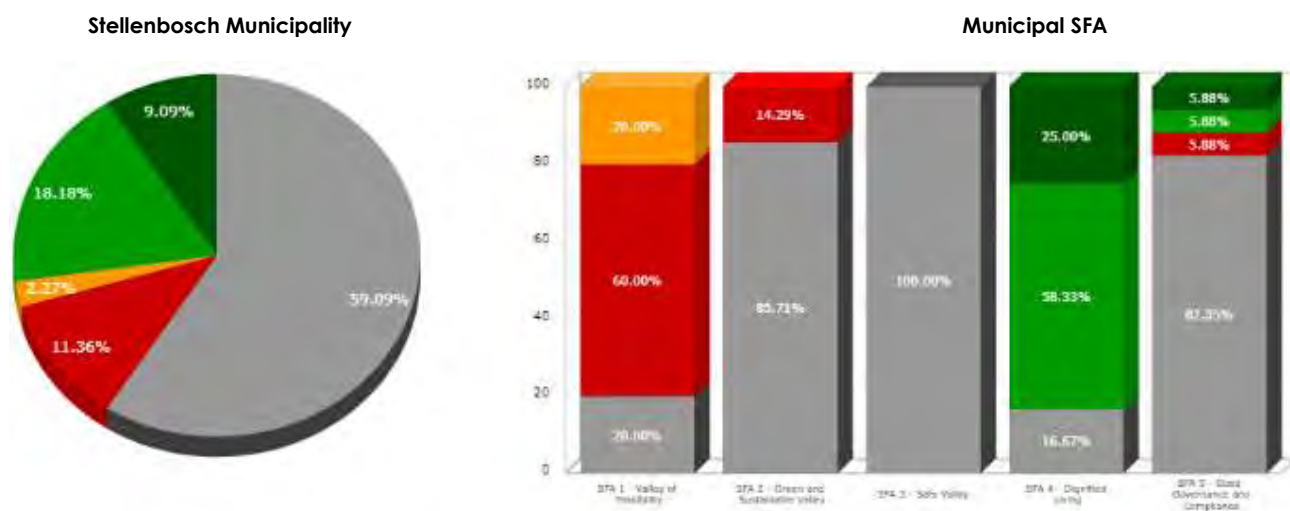
e) Good Governance and Public Participation

Table 3:6: Good Governance and Public Participation

INDICATOR	ANNUAL TARGET	MUNICIPAL TARGET	MUNICIPAL ACHIEVEMENT
		01 July – 31 December 2020	01 July – 31 December 2020
The percentage of a municipality's capital budget actually spent on capital projects identified for a particular financial year in terms of the municipality's integrated development plan	90%	30%	30.39% (R 147 011 293 / R 483 710 958 x 100 = 30.39%)

3.2.2 Summary performance against the Municipal Strategic Focus Areas

The graph below illustrates the performance of the Stellenbosch Municipality against the Municipality's Strategic Focus Areas (SFAs), for the period 01 July – 31 December 2020, as derived from the Municipality's Integrated Development Plan (IDP). The graph only indicates the KPIs measured during the first two quarters of the financial year. To date a total of 18 indicators were due for evaluation. The remaining indicators are targeted for quarters 3 and 4 of the financial year.

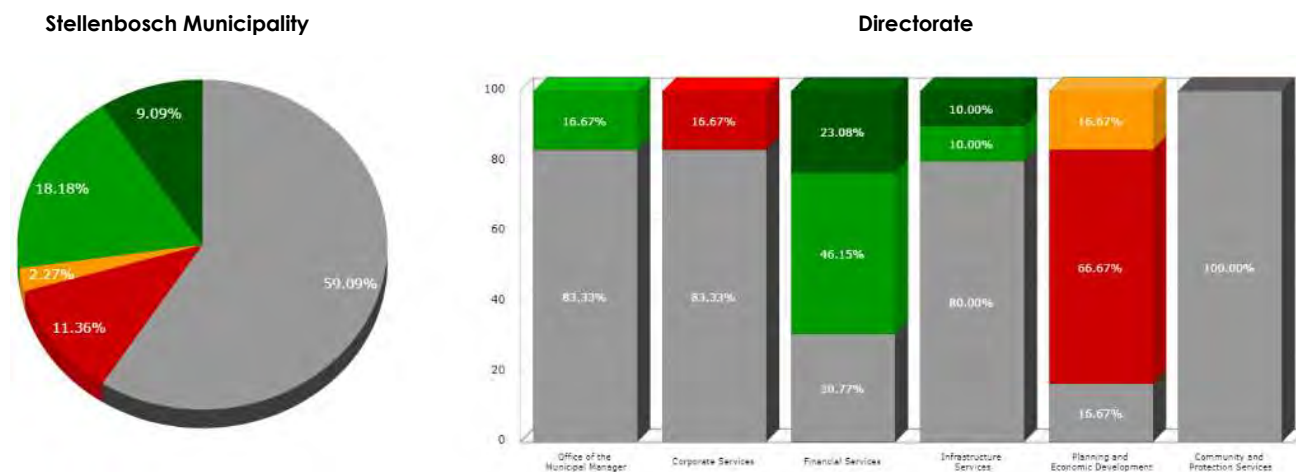


Stellenbosch Municipality		Municipal Strategic Focus Areas (SFAs)				
		SFA 1 - Valley of Possibility	SFA 2 - Green and Sustainable Valley	SFA 3 - Safe Valley	SFA 4 - Dignified Living	SFA 5 - Good Governance and Compliance
KPI Not Yet Measured	26 (59.09%)	1 (20%)	6 (85.71%)	3 (100%)	2 (16.67%)	14 (82.35%)
KPI Not Met	5 (11.36%)	3 (60%)	1 (14.29%)	-	-	1 (5.88%)
KPI Almost Met	1 (2.27%)	1 (20%)	-	-	-	-
KPI Met	8 (18.18%)	-	-	-	7 (58.33%)	1 (5.88%)
KPI Well Met	4 (9.09%)	-	-	-	3 (25%)	1 (5.88%)
KPI Extremely Well Met	-	-	-	-	-	-
Total:	44	5	7	3	12	17
	100%	11.36%	15.91%	6.82%	27.27%	38.64%

Table 3:7: Summary Performance against the Municipal Strategic Focus Areas- 01 July – 31 December 2020

3.2.3 Summary Performance per Municipal Directorate

The graph below illustrates the performance of the Stellenbosch Municipality against each of the Municipality's Directorates, for the period 01 July- 31 December 2020. The graph only indicates the KPIs measured during the first two quarters of the financial year. To date a total of 18 indicators was due for evaluation. The remaining indicators are targeted for quarters 3 and 4 of the financial year.



Stellenbosch Municipality		Municipal Directorates					
		Office of the Municipal Manager	Corporate Services	Financial Services	Infrastructure Services	Planning & Economic Development	Community & Protection Services
KPI Not Yet Measured	26 (59.09%)	5 (83.33%)	5 (83.33%)	4 (30.77%)	8 (80%)	1 (16.67%)	3 (100%)
KPI Not Met	5 (11.36%)	-	1 (16.67%)	-	-	4 (66.67%)	-
KPI Almost Met	1 (2.27%)	-	-	-	-	1 (16.67%)	-
KPI Met	8 (18.18%)	1 (16.67%)	-	6 (46.15%)	1 (10%)	-	-
KPI Well Met	4 (9.09%)	-	-	3 (23.08%)	1 (10%)	-	-
KPI Extremely Well Met	-	-	-	-	-	-	-
Total:	44	6	6	13	10	6	3
	100%	13.64%	13.64%	29.55%	22.73%	13.64%	6.82%

Table 3:8: Overall Performance per Municipal Directorate- 01 July – 31 December 2020

4. ADJUSTMENT BUDGET

Regulation 23 of the Local Government: Municipal Budget and Reporting Regulations provides, *inter alia*, for the following:

“An adjustment budget may be tabled in the Municipal Council at any time after the Mid-year Budget and Performance Assessment has been tabled in the Council, but not later than 28 February of each year. Furthermore, except under certain circumstances only one adjustment budget may be tabled in Council during a financial year.”

A revised Top Layer SDBIP will be submitted with the Adjustments Budget to Council on 27 January 2020 with the necessary motivation where key performance indicators require adjustment / amendment(s) as a result of the Adjustments Budget.

5. OUTSTANDING MATTERS ON THE PAST YEAR’S ANNUAL REPORT (2019/20)

As prescribed in section 72(1)(a)(iii) of the MFMA the Accounting Officer must assess the performance of the municipality in the first 6 months taking into account the past year’s Annual Report, and progress on resolving the problems identified in the Annual Report. Please refer to **Annexure B** for detail regarding progress made with the implementation of corrective measures to address the KPIs which have not been met in the TL SDBIP 2019/20.

6. SUMMARY AND CHALLENGES

Annexure A is the unaudited Top Layer SDBIP for the period 01 July – 31 December 2020 of the 2020/21 financial year, which measures the Stellenbosch Municipality’s overall performance per SFA. The report, furthermore, includes the performance comments and corrective measures indicated for targets not achieved.



GERALDINE METTLER

MUNICIPAL MANAGER

DATE: 18 JANUARY 2021

7. ANNEXURES

Annexure A — Top Layer SDBIP 2020/21 per Municipal SFA and assessment of targets achieved (Mid-year Assessment)

Annexure B — Progress made with the implementation of corrective measures of KPIs not met in the Top Layer SDBIP for 2019/20

7.1 ANNEXURE A — TOP LAYER SDBIP 2020/21 PER MUNICIPAL SFA AND ASSESSMENT OF TARGETS ACHIEVED (MID-YEAR ASSESSMENT)

a) SFA 1 - Valley of Possibility

SFA 1 - Valley of Possibility																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL58	KPI007	The number of jobs created through the Municipality's local economic development initiatives including capital projects (NKPI Proxy - MSA, Reg. S10(d))	Number of job opportunities created through the Municipality's local economic development initiatives including capital projects by 30 June	1 300	1 300	400 (400)	491	G2	900 (900)	860	O	900	860	O	In terms of the EPWP Audit Report 860 jobs were created for the period 01 July – 31 December 2020. Certain projects had started later as a result of the COVID-19 pandemic and therefore more flexibility must be allowed to allocate such jobs in other sectors as identified in the business plan.	The shortfall in jobs created will be made up over the period 01 January – 30 June 2021.
TL59	KPI008	Land-use applications considered by the Municipal Planning Tribunal within 120 days from a complete land-use application	Percentage of land-use applications considered by the Municipal Planning Tribunal within 120 days after a complete land-use application	90%	90%	90%	50%	R	90%	71.42%	O	90.00%	61.53%	R	8 / 13 x 100 = 61.53% Due to the Covid-19 pandemic staff have been off sick and in isolation. Challenges are also being experienced with the switch over from Collaborator to TPAMS. Furthermore, the municipality is experiencing extended internal circulation periods between departments as a result of Covid-19 pandemic.	The appointment of additional capacity will be concluded by 30 June 2021. ICT capabilities will also be improved to allow staff to work more effectively from home. The Municipal Planning Tribunal has scheduled a strategic planning session for the end of January 2021 to reflect on the proceedings of the past year and to identify areas of improvement.

SFA 1 - Valley of Possibility																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL60	KPI009	Training opportunities provided for entrepreneurs and Small, Medium and Micro Enterprises (SMMEs)	Number of quarterly training opportunities provided for entrepreneurs and SMMEs	4	4	1 (1)	1	G	1 (2)	0	R	2	1	R	Target not achieved due to near impossible situation created by the Covid-19 pandemic. Training opportunities targeted were mainly for SMME's - many of who do not have access to reliable internet and computers. Furthermore, face-to-face training opportunities were not an option due to the risk of exposure to both trainers and trainees given the Covid-19 pandemic.	Develop SMME Training schedule per quarter and submit to Senior Manager for approval and funding. The municipality will also explore potential innovative ways of offering training opportunities.
TL61	KPI012	Revised Housing Pipeline (document) submitted to the Mayoral Committee (MayCo)	Number of Revised Housing Pipelines (documents) submitted to the MayCo by 31 March	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL62	KPI080	Submission of Tourism Strategic Plan to the Municipal Manager	Number of Tourism Strategic Plans submitted to the Municipal Manager by 30 November	1	1	0	0	N/A	1	0	R	1	0	R	The drafting of the Tourism Strategic Plan commenced prior to the COVID-19 pandemic. In addition, a number of tourism activities were impacted by the plethora of COVID-19 regulations issued. Consequently, the Tourism Strategic Plan needs constant revision before final	The target due date will be revised and submitted to the Municipal Council for consideration and approval during January 2021.

SFA 1 - Valley of Possibility																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
															submission to the Municipal Manager.	

Summary of Results: SFA 1 - Valley of Possibility

	KPI Not Yet Measured	1
	KPI Not Met	3
	KPI Almost Met	1
	KPI Met	0
	KPI Well Met	0
	KPI Extremely Well Met	0
	Total KPIs	5

b) SFA 2 - Green and Sustainable Valley

SFA 2 - Green and Sustainable Valley																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL52	KPI078	Submission of the Revised Facility Management Plan to the MayCo	Number of Revised Facility Management Plans submitted to the MayCo by 31 May	1	1	0	0	N/A	0	0	N/A	0	0	N/A		

SFA 2 - Green and Sustainable Valley

Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL63	KPI018	Building plan applications processed within 30 days	Percentage of building plan applications of <500sqm processed within 30 days after date of receipt	90%	90%	90%	41.07%	R	90%	47.90%	R	90%	46.49%	R	126 / 271 x 100 = 46.49% Due to the Covid-19 pandemic staff have been off sick and in isolation. Challenges are also being experienced with the switch over from Collaborator to BPAMS. Furthermore, the municipality is experiencing extended internal circulation periods between departments as a result of Covid-19 pandemic.	The appointment of additional capacity will be concluded by 30 June 2021. ICT capacity will also be improved by 30 June 2021. The municipality is currently also working on putting in place systems to improve the internal circulation of applications.
TL64	KPI016	Conduct an external audit of the Stellenbosch Municipality Waste Disposal Facilities	Number of external audits of the Stellenbosch Municipality Waste Disposal Facilities conducted by 30 June	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL65	KPI073	Implementation of identified waste minimisation projects	Number of identified waste minimisation projects implemented by 30 June	2	2	0	0	N/A	0	0	N/A	0	0	N/A		
TL66	KPI019	Waste water quality managed and	Percentage waste water quality	80%	80%	0%	0%	N/A	0%	0%	N/A	0%	0%	N/A		

SFA 2 - Green and Sustainable Valley																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
		measured into the SANS Accreditation physical and micro parameters	compliance as per analysis certificate measured by 30 June													
TL67	KPI081	Reduce organic waste	Percentage of organic waste reduced by 30 June	20%	20%	0%	0%	N/A	0%	0%	N/A	0%	0%	N/A		
TL68	KPI082	Submission of an Integrated Waste Management Plan to the MayCo	Number of Integrated Waste Management Plans submitted to the MayCo by 31 March	1	1	0	0	N/A	0	0	N/A	0	0	N/A		

Summary of Results: SFA 2 - Green and Sustainable Valley

	KPI Not Yet Measured	6
	KPI Not Met	1
	KPI Almost Met	0
	KPI Met	0
	KPI Well Met	0
	KPI Extremely Well Met	0
	Total KPIs	7

c) SFA 3 - Safe Valley

SFA 3 - Safe Valley																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL49	KPI025	Revised Disaster Management Plan submitted to the Municipal Manager	Number of Revised Disaster Management Plans submitted to the Municipal Manager by 31 March	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL50	KPI026	Revised Safety and Security Strategy submitted to the Municipal Manager	Number of Revised Safety and Security Strategies submitted to the Municipal Manager by 31 March	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL51	KPI027	Revised Traffic Management Plan submitted to the Municipal Manager	Number of Revised Traffic Management Plans submitted to the Municipal Manager by 28 February	1	1	0	0	N/A	0	0	N/A	0	0	N/A		

Summary of Results: SFA 3 - Safe Valley

KPI Not Yet Measured	3
KPI Not Met	0
KPI Almost Met	0
KPI Met	0
KPI Well Met	0
KPI Extremely Well Met	0
Total KPIs	3

d) SFA 4 - Dignified Living

SFA 4 - Dignified Living																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL69	KPI037	Provision of waterborne toilet facilities	Number of waterborne toilet facilities provided by 30 June	50	50	0	0	N/A	20 (20)	20	G	20	20	G		
TL70	KPI040	Limit unaccounted electricity to less than 9% annually {(Number of Electricity Units Purchased and/or Generated - Number of Electricity Units Sold(incl. Free basic electricity)) / Number of Electricity Units Purchased and/or Generated} x 100}	Percentage average electricity losses measured by 30 June	<9%	<9%	0%	0%	N/A	0%	0%	N/A	0%	0%	N/A		
TL71	KPI041	Water quality managed and measured quarterly into the SANS 241 physical and micro parameters	Percentage water quality level as per analysis certificate measured quarterly	90%	90%	90%	91.70%	G2	90%	92.90%	G2	90%	92.30%	G2		
TL72	KPI042	Limit unaccounted water to less than 25%	Average percentage water losses measured by 30 June	<25%	<25%	0%	0%	N/A	0%	0%	N/A	0%	0%	N/A		

SFA 4 - Dignified Living																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL74	KPI039	Registered indigent formal households with access to free basic water (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage registered indigent formal households with access to free basic water, measured quarterly	100%	100%	100%	100%	G	100%	100%	G	100%	100%	G	7 174 / 7 174 x 100 =100%	
TL75	KPI043	Registered indigent formal households with access to free basic electricity provided by the Municipality (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic electricity provided by the Municipality, measured quarterly	65%	65%	65%	70.40%	G2	65%	70.47%	G2	65%	70.47%	G2	5 056 / 7 174 x 100 = 70.47%	
TL76	KPI044	Registered indigent formal households with access to free basic refuse removal (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic refuse removal, measured quarterly	100%	100%	100%	100%	G	100%	100%	G	100%	100%	G	7 174 / 7 174 x 100 =100%	
TL77	KPI045	Registered indigent formal households with access to free basic sanitation (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic sanitation, measured quarterly	100%	100%	100%	100%	G	100%	100%	G	100%	100%	G	7 174 / 7 174 x 100 =100%	
TL78	KPI074	Formal households with access to water (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to water, measured quarterly	26 500	26 500	26 500	26 302	O	26 500	26 500	G	26 500	26 500	G		

SFA 4 - Dignified Living																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL79	KPI075	Formal households with access to electricity (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to electricity, measured quarterly	24 000	24 000	24 000	26 302	G2	24 000	26 500	G2	24 000	26 500	G2		
TL80	KPI076	Formal households with access to refuse removal (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to refuse removal, measured quarterly	26 500	26 500	26 500	26 302	O	26 500	26 500	G	26 500	26 500	G		
TL81	KPI077	Formal households with access to sanitation (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to sanitation, measured quarterly	26 500	26 500	26 500	26 302	O	26 500	26 500	G	26 500	26 500	G		

Summary of Results: SFA 4 - Dignified Living

KPI Not Yet Measured	2
KPI Not Met	0
KPI Almost Met	0
KPI Met	7
KPI Well Met	3
KPI Extremely Well Met	0
Total KPIs	12

e) SFA 5 - Good Governance and Compliance

SFA 5 - Good Governance and Compliance																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL43	KPI058	Employment equity appointments made within the financial year in the three highest levels of management	Percentage of employment equity appointments made within the financial year in the three highest levels of management, measured by 30 June	75%	75%	0%	0%	N/A	0%	0%	N/A	0%	0%	N/A		
TL44	KPI062	Revised Risk-Based Audit Plan (RBAP) submitted to the Audit Committee	Number of Revised RBAPs submitted to the Audit Committee by 30 June	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL45	KPI063	Audit Action Plan (AAP) submitted to the Audit Committee	Number of Audit Action Plans submitted to the Audit Committee by 28 February	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL46	KPI064	Revised Strategic Risk Register (SRR) submitted to the Risk Management Committee	Number of Revised Strategic Risk Registers submitted to the Risk Management Committee by 30 June	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL47	KPI067	Draft Integrated Development Plan (IDP) submitted to Council	Number of Draft IDPs submitted to Council by 31 March	1	1	0	0	N/A	0	0	N/A	0	0	N/A		

SFA 5 - Good Governance and Compliance																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL48	KPI070	IDP / Budget / SDF time schedule (process plan) submitted to Council	Number of IDP / Budget / SDF time schedules (process plan) submitted to Council by 31 August	1	1	1	1	G	0	0	N/A	1	1	G		
TL53	KPI059	The percentage of actual payroll budget spent on implementing the Municipal Workplace Skills Plan (NKPI Proxy- MSA, Reg. S10(f))	Percentage of municipality's payroll budget actually spent on implementing its Workplace Skills Plan ((Total Actual Training Expenditure/ Total Annual payroll Budget) x100), measured by 30 June	0.58%	0.58%	0%	0%	N/A	0%	0%	N/A	0%	0%	N/A		
TL54	KPI065	Revised Information and Communication Technology (ICT) Backup Disaster Recovery Plan submitted to the ICT Steering Committee	Number of Revised ICT Backup Disaster Recovery Plans submitted to the ICT Steering Committee by 31 March	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL55	KPI066	Revised Strategic ICT Plan submitted to the ICT Steering Committee	Number of Revised Strategic ICT Plans submitted to the ICT Steering Committee by 31 March	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL56	KPI072	Submission of a Draft Smart City Framework to the MayCo	Number of Draft Smart City Frameworks submitted to the MayCo by 31 May	1	1	0	0	N/A	0	0	N/A	0	0	N/A		

SFA 5 - Good Governance and Compliance																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
TL57	KPI083	Submission of a Cyber-attack Mitigation and Resilience Strategy to the Municipal Manager	Number of a Cyber-attack Mitigation and Resilience Strategies submitted to the Municipal Manager by 30 September	1	1	1	0	R	0	0	N/A	1	0	R	Research is currently being done on the best possible approach to develop a Cyber-attack Mitigation and Resilience Strategy	The draft Cyber-attack Mitigation and Resilience Strategy will be submitted to the Municipal Manager by 31 March 2021. The Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2020/21 will also be reviewed in January 2021 to bring it in line with the Performance Plan of the relevant Director.
TL73	KPI071	Revised Electrical Master Plan submitted to Council	Number of Revised Electrical Master Plans submitted to Council by 30 June	1	1	0	0	N/A	0	0	N/A	0	0	N/A		
TL82	KPI055	Financial viability measured in terms of the available cash to cover fixed operating expenditure (NKPI Proxy - MSA, Reg. S10(g)(iii))	Cost coverage as at 30 June annually [(Cash and Cash Equivalents - Unspent Conditional Grants - Overdraft) + Short Term Investment) / Monthly Fixed Operational Expenditure excluding (Depreciation)	4	4	0	0	N/A	0	0	N/A	0	0	N/A		
TL83	KPI056	Achieve an average payment percentage	(Gross Debtors Opening Balance +	96%	96%	0%	0%	N/A	0%	0%	N/A	0%	0%	N/A		

SFA 5 - Good Governance and Compliance																
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 July – 30 September 2020			01 October – 31 December 2020			Overall Performance for the period 01 July – 31 December 2020			Overall performance comment	Overall corrective measure
						Target	Actual	R	Target	Actual	R	Target	Actual	R		
		of 96% by 30 June (Gross Debtors Opening Balance + Billed Revenue - Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100	Billed Revenue - Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100													
TL84	KPI057	Actual expenditure on the approved Capital Budget for the Municipality by 30 June (NKPI - MSA, Reg. S10(c))	Percentage of approved Capital Budget for the Municipality actually spent by 30 June	90%	90%	10%	12.62%	G2	30%	30.39%	G2	30%	30.39%	G2	R 147 011 293 / R 483 710 958 x 100 = 30.39%	
TL85	KPI060	Financial viability measured in terms of the Municipality's ability to meet its service debt obligations (NKPI Proxy - MSA, Reg. S10(g)(i))	Debt coverage ratio ((Total operating revenue - operating grants received) / (Debt service payments due within the year)) measured by 30 June	15%	15%	0%	0%	N/A	0%	0%	N/A	0%	0%	N/A		
TL86	KPI061	Financial viability measured in terms of the outstanding service debtors (NKPI Proxy - MSA, Reg. S10(g)(ii))	Service debtors to revenue ratio - (Total outstanding service debtors / revenue received for services) measured by 30 June	27%	27%	0%	0%	N/A	0%	0%	N/A	0%	0%	N/A		

Summary of Results: Planning and Economic Development

KPI Not Yet Measured	14
KPI Not Met	1
KPI Almost Met	0
KPI Met	1
KPI Well Met	1
KPI Extremely Well Met	0
Total KPIs	17

7.2 ANNEXURE B — PROGRESS MADE WITH THE IMPLEMENTATION OF CORRECTIVE MEASURES OF KPIS NOT MET IN THE TOP LAYER SDBIP FOR 2019/20

a) SFA 1 - Valley of Possibility

SFA 1 - VALLEY OF POSSIBILITY												
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2019 to 30 June 2020			Performance comments / Reason(s) for deviation from target (under and over performance)	Improvement Plan(s) to correct deviation from target (under performance)	Progress as at 31 December 2020
							Target	Actual	R			
TL2	KPI008	Land-use applications approved by the Municipal Planning Tribunal within 120 days	Percentage of land-use applications approved by the Municipal Planning Tribunal within 120 days after date of first submission of application	40%	90%	90%	90%	0%	R	0 / 32 x 100 = 0%	Land-use strategy is in place to deal with the land use applications backlog. At the same time the Municipality is dealing with current applications. The implementation of TPAMS will also assist in the improved management of land use applications received. The shift to lockdown level 3 has allowed the Stellenbosch MPT to resume their normal functioning via the virtual MS Teams platform.	Although the Municipality has added management capacity through the appointment of a new Director, a new Senior Manager: Development Management and a new Manager: Land Use Management there is still a lack of capacity at production level. Furthermore, an extensive effort has gone into the working away of backlog land use applications of which only 4 out of 144 remain to be dealt with. The switch over from Collaborator to the TPAMS system is moving ahead but is taking longer than anticipated due to having to sort out process flow issues. Apart from this strategy, monitoring systems have also been put in place to better track decision timeframes. The Municipal Planning Tribunal has also scheduled a strategic planning session for the end of

SFA 1 - VALLEY OF POSSIBILITY												
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2019 to 30 June 2020			Performance comments / Reason(s) for deviation from target (under and over performance)	Improvement Plan(s) to correct deviation from target (under performance)	Progress as at 31 December 2020
							Target	Actual	R			
												January 2021 to reflect on the proceedings of the past year and to identify areas of improvement. On top of this the Covid-19 pandemic has had a negative impact on productivity.

b) SFA 2 - Green and Sustainable Valley

SFA 2 - GREEN AND SUSTAINABLE VALLEY												
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2019 to 30 June 2020			Performance comments / Reason(s) for deviation from target (under and over performance)	Improvement Plan(s) to correct deviation from target (under performance)	Progress as at 31 December 2020
							Target	Actual	R			
TL6	KPI073	Implementation of identified waste minimisation projects	Number of identified waste minimisation projects implemented by 30 June	New KPI	2	2	2	1	R	1 waste minimisation project was implemented before the National Lockdown Regulations took effect in March 2020.	Waste minimisation projects will resume once the Covid-19 Lockdown Regulations has been lifted.	The municipality has drafted a 3 rd Generation Integrated Waste Management Plan (WMP), which will identify waste minimisation projects that need to be implemented over the various financial years. This Draft IWMP is currently out for public comment before being finalised and submitted to Council for consideration and approval. The implementation of identified

SFA 2 - GREEN AND SUSTAINABLE VALLEY												
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2019 to 30 June 2020			Performance comments / Reason(s) for deviation from target (under and over performance)	Improvement Plan(s) to correct deviation from target (under performance)	Progress as at 31 December 2020
							Target	Actual	R			
												waste minimisation projects will be reviewed once the IWMP is in place.
TL7	KPI018	Building plan applications processed within 30 days	Percentage of building plan applications of <500sqm processed within 30 days after date of receipt	76.29%	90%	90%	90%	72.92%	○	625 / 857 x 100 = 72.92%	The appointment of a permanent Manager: Building Development Management could only be made in December 2020. Further production capacity will be added before 30 June 2021. The switch from Collaborator to the BPAMS is ongoing but has taken longer than expected.	The appointment of the Manager: Building Development Management was made in December 2020. The switch from Collaborator to the BPAMS is ongoing but has taken longer than expected. However, the decision has been made to accept only electronic submission of applications as of 15 January 2021. Further production capacity is needed and will hopefully be added before 30 June 2021. A significant effort is currently also being placed on improving the internal circulation of building plan applications so as to speed up decision-making.
TL8	KPI019	Waste water quality managed and measured i.t.o. the SANS Accreditation physical and micro parameters	Percentage waste water quality compliance as per analysis certificate measured by 30 June	72.72%	75%	75%	75%	60.70%	○	60.70% as per analysis certificate.	The Municipality is currently in process of revisiting the design of the Wemmershoek Wastewater Treatment Works due to current design not meeting discharge limits set by the Department of Water Affairs (DWA). The Municipality is also reviewing the Pniel Wastewater	The Municipality is currently in process of revisiting the design of the Wemmershoek Wastewater Treatment Works due to current design not meeting discharge limits set by the Department of Water Affairs (DWA). The Municipality is also reviewing the Pniel Wastewater Treatment

SFA 2 - GREEN AND SUSTAINABLE VALLEY												
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2019 to 30 June 2020			Performance comments / Reason(s) for deviation from target (under and over performance)	Improvement Plan(s) to correct deviation from target (under performance)	Progress as at 31 December 2020
							Target	Actual	R			
											Treatment Works design due to insufficient capacity.	Works design due to insufficient capacity.

c) SFA 5 - Good Governance and Compliance

SFA 5 - GOOD GOVERNANCE AND COMPLIANCE												
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2019 to 30 June 2020			Performance comments / Reason(s) for deviation from target (under and over performance)	Improvement Plan(s) to correct deviation from target (under performance)	Progress as at 31 December 2020
							Target	Actual	R			
TL26	KPI055	Financial viability measured in terms of the available cash to cover fixed operating expenditure (NKPI Proxy - MSA, Reg. S10(g)(iii))	Cost coverage as at 30 June annually [(Cash and Cash Equivalents - Unspent Conditional Grants - Overdraft) + Short Term Investment) / Monthly Fixed Operational Expenditure excluding (Depreciation)	4.70	4	4	4	2.47	R		The calculation is based on the financial results in the Interim Financial Statements 2019/20. The final calculation will be performed with the completion of the Annual Financial Statements 2019/20.	Cost Coverage Ratio as at 31 December 2020 is 6.46. In the previous financial year, the municipality did not take up the external loan and financed the capital projects earmarked for loan funding from Internal funds. This had a negative impact on the Cost Coverage Ratio. The external loan will be taken up in the 2020/21 financial year which

SFA 5 - GOOD GOVERNANCE AND COMPLIANCE

Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2019 to 30 June 2020			Performance comments / Reason(s) for deviation from target (under and over performance)	Improvement Plan(s) to correct deviation from target (under performance)	Progress as at 31 December 2020
							Target	Actual	R			
												will improved the Cost Coverage Ratio.
TL28	KPI057	Actual expenditure on the approved Capital Budget for the Municipality by 30 June (NKPI - MSA, Reg. S10(c))	Percentage of approved Capital Budget for the Municipality actually spent by 30 June	87.53%	90%	90%	90%	61.30%	R	Spending affected by the declaration of a State of National Disaster and consequent National lockdown implemented from 28 March 2020 to date. Projects had to be stopped and could only resume late May and June 2020.	Outstanding invoices are still being processed and will be included in the Annual Financial Statements to be submitted to the Auditor General by 31 August 2020. In addition, tender specifications indicators were developed in the Departmental SDBIP 2020/21 for each Directorate which are aligned to the Demand Management Plan.	During the Mid-Year Adjustment Budget, capital projects were identified that had no progress. If there was also not a tender process in progress, then the budgets were reduced or rolled forward to the next financial year where the projects can be implemented.
TL29	KPI058	Employment equity appointments made within the financial year in the three highest levels of management	Percentage of employment equity appointments made within the financial year in the three highest levels of management, measured by 30 June	33%	75%	75%	75%	66.67%	O	4 / 6 x 100 = 66.67%	Employment Equity targets are considered in every appointment in the municipality. Where candidates from target groups did not apply or did not pass the assessment test they could not be appointed.	Employment equity appointments made as at 31 December 2020 are as follows: 3 / 5 x 100 = 60% Employment Equity targets are considered in every appointment in the municipality. Where candidates from target groups did not apply or did not pass the assessment test they could not be appointed.

SFA 5 - GOOD GOVERNANCE AND COMPLIANCE

Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2019 to 30 June 2020			Performance comments / Reason(s) for deviation from target (under and over performance)	Improvement Plan(s) to correct deviation from target (under performance)	Progress as at 31 December 2020
							Target	Actual	R			
TL30	KPI059	The percentage of actual payroll budget spent on implementing the Municipal Workplace Skills Plan (NKPI Proxy- MSA, Reg. S10(f))	Percentage of municipality's payroll budget actually spent on implementing its Workplace Skills Plan ((Total Actual Training Expenditure/ Total Annual payroll Budget) x100), measured by 30 June	0.14%	0.85%	0.58%	0.58 %	0.13%	R	R2 262 082.24/ R1 778 283 844 x100 = 0.13%	Due to the National Lockdown regulations, planned training could not commence or continue. Planned training will resumed in August 2020 in line with the easing of the National Lockdown regulations and taking the measures to prevent the spread of the virus into consideration.	Due to the National Lockdown regulations, planned training could not commence or continue.
TL32	KPI061	Financial viability measured in terms of the outstanding service debtors (NKPI Proxy - MSA, Reg. S10(g)(ii))	Service debtors to revenue ratio - (Total outstanding service debtors / revenue received for services) measured by 30 June	17.82%	27%	27%	27%	16.90%	R		The calculation is based on the financial results in the Interim Financial Statements 2019/20. The final calculation will be performed with the completion of the Annual Financial Statements 2019/20.	The financial viability has increased to 22%, as at 31 December 2020. The National State of Disaster has had an adverse impact on this ratio. The municipality is strictly implementing its Creditors Control and Debt Collection Policy.
TL42	KPI072	Submission of a Draft Smart City Framework to the MayCo	Number of Draft Smart City Frameworks submitted to the MayCo by 31 May	0	1	1	1	0	R	The Draft Smart City Framework has been developed and circulated for input. The framework was also submitted to the management team for input.	Draft Smart City Framework will be submitted to MayCo by 31 May 2021.	The Draft Smart City Framework as well as the draft item was submitted to the Director Corporate Services for consideration. This should be ready for MayCo submission by 31 May 2021.

8.5	MFMA SECTION 52 REPORTING UP TO DECEMBER 2020
-----	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 January 2021 and 27 January 2021

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO DECEMBER 2020**2. PURPOSE**

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the budget; financial and service delivery budget implementation plan by the Municipality for quarter 2 of the 2020/21 financial year.

3. DELEGATED AUTHORITY**THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL**

In terms of section 52 (d) of the Municipal Finance Management Act:

"The mayor of a municipality—

(d) must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget as well as the non-financial performance of the municipality;"

4. EXECUTIVE SUMMARY

The Executive Mayor must provide general political guidance over the fiscal and financial affairs of the Municipality and is required by Section 52(d) of the Municipal Finance Management Act to submit a report on the implementation of the budget and the financial and non-financial performance of the Municipality, to the Council within 30 days after end of each quarter.

The Section 52 report is a summary of the budget performance. It compares the implementation of the budget to the commitments made and contained in the Service Delivery and Budget Implementation Plan (SDBIP), and is intended to enable Council to give effect to their oversight responsibility.

This report provides the overall performance of the Municipality for the period 1 October 2020 to 31 December 2020.

5. RECOMMENDATION

that Council notes the Section 52 Report (including quarterly performance report) for the second quarter.

6. DISCUSSION / CONTENTS**6.1 Background**

To comply with section 52 (d) of the Municipal Finance Management Act and report to Council on the budget; financial and service delivery budget implementation plan of the Municipality for the 2nd quarter of the financial year. The report is indicated under **APPENDIX 1**.

6.2 Discussion

This report illustrates the implementation of the budget as well as the non-financial performance of the municipality for quarter 2.

In terms of the Municipal Finance Management Act (MFMA) Section 52(d) “*must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality*”.

6.3 Financial Implications

None.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

None

6.8 Comments from Municipal Manager:

Supported

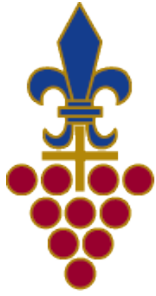
RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 6.6

that Council notes the Section 52 Report (including quarterly performance report) for the second quarter.

ANNEXURE**Appendix 1: Section 52 Report – 2nd Quarter****FOR FURTHER DETAILS CONTACT:**

NAME	Monique Steyl
POSITION	Senior Manager Financial Management Services
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 – 808 8516
E-MAIL ADDRESS	Monique.Steyl@ Stellenbosch.gov.za
REPORT DATE	January 2021

APPENDIX 1



STELLENBOSCH

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QUARTERLY BUDGET MONITORING REPORT

2nd Quarter 2020/21



QUALITY CERTIFICATE

I, Geraldine Mettler, the Municipal Manager of Stellenbosch Municipality, hereby certify that the quarterly report the period ending December 2020 has been prepared in accordance with Section 52 of the Municipal Finance Management Act and regulations made under the Act and accordingly submit the required quarterly statement on the state of Stellenbosch Municipality's budget reflecting the particulars up until the end of December 2020.

Name: Geraldine Mettler

Municipal Manager of Stellenbosch Municipality- WC024

Signature _____



Date: 15 January 2021

To Council

In accordance with Section 52(d) of the Municipal Finance Management Act, I submit the required report on the implementation of the budget and the financial state of affairs of Stellenbosch Municipality reflecting the particulars of the second quarter of the financial year 2020/21.

The submission of this report forms part of my general responsibilities as the Mayor of Stellenbosch Municipality. The purpose of the report serves to inform Council on the financial affairs of Stellenbosch Municipality and to enable Council to fulfil its oversight responsibility in this regard.

.....
Advocate G M M van Deventer
Executive Mayor
Date: 15 January 2021

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1. Recommendations

These recommendations are linked to the responsibilities of the Mayor under Section 52 of the MFMA.

- (a) That the content of the quarterly budget statement and supporting documentation be noted.

2. Executive Summary

2.1 Introduction

The mayor, who must provide general political guidance over the fiscal and financial affairs of the Municipality, is required by Section 52(d) of the Municipal Finance Management Act to submit a report on the implementation of the budget and the financial state of affairs of the Municipality, to the Council within 30 days after end of each quarter.

This report is a summary of the main budget issues arising from the monitoring process. It compares the implementation of the budget to the commitments/promises made and contained in the Service Delivery and Budget Implementation Plan (SDBIP), and is intended to inform and enable the Council with a view of giving effect to Council's oversight responsibility.

2.2 Summary of 2020/21 budget progress / implementation

The following table summarises the overall position of the capital and operating budgets.

Detail	Capital Expenditure	Operating Expenditure	Operating Revenue (excluding capital transfers and contributions)
Original Budget	375 750 311	1 887 461 915	1 899 730 875
Adjustment Budget	483 710 959	1 907 155 005	1 919 442 629
Plan to Date (SDBIP)	246 368 379	952 468 867	959 721 300
Actual	147 011 293	659 915 155	886 116 085
Variance to SDBIP	-99 357 086	-292 553 711	-73 605 215
Year to date % Variance to SDBIP	-40.33%	-30.72%	-7.67%

The above figures are explained in more detail throughout this report.

3. Operating Revenue

The following table shows the actual operating revenue per National Treasury Reporting regulations against that planned in the SDBIP for the 2nd Quarter of 2020/21:

Operating Revenue by Source

Description	ORIGINAL BUDGET	ADJUSTMENT BUDGET
Revenue by Source		
Property rates	392 239 042	392 239 042
Service charges - electricity revenue	707 441 166	707 441 162
Service charges - water revenue	168 720 115	168 720 115
Service charges - sanitation revenue	118 311 571	118 311 571
Service charges - refuse revenue	78 304 939	78 304 939
Service charges - other	-	-
Rental of facilities and equipment	16 292 168	16 292 168
Interest earned - external investments	37 870 453	37 870 453
Interest earned - outstanding debtors	13 281 347	13 281 347
Fines	140 880 961	140 880 961
Licences and permits	5 502 903	5 502 903
Agency services	2 930 946	2 930 946
Transfers recognised - operational	178 547 000	198 258 760
Other revenue	39 408 264	39 408 262
Gains on disposal of PPE	-	-
Total Revenue (excluding capital transfers and contributions)	1 899 730 875	1 919 442 629

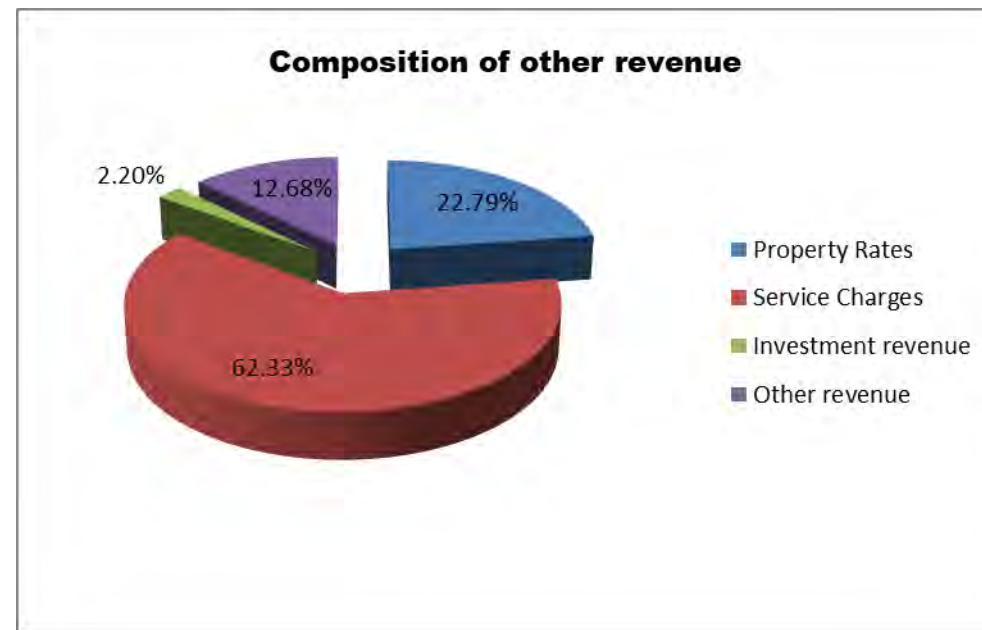
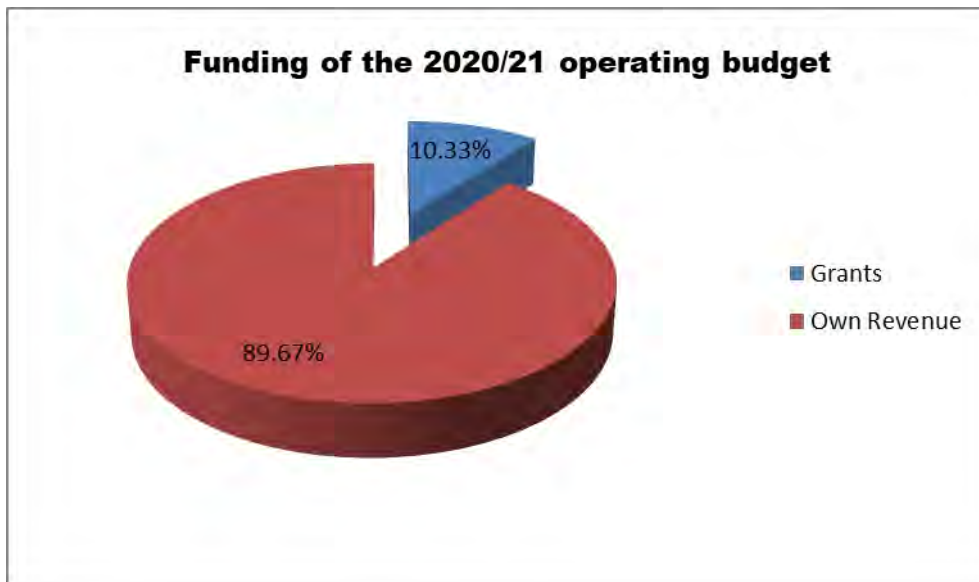
QUARTER 2 2020/21		
PLANNED	ACTUAL	VAR
98 059 761	80 388 751	-18%
176 860 287	116 484 861	-34%
42 180 033	27 814 667	-34%
29 577 891	20 505 761	-31%
19 576 236	15 771 805	-19%
-	-	-
4 073 037	2 227 388	-45%
9 467 616	3 878 578	-59%
3 320 340	2 971 734	-10%
35 220 243	38 432 183	9%
1 375 728	2 322 356	69%
732 738	1 236 581	69%
49 285 599	73 631 179	49%
9 852 072	7 121 556	-28%
-	-	-
479 581 581	392 787 399	-18%

QUARTER 2 2019/20		
PLANNED	ACTUAL	VAR
66 250 044	72 855 330	100%
120 152 229	143 088 784	19%
58 773 340	39 320 948	-33%
30 385 707	18 414 115	100%
16 613 919	12 296 332	100%
-	-	-100%
2 615 184	2 100 319	-20%
11 398 729	8 300 133	-27%
2 688 250	3 343 721	24%
6 766 191	7 174 930	6%
1 138 418	1 449 402	100%
912 481	819 652	-10%
56 015 157	48 810 617	-13%
5 897 782	5 554 487	-6%
-	-	100%
379 607 432	363 528 770	-4%

NB: - The “year to date actual for property rates income” refers to the total billed for the year and not actual receipts.

Stellenbosch municipality is not dependant on grant funding to fund the operating budget as is evident in the graph below.

Own revenue consists mainly of service charges at 62.33 per cent of the R1 919 442 629 billion revenue budget.



Operating Revenue Variance Report

The variances between actual operating revenue and the planned operating revenue contained in the SDBIP are explained per revenue source and are as follow:

Revenue by Source

1.1 Service charges - water revenue

The municipality has billed R24 846 872 less water charges than initially anticipated. This decline in billings is a result of the decrease in consumption. The categories reflecting the largest underperformance pertains to industrial water (R9 738 131) and the sale of conventional water (R13 287 058). An increase is anticipated over the summer months however it is envisaged that the municipality will not reach its adjusted budget of R168 720 115 if the current trend continues. The billings reflect a decline of R12 900 664 in comparison with the same period last year. It is evident that this service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. The budget will be reduced with R30 000 000 during the Mid-year adjustment budget process.

3.2 Service charges - electricity revenue

The municipality has billed R65 388 139 less electricity charges than initially anticipated. The largest under performance relates to the prepaid electricity usage (R17 486 291), Industrial consumption (R14 732 201), low usage during peak times reflected for the time of use tariffs (R24 905 932) and the Commercial users (R6 047 403). The billings reflect a decline of R28 638 538 in comparison with the same period last year. It is evident that this service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. The budget will be reduced with R43 000 000 during the Mid-year adjustment budget process.

3.3 Service charges - sanitation revenue

The municipality has billed R12 341 644 less sanitation charges than initially anticipated. The largest under performance has been noted for the industrial waste water at R11 161 565. When taking into account the average monthly utilisation of the service, the risk exist that the municipality will only realise 79 per cent or R93 638 277 of its adjusted budget amount. This service charge has been adversely affected by the COVID-19 lockdown regulations and its concomitant impact on the economy. The budget will be reduced with R10 000 000 during the Mid-year adjustment budget process.

3.4 Rental on facilities and equipment

An under performance was noted for rental on facilities and equipment to the amount of R3 511 884. The variance is mainly due to the housing rental units. The user department indicated that the occupants of the municipal rental units have been subject to affordability testing since October 2019 which resulted in a decline in

rentals. The budget will be reduced with R5 700 000 during the Mid-year adjustment budget process.

3.5 Interest earned – external investments

An under performance was noted for interest earned – external investments to the amount of R8 091 119. The variance is mainly due to the COVID- 19 pandemic which resulted in the prime interest rate being reduced. This reduction has resulted in a significant decrease in our call accounts and primary bank account interest rates. Furthermore, we have received lower rates on offer from investing institutions than the previous financial year. The interest on the investment journal to the amount of R1 245 179 will be processed during January 2021, which will result in an improvement for the next reporting period. The budget will be reduced with R15 000 000 during the Mid-year adjustment budget process.

3.6 Interest earned - outstanding debtors

An underperformance was noted for the interest levied on outstanding debtors to the amount of R1 861 811. Interest on overdue accounts are charged at the South African Reserve Banks prime rate plus one percent and levied on accounts outstanding after the relevant due dates thereof. The decrease in the prime interest rate has a direct correlation to the underperformance. It is advisable that the budget be reduced during the Mid-year adjustment budget process.

3.7 Fines, penalties and forfeits

An underperformance was noted to the amount of R31 449 103. The recognition of traffic fines in terms of iGRAP 1 will be done on a monthly basis, including journals that need to be processed on the financial system. The budget will however be reduced with R10 000 000 during the Mid-year Adjustment budget process.

3.8 Other revenue

An under performance is noted for other revenue to the amount of R8 186 828. The underperformance can mainly be attributed to no revenue being recognised in respect of parking fees. This is due to the fact that no parking marshals operated during levels 5-2 of the COVID-19 lockdown regulations. The budget will be reduced with R7 500 000 during the Mid-year adjustment budget process.

4. Operating Expenditure

The following table illustrates the actual operating expenditure for each Directorate against planned expenditure in the SDBIP for the 2nd Quarter of 2020/21.

Operating Expenditure (Per Directorate):

DIRECTORATE	ORIGINAL BUDGET	AMENDED BUDGET	QUARTER 2 2020/21		QUARTER 2 2019/20	
			PLANNED	ACTUALS	PLANNED	ACTUALS
Municipal Manager	47 883 653	47 883 653	11 970 938	7 839 576	14 187 334	11 005 826
Planning & Development	105 524 846	107 793 987	28 254 207	19 239 341	26 915 395	15 101 980
Community and Protection Services	359 246 177	355 836 322	86 929 277	72 667 575	6 344 929	61 901 924
Infrastructure Services	1 082 794 555	1 103 622 771	283 140 367	211 022 187	370 493 228	196 356 119
Corporate Services	181 428 720	181 434 472	45 351 557	35 761 233	51 691 959	32 520 741
Financial Services	110 583 964	110 583 800	27 515 031	23 709 556	35 683 536	24 267 965
TOTALS	1 887 461 915	1 907 155 005	483 161 377	370 239 469	505 316 381	341 154 555

During the second quarter of the financial year the directorates spent R112 921 908, 23% less than the planned expenditure. At the same period last year the directorate spent R164 161 826, 32% less than the planned expenditure.



The year on year comparison for the second quarter is 77% actual spending rate of the planned operating budget for the financial year 2020/21, compared to a 68% actual spending rate for the same period in the previous financial year.

Operating Expenditure Variance Report

The variances between actual operating expenditure and planned operating expenditure contained in the SDBIP are explained per item and are as follows:

4.1 Municipal Manager

The Municipal Manager directorate planned to spend R23 941 877 of the adjusted budget. The year to date actual expenditure incurred amounted to R12 922 170 which resulted in an underspending of R11 019 707. The items that attributed to the underspending are as follows:

4.1.1 Operational Cost: External Audit Fees

The user department planned to spend R3 562 134 of the adjusted budget. The year to date actual expenditure incurred amounted to R1 550 773. The Minister of Finance has issued Government Gazette number 851 which exempts municipalities in terms of S177 (1) (b) of the MFMA. The exemption relates to the adhering to the deadlines for the submission of the Annual Financial Statements, Annual reports and Oversight reports. Due to the municipality opting to take the exemption of 31 October 2020 the spending has been deferred.

4.2 Planning and Development Services

The Planning and Development Services directorate planned to spend R54 635 598 of the adjusted budget. The year- to date actual expenditure incurred amounted to R40 048 084 which resulted in an underspending of R14 587 514. The items that attributed to the underspending are as follows:

4.2.1 Outsourced Services: Professional Staff

The user department planned to spend R337 500 of the adjusted budget. No spending has been incurred to date. The user department indicated that formal quotations to the amount of R500 000 is in progress.

4.2.2 Operating Leases: Furniture and Office Equipment

The user department planned to spend R582 864 of the adjusted budget. The year to date actual expenditure incurred amounted to R226 512. Orders to the amount of R862 753 have been loaded on the financial system. A request has been submitted to the ICT Steering Committee for a lease agreement. Specifications was submitted to the Senior Manager: ICT and the matter served at the ICT Steering committee meeting held on 2 December 2020.

4.2.3 Business and Advisory: Project Management

The user department planned to spend R261 670 of the adjusted budget. No spending has been incurred to date. The budget was intended to be used for the service level agreement in respect of the Housing Demand Data Software and Application. The deviation was however referred back by the Bid Adjudication Committee to the ICT Steering committee. Specifications for a formal quotation in respect of the appointment of a service provider to ascertain rental prices for public rental flats (based on a similar premises as that of Social Housing) are being developed.

4.2.4 Contractors: Management of Informal Settlements

The user department planned to spend R954 000 of the adjusted budget. The year to date actual expenditure incurred amounted to R230 634. The service provider for the backyarder survey could not submit an invoice as yet due to the lockdown restrictions that did not allow for the contact or door-to-door surveys. The wendy houses that must be constructed are procured on a needs basis.

4.2.5 Operational Cost: Supplier Development Programme

The user department planned to spend R499 998 of the adjusted budget. No spending has been incurred to date. A budget saving of R264 375 is anticipated. A proposal for improvements to the job seekers database will be submitted. Orders to the amount of R735 625 have been loaded on the financial system.

4.3 Community and Protection Services

The Community and Protection Services directorate planned to spend R176 781 134 of the adjusted budget. The year to date actual expenditure incurred amounted to R123 456 690 which resulted in an underspending of R53 324 444. The items that attributed to the under spending are as follows:

4.3.1 Contractors: Maintenance of buildings and facilities: Cemetery: Stellenbosch

The user department planned to spend R504 324 of the adjusted budget. The year to date actual expenditure incurred amounted to R45 801. Orders to the amount of R208 076 have been loaded on the financial system. The user department indicated that the contractors will only be able to commence work in January 2021.

4.3.2 Operational Cost: Uniform and Protective Clothing (Fire Services)

The user department planned to spend R490 002 of the adjusted budget. The year to date actual expenditure incurred amounted to R25 435. The user department indicated that an order to the amount of R158 696 have been loaded on the financial system.

4.3.3 Outsourced Services: Traffic Fines Management

The user department planned to spend R4 430 808 of the adjusted budget. The year to date actual expenditure incurred amounted to R3 478 575. The user department indicated that due to the COVID-19 lockdown regulations the enforcement of speed control was minimised. Drivers adjusted their driving speed due to the visibility of law enforcement officials. This resulted in less speed fines being issued which a domino effect on the expenditure incurred to date.

4.3.4 Outsourced Services: Drivers Licence Cards

The user department planned to spend R 728 634 of the adjusted budget. The year to date actual expenditure incurred amounted to R184 443. The user department indicated that the decline in expenditure can be attributed to the COVID-19 lockdown regulations.

4.3.5 Inventory consumed: Materials and Suppliers (Disaster Management)

The user department planned to spend R1 300 002 of the adjusted budget. The year to date actual expenditure incurred amounted to R602 366.14. The user department indicated that the utilisation of the materials and supplies are dependent on the occurrence of fire disasters. An increase is anticipated during the summer months. Orders to the value of R574 404 has been loaded on the financial system.

4.3.6 Contractors: Forestry (Commonage and plantations)

The user department planned to spend R900 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that the funds have been allocated for the pruning and felling of trees as well as the clearing of alien vegetation. The tree pruning and felling tender is in place and the alien clearing tender is awaiting a date to serve before the Bid Evaluation Committee.

4.4 Infrastructure Services

The Infrastructure Services directorate planned to spend R551 240 308 of the adjusted budget. The year to date actual expenditure incurred amounted to R374 315 221 which resulted in an underspending of R176 925 096. The items that attributed to the under spending are as follows:

4.4.1 Electricity: ESKOM

The user department planned to spend R227 626 890 of the adjusted budget. The year to date actual expenditure incurred amounted to R194 284 300. The user department indicated that the demand for electricity will increase during the winter months. A decline in consumption has been noted as indicated in point 3.2 on page 12 of this report which directly impacts the expenditure incurred on bulk purchases. This decline is largely due to the impact of COVID-19 on the local economy.

4.4.2 Operational Cost: Indigent Relief

The user department planned to spend R10 413 996 of the adjusted budget. The year to date actual expenditure incurred amounted to R1 355 047. The spending relates to the solar electricity provision and Eskom indigent relief customers. The user department indicated that an increase in expenditure will be noted during the ensuing months.

4.4.3 Contractors: Prepaid Electricity Vendors

The user department planned to spend R4 884 672 of the adjusted budget. The year to date actual expenditure incurred amounted to R2 556 663. Orders amounting to R4 399 606 have been loaded on the financial system.

4.4.4 Outsourced Services: Refuse Removal (Landfill site)

The user department planned to spend R7 200 000 of the adjusted budget. The year to date actual expenditure incurred amounted to R3 658 603. Orders to the amount of R9 621 409 have been loaded on the financial system. Invoices to the amount of R230 920 have been submitted for payment.

4.4.5 Contractors: Maintenance of Unspecified Assets (Sewerage Purification Stellenbosch)

The user department planned to spend R4 167 228 of the adjusted budget. The year to date actual expenditure incurred amounted to R41 073. Orders to the amount of R8 080 184 have been loaded on the financial system.

4.4.6 Bulk Purchases: Water

The user department planned to spend R12 499 998 of the adjusted budget. The year to date actual expenditure incurred amounted to R8 744 200. The user department indicated that the reduction in expenditure is directly related to the decline in consumption as stated in point 3.1 on page 12.

4.5 Corporate Services

The Corporate Services directorate planned to spend R90 708 956 of the adjusted budget. The year to date actual expenditure incurred amounted to R66 101 293 which resulted in an underspending of R24 607 663. The items that attributed to the under spending are as follows:

4.5.1 Seminars, Conferences, Workshops and Events: National

The user department planned to spend R2 342 718 of the adjusted budget. The year to date actual expenditure incurred amounted to R1 424 690. The user department indicated that due to the COVID-19 lockdown regulations the conferences could not be attended. Plans are however in place to be rolled out for the 2021 calendar year. Orders to the amount of R784 388 have been loaded on the financial system.

4.5.2 Operational Cost: Bargaining Council

The user department planned to spend R 2 194 500 of the adjusted budget. No spending has been incurred to date. The user department indicated that it is an annual payment which is done during the last quarter of the financial year. The year-to-date budget projections will be amended during the Mid-year adjustment budget process.

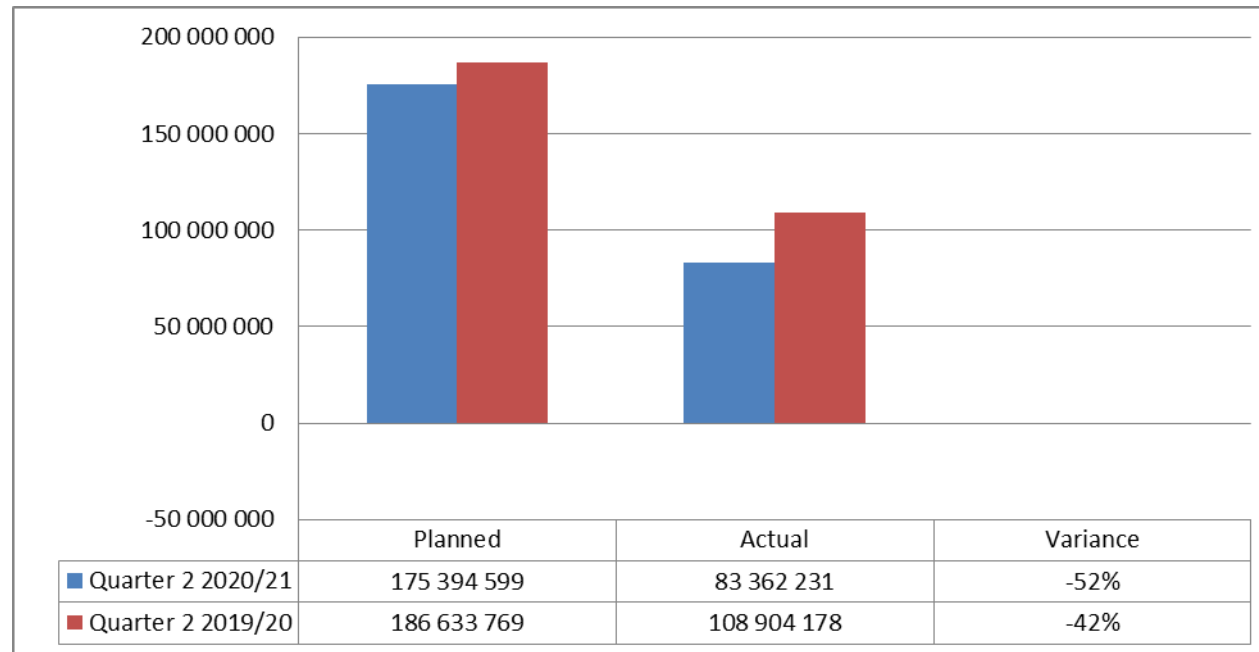
5. Capital Expenditure

The following table illustrates the actual capital expenditure per directorate against the planned in the SDBIP for the 2nd Quarter of 2020/21.

DIRECTOR	ORIGINAL BUDGET	AMENDED BUDGET
Municipal Manager	40 000	40 000
Planning & Development	12 310 800	16 367 078
Community and Protection Services	27 640 000	48 316 949
Infrastructure Services	317 259 511	344 670 420
Strategic & Corporate Services	17 650 000	73 466 511
Financial Services	850 000	850 000
TOTALS	375 750 311	483 710 959

QUARTER 2 2020/21		
PLANNED	ACTUAL EXPENDITURE	VAR %
9 500	7 496	-21%
6 251 573	436 217	-93%
15 499 543	7 315 112	-53%
100 104 857	67 419 833	-33%
53 079 126	8 076 794	-85%
450 000	106 780	-76%
175 394 599	83 362 231	-52%

QUARTER 2 2019/20		
PLANNED	ACTUAL EXPENDITURE	VAR %
7 500	3 485	100%
4 011 702	3 209 452	-20%
22 100 138	2 710 752	-88%
108 347 583	93 458 457	-14%
52 156 846	9 520 495	-82%
10 000	1 536	-85%
186 633 769	108 904 178	-42%



The year on year comparison for the end of the second quarter is [147 011 293/ R483 710 959] 30% of the total capital budget of R483 710 959 for the 2019/20 financial year compared to a 202 978 608/ R613 274 958] 33% spending rate for the same period in the previous financial year measured against a budget of R483 710 959.

Capital Expenditure Variance Report

The variances between actual capital expenditure and the planned capital expenditure contained in the SDBIP are explained per directorate and are as follows:

5.1 Planning and Development Services

The Directorate planned to spend R8 283 114 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R752 338. This resulted in an underperformance of R7 530 776. The projects that attributed to the underperformance are as follows:

5.1.1 Local Economic Development Hub Jamestown

The user department planned to spend R230 000 of the adjusted budget. No spending has been incurred to date. The department indicated that the funds will be transferred to the Establishment of Informal Trading Markets: Kayamandi. The Jamestown LED Hub Project must be aligned with Jamestown Phase 1 and 2 Housing Projects, which will realistically only commence during the 2022/2023 financial year.

5.1.2 Establishment of Informal trading markets: Cloetesville

The user department planned to spend R332 826 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R69 207. Orders to the amount of R369 903 have been loaded on the financial system. The user department indicated that the project will be completed by 31 March 2021. All funds will be spent.

5.1.3 Establishment of Informal trading markets: Groendal

The user department planned to spend R909 874 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R306 223. Orders to the amount of R774 199 have been loaded on the financial system. The user department indicated that the construction work has been completed. The funds will be paid once confirmation of completion has been obtained from the implementing agent.

5.1.4 Establishment of Informal Trading Sites: Kayamandi

The user department planned to spend R294 000 of the adjusted budget. No spending has been incurred to date. The department indicated that co-funding has been received to the amount of R2 600 000 and will be brought in during the Mid-year Adjustment budget process. Reduced

scope of works have been obtained and has been submitted to the Bid Specifications Committee on 10 December 2020. Four (4) months construction is anticipated to be completed by 31 May 2021.

5.1.5 Establishment of Informal trading markets: Klapmuts

The user department planned to spend R324 614 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R132 913. Orders to the amount of R132 376 have been loaded on the financial system. The user department indicated that the the project has been completed and the funds will be paid by middle January 2021.

5.1.6 Langrug Planning

The user department planned to spend R500 000 of the adjusted budget. No spending has been incurred to date. The department indicated that a revised funding allocation letter has been received from the Department of Human Settlements. The funding will be utilised by the appointed Non-Government Organisation and can be removed from the municipal budget during the Mid-year Adjustment budget process

5.1.7 Kayamandi Town Centre: Planning (+/- 700 units)

The user department planned to spend R500 000 of the adjusted budget. No spending has been incurred to date. The department indicated that a service provider has been appointed. Funds cannot be paid until the Project feasibility report is approved by the Department of Human Settlements.

5.1.8 Northern Extention: Feasibility

The user department planned to spend R1 000 000 of the adjusted budget. No spending has been incurred to date. The department indicated that a service provider was appointed by the Bid Adjudication Committee but due to a contractual dispute the contract was cancelled during October 2020. In light of the cancellation of the previous tender and the Supply Chain Management procurement process associated with the new tender, it is therefore requested to reduce the current budgeted funding by R1 500 000 during the adjustment budget process. The user department further requests that this amount of R1 500 000 be rolled over to the 2021/22 financial year.

5.1.9 La Motte Old Forest Station (±430 services & ±430 units)

The user department planned to spend R600 000 of the adjusted budget. No spending has been incurred to date. The department indicated that they are liaising with the Department of Human Settlements to assist with the transfer of land. In light of the uncertainty of the transfer of land, the request is that funding be removed from the 2020/21 grant Business Plan. Furthermore, that the amount be roll over funding to the 2022/23 financial year.

5.1.10 Enkanini Planning

The user department planned to spend R2 100 000 of the adjusted budget. No spending has been incurred to date. The department indicated that a revised funding allocation letter has been received from the Department of Human Settlements. The funding will be utilised by the appointed Non-Government Organisation and can be removed from the municipal budget during the Mid-year Adjustment budget process.

5.2 Community and Protection Services

The Directorate planned to spend R19 804 960 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R9 441 830. This resulted in an under spending of R10 363 130. The projects that attributed to the under spending are as follows:

5.2.1 Major Fire Pumper

The user department planned to spend R1 400 000 of the adjusted budget. The user department indicated that the vehicle will be delivered during February 2021.

5.2.2 Upgrading of Stellenbosch Fire Station

The user department planned to spend R1 200 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that construction will commence during January 2021. The user department requested the budget to be increased by R1 000 000 during the Mid-year adjustment budget process.

5.2.3 Install and Upgrade CCTV/ LPR Cameras in WC024

The user department planned to spend R1 600 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R511 179. The user department indicated that orders amounting to R1 132 388

have been loaded on the financial system. An improvement will be noted for the next reporting period.

5.2.4 Law Enforcement: Vehicle Fleet

The user department planned to spend R1 200 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R186 853. Orders to the amount of R741 212 have been loaded on the financial system.

5.2.5 Urban Forestry: Vehicle Fleet

The user department planned to spend R1 400 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that delivery of one (1) vehicle has taken place and payment will reflect during the next reporting period. They are currently awaiting the delivery of two (2) vehicles. The user department requested the budget to be increased by R2 000 000 during the Mid-year adjustment budget process. The funds will be utilised to purchase a truck for the Environmental Implementation section as well as two (2) vehicles.

5.2.6 Replacement of Patrol Vehicles

The user department planned to spend R1 200 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that the Bid Evaluation Committee is scheduled for 8 December 2020 and the Bid Adjudication Committee is scheduled for 11 December 2020.

5.3 Infrastructure Services

The Directorate planned to spend an amount of R155 512 362 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R74 664 760. This resulted in an under spending of R80 847 602. The projects that attributed to the under spending are as follows:

5.3.1 General System Improvements - Franschhoek

The user department planned to spend R2 000 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R533 571. Orders to the amount of R533 901 have been loaded on the financial system.

5.3.2 General System Improvements - Stellenbosch

The user department planned to spend R4 496 732 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R2 508 722. Orders to the amount of R352 428 have been loaded on the financial system. Invoices to the amount of R878 256 have been submitted for payment.

5.3.3 Integrated National Electrification Programme (Enkanini)

The user department planned to spend R7 350 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R377 394. The user department indicated that a tender is currently in the process of being awarded.

5.3.4 Basic Improvements: Langrug

The user department planned to spend R1 103 447 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R215 848. The user department indicated that the line item has three (3) projects linked to it as follows;

- Design and construction of emergency road and construction of underground services: The project is at the design development stage. The consultant submitted civil designs for approval on 9 October 2020. The project is currently running behind schedule due to delays with the inputs received.
- Geotechnical study and civil designs on Erf 3229: The project is at the design development stage. The user department has split the procurement process of the project into two phases to expedite expenditure of funds allocated to the project this financial year. The split is as follows;
 - Site rehabilitation of Erf 3229: The tender documents have been completed during December 2020.
 - Procurement of the civil component of the project will be followed once a favourable outcome is received.
- Obtaining of Land Use Rights and Environmental Authorisation on Erf 3229: The land use application has been submitted to the planning department. The environmental checklist report was submitted to the Department of Environment Affairs and Development Planning.

5.3.5 Smartie Town

The user department planned to spend R1 578 533 of the adjusted budget. No spending has been incurred to date. The user department indicated that a contractor has commenced with the external ratification works. No order has been created due to the fact that the contractor failed to provide the practical completion certificates. 66 of the 106 houses have been completed. The contractor is currently in the process of procuring two (2) mobile homes to be utilised for the decanting of residents. The internal portion of the scope of works will commence in January 2021.

5.3.6 Upgrading of The Steps/Orlean Lounge

The user department planned to spend R3 500 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R1 663 639. The user department indicated that 12 units have been completed and handed over. Order to the amount of R5 292 882 have been loaded on the financial system.

5.3.7 Watergang Farm Upgrading

The user department planned to spend R1 900 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that tender number B/SM 18/21 for the appointment of a contractor closed on 9 November 2020. The consulting engineer is finalising the technical report for submission to the Bid Evaluation Committee meeting. Expenditure is anticipated to reflect during February 2021 when the contractor has established on site.

5.3.8 Bulk Sewer Outfall: Jamestown

The user department planned to spend R17 235 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R5 227 062. Orders amounting to R25 258 747 have been loaded on the financial system.

5.3.9 Franschoek Sewer Network Upgrade

The user department planned to spend R2 500 000 of the adjusted budget. No spending has been incurred to date. The user department has indicated that a consultant has been appointed and work will commence in January 2021.

5.3.10 Sewerpipe Replacement: Dorp Street

The user department planned to spend R5 500 000 of the adjusted budget. No spending has been incurred to date. The user department indicated the tender process has been put on hold due to insufficient funding.

5.3.11 Upgrade of WWTW Wemmershoek

The user department planned to spend R3 800 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R461 806. The user department indicated that invoices to the amount of R117 161 have been submitted for payment. Orders to the amount of R1 076 153 have been loaded on the financial system.

5.3.12 Upgrade of WWTW: Pniel & Decommissioning of Franschhoek

The user department planned to spend R21 284 518 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R15 509 848. The user department indicated that invoices to the amount of R851 492 have been submitted for payment. Orders amounting to R21 609 342 have been loaded on the financial system. The user department requested the budget to be increased by R36 000 000 during the Mid-year adjustment budget process.

5.3.13 Bulk water supply Klapmuts

The user department planned to spend R5 063 721 of the adjusted budget. No spending has been incurred to date. The user department indicated that the contractor has been appointed and will commence work during January 2021.

5.3.14 Bulk water supply pipe and Reservoir: Kayamandi

The user department planned to spend R8 800 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R15 509 848. The user department indicated that improvement in expenditure will be noted during the ensuing months.

5.3.15 Main road intersection improvements: R44/Helshoogte

The user department planned to spend R1 850 000 of the adjusted budget. No spending has been incurred to date. The user department indicated that the contractor is in the process of being appointed.

5.3.16 Taxi Rank: Franschoek

The user department planned to spend R3 407 961 of the adjusted budget. No spending has been incurred to date. The user department indicated that consultants and contractors have been appointed. Construction will be accelerated.

5.3.17 Taxi Rank: Kayamandi

The user department planned to spend R5 510 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R315 319. The user department indicated that consultants and contractors have been appointed. Construction will be accelerated.

5.3.18 Taxi Rank: Klapmuts

The user department planned to spend R2 362 310 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R20 995. The user department indicated that consultants and contractors have been appointed. Construction will be accelerated.

5.4 Corporate Services

The Directorate planned to spend an amount of R62 308 443 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R58 191 231. This resulted in an under spending of R4 117 212. The projects that attributed to the under spending are as follows:

5.4.1 Upgrade and Expansion of IT Infrastructure Platforms

The user department planned to spend R4 000 000 of the adjusted budget. The year-to-date actual expenditure incurred amounted to R2 269 353. The user department indicated that R1 100 000 will be utilised for the procurement of hardware. Orders to the amount of R944 942 have been loaded on the financial system.

5.4.2 Upgrading of Stellenbosch Town Hall

The user department planned to spend R2 650 000 of the adjusted budget. No spending has been incurred to date. Orders to the amount of R2 848 786 have been loaded on the financial system. The user department requested the budget to be decreased by R273 894 during the Mid-year adjustment budget process due to savings on the project.

6. Investments and Borrowings

6.1 Investments

ACC. NR	BANK	Type/ Period	INTEREST RATE	MATURITY DATE	OPENING BALANCE AS AT 1 JULY 2020	Quarter 2		TOTAL INVESTMENTS/ WITHDRAWALS	INTEREST CAPITALISED FOR THE MONTH UNDER REVIEW	INTEREST ACCRUED YTD	CLOSING BALANCE YTD
						INVEST	WITHDRAW				
	ABSA BANK										
'9354572592	A#2592	CALL	6.700%	CALL	20 978 743.64	-	21 255 268.40	(21 255 268.40)		276 524.75	(0.01)
'2079161942	A#942	FIXED / 6 Mths	6.690%	12-Oct-20	101 411 315.07	-	103 299 178.08	(103 299 178.08)		1 887 863.01	0.00
9360655689	A#689	CALL	4.600%			201 000 000.00	50 000 000.00	151 000 000.00	723 019.64	1 882 076.20	152 882 076.20
					122 390 058.71	201 000 000.00	174 554 446.48	26 445 553.52	723 019.64	4 046 463.97	152 882 076.20
	FNB										
	F#8964	FIXED / 5 Mths	4.240%	27-Aug-19							
74877638964				28-Aug-19		145 000 000.00	-	145 000 000.00	522 158.90	589 534.25	145 589 534.25
				30-Aug-19		145 000 000.00	-	145 000 000.00	522 158.90	589 534.25	145 589 534.25
	NEDBANK										
037881123974/...008	N#008	CALL	3.750%	CALL	46 299 984.67	-	-	(46 342 726.03)	-	42 741.37	0.01
03/7881123974/...019	N#019	FIXED / 8 MTHS	7.650%	27-Oct-20	123 143 835.62	-	126 111 616.44	(126 111 616.44)		2 967 780.82	(0.00)
					169 443 820.28	-	(126 111 616.44)	(172 454 342.47)	-	3 010 522.19	0.01
	STANDARD BANK										
258489367-025	S#025	CALL ACCOUNT	6.750%	CALL ACCOUNT	21 958 157.17	-	22 200 686.72	(22 200 686.72)		242 529.65	0.10
258489367-030	S#030	FIXED 9 MNTHS	7.600%	27-Nov-20	82 082 191.78	-	84 497 534.25	(84 497 534.25)	-	2 415 342.47	(0.00)
					104 040 348.95	-	(106 698 220.97)	(106 698 220.97)	-	2 657 872.11	0.10
INVESTMENT TOTAL					395 874 227.94	346 000 000.00	(407 364 283.89)	(107 707 009.92)	1 245 178.55	10 304 392.52	298 471 610.55

6.2 Borrowings

Lending Institution	Balance 1/12/2020	Received December 2020	Interest Capitalised December 2020	Capital Repayments December 2020	Balance 31/12/2020	Percentage	Sinking Funds (R'000)
DBSA @ 9.25%	1 846 984	-	-	1 846 984	(0)	9.25%	
DBSA@ 11.1%	15 969 032	-	-	1 231 065	14 737 966	11.10%	
DBSA@ 10.25%	46 230 654	-	-	2 865 806	43 364 848	10.25%	
DBSA @ 9.74%	78 807 272	-	-	2 586 430	76 220 842	9.74%	
NEBANK @ 9.70%	150 076 499	-	-	5 353 607	144 722 892	9.70%	
	292 930 440	-	-	13 883 892	279 046 548		

7. Allocations and grant receipts and expenditure for the 2nd Quarter of 2020/21

	TOTAL 2020/21	EXPECTED ALLOCATION	OPENING BALANCE 1 JULY 2020	ACCUMULATED RECEIPTS	ACCUMULATED ACTUAL EXPENDITURE	QUARTER 2 RECEIPTS	QUARTER 2 ACTUAL EXPENDITURE	UNSPENT CONDITIONAL GRANTS - 31 DECEMBER 2020
OPERATING & CAPITAL GRANTS								
EPWP Integrated Grant for Municipalities	4 961 000	4 961 000		3 564 000	1 471 110	2 323 000	899 180	2 092 890
Local Government Financial Management Grant	1 550 000	1 550 000		1 550 000	439 829	-	277 924	1 110 171
Integrated National Electrification Programme (Municipal) Grant	12 000 000	12 000 000		12 000 000	377 394	7 000 000	377 014	11 622 606
Integrated Urban Development Grant	47 490 000	47 490 000		24 995 000	15 590 089	7 970 000	14 694 579	9 404 911
LGSETA Funding	-	-		4 000	-	4 000	-	4 000
DBSA Grant	-	-		-	-	-	-	-
Community Development Workers Operational Support Grant	93 752	56 000	37 752	-	9 245	-	9 245	28 507
Library Services: Conditional Grant	9 650 000	9 650 000		9 650 000	3 971 332	4 825 000	2 249 199	5 678 668
Human Settlements Development Grant	29 715 416	29 550 000	165 416	14 046 604	12 647 161	14 046 604	6 372 419	(17 884 273)
Title Deeds Restoration Grant	1 839 711	-	1 839 711	-	-	-	-	1 839 711
Municipal Accreditation and Capacity Building Grant	238 000	238 000		-	-	-	-	-
WC Financial Management Support Grant	-	-		-	-	-	-	-
Financial Management Capacity Building Grant	760 097	400 000	360 097	-	-	-	-	360 097
LG Graduate Internship Grant	73 655	-	73 655	-	41 667	-	41 667	31 988
Maintenance and Construction of Transport Infrastructure	450 000	450 000		-	-	-	-	-
Regional Socio-Economic Project/violence through urban upgrading	4 000 000	4 000 000		4 000 000	-	4 000 000	-	4 000 000
Integrated Transport Planning	600 000	600 000		600 000	-	600 000	-	600 000
Cape Winelands Grant	-	-		-	-	-	-	-
Safety Initiative Implementation-whole of society approach (WOSA)	440 000	440 000		-	-	-	-	-
Grand total (Conditional Grants)	113 861 631	111 385 000	2 476 631	70 409 604	34 547 827	40 768 604	24 921 226	18 889 276

Please note: The Department of Human Settlements currently owes the municipality an amount of R17 884 273 in respect of the Human Settlement Development Grant (beneficiaries) due to claims which have not yet been honoured. The user department has submitted claims during December 2020 and the Department of Human Settlements has transferred an amount of R7 231 321. Unfortunately clarity could not be obtained as to whether or not the amount pertains solely to grant funding. The amount will be allocated once clarity has been obtained and will reflect in the next reporting period. Obstacles have also been encountered pertaining to the implementation of the capital projects as the transferring department has not provided contracts for some of the gazetted allocations. The municipality could therefore not proceed with implementation which places the spending of the grant at risk. The municipality is liaising with the Department of Human Settlement to resolve the latter.

8. Personnel Expenditure

In terms of Section 66 of the MFMA, all expenditure incurred by the municipality on staff salaries, wages, allowances and benefits must be reported to council.

Employee - Related Costs	Original Budget	Adjustments Budget	Year-to-date Budget	Year-to-date Actual	YTD %
Basic Salary and Wages	339 270 102	337 736 316	168 868 080	164 357 021	49%
Bonus	29 815 702	29 815 702	14 907 846	23 866 646	80%
Acting and Post Related Allowances	1 544 833	1 544 833	772 416	234 539	15%
Non Structured	35 891 131	35 891 131	17 945 574	17 171 203	48%
Standby Allowance	15 561 395	15 561 395	7 780 704	7 939 024	51%
Travel or Motor Vehicle	15 586 207	15 586 207	7 793 118	4 571 312	29%
Accommodation, Travel and Incidental	410 871	410 871	205 452	9 166	2%
Bargaining Council	241 838	241 838	120 942	176 116	73%
Cellular and Telephone	1 143 313	1 143 313	571 680	889 816	78%
Current Service Cost	7 762 777	7 762 777	3 881 388	3 735 661	48%
Essential User	732 117	732 117	366 060	369 361	50%
Entertainment	128 048	128 048	64 026	-	0%
Fire Brigade	2 864 717	2 864 717	1 432 356	1 293 295	45%
Group Life Insurance	4 252 794	4 252 794	2 126 406	1 944 497	46%
Housing Benefits	3 164 837	3 164 837	1 582 398	1 378 504	44%
Interest Cost	22 368 457	22 368 457	11 184 228	-	0%
Leave Gratuity	-	-	-	-	0%
Leave Pay	2 246 376	2 246 376	1 123 200	1 457 962	65%
Long Service Award	1 067 046	1 067 046	533 526	53 014	5%
Medical	27 962 039	27 962 039	13 981 032	12 308 668	44%
Non-pensionable	914 001	914 001	457 002	40 719	4%
Pension	58 058 040	58 058 040	29 029 026	27 307 464	47%
Scarcity Allowance	1 643 789	1 643 789	821 904	807 399	49%
Shift Additional Remuneration	2 026 274	2 026 274	1 013 142	2 263 874	112%
Structured	1 580 462	1 580 462	790 230	968 198	61%
Unemployment Insurance	3 201 919	3 201 919	1 600 980	1 157 251	36%
Totals	579 439 085	577 905 299	288 952 716	274 300 708	47%

During the second quarter of the financial year the directorates spent R14 652 008, 5% less than the planned expenditure of R288 952 716.

9. Withdrawals

<i>Consolidated Quarterly Report for period 01/10/2020 to 31/12/2020</i>				
Date	Payee	Amount in R'000	Description and Purpose (including section reference e.g. sec 11(f))	Authorised by (name)
Monthly	Provincial Government Western Cape	10 457 369	The Municipality acts as an agent for PAWC for collection of licencing fees. S 11(e)(i)	Acting Director: Community and Protection Services
Monthly	WECLOGO Group Insurance and Sanlam Group Insurance	1 218 107	Group Insurance. S11(e) (ii)	Council
Ad Hoc	Investment Management	346 000 000	Investment in accordance with the Cash Management and Investment Policy. S11(h)	Accounting Officer (Municipal Manager)

10. Cost Containment Reporting

Measures	Cost Containment In - Year Report									
	Original Budget	Amended Budget	Quarter 1		Saving/ (Over spending)	Quarter 2		YTD		Saving/ (Over spending)
			Budget	Actual		Budget	Actual	Total YTD Budget	Total YTD Actual	
Use of consultants	40 566 309.00	40 566 309.00	10 141 577.25	5 545 083.93	4 596 493.32	9 641 884.75	10 108 289.69	19 783 462.00	15 653 373.62	4 130 088.38
Vehicles used for political office -bearers	-	-	-	-	-	-	-	-	-	-
Accomodation, Travel and Incidental costs	20 969 322.00	20 969 322.00	5 242 330.50	3 339 767.45	1 902 563.05	5 242 369.50	3 427 500.13	10 484 700.00	6 767 267.58	3 717 432.42
Sponsorships, events and catering	2 683 816.00	2 683 816.00	670 954.00	561 370.00	109 584.00	671 954.00	323 589.76	1 342 908.00	884 959.76	457 948.24
Communication	7 795 749.00	7 795 749.00	1 948 937.25	1 374 641.37	574 295.88	2 267 440.75	2 495 794.39	4 216 378.00	3 870 435.76	345 942.24
Other related expenditure items	39 957 018.00	39 957 018.00	9 989 254.50	9 594 670.82	394 583.68	9 989 269.50	10 810 429.65	19 978 524.00	20 405 100.47	- 426 576.47
Grand Total	R111 972 214.00	R111 972 214.00	R27 993 053.50	R20 415 533.57	R7 577 519.93	R27 812 918.50	R27 165 603.62	R55 805 972.00	R47 581 137.19	R8 224 834.81

Item for report	Description	Original Budget	Amended Budget	Quarter 1		Saving/(Over spending)	Quarter 2		Saving/(Overspending)	YTD		Saving/(Overspending)
				Budget	Actual		Budget	Actual		Total YTD Budget	Total YTD Actual	
Use of consultants	Business and Advisory:Accounting and Auditing	47 025.00	47 025.00	11 756.25	-	11 756.25	11 757.75	-	11 757.75	23 514.00	-	23 514.00
	Business and Advisory:Audit Committee	1 093 301.00	1 093 301.00	273 325.25	65 750.00	207 575.25	273 328.75	76 000.00	197 328.75	546 654.00	141 750.00	404 904.00
	Business and Advisory:Business and Financial Manag	7 019 739.00	7 019 739.00	1 754 934.75	934 708.69	820 226.06	1 754 939.25	1 115 762.33	639 176.92	3 509 874.00	2 050 471.02	1 459 402.98
	Business and Advisory:Commissions and Committees	-	-	-	-	-	-	-	-	-	-	-
	Business and Advisory:Communications	8 100.00	8 100.00	2 025.00	-	2 025.00	2 025.00	-	2 025.00	4 050.00	-	4 050.00
	Business and Advisory:Human Resources	306 274.00	306 274.00	76 568.50	-	76 568.50	76 569.50	39 930.30	36 639.20	153 138.00	39 930.30	113 207.70
	Business and Advisory:Occupational Health and Safe	52 470.00	52 470.00	13 117.50	-	13 117.50	13 120.50	-	13 120.50	26 238.00	-	26 238.00
	Business and Advisory:Organisational	315 468.00	315 468.00	78 867.00	-	78 867.00	78 867.00	-	78 867.00	157 734.00	-	157 734.00
	Business and Advisory:Project Management	13 030 859.00	12 830 859.00	3 207 714.75	3 804 598.29	- 596 883.54	2 422 805.25	2 378 506.09	44 299.16	5 630 520.00	6 183 104.38	- 552 584.38
	Business and Advisory:Research and Advisory	1 290 381.00	1 290 381.00	322 595.25	32 102.22	290 493.03	322 596.75	1 085.43	321 511.32	645 192.00	33 187.65	612 004.35
	Business and Advisory:Qualification Verification	-	-	-	-	-	-	-	-	-	-	-
	Business and Advisory:Quality Control	-	-	-	-	-	-	-	-	-	-	-
	Business and Advisory:Valuer and Assessors	2 331 000.00	2 331 000.00	582 750.00	555 554.74	27 195.26	582 750.00	629 804.59	- 47 054.59	1 165 500.00	1 185 359.33	- 19 859.33
	Business and Advisory:Forensic Investigators	725 902.00	725 902.00	181 475.50	-	181 475.50	181 470.50	-	181 470.50	362 946.00	-	362 946.00
	Infrastructure and Planning:Architectural	16 067.00	16 067.00	4 016.75	-	4 016.75	4 017.25	5 673.56	- 1 656.31	8 034.00	5 673.56	2 360.44
	Engineering:Civil	-	-	-	-	-	-	-	-	-	-	-
	Engineering:Structural	4 500 000.00	4 500 000.00	1 125 000.00	-	1 125 000.00	1 524 996.00	2 761 588.08	- 1 236 592.08	2 649 996.00	2 761 588.08	- 111 592.08
	Infrastructure and Planning:Land and Quantity Surv	-	-	-	-	-	-	-	-	-	-	-
	Laboratory Services:Water	1 539 495.00	1 539 495.00	384 873.75	-	384 873.75	285 092.25	205 365.77	79 726.48	669 966.00	205 365.77	464 600.23
	Legal Cost:Legal Advice and Litigation	8 225 228.00	8 425 228.00	2 106 307.00	150 708.21	1 955 598.79	2 091 303.00	2 894 573.54	- 803 270.54	4 197 610.00	3 045 281.75	1 152 328.25
Legal Cost:Issue of Summons	65 000.00	65 000.00	16 250.00	1 661.78	14 588.22	16 246.00	-	16 246.00	32 496.00	1 661.78	30 834.22	
Vehicles used for political office -bearers	N/A	-	-	-	-	-	-	-	-	-	-	-
Accommodation, Travel and Incidental	Allowance:Travel or Motor Vehicle	457 659.00	457 659.00	114 414.75	-	114 414.75	114 413.25	-	114 413.25	228 828.00	-	228 828.00
	Allowance:Travel or Motor Vehicle	173 903.00	173 903.00	43 475.75	-	43 475.75	43 476.25	-	43 476.25	86 952.00	-	86 952.00
	Allowance:Accommodation, Travel and Incidental	19 887.00	19 887.00	4 971.75	-	4 971.75	4 970.25	-	4 970.25	9 942.00	-	9 942.00
	Allowance:Travel or Motor Vehicle	173 903.00	173 903.00	43 475.75	-	43 475.75	43 476.25	-	43 476.25	86 952.00	-	86 952.00
	Allowance:Travel or Motor Vehicle	-	-	-	-	-	-	-	-	-	-	-
	Allowance:Accommodation, Travel and Incidental	-	-	-	-	-	-	-	-	-	-	-
	Allowance:Travel or Motor Vehicle	-	-	-	-	-	-	-	-	-	-	-
	Allowance:Travel or Motor Vehicle	191 319.00	191 319.00	47 829.75	-	47 829.75	47 828.25	-	47 828.25	95 658.00	-	95 658.00
	Allowance:Accommodation, Travel and Incidental	16 508.00	16 508.00	4 127.00	-	4 127.00	4 129.00	-	4 129.00	8 256.00	-	8 256.00
	Allowance:Travel or Motor Vehicle	191 319.00	191 319.00	47 829.75	-	47 829.75	47 828.25	-	47 828.25	95 658.00	-	95 658.00
	Allowances:Accommodation, Travel and Incidental	374 476.00	374 476.00	93 619.00	-	93 619.00	93 635.00	9 166.08	84 468.92	187 254.00	9 166.08	178 087.92
	Allowances:Travel or Motor Vehicle	14 398 104.00	14 398 104.00	3 599 526.00	2 246 372.48	1 353 153.52	3 599 544.00	2 324 939.08	1 274 604.92	7 199 070.00	4 571 311.56	2 627 758.44
	Allowances and Service Related Benefits:Travelling	-	-	-	-	-	-	-	-	-	-	-
	Allowances and Service Related Benefits:Travelling	275 783.00	275 783.00	68 945.75	-	68 945.75	68 946.25	-	68 946.25	137 892.00	-	137 892.00
	Allowances and Service Related Benefits:Travelling	220 627.00	220 627.00	55 156.75	-	55 156.75	55 159.25	-	55 159.25	110 316.00	-	110 316.00
	Allowances and Service Related Benefits:Travelling	1 656 281.00	1 656 281.00	414 070.25	-	414 070.25	414 067.75	-	414 067.75	828 138.00	-	828 138.00
Allowances and Service Related Benefits:Travelling	2 794 293.00	2 794 293.00	698 573.25	1 093 394.97	- 394 821.72	698 574.75	1 093 394.97	- 394 820.22	1 397 148.00	2 186 789.94	- 789 641.94	
Operational Cost:Travel Agency and Visa's	19 456.00	19 456.00	4 864.00	-	4 864.00	4 868.00	-	4 868.00	9 732.00	-	9 732.00	
Travel and Subsistence:Non-employees	5 804.00	5 804.00	1 451.00	-	1 451.00	1 453.00	-	1 453.00	2 904.00	-	2 904.00	
Contractors:Catering Services	955 860.00	955 860.00	238 965.00	-	238 965.00	239 961.00	26 305.00	213 656.00	478 926.00	26 305.00	452 621.00	
Outsourced Services:Catering Services	1 151 712.00	1 151 712.00	287 928.00	561 370.00	- 273 442.00	287 928.00	288 562.60	- 634.60	575 856.00	849 932.60	- 274 076.60	
Advertising, Publicity and Marketing:Gifts and Pro	161 975.00	161 975.00	40 493.75	-	40 493.75	40 494.25	4 361.08	36 133.17	80 988.00	4 361.08	76 626.92	
Contractors:Event Promoters	252 294.00	252 294.00	63 073.50	-	63 073.50	63 076.50	-	63 076.50	126 150.00	-	126 150.00	
Advertising, Publicity and Marketing:Gifts and Pro	161 975.00	161 975.00	40 493.75	-	40 493.75	40 494.25	4 361.08	36 133.17	80 988.00	4 361.08	76 626.92	
Communication:Cellular Contract (Subscription and	471 510.00	471 510.00	117 877.50	3 847.69	114 029.81	125 380.50	11 358.36	114 022.14	243 258.00	15 206.05	228 051.95	
Communication:Licences (Radio and Television)	31 504.00	31 504.00	7 876.00	-	7 876.00	7 874.00	-	7 874.00	15 750.00	-	15 750.00	
Communication:Radio and TV Transmissions	2 270 361.00	2 270 361.00	567 590.25	345 569.92	222 020.33	567 585.75	543 372.56	24 213.19	1 135 176.00	888 942.48	246 233.52	
Communication:Postage/Stamps/Frinking Machines	2 493 158.00	2 493 158.00	623 289.50	221 966.24	401 323.26	609 296.50	379 670.33	229 626.17	1 232 586.00	601 636.57	630 949.43	
Communication:SMS Bulk Message Service	181 705.00	181 705.00	45 426.25	10 888.77	34 537.48	45 425.75	27 477.54	17 948.21	90 852.00	38 366.31	52 485.69	
Communication:Telephone, Fax, Telegraph and Telex	2 347 511.00	2 347 511.00	586 877.75	792 368.75	- 205 491.00	911 878.25	1 533 915.60	- 622 037.35	1 498 756.00	2 326 284.35	- 827 528.35	
Entertainment:Senior Management	94 832.00	94 832.00	23 708.00	-	23 708.00	23 710.00	-	23 710.00	47 418.00	-	47 418.00	
Entertainment:Total for All Other Councillors	104 709.00	104 709.00	26 177.25	525.61	25 651.64	26 178.75	-	26 178.75	52 356.00	525.61	51 830.39	
Entertainment:Executive Mayor	259 610.00	259 610.00	64 902.50	-	64 902.50	64 901.50	1 300.00	63 601.50	129 804.00	1 300.00	128 504.00	
Overtime:Non Structured	35 891 131.00	35 891 131.00	8 972 782.75	8 037 517.83	935 264.92	8 972 791.25	9 133 685.33	- 160 894.08	17 945 574.00	17 171 203.16	774 370.84	
Overtime:Shift Additional Remuneration	2 026 274.00	2 026 274.00	506 568.50	1 027 348.68	- 520 780.18	506 573.50	1 236 525.49	- 729 951.99	1 013 142.00	2 263 874.17	- 1 250 732.17	
Overtime:Structured	1 580 462.00	1 580 462.00	395 115.50	529 278.70	- 134 163.20	395 114.50	438 918.83	- 43 804.33	790 230.00	968 197.53	- 177 967.53	
Grand Total	111 972 214.00	111 972 214.00	27 993 053.50	20 415 533.57	7 577 519.93	27 812 918.50	27 165 603.62	647 314.88	55 805 972.00	47 581 137.19	8 224 834.81	

Table C2: Monthly Budget Statement – Financial Performance (standard classification)

WC024 Stellenbosch - Table C2 Monthly Budget Statement - Financial Performance (functional classification) - Q2 Second Quarter										
Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands	1									
Revenue - Functional										
<i>Governance and administration</i>		488 228	495 016	504 810	51 180	292 314	252 405	39 909	16%	504 810
Executive and council		206	706	706	50	389	353	36	10%	706
Finance and administration		488 022	494 310	504 104	51 130	291 925	252 052	39 873	16%	504 104
Internal audit		-	-	-	-	-	-	-	-	-
<i>Community and public safety</i>		152 633	257 793	235 529	1 968	63 049	117 764	(54 715)	-46%	235 529
Community and social services		15 697	16 882	13 492	223	4 029	6 746	(2 717)	-40%	13 492
Sport and recreation		2 700	8 915	8 915	0	104	4 458	(4 354)	-98%	8 915
Public safety		125 347	166 187	166 187	1 165	43 671	83 094	(39 422)	-47%	166 187
Housing		8 890	65 809	46 934	580	15 245	23 467	(8 222)	-35%	46 934
Health		-	-	-	-	-	-	-	-	-
<i>Economic and environmental services</i>		68 252	23 815	23 815	752	5 906	11 908	(6 002)	-50%	23 815
Planning and development		64 468	11 220	11 220	251	3 024	5 610	(2 586)	-46%	11 220
Road transport		2 942	12 465	12 465	498	2 776	6 232	(3 456)	-55%	12 465
Environmental protection		841	131	131	3	106	65	41	63%	131
<i>Trading services</i>		1 032 011	1 236 429	1 243 696	94 574	542 061	621 848	(79 787)	-13%	1 243 696
Energy sources		593 253	757 248	756 264	40 338	317 954	378 132	(60 178)	-16%	756 264
Water management		196 651	191 604	193 169	15 829	75 143	96 584	(21 441)	-22%	193 169
Waste water management		152 991	177 313	180 766	20 712	82 046	90 383	(8 337)	-9%	180 766
Waste management		89 117	110 265	113 497	17 694	66 918	56 749	10 169	18%	113 497
<i>Other</i>	4	100	107	107	9	55	53	1	2%	107
Total Revenue - Functional	2	1 741 225	2 013 160	2 007 957	148 483	903 385	1 003 978	(100 593)	-10%	2 007 957
Expenditure - Functional										
<i>Governance and administration</i>		222 128	329 110	329 543	19 273	120 091	164 641	(44 550)	-27%	329 543
Executive and council		56 361	56 162	56 162	3 483	21 173	28 081	(6 908)	-25%	56 162
Finance and administration		154 297	258 354	258 787	14 223	94 642	129 263	(34 621)	-27%	258 787
Internal audit		11 470	14 595	14 595	1 567	4 276	7 297	(3 021)	-41%	14 595
<i>Community and public safety</i>		364 662	406 547	405 295	24 940	121 435	201 502	(80 067)	-40%	405 295
Community and social services		33 120	39 532	35 945	2 247	13 443	17 952	(4 509)	-25%	35 945
Sport and recreation		43 759	49 049	49 545	4 221	20 058	24 624	(4 566)	-19%	49 545
Public safety		255 613	281 078	281 081	16 548	76 281	139 572	(63 291)	-45%	281 081
Housing		32 170	36 888	38 724	1 924	11 653	19 355	(7 702)	-40%	38 724
Health		-	-	-	-	-	-	-	-	-
<i>Economic and environmental services</i>		170 062	215 381	213 308	9 475	75 400	107 392	(31 992)	-30%	213 308
Planning and development		61 996	89 452	89 545	4 859	41 487	45 509	(4 022)	-9%	89 545
Road transport		91 373	97 635	95 881	3 174	26 778	47 940	(21 162)	-44%	95 881
Environmental protection		16 693	28 294	27 882	1 442	7 135	13 943	(6 809)	-49%	27 882
<i>Trading services</i>		899 456	936 301	958 884	64 887	342 990	478 871	(135 882)	-28%	958 884
Energy sources		507 135	537 272	555 249	34 348	220 647	277 155	(56 508)	-20%	555 249
Water management		129 788	148 325	144 833	13 605	39 173	72 416	(33 243)	-46%	144 833
Waste water management		143 285	145 692	144 094	11 045	47 771	71 946	(24 174)	-34%	144 094
Waste management		119 248	105 013	114 709	5 888	35 398	57 354	(21 956)	-38%	114 709
<i>Other</i>		148	124	124	-	-	62	(62)	-100%	124
Total Expenditure - Functional	3	1 656 456	1 887 463	1 907 155	118 575	659 915	952 469	(292 554)	-31%	1 907 155
Surplus/ (Deficit) for the year		84 768	125 696	100 802	29 907	243 470	51 510	191 960	373%	100 802

Table C2: Monthly Budget Statement – Financial Performance, reflects the operating revenue and operating expenditure in the standard classifications which are the Government Finance Statistics Functions and Sub-functions. The main functions are Governance and Administration; Community and public safety; Economic and environmental services; and Trading services.

Table C3: Monthly Budget Statement – Financial Performance (revenue & expenditure by municipal vote)

WC024 Stellenbosch - Table C3 Monthly Budget Statement - Financial Performance (revenue and expenditure by municipal vote) - Q2 Second										
Vote Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands										
Revenue by Vote	1									
Vote 1 - OFFICE OF THE MUNICIPAL MANAGER		(9 230)	-	-	-	-	-	-	-	-
Vote 2 - PLANNING AND DEVELOPMENT SERVICES		23 949	81 766	62 892	916	19 178	31 446	(12 268)	-39.0%	62 892
Vote 3 - INFRASTRUCTURE SERVICES		1 094 404	1 246 146	1 253 413	95 227	545 038	626 707	(81 669)	-13.0%	1 253 413
Vote 4 - COMMUNITY AND PROTECTION SERVICES		143 439	192 985	189 595	1 509	48 029	94 797	(46 768)	-49.3%	189 595
Vote 5 - CORPORATE SERVICES		(25 053)	4 303	4 376	370	2 111	2 188	(77)	-3.5%	4 376
Vote 6 - FINANCIAL SERVICES		515 086	487 960	497 681	50 723	289 291	248 840	40 451	16.3%	497 681
Vote 7 - [NAME OF VOTE 7]		-	-	-	-	-	-	-	-	-
Vote 8 - [NAME OF VOTE 8]		-	-	-	-	-	-	-	-	-
Vote 9 - [NAME OF VOTE 9]		-	-	-	-	-	-	-	-	-
Vote 10 - [NAME OF VOTE 10]		-	-	-	-	-	-	-	-	-
Vote 11 - [NAME OF VOTE 11]		-	-	-	-	-	-	-	-	-
Vote 12 - [NAME OF VOTE 12]		-	-	-	-	-	-	-	-	-
Vote 13 - [NAME OF VOTE 13]		-	-	-	-	-	-	-	-	-
Vote 14 - [NAME OF VOTE 14]		-	-	-	-	-	-	-	-	-
Vote 15 - [NAME OF VOTE 15]		-	-	-	-	-	-	-	-	-
Total Revenue by Vote	2	1 742 596	2 013 160	2 007 957	148 745	903 648	1 003 978	(100 330)	-10.0%	2 007 957
Expenditure by Vote	1									
Vote 1 - OFFICE OF THE MUNICIPAL MANAGER		29 595	47 884	47 884	2 917	12 922	23 942	(11 020)	-46.0%	47 884
Vote 2 - PLANNING AND DEVELOPMENT SERVICES		69 991	105 954	107 794	5 091	40 048	54 636	(14 588)	-26.7%	107 794
Vote 3 - INFRASTRUCTURE SERVICES		993 246	1 082 795	1 103 623	68 592	374 315	551 240	(176 925)	-32.1%	1 103 623
Vote 4 - COMMUNITY AND PROTECTION SERVICES		374 549	359 246	355 836	25 393	123 457	176 781	(53 324)	-30.2%	355 836
Vote 5 - CORPORATE SERVICES		157 494	181 001	181 434	10 164	66 101	90 709	(24 608)	-27.1%	181 434
Vote 6 - FINANCIAL SERVICES		31 580	110 584	110 584	6 419	43 072	55 161	(12 089)	-21.9%	110 584
Vote 7 - [NAME OF VOTE 7]		-	-	-	-	-	-	-	-	-
Vote 8 - [NAME OF VOTE 8]		-	-	-	-	-	-	-	-	-
Vote 9 - [NAME OF VOTE 9]		-	-	-	-	-	-	-	-	-
Vote 10 - [NAME OF VOTE 10]		-	-	-	-	-	-	-	-	-
Vote 11 - [NAME OF VOTE 11]		-	-	-	-	-	-	-	-	-
Vote 12 - [NAME OF VOTE 12]		-	-	-	-	-	-	-	-	-
Vote 13 - [NAME OF VOTE 13]		-	-	-	-	-	-	-	-	-
Vote 14 - [NAME OF VOTE 14]		-	-	-	-	-	-	-	-	-
Vote 15 - [NAME OF VOTE 15]		-	-	-	-	-	-	-	-	-
Total Expenditure by Vote	2	1 656 456	1 887 463	1 907 155	118 575	659 915	952 469	(292 554)	-30.7%	1 907 155
Surplus/ (Deficit) for the year	2	86 141	125 696	100 802	30 170	243 733	51 510	192 223	373.2%	100 802

Table C3: Monthly Budget Statement – Financial Performance, reflects the operating revenue and operating expenditure by municipal vote. The municipal directorates are Municipal Manager; Planning Development; Infrastructure Services; Community and Protection Services; Corporate Services; and Financial Services. The operating expenditure budget is approved by Council on the municipal vote level.

Table C4: Monthly Budget Statement – Financial Performance (revenue & expenditure)

WC024 Stellenbosch - Table C4 Monthly Budget Statement - Financial Performance (revenue and expenditure) - Q2 Second Quarter										
Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands										
Revenue By Source										
Property rates		361 912	392 239	392 239	26 639	232 726	196 120	36 607	19%	392 239
Service charges - electricity revenue		562 275	707 441	707 441	25 297	288 332	353 721	(65 388)	-18%	707 441
Service charges - water revenue		171 632	168 720	168 720	9 310	59 513	84 360	(24 847)	-29%	168 720
Service charges - sanitation revenue		83 262	118 312	118 312	7 364	46 814	59 156	(12 342)	-21%	118 312
Service charges - refuse revenue		62 957	78 305	78 305	5 252	41 260	39 152	2 107	5%	78 305
Service charges - other		-	-	-	-	-	-	-	-	-
Rental of facilities and equipment		13 601	16 292	16 292	702	4 634	8 146	(3 512)	-43%	16 292
Interest earned - external investments		40 472	37 870	37 870	1 517	10 844	18 935	(8 091)	-43%	37 870
Interest earned - outstanding debtors		6 954	13 281	13 281	989	4 779	6 641	(1 862)	-28%	13 281
Dividends received		-	-	-	-	-	-	-	-	-
Fines, penalties and forfeits		99 993	140 881	140 881	609	38 991	70 440	(31 449)	-45%	140 881
Licences and permits		5 725	5 503	5 503	456	2 790	2 751	39	1%	5 503
Agency services		2 664	2 931	2 931	190	1 522	1 465	56	4%	2 931
Transfers and subsidies		160 652	178 547	198 259	65 804	142 392	99 129	43 263	44%	198 259
Other revenue		46 089	39 408	39 408	4 615	11 517	19 704	(8 187)	-42%	39 408
Gains on disposal of PPE		33	-	-	-	-	-	-	-	-
Total Revenue (excluding capital transfers and contributions)		1 618 222	1 899 731	1 919 443	148 745	886 116	959 721	(73 605)	-8%	1 919 443
Expenditure By Type										
Employee related costs		481 583	579 439	577 905	45 436	274 301	288 953	(14 652)	-5%	577 905
Remuneration of councillors		19 121	21 133	21 133	1 535	9 243	10 566	(1 324)	-13%	21 133
Debt impairment		123 187	74 007	74 007	8	213	37 004	(36 791)	-99%	74 007
Depreciation & asset impairment		192 334	205 628	205 628	73	127	102 814	(102 687)	-100%	205 628
Finance charges		56 004	39 349	39 349	14 576	14 576	19 674	(5 099)	-26%	39 349
Bulk purchases		445 621	482 196	482 196	30 484	203 029	241 098	(38 069)	-16%	482 196
Other materials		29 937	41 706	41 487	3 231	11 393	21 217	(9 824)	-46%	42 524
Contracted services		183 482	245 478	244 685	15 627	83 171	119 756	(36 585)	-31%	243 689
Transfers and subsidies		10 855	10 069	11 073	102	9 183	6 784	2 399	35%	11 073
Other expenditure		114 332	188 459	209 692	7 504	54 682	104 603	(49 921)	-48%	209 651
Loss on disposal of PPE		-	-	-	-	-	-	-	-	-
Total Expenditure		1 656 456	1 887 463	1 907 155	118 575	659 915	952 469	(292 554)	-31%	1 907 155
Surplus/(Deficit)										
Transfers and subsidies - capital (monetary allocations) (National / Provincial and District)		(38 234)	12 267	12 288	30 170	226 201	7 252	218 948	0	12 288
Transfers and subsidies - capital (monetary allocations) (National / Provincial Departmental Agencies, Households, Non-profit Institutions, Private Enterprises, Public Corporations, Higher Educational Institutions)		124 374	113 429	88 514	-	17 532	44 257	(26 725)	(0)	88 514
Transfers and subsidies - capital (in-kind - all)		-	-	-	-	-	-	-	-	-
Surplus/(Deficit) after capital transfers & contributions		86 141	125 696	100 802	30 170	243 733	51 510			100 802
Taxation		-	-	-	-	-	-	-	-	-
Surplus/(Deficit) after taxation		86 141	125 696	100 802	30 170	243 733	51 510			100 802
Attributable to minorities		-	-	-	-	-	-	-	-	-
Surplus/(Deficit) attributable to municipality		86 141	125 696	100 802	30 170	243 733	51 510			100 802
Share of surplus/ (deficit) of associate		-	-	-	-	-	-	-	-	-
Surplus/ (Deficit) for the year		86 141	125 696	100 802	30 170	243 733	51 510			100 802

Table C5: Monthly Budget Statement – Capital Expenditure

WC024 Stellenbosch - Table C5 Monthly Budget Statement - Capital Expenditure (municipal vote, functional classification and funding) - Q2 Second Quarter										
Vote Description	Ref	Budget Year 2020/21								
		2019/20 Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands	1									
Multi-Year expenditure appropriation	2									
Vote 1 - OFFICE OF THE MUNICIPAL MANAGER		35	40	40	1	16	10	7	72%	40
Vote 2 - PLANNING AND DEVELOPMENT SERVICES		2 544	2 000	2 467	-	-	774	(774)	-100%	2 467
Vote 3 - INFRASTRUCTURE SERVICES		60 642	60 880	78 921	10 081	25 849	35 390	(9 541)	-27%	78 921
Vote 4 - COMMUNITY AND PROTECTION SERVICES		8 769	11 690	20 928	1 074	5 130	10 309	(5 178)	-50%	20 928
Vote 5 - CORPORATE SERVICES		1 090	8 100	11 543	853	3 260	6 712	(3 452)	-51%	11 543
Vote 6 - FINANCIAL SERVICES		-	-	-	-	-	-	-	-	-
Vote 7 - [NAME OF VOTE 7]		-	-	-	-	-	-	-	-	-
Vote 8 - [NAME OF VOTE 8]		-	-	-	-	-	-	-	-	-
Vote 9 - [NAME OF VOTE 9]		-	-	-	-	-	-	-	-	-
Vote 10 - [NAME OF VOTE 10]		-	-	-	-	-	-	-	-	-
Vote 11 - [NAME OF VOTE 11]		-	-	-	-	-	-	-	-	-
Vote 12 - [NAME OF VOTE 12]		-	-	-	-	-	-	-	-	-
Vote 13 - [NAME OF VOTE 13]		-	-	-	-	-	-	-	-	-
Vote 14 - [NAME OF VOTE 14]		-	-	-	-	-	-	-	-	-
Vote 15 - [NAME OF VOTE 15]		-	-	-	-	-	-	-	-	-
Total Capital Multi-year expenditure	4,7	73 080	82 710	113 899	12 009	34 256	53 194	(18 939)	-36%	113 899
Single Year expenditure appropriation	2									
Vote 1 - OFFICE OF THE MUNICIPAL MANAGER		-	-	-	-	-	-	-	-	-
Vote 2 - PLANNING AND DEVELOPMENT SERVICES		6 279	10 311	13 900	219	752	7 509	(6 757)	-90%	13 900
Vote 3 - INFRASTRUCTURE SERVICES		219 470	256 380	265 750	12 788	52 657	120 123	(67 466)	-56%	265 750
Vote 4 - COMMUNITY AND PROTECTION SERVICES		22 687	15 950	27 389	938	4 305	9 496	(5 191)	-55%	27 389
Vote 5 - CORPORATE SERVICES		84 004	9 550	61 924	375	54 931	55 596	(665)	-1%	61 924
Vote 6 - FINANCIAL SERVICES		442	850	850	3	110	450	(340)	-75%	850
Vote 7 - [NAME OF VOTE 7]		-	-	-	-	-	-	-	-	-
Vote 8 - [NAME OF VOTE 8]		-	-	-	-	-	-	-	-	-
Vote 9 - [NAME OF VOTE 9]		-	-	-	-	-	-	-	-	-
Vote 10 - [NAME OF VOTE 10]		-	-	-	-	-	-	-	-	-
Vote 11 - [NAME OF VOTE 11]		-	-	-	-	-	-	-	-	-
Vote 12 - [NAME OF VOTE 12]		-	-	-	-	-	-	-	-	-
Vote 13 - [NAME OF VOTE 13]		-	-	-	-	-	-	-	-	-
Vote 14 - [NAME OF VOTE 14]		-	-	-	-	-	-	-	-	-
Vote 15 - [NAME OF VOTE 15]		-	-	-	-	-	-	-	-	-
Total Capital single-year expenditure	4	332 883	293 040	369 812	14 324	112 755	193 174	(80 419)	-42%	369 812
Total Capital Expenditure	3	405 962	375 750	483 711	26 333	147 011	246 368	(99 357)	-40%	483 711
Capital Expenditure - Functional Classification										
Governance and administration		85 571	18 540	74 357	1 233	58 318	62 768	(4 450)	-7%	74 357
Executive and council		35	40	40	1	16	10	7	72%	40
Finance and administration		85 536	18 500	74 317	1 232	58 302	62 758	(4 457)	-7%	74 317
Internal audit		-	-	-	-	-	-	-	-	-
Community and public safety		33 595	34 581	55 173	2 165	8 545	21 926	(13 380)	-61%	55 173
Community and social services		1 705	3 190	4 071	36	733	1 683	(950)	-56%	4 071
Sport and recreation		11 298	14 330	21 761	1 122	5 417	7 450	(2 033)	-27%	21 761
Public safety		17 186	6 700	17 281	788	2 159	6 916	(4 757)	-69%	17 281
Housing		3 405	10 361	12 061	219	236	5 877	(5 641)	-96%	12 061
Health		-	-	-	-	-	-	-	-	-
Economic and environmental services		91 027	108 360	109 751	9 765	33 006	51 234	(18 228)	-36%	109 751
Planning and development		23 763	52 540	33 534	1 208	10 075	14 998	(4 923)	-33%	33 534
Road transport		67 264	54 020	72 633	8 490	21 857	34 100	(12 243)	-36%	72 633
Environmental protection		-	1 800	3 584	66	1 074	2 136	(1 062)	-50%	3 584
Trading services		195 769	214 270	244 430	13 170	47 142	110 440	(63 299)	-57%	244 430
Energy sources		45 263	43 475	48 745	1 229	6 960	25 820	(18 860)	-73%	48 745
Water management		21 658	53 380	68 069	3 325	9 715	32 171	(22 456)	-70%	68 069
Waste water management		100 922	109 670	112 748	6 499	24 447	49 489	(25 042)	-51%	112 748
Waste management		27 926	7 745	14 869	2 117	6 020	2 960	3 060	103%	14 869
Other		-	-	-	-	-	-	-	-	-
Total Capital Expenditure - Functional Classification	3	405 962	375 750	483 711	26 333	147 011	246 368	(99 357)	-40%	483 711
Funded by:										
National Government		62 677	63 690	59 490	5 545	15 967	25 455	(9 488)	-37%	59 490
Provincial Government		61 699	49 739	29 079	414	7 578	13 380	(5 802)	-43%	29 079
District Municipality		-	-	-	-	-	-	-	-	-
Other transfers and grants		-	31 912	31 912	6 428	8 798	12 777	(3 979)	-31%	31 912
Transfers recognised - capital		124 376	145 341	120 481	12 387	32 343	51 612	(19 268)	-37%	120 481
Public contributions & donations	5	-	-	-	-	-	-	-	-	-
Borrowing	6	33 365	102 780	108 070	2 767	9 585	50 489	(40 904)	-81%	108 070
Internally generated funds		248 221	127 630	255 160	11 178	105 083	144 267	(39 184)	-27%	255 160
Total Capital Funding		405 962	375 750	483 711	26 333	147 011	246 368	(99 357)	-40%	483 711

Table C5: Monthly Budget Statement – Capital Expenditure consists of three sections: Appropriations by vote; Standard classification and funding portion.

Table C6: Monthly Budget Statement – Financial Position

WC024 Stellenbosch - Table C6 Monthly Budget Statement - Financial Position - Q2 Second Quarter						
Description	Ref	2019/20	Budget Year 2020/21			
		Audited Outcome	Original Budget	Adjusted Budget	YearTD actual	Full Year Forecast
R thousands	1					
ASSETS						
Current assets						
Cash		111 202	6 237	4 625	77 918	(27 112)
Call investment deposits		306 637	417 496	331 339	298 472	331 339
Consumer debtors		182 552	165 802	188 886	275 440	188 886
Other debtors		44 763	178 277	365 036	11 659	209 059
Current portion of long-term receivables		2 801	2 332	-	2 801	-
Inventory		64 143	52 125	49 836	64 143	49 836
Total current assets		712 097	822 269	939 722	730 432	752 008
Non current assets						
Long-term receivables		3 561	3 600	3 876	3 561	3 876
Investments		-	-	-	-	-
Investment property		422 466	407 389	452 940	422 466	453 412
Investments in Associate		-	-	-	-	-
Property, plant and equipment		5 257 748	5 076 612	5 780 894	5 403 560	5 780 894
Agricultural		-	-	-	-	-
Biological assets		6 321	9 938	7 171	6 321	6 321
Intangible assets		9 694	7 597	4 408	9 694	6 898
Other non-current assets		774	2 424	4 227	1 846	4 227
Total non current assets		5 700 564	5 507 560	6 253 518	5 847 449	6 255 630
TOTAL ASSETS		6 412 661	6 329 829	7 193 240	6 577 881	7 007 637
LIABILITIES						
Current liabilities						
Bank overdraft		-	-	-	-	-
Borrowing		26 753	15 245	31 238	12 869	31 640
Consumer deposits		17 785	14 274	32 086	17 785	14 274
Trade and other payables		279 687	241 570	357 204	94 999	356 802
Provisions		83 172	54 737	60 597	83 172	60 597
Total current liabilities		407 397	325 826	481 125	208 825	463 312
Non current liabilities						
Borrowing		266 178	321 540	521 293	266 178	521 293
Provisions		287 825	279 680	328 223	287 825	328 223
Total non current liabilities		554 003	601 220	849 515	554 003	849 515
TOTAL LIABILITIES		961 400	927 046	1 330 640	762 828	1 312 828
NET ASSETS	2	5 451 262	5 402 784	5 862 600	5 815 053	5 694 809
COMMUNITY WEALTH/EQUITY						
Accumulated Surplus/(Deficit)		5 451 262	5 402 784	5 862 600	5 815 053	5 594 007
Reserves		-	-	-	-	-
TOTAL COMMUNITY WEALTH/EQUITY	2	5 451 262	5 402 784	5 862 600	5 815 053	5 594 007

Table C7: Monthly Budget Statement – Cash Flow

WC024 Stellenbosch - Table C7 Monthly Budget Statement - Cash Flow - Q2 Second Quarter										
Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands	1									
CASH FLOW FROM OPERATING ACTIVITIES										
Receipts										
Property rates		361 912	376 549	376 549	14 664	128 060	–	128 060	0%	–
Service charges		880 126	1 029 867	1 029 867	49 902	451 299	–	451 299	0%	–
Other revenue		100 938	110 386	110 386	6 151	58 205	–	58 205	0%	–
Government - operating		160 416	178 547	198 239	68 092	140 933	–	140 933	0%	–
Government - capital		79 745	113 429	113 429	9 470	50 042	–	50 042	0%	–
Interest		40 472	50 621	50 621	1 245	10 481	–	10 481	0%	–
Dividends		–	–	–	–	–	–	–	–	–
Payments										
Suppliers and employees		(1 299 620)	(1 481 734)	(1 504 512)	(103 818)	(635 820)	(786 193)	(150 373)	19%	(1 577 098)
Finance charges		(31 150)	(39 349)	(39 349)	(14 576)	(14 576)	(19 674)	(5 099)	26%	(39 349)
Transfers and Grants		(10 855)	(10 069)	(10 429)	(102)	(9 183)	(6 784)	2 399	-35%	(11 073)
NET CASH FROM/(USED) OPERATING ACTIVITIES		281 984	328 247	324 800	31 028	179 441	(812 651)	(992 092)	122%	(1 627 520)
CASH FLOWS FROM INVESTING ACTIVITIES										
Receipts										
Proceeds on disposal of PPE		91 559	(23)	(23)	–	(15)	–	(15)	0%	–
Decrease (Increase) in non-current debtors		–	–	–	–	–	–	–	–	–
Decrease (Increase) other non-current receivables		–	–	–	–	–	–	–	–	–
Decrease (Increase) in non-current investments		–	–	–	(1 119)	(66 388)	–	(66 388)	0%	–
Payments										
Capital assets		(405 962)	(375 750)	(483 711)	(26 333)	(147 011)	(246 532)	(99 521)	40%	(483 711)
NET CASH FROM/(USED) INVESTING ACTIVITIES		(314 403)	(375 773)	(483 734)	(27 452)	(213 414)	(246 532)	(33 119)	13%	(483 711)
CASH FLOWS FROM FINANCING ACTIVITIES										
Receipts										
Short term loans		–	–	–	–	–	–	–	–	–
Borrowing long term/refinancing		–	102 780	102 780	–	–	–	–	–	–
Increase (decrease) in consumer deposits		–	–	–	62	513	–	513	0%	–
Payments										
Repayment of borrowing		(25 870)	(26 311)	(8 271)	(13 884)	(13 884)	(8 271)	5 613	-68%	(8 271)
NET CASH FROM/(USED) FINANCING ACTIVITIES		(25 870)	76 469	94 508	(13 822)	(13 371)	(8 271)	5 099	-62%	(8 271)
NET INCREASE/ (DECREASE) IN CASH HELD		(58 289)	28 943	(64 426)	(10 246)	(47 344)	(1 067 455)			(2 119 503)
Cash/cash equivalents at beginning:		169 491	423 733	423 733		423 733	423 733			423 733
Cash/cash equivalents at month/year end:		111 202	452 675	359 307		376 389	(643 722)			(1 695 770)

Investments and Borrowings

Supporting Table SC5: Monthly Budget Statement – Investment Portfolio

WC024 Stellenbosch - Supporting Table SC5 Monthly Budget Statement - investment portfolio - Q2 Second Quarter									
Investments by maturity Name of institution & investment ID	Ref	Period of Investment	Type of Investment	Expiry date of investment	Accrued interest for the month	Yield for the month 1 (%)	Market value at beginning of the month	Change in market value	Market value at end of the month
		Yrs/Months							
R thousands									
Municipality									
N#019-Nedbank		8M	Deposits - Ban	27/11/2020	-	7.65%	(0)	-	(0)
S#025-Standard Bank		CALL ACCOU	Deposits - Ban	CALL ACCOU	-	6.75%	0	-	0
S#030-Standard Bank		9M	Deposits - Ban	27/10/2020	-	7.60%	(0)	-	(0)
A#2592 - ABSA		CALL ACCOU	Deposits - Ban	CALL ACCOU	-	6.70%	(0)	-	(0)
A#942-ABSA		6M	Deposits - Ban	15/05/2020	-	6.69%	0	-	0
N#008 - Nedbank		CALL ACCOU	Deposits - Ban	CALL ACCOU	-	3.75%	(0)	-	(0)
A#689- ABSA		CALL ACCOU	Deposits - Ban	CALL ACCOU	723	4.60%	202 159	(50 000)	152 882
F#8964 - FNB		5M	Deposits - Ban	26/04/2021	522	4.24%	145 067	-	145 590
-		-			-		-	-	-
-		-			-		-	-	-
Municipality sub-total					1 245		347 226	(50 000)	298 472
TOTAL INVESTMENTS AND INTEREST	2				1 245		347 226	(50 000)	298 472

Supporting Table SC6: Monthly Budget Statement – Transfers and grant receipts

WC024 Stellenbosch - Supporting Table SC6 Monthly Budget Statement - transfers and grant receipts - Q2 Second Quarter

Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands										
RECEIPTS:	1,2									
Operating Transfers and Grants										
National Government:		143 163	156 315	177 618	68 092	138 295	88 571	49 724	56.1%	177 143
Operational Revenue:General Revenue:Equitable Share		136 177	149 804	170 632	65 769	133 181	85 316	47 865	56.1%	170 632
Expanded Public Works Programme Integrated Grant for Municipalities [Schedule 5B]		5 227	4 961	5 436	2 323	3 564	2 481	1 083	43.7%	4 961
Local Government Financial Management Grant [Schedule 5B]		1 550	1 550	1 550	-	1 550	775	775	100.0%	1 550
Municipal Disaster Grant [Schedule 5B]		209	-	-	-	-	-	-	-	-
Provincial Government:		17 130	21 791	21 909	-	9 654	10 338	(684)	-6.6%	20 676
Community Development Workers Operational Support Grant		112	56	56	-	-	-	-	-	-
Financial Management Capacity Building Grant		380	400	4 000	-	-	10 338	(10 338)	-100.0%	20 676
Human Settlements Development Grant	4	-	7 570	7 570	-	-	-	-	-	-
Libraries, Archives and Museums	4	12 454	13 077	9 595	-	9 650	-	9 650	#DIV/0!	-
Local Government Support Grant	4	900	-	-	-	-	-	-	-	-
LGSETA Bursary Fund	4	63	-	-	-	4	-	4	#DIV/0!	-
WC Financial Management Support Grant	4	255	-	-	-	-	-	-	-	-
LG Graduate Internship Grant	4	80	-	-	-	-	-	-	-	-
Maintenance and Construction of Transport Infrastructure	4	384	450	450	-	-	-	-	-	-
Cape Winelands District Grant	4	2 503	-	-	-	-	-	-	-	-
Municipal Accreditation and Capacity Building Grant	4	-	238	238	-	-	-	-	-	-
Waste Water Infrastructure - Maintenance	4	-	-	-	-	-	-	-	-	-
Water Supply Infrastructure - Maintenance		-	-	-	-	-	-	-	-	-
District Municipality:		472	440	440	-	-	220	(220)	-100.0%	440
Safety Initiative Implementation-whole of society approach (WOSA)		472	440	440	-	-	220	(220)	-100.0%	440
Other grant providers:		172	-	-	-	-	-	-	-	-
Public Corporations		172	-	-	-	-	-	-	-	-
Total Operating Transfers and Grants	5	160 938	178 546	199 967	68 092	147 949	99 129	48 820	49.2%	198 259
Capital Transfers and Grants										
National Government:		62 526	63 690	59 490	7 970	36 995	29 745	7 250	24.4%	59 490
Integrated National Electrification Programme (Municipal Grant) [Schedule 5B]		15 640	16 200	12 000	-	12 000	6 000	6 000	100.0%	12 000
Municipal Infrastructure Grant [Schedule 5B]		-	-	-	-	-	-	-	-	-
Maintenance and Construction of Transport Infrastructure		-	-	-	-	-	-	-	-	-
Integrated Urban Development Grant		46 886	47 490	47 490	7 970	24 995	23 745	1 250	5.3%	47 490
Provincial Government:		8 836	49 739	29 079	1 500	18 647	14 512	4 134	28.5%	29 024
Human Settlements Development Grant		6 736	45 139	24 424	1 500	14 047	-	14 047	#DIV/0!	-
Integrated Transport Planning		600	600	600	-	600	14 512	(13 912)	-95.9%	29 024
Regional Socio-Economic Project/violence through urban upgrading (RSEP/VPUU)		1 500	4 000	4 000	-	4 000	-	4 000	#DIV/0!	-
Libraries, Archives and Museums		-	-	55	-	-	-	-	-	-
Road Infrastructure		-	-	-	-	-	-	-	-	-
Sports and Recreation		-	-	-	-	-	-	-	-	-
Waste Water Infrastructure		-	-	-	-	-	-	-	-	-
Water Supply Infrastructure		-	-	-	-	-	-	-	-	-
District Municipality:		-	-	-	-	-	-	-	-	-
All Grants		-	-	-	-	-	-	-	-	-
Other grant providers:		-	-	-	-	-	-	-	-	-
Departmental Agencies and Accounts		-	-	-	-	-	-	-	-	-
Total Capital Transfers and Grants	5	71 362	113 429	88 569	9 470	55 642	44 257	11 384	25.7%	88 514
TOTAL RECEIPTS OF TRANSFERS & GRANTS	5	232 300	291 975	288 537	77 562	203 591	143 387	60 204	42.0%	286 773

Supporting Table SC7 (1) Monthly Budget Statement – transfers and grant expenditure

WC024 Stellenbosch - Supporting Table SC7(1) Monthly Budget Statement - transfers and grant expenditure - Q2 Second Quarter										
Description	Ref	2019/20	Budget Year 2020/21							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly actual	YearTD actual	YearTD budget	YTD variance	YTD variance %	Full Year Forecast
R thousands										
EXPENDITURE										
Operating expenditure of Transfers and Grants										
National Government:		18 761	156 315	177 618	1 294	17 646	13 907	3 739	26.9%	27 814
Operational Revenue:General Revenue:Equitable Share		11 696	149 804	170 632	922	15 735	10 414	5 321	51.1%	20 828
Expanded Public Works Programme Integrated Grant for Municipalities [Schedule 5B]		5 117	4 961	5 436	260	1 471	2 718	(1 247)	-45.9%	5 436
Natural Resource Management Project		191	-	-	-	-	-	-	-	-
Local Government Financial Management Grant [Schedule 5B]		1 550	1 550	1 550	112	440	775	(335)	-43.2%	1 550
Municipal Disaster Grant [Schedule 5B]		209	-	-	-	-	-	-	-	-
Municipal Systems Improvement Grant		(2)	-	-	-	-	-	-	-	-
Natural Resource Management Project		-	-	-	-	-	-	-	-	-
Provincial Government:		-	21 791	21 909	1 098	9 040	10 327	(1 287)	-12.5%	20 655
Community Development Workers Operational Support Grant		-	56	56	-	-	-	-	-	-
Financial Management Capacity Building Grant		-	400	4 000	-	-	10 327	(10 327)	-100.0%	20 655
Human Settlements Development Grant		-	7 570	7 570	506	5 124	-	5 124	#DIV/0!	-
Libraries, Archives and Museums		-	13 077	9 595	592	3 917	-	3 917	#DIV/0!	-
Local Government Support Grant		-	-	-	-	-	-	-	-	-
LGSETA Bursary Fund		-	-	-	-	-	-	-	-	-
WC Financial Management Support Grant		-	-	-	-	-	-	-	-	-
LG Graduate Internship Grant		-	-	-	-	-	-	-	-	-
Maintenance and Construction of Transport Infrastructure		-	450	450	-	-	-	-	-	-
Cape Winelands District Grant		-	-	-	-	-	-	-	-	-
Municipal Accreditation and Capacity Building Grant		-	238	238	-	-	-	-	-	-
Waste Water Infrastructure - Maintenance		-	-	-	-	-	-	-	-	-
Water Supply Infrastructure - Maintenance		-	-	-	-	-	-	-	-	-
District Municipality:		472	440	440	-	-	220	(220)	-100.0%	440
Safety Initiative Implementation-whole of society approach (WOSA)		472	440	440	-	-	220	(220)	-100.0%	440
Other grant providers:		235	-	-	-	-	-	-	-	-
Departmental Agencies and Accounts		63	-	-	-	-	-	-	-	-
Public Corporations		172	-	-	-	-	-	-	-	-
Total operating expenditure of Transfers and Grants:		19 468	178 546	199 967	2 392	26 687	24 454	2 232	9.1%	48 909
Capital expenditure of Transfers and Grants										
National Government:		62 049	63 690	59 490	5 545	15 967	25 455	(9 488)	-37.3%	59 490
Integrated National Electrification Programme (Municipal Grant) [Schedule 5B]		15 163	16 200	12 000	-	377	6 000	(5 623)	-93.7%	12 000
Municipal Infrastructure Grant [Schedule 5B]		46 886	-	-	-	-	-	-	-	-
Maintenance and Construction of Transport Infrastructure		-	-	-	-	-	-	-	-	-
Integrated Urban Development Grant		-	47 490	47 490	5 545	15 590	19 455	(3 865)	-19.9%	47 490
Provincial Government:		65 676	49 739	29 079	414	7 578	13 380	(5 802)	-43.4%	29 079
Libraries, Archives and Museums		-	-	55	-	55	30	25	82.3%	55
Human Settlements Development Grant		65 676	45 139	24 424	414	7 523	13 350	(5 827)	-43.6%	29 024
Integrated Transport Planning		-	600	600	-	-	-	-	-	-
Regional Socio-Economic Project/violence through urban upgrading (RSE/VP/PUU)		-	4 000	4 000	-	-	-	-	-	-
District Municipality:		-	-	-	-	-	-	-	-	-
All Grants		-	-	-	-	-	-	-	-	-
Other grant providers:		151	-	-	-	-	-	-	-	287 072
Departmental Agencies and Accounts		151	-	-	-	-	-	-	-	-
Total capital expenditure of Transfers and Grants		127 877	113 429	88 569	5 959	23 546	38 835	(15 289)	-39.4%	375 641
TOTAL EXPENDITURE OF TRANSFERS AND GRANTS		147 345	291 975	288 537	8 351	50 232	63 289	(13 057)	-20.6%	424 550

Supporting Table SC7 (2) Monthly Budget Statement – expenditure against approved roll-overs

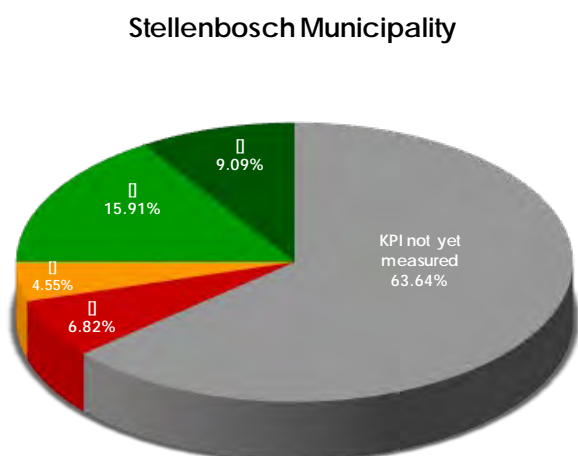
WC024 Stellenbosch - Supporting Table SC7(2) Monthly Budget Statement - Expenditure against approved rollovers - Q2 Second Quarter						
Description	Ref	Budget Year 2020/21				
		Approved Rollover 2019/20	Monthly actual	YearTD actual	YTD variance	YTD variance
R thousands						%
EXPENDITURE						
Operating expenditure of Approved Roll-overs						
National Government:		-	-	-	-	
Operational Revenue:General Revenue:Equitable Share			-	-	-	
Expanded Public Works Programme Integrated Grant for Municipalities [Schedule 5B]			-	-	-	
Local Government Financial Management Grant [Schedule 5B]			-	-	-	
Natural Resource Management Project		-	-	-	-	
Integrated Urban Development Grant			-	-	-	
Provincial Government:		2 311	7	51	(2 260)	-97.8%
Community Development Workers Operational Support Grant		38	-	9	(29)	-75.5%
Financial Management Capacity Building Grant		360	-	-	(360)	-100.0%
Human Settlements Development Grant			-	-	-	
LG Graduate Internship Grant		74	7	42	(32)	-43.4%
Title Deeds Restoration Grant		1 840	-	-	(1 840)	-100.0%
District Municipality:		-	-	-	-	
Safety Initiative Implementation-whole of society approach (WOSA)			-	-	-	
Other grant providers:		-	-	-	-	
Departmental Agencies and Accounts			-	-	-	
Foreign Government and International Organisations			-	-	-	
Total operating expenditure of Approved Roll-overs		2 311	7	51	(2 260)	-97.8%
Capital expenditure of Approved Roll-overs						
National Government:		-	-	-	-	
Integrated National Electrification Programme (Municipal Grant) [Schedule 5B]			-	-	-	
Municipal Infrastructure Grant [Schedule 5B]			-	-	-	
Maintenance and Construction of Transport Infrastructure			-	-	-	
Fire Services Capacity Building Grant		-	-	-	-	
Integrated Urban Development Grant			-	-	-	
Provincial Government:		-	-	-	-	
Human Settlements Development Grant			-	-	-	
Integrated Transport Planning			-	-	-	
Libraries, Archives and Museums			-	-	-	
Regional Socio-Economic Project/violence through urban upgrading (RSEP/PUU)			-	-	-	
District Municipality:		-	-	-	-	
All Grants			-	-	-	
Other grant providers:		-	-	-	-	
Departmental Agencies and Accounts			-	-	-	
Public Corporations			-	-	-	
Total capital expenditure of Approved Roll-overs		-	-	-	-	
TOTAL EXPENDITURE OF APPROVED ROLL-OVERS		2 311	7	51	(2 260)	-97.8%

13. Quarterly Performance Assessment Report 2020/21, Q2 (01 October – 31 December 2020)

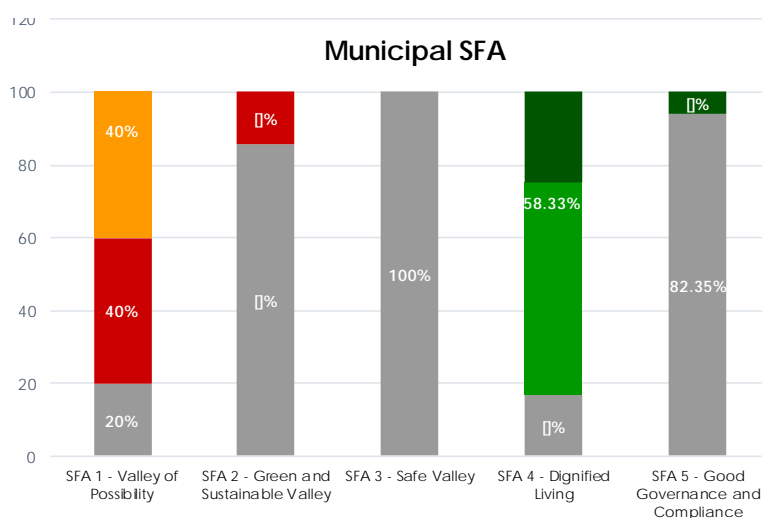
13.1 Overall performance of the municipality

(a) Dashboard summary per Municipal Strategic Focus Area (SFA) for the 2nd Quarter (01 October – 31 December 2020) of the 2020/21 financial year.

Stellenbosch Municipality



Municipal SFA



Stellenbosch Municipality		Municipal Strategic Focus Areas (SFAs)				
		SFA 1 - Valley of Possibility	SFA 2 - Green and Sustainable Valley	SFA 3 - Safe Valley	SFA 4 - Dignified Living	SFA 5 - Good Governance and Compliance
KPI Not Yet Measured	28 (63.64%)	1 (20%)	6 (85.71%)	3 (100%)	2 (16.67%)	16 (94.12%)
KPI Not Met	3 (6.82%)	2 (40%)	1 (14.29%)	-	-	-
KPI Almost Met	2 (4.55%)	2 (40%)	-	-	-	-
KPI Met	7 (15.91%)	-	-	-	7 (58.33%)	-
KPI Well Met	4 (9.09%)	-	-	-	3 (25%)	1 (5.88%)
KPI Extremely Well Met	-	-	-	-	-	-
Total:	44	5	7	3	12	17
	100%	11.36%	15.91%	6.82%	27.27%	38.64%

Table: 1 Overall performance for Quarter 1 per SFA- 01 October – 31 December 2020

14. Actual performance and corrective measures to be implemented

14.1 SFA 1 - Valley of Possibility

SFA 1 - Valley of Possibility										
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL58	KPI007	The number of jobs created through the Municipality's local economic development initiatives including capital projects (NKPI Proxy - MSA, Reg. S10(d))	Number of job opportunities created through the Municipality's local economic development initiatives including capital projects by 30 June	1 300	1 300	900	860	○	In terms of the EPWP Audit Report 860 jobs were created for the period 01 July – 31 December 2020. Certain projects had started later as a result of the COVID-19 pandemic and therefore more flexibility must be allowed to allocate such jobs in other sectors as identified in the business plan.	The shortfall in jobs created will be made up over the period 01 January – 30 June 2021.
TL59	KPI008	Land-use applications considered by the Municipal Planning Tribunal within 120 days from a complete land-use application	Percentage of land-use applications considered by the Municipal Planning Tribunal within 120 days after a complete land-use application	90%	90%	90%	71.42%	○	$5 / 7 \times 100 = 71.42\%$	The appointment of additional capacity will be concluded by 30 June 2021. ICT capabilities will also be improved to allow staff to work more effectively from home.
TL60	KPI009	Training opportunities provided for entrepreneurs and Small, Medium and Micro Enterprises (SMMEs)	Number of quarterly training opportunities provided for entrepreneurs and SMMEs	4	4	1	0	R	Target not achieved due to near impossible situation created by the Covid-19 pandemic. Training opportunities targeted were mainly for SMME's - many of who do not have access to reliable internet and computers. Furthermore, face-to-face training opportunities were not an option due to the risk of exposure to both trainers and trainees given the Covid-19 pandemic.	Develop SMME Training schedule per quarter and submit to Senior Manager for approval and funding. The municipality will also explore potential innovative ways of offering training opportunities.

SFA 1 - Valley of Possibility										
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL61	KPI012	Revised Housing Pipeline (document) submitted to the Mayoral Committee (MayCo)	Number of Revised Housing Pipelines (documents) submitted to the MayCo by 31 March	1	1	0	0	N/A		
TL62	KPI080	Submission of Tourism Strategic Plan to the Municipal Manager	Number of Tourism Strategic Plans submitted to the Municipal Manager by 30 November	1	1	1	0	R	The drafting of the Tourism Strategic Plan commenced prior to the COVID-19 pandemic. In addition, a number of tourism activities were impacted by the plethora of COVID-19 regulations issued. Consequently, the Tourism Strategic Plan needs constant revision before final submission to the Municipal Manager.	The target due date will be revised and submitted to the Municipal Council for consideration and approval during January 2021.

Summary of Results: SFA 1 - Valley of Possibility

KPI Not Yet Measured	1
KPI Not Met	2
KPI Almost Met	2
KPI Met	0
KPI Well Met	0
KPI Extremely Well Met	0
Total KPIs	5

14.2 SFA 2 - Green and Sustainable Valley

SFA 2 - Green and Sustainable Valley										
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL52	KPI078	Submission of the Revised Facility Management Plan to the MayCo	Number of Revised Facility Management Plans submitted to the MayCo by 31 May	1	1	0	0	N/A		
TL63	KPI018	Building plan applications processed within 30 days	Percentage of building plan applications of <500sqm processed within 30 days after date of receipt	90%	90%	90%	47.90%	R	103 / 215 x 100 = 47.90% Due to the Covid-19 pandemic staff have been off sick and in isolation. Challenges are also being experienced with the switch over from Collaborator to BPAMS. Furthermore, the municipality is experiencing extended internal circulation periods between departments as a result of Covid-19 pandemic.	The appointment of additional capacity will be concluded by 30 June 2021. ICT capacity will also be improved by 30 June 2021. The municipality is currently also working on putting in place systems to improve the internal circulation of applications.
TL64	KPI016	Conduct an external audit of the Stellenbosch Municipality Waste Disposal Facilities	Number of external audits of the Stellenbosch Municipality Waste Disposal Facilities conducted by 30 June	1	1	0	0	N/A		
TL65	KPI073	Implementation of identified waste minimisation projects	Number of identified waste minimisation projects implemented by 30 June	2	2	0	0	N/A		
TL66	KPI019	Waste water quality managed and measured to the SANS Accreditation physical and micro parameters	Percentage waste water quality compliance as per analysis certificate measured by 30 June	80%	80%	0%	0%	N/A		
TL67	KPI081	Reduce organic waste	Percentage of organic waste reduced by 30 June	20%	20%	0%	0%	N/A		

SFA 2 - Green and Sustainable Valley

Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL68	KPI082	Submission of an Integrated Waste Management Plan to the MayCo	Number of Integrated Waste Management Plans submitted to the MayCo by 31 March	1	1	0	0	N/A		

Summary of Results: SFA 2 - Green and Sustainable Valley

KPI Not Yet Measured	6
KPI Not Met	1
KPI Almost Met	0
KPI Met	0
KPI Well Met	0
KPI Extremely Well Met	0
Total KPIs	7

14.3 SFA 3 - Safe Valley

SFA 3 - Safe Valley										
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL49	KPI025	Revised Disaster Management Plan submitted to the Municipal Manager	Number of Revised Disaster Management Plans submitted to the Municipal Manager by 31 March	1	1	0	0	N/A		
TL50	KPI026	Revised Safety and Security Strategy submitted to the Municipal Manager	Number of Revised Safety and Security Strategies submitted to the Municipal Manager by 31 March	1	1	0	0	N/A		
TL51	KPI027	Revised Traffic Management Plan submitted to the Municipal Manager	Number of Revised Traffic Management Plans submitted to the Municipal Manager by 28 February	1	1	0	0	N/A		

Summary of Results: SFA 3 - Safe Valley

KPI Not Yet Measured	3
KPI Not Met	0
KPI Almost Met	0
KPI Met	0
KPI Well Met	0
KPI Extremely Well Met	0
Total KPIs	3

14.4 SFA 4 - Dignified Living

SFA 4 - Dignified Living										
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL69	KPI037	Provision of waterborne toilet facilities	Number of waterborne toilet facilities provided by 30 June	50	50	20	20	G		
TL70	KPI040	Limit unaccounted electricity to less than 9% annually {(Number of Electricity Units Purchased and/or Generated - Number of Electricity Units Sold(incl. Free basic electricity)) / Number of Electricity Units Purchased and/or Generated) x 100}	Percentage average electricity losses measured by 30 June	<9%	<9%	0%	0%	N/A		
TL71	KPI041	Water quality managed and measured quarterly ito the SANS 241 physical and micro parameters	Percentage water quality level as per analysis certificate measured quarterly	90%	90%	90%	92.90%	G2		
TL72	KPI042	Limit unaccounted water to less than 25%	Average percentage water losses measured by 30 June	<25%	<25%	0%	0%	N/A		
TL74	KPI039	Registered indigent formal households with access to free basic water (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage registered indigent formal households with access to free basic water, measured quarterly	100%	100%	100%	100%	G	7 174 / 7 174 x 100 =100%	
TL75	KPI043	Registered indigent formal households with access to free basic electricity provided by the Municipality (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic electricity provided by the Municipality, measured quarterly	65%	65%	65%	70.47%	G2	5 056 / 7 174 x 100 = 70.47%	
TL76	KPI044	Registered indigent formal households with access to free basic refuse removal (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic refuse removal, measured quarterly	100%	100%	100%	100%	G	7 174 / 7 174 x 100 =100%	

SFA 4 - Dignified Living

Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL77	KPI045	Registered indigent formal households with access to free basic sanitation (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic sanitation, measured quarterly	100%	100%	100%	100%	G	7 174 / 7 174 x 100 =100%	
TL78	KPI074	Formal households with access to water (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to water, measured quarterly	26 500	26 500	26 500	26 500	G		
TL79	KPI075	Formal households with access to electricity (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to electricity, measured quarterly	24 000	24 000	24 000	26 500	G2		
TL80	KPI076	Formal households with access to refuse removal (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to refuse removal, measured quarterly	26 500	26 500	26 500	26 500	G		
TL81	KPI077	Formal households with access to sanitation (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to sanitation, measured quarterly	26 500	26 500	26 500	26 500	G		

Summary of Results: SFA 4 - Dignified Living

KPI Not Yet Measured	2
KPI Not Met	0
KPI Almost Met	0
KPI Met	7
KPI Well Met	3
KPI Extremely Well Met	0
Total KPIs	12

14.5 SFA 5 - Good Governance and Compliance

SFA 5 - Good Governance and Compliance										
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL43	KPI058	Employment equity appointments made within the financial year in the three highest levels of management	Percentage of employment equity appointments made within the financial year in the three highest levels of management, measured by 30 June	75%	75%	0%	0%	N/A		
TL44	KPI062	Revised Risk-Based Audit Plan (RBAP) submitted to the Audit Committee	Number of Revised RBAPs submitted to the Audit Committee by 30 June	1	1	0	0	N/A		
TL45	KPI063	Audit Action Plan (AAP) submitted to the Audit Committee	Number of Audit Action Plans submitted to the Audit Committee by 28 February	1	1	0	0	N/A		
TL46	KPI064	Revised Strategic Risk Register (SRR) submitted to the Risk Management Committee	Number of Revised Strategic Risk Registers submitted to the Risk Management Committee by 30 June	1	1	0	0	N/A		
TL47	KPI067	Draft Integrated Development Plan (IDP) submitted to Council	Number of Draft IDPs submitted to Council by 31 March	1	1	0	0	N/A		
TL48	KPI070	IDP / Budget / SDF time schedule (process plan) submitted to Council	Number of IDP / Budget / SDF time schedules (process plan) submitted to Council by 31 August	1	1	0	0	N/A		
TL53	KPI059	The percentage of actual payroll budget spent on implementing the Municipal Workplace Skills Plan (NKPI Proxy- MSA, Reg. S10(f))	Percentage of municipality's payroll budget actually spent on implementing its Workplace Skills Plan ((Total Actual Training Expenditure/ Total Annual payroll Budget) x100), measured by 30 June	0.58%	0.58%	0%	0%	N/A		

SFA 5 - Good Governance and Compliance										
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL54	KPI065	Revised Information and Communication Technology (ICT) Backup Disaster Recovery Plan submitted to the ICT Steering Committee	Number of Revised ICT Backup Disaster Recovery Plans submitted to the ICT Steering Committee by 31 March	1	1	0	0	N/A		
TL55	KPI066	Revised Strategic ICT Plan submitted to the ICT Steering Committee	Number of Revised Strategic ICT Plans submitted to the ICT Steering Committee by 31 March	1	1	0	0	N/A		
TL56	KPI072	Submission of a Draft Smart City Framework to the MayCo	Number of Draft Smart City Frameworks submitted to the MayCo by 31 May	1	1	0	0	N/A		
TL57	KPI083	Submission of a Cyber-attack Mitigation and Resilience Strategy to the Municipal Manager	Number of a Cyber-attack Mitigation and Resilience Strategies submitted to the Municipal Manager by 30 September	1	1	0	0	N/A		
TL73	KPI071	Revised Electrical Master Plan submitted to Council	Number of Revised Electrical Master Plans submitted to Council by 30 June	1	1	0	0	N/A		
TL82	KPI055	Financial viability measured in terms of the available cash to cover fixed operating expenditure (NKPI Proxy - MSA, Reg. S10(g)(iii))	Cost coverage as at 30 June annually [(Cash and Cash Equivalents - Unspent Conditional Grants - Overdraft) + Short Term Investment) / Monthly Fixed Operational Expenditure excluding (Depreciation)	4	4	0	0	N/A		

SFA 5 - Good Governance and Compliance										
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Original Annual Target	Revised Annual Target	01 October – 31 December 2020				
						Target	Actual	R	Performance Comment	Corrective Measures
TL83	KPI056	Achieve an average payment percentage of 96% by 30 June (Gross Debtors Opening Balance + Billed Revenue - Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100	(Gross Debtors Opening Balance + Billed Revenue - Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100	96%	96%	0%	0%	N/A		
TL84	KPI057	Actual expenditure on the approved Capital Budget for the Municipality by 30 June (NKPI - MSA, Reg. S10(c))	Percentage of approved Capital Budget for the Municipality actually spent by 30 June	90%	90%	30%	30.39%	G2	R 147 011 293 / R 483 710 958 x 100 = 30.39%	
TL85	KPI060	Financial viability measured in terms of the Municipality's ability to meet its service debt obligations (NKPI Proxy - MSA, Reg. S10(g)(i))	Debt coverage ratio ((Total operating revenue - operating grants received) / (Debt service payments due within the year)) measured by 30 June	15%	15%	0%	0%	N/A		
TL86	KPI061	Financial viability measured in terms of the outstanding service debtors (NKPI Proxy - MSA, Reg. S10(g)(ii))	Service debtors to revenue ratio - (Total outstanding service debtors / revenue received for services) measured by 30 June	27%	27%	0%	0%	N/A		

Summary of Results: SFA 5 - Good Governance and Compliance

KPI Not Yet Measured	16
KPI Not Met	0
KPI Almost Met	0
KPI Met	0
KPI Well Met	1
KPI Extremely Well Met	0
Total KPIs	17

15. Strategic performance conclusion

- (a) Out of the 44 Key Performance Indicators (KPIs) listed on the Top layer SDBIP 2020/21 (quarter 2), 28 were not measured, 03 KPIs were not met, 07 were met and 04 were well met.

Summary of Results: Strategic Focus Areas 1 - 5

	KPI Not Yet Measured	28
	KPI Not Met	3
	KPI Almost Met	2
	KPI Met	7
	KPI Well Met	4
	KPI extremely well met	0
Total KPIs		44

9.	REPORT BY THE ACTING MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS
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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

APPENDIX 1

Council Meeting		Resolution	Resolution Date	Allocated To	% Feedback	Feedback Comment
478903	SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARDS TO PUBLIC TRANSPORT	<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 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>	2016-11-23	ROSCOEB	75.00	Item held back due to PGWC change of view on this matter. Awaiting new input from PGWC. Item to serve at S80 in February 2021.
513321	THE FUTURE USE AND MAINTENANCE OF COUNCIL HERITAGE BUILDINGS	<p>7.3.1 THE FUTURE USE AND MAINTENANCE OF COUNCIL HERITAGE BUILDINGS</p> <p>8TH COUNCIL MEETING: 2017-04-26: ITEM 7.3.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council supports the establishment of a "heritage portfolio" that can be managed independently from other assets and that the Municipal Manager be mandated to identify all council owned properties to be placed in the heritage portfolio;</p> <p>(b) that the Rhenish complex including Voorgelegen and the Transvalia complex of apartments (Transvalia, Tinetta, Bosmanhuis en Alma) be agreed to be categorised as category A assets;</p> <p>(c) that in terms of Section 14(2)(a) of the MFMA, the properties listed in paragraph 3.4 (table 2) marked as Category A properties, be identified as properties not needed to provide the minimum level of basic municipal services;</p> <p>(d) that, in terms of Regulation 34(3) of the ATR, the Municipal Manager be authorized to conduct the prescribed public participation process, as envisaged in Regulation 35 of the ATR, with the view of awarding long term rights in relation to</p>	2017-04-26	PIETS	60.00	Council approved the Information statement for Voorgelegen Complex – currently on public participation. Will return after completion of process.

		<p>the Category A properties;</p> <p>(e) that, for the purpose of disposal, two independent valuers be appointed to determine the fair market value and fair market rental of the properties listed in Categories A and B;</p> <p>(f) that, following the public participation process, a report be tabled before Council to consider in principle, the awarding of long term rights in the relevant properties, whereafter a public competitive disposal process be followed; and</p> <p>(g) that, with regard to the properties listed as Category B and C, the Municipal Manager be mandated to investigate the best way of disposing of or managing these assets, including feasibility studies on the possible disposal/awarding of long term rights and/or outsourcing of the maintenance function and that a progress report be tabled before Council within 6 months from the date of approval of the recommendation.</p> <p>Councillor F Adams requested that his vote of dissent be minuted.</p> <p>(DIRECTOR: PLANNING AND ECON DEV TO ACTION)</p>				
514994	STELLENBOSCH MUNICIPALITY: EXTENSION OF BURIAL SPACE	<p>7.3.2 STELLENBOSCH MUNICIPALITY: EXTENSION OF BURIAL SPACE</p> <p>8TH COUNCIL MEETING: 2017-04-26: ITEM 7.3.2</p> <p>RESOLVED (nem con)</p> <p>(a) that Council amends its 27th Meeting of the Council of Stellenbosch (25 February 2015) resolution by adding (b)(x) to include any alternative land in the same area which could feasibly be used as a site to be investigated as a solution to the critical need for burial space within Stellenbosch Municipality;</p> <p>(b) that Council supports the acquisition of the required authorization for the proposed establishment of regional cemeteries (for burial need within WC024) at Farm Culcatta No. 29 and the Remainder of Farm Louw's Bos No. 502 as well as the proposed establishment of a regional cemetery at Farm De Novo No. 727/10 and Portion 1 of 'Farm Meer Lust No 1006 should the process of acquiring the necessary approval from the Department of Transport and Public Works be acquired;</p> <p>(c) that the possible creation of a garden of remembrance as alternative to a traditional land site also be investigated; and</p> <p>(d) that Council authorises the Municipal Manager to proceed with acquiring the necessary approvals for the establishment of the above cemeteries.</p> <p>(DIRECTOR: PLANNING & ECON DEV TO ACTION)</p>	2017-04-26	SCHALKVDM	80.00	<p>Environmental Impact Assessment proceeded on 2 sites, Louw's Bos and Culcatta Bos. Environmental Authorization (in terms of the National Environmental Management Act, 107 of 1998 [NEMA]) for the Culcatta Bos site was issued on 20 September 2019 and Louw's Bos 22 January 2020. An appeal on the EA issued for Louw's Bos has been received and is currently dealt with by the appointed Environmental Assessment Practitioner (responding papers submitted 16 July 2020). Expecting a decision on Water Use Licensing by DWS (both of which have been confirmed to be General Authorizations) during 2021. The Calcutta Bos Land Use application was approved by the Municipal Planning Tribunal on 26 June 2020 and Louw's Bos Land Use Applications on 28 August 2020.</p>

543953	SOLID WASTE UPGRADE REPORT	<p>7.6.2 SOLID WASTE UPGRADE REPORT</p> <p>12TH COUNCIL: 2017-09-27: ITEM 7.6.2</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that a Section 78 process be launched and that an internal waste disposal service delivery increase be investigated through the Section 78(1) approach; and</p> <p>(b) that a formal report be submitted to Council as required by Section 78(2), which will indicate the best way of rendering internal waste disposal by landfill and any recommendations to a possible external method of waste disposal landfill.</p> <p>(DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>	2017-09-27	CLAYTONH	95.00	<p>The Department is still reviewing the document and do have some issues to clarify with the service provider based on recommendations made which are not in line with the current functioning of these components. This will affect staff structure as well amendments to be incorporated in the report.</p> <p>Following program:</p> <ol style="list-style-type: none"> 1. Submit Section 78(3) report for a Section 78(4) decision to Council as soon as it is ready.
559586	DEVELOPMENT OF ZONE O AND THE HOUSING ALLOCATION CRITERIA FOR THE PHASE 2B AND 2C (277 SITES), WATERGANG, KAYAMANDI	<p>7.5.2 DEVELOPMENT OF ZONE O AND THE HOUSING ALLOCATION CRITERIA FOR THE PHASE 2B AND 2C (277 SITES), WATERGANG, KAYAMANDI</p> <p>14TH COUNCIL MEETING: 2017-11-29: ITEM 7.5.2</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the block approach/method be implemented in Zone O (upper part next to Thubelisha) to effectively address the provision of new housing opportunities i.e. servicing of sites and construction of high density residential units;</p> <p>(b) that beneficiaries that were not allocated houses on the bottom part (access road) be allocated a site or Temporary Relocation Area units once (a) has been achieved and if there is any space available;</p> <p>(c) that, within the block approach non-qualifiers that earn R3 501 to R7 000 per month be allocated serviced sites in accordance with the Finance Linked Individual Subsidy Programme (FLISP);</p> <p>(d) that, within the block approach non-qualifiers (as prescribed by housing policy guidelines) that earn between R7 001 to R15 000 per month be allocated a serviced site at a cost equal to the amount as approved by Provincial Department of Human Settlement (PDoHS) for a serviced site in the project (Watergang Phase 2, Kayamandi);</p> <p>(e) that ±40 beneficiaries from Enkanini that are on the road reserve be allocated temporary housing units to enable the Municipality to implement the erf 2175 pilot project (i.e. electrification, sanitation, water);</p> <p>(f) that Temporary Relocation Area 1 residents who were not allocated units in 2005, that does not qualify for a housing subsidy also be allocated sites (±20</p>	2017-11-29	LESTERVS	96.00	<p>The service provider has prepared all engineering designs for phase 1 and is in the process to finalise it with Infrastructure Services. All the necessary funding applications for PDoHS has been submitted and await approval to install services. It should be noted that this project will be dealt with in phases, the COVID-19 pandemic has substantially affected the timeframes.</p>

		<p>beneficiaries);</p> <p>(g) that the 10m road reserve be waived and the 8m road reserve be approved in order to create more housing opportunities;</p> <p>(h) that 10% of the Temporary Relocation Areas be reserved for emergency cases in accordance with Council's Emergency Housing Assistance Policy (EHAP);</p> <p>(i) that once the above process has been completed and should plots still be available in the Temporary Relocation Areas (TRA), beneficiaries are identified from Zone N that can be allocated sites in the TRA (only from the group that was placed there by the Municipality); and</p> <p>(j) that the parking requirements be amended from one (1) parking per housing unit to 0,6 average per housing unit.</p> <p>(DIR: HUMAN SETTLEMENTS TO ACTION)</p>				
582874	FUTURE UTILIZATION OF EX-KLEINE LIBERTAS THEATRE SITE: CONSIDERATION OF INPUTS RECEIVED	<p>8.4.2 FUTURE UTILIZATION OF EX-KLEINE LIBERTAS THEATRE SITE: CONSIDERATION OF INPUTS RECEIVED</p> <p>16TH COUNCIL MEETING: 2018-03-28: ITEM 8.4.2</p> <p>RESOLVED (nem con)</p> <p>a) that Council takes note of the large number of inputs/comment received; and</p> <p>b) that a multi-purpose building be planned and after erection of building council call for proposals from the Stellenbosch Community for its utilization in line with our strategic objectives.</p>	2018-03-28	PIETS	50.00	The specifications for the new building are being prepared and is targeted for finalisation and will be submitted to BSC in February 2021. Process subject to availability of funds.
616959	MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM	<p>7.5.5 MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.5</p> <p>RESOLVED (nem con)</p> <p>(a) that Council approves that the administration embarks on a process of updating data on the old Housing Waiting List;</p> <p>(b) that all updated information be imported into the Municipal Housing Demand Database; and</p> <p>(c) that, when the above process has been concluded, the Municipal Housing Demand Database becomes the only reference point and source of information in determining the municipality's housing backlog and the profile of applicants.</p>	2018-10-31	ROTANDAS	95.00	The capturing of all data collected during the completed Demand Data programme on both the Western Cape and Vois Systems is still in process. The Vois System now generates weekly reports on all updated applicants in the WC024 and monthly reports on capturing done.

616964	POSTER BY-LAW	<p>7.6.2 POSTER BY-LAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.6.2</p> <p>RESOLVED (nem con)</p> <p>(a) that the report be accepted;</p> <p>(b) that the Draft By-Law Relating to Outdoor Advertising and Signage, attached as ANNEXURE 1, be accepted as the copy of the By-Law to be used in a Public Participation process;</p> <p>(c) that the Draft By-Law relating to Outdoor Advertising and Signage be duly advertised for the purpose of a public participation process until the end of January 2019; and</p> <p>(d) that, upon the completion of the public participation process, the Draft By-Law together with any comments/objections by the public be resubmitted to Council for final approval and adoption.</p>	2018-10-31	DEONL	80.00	<p>Final Historical Committee Meeting to be held with Historical Committee. Need do this on MS Teams due to high comorbidity situation with participants. Envisaged program:</p> <ol style="list-style-type: none"> 1. Report held back to ensure alignment with Roads and Parking By Laws as well as Outdoor Dining Policy. 2. Fresh Public participation in February 2021. 3. Items to S80 Committee in April 2021. 4. Final item to Mayco/Council in May 2021. 5. Promulgate in June 2021.
616954	CONDONATION OF QUALIFYING CRITERIA: SALE OF UNDEVELOPED ERVEN IN KAYAMANDI	<p>7.2.3 CONDONATION OF QUALIFYING CRITERIA: SALE OF UNDEVELOPED ERVEN IN KAYAMANDI</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.2.3</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council resolves not to condone the criteria set out in the tender documentation published on 12 November 2016; and</p> <p>(b) that Council resolves that the following criteria be used in the new tender process, i.e.</p> <ol style="list-style-type: none"> i) Beneficiary must be a resident of Kayamandi for a minimum period of ten (10) years; ii) If younger than 40 years (at date of closing tender), then the beneficiary must be married or have a legal dependent staying with him/her; ii) May not have received any form of financial assistance/subsidy from the State in obtaining a house/serviced site previously; iii) May not currently own any other fixed asset; iv) Must be a South African citizen; v) Must be a first time home owner; and vi) that a pre-emptive clause be inserted in the title deed of the property that the property be developed within 2 years and not be sold within 5 years of registration. 	2018-10-31	PIETS	60.00	<p>Tender to be submitted to Bid Specification Committee in January 2021..</p>

621772	PROPOSED SERVICE DELIVERY IN JONKERSHOEK	<p>7.2.4 PROPOSED SERVICE DELIVERY IN JONKERSHOEK</p> <p>22ND COUNCIL MEETING: 2018-11-28: ITEM 7.2.4</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the Power of Attorney from the National Department of Public Works, authorising Stellenbosch Municipality to commence with service delivery in Jonkershoek, be noted;</p> <p>(b) that the Administration be authorised to render interim municipal services in the Mixed Use Precinct in Jonkershoek on a cost recovery basis from the users who receive the services, except to those households that qualify for free basic services in terms of the Municipality's Indigent Policy;</p> <p>(c) that the Administration be authorised to provide/upgrade Access to Basic Services (Communal services) in informal areas, free of charge;</p> <p>(d) that the Director: Planning and Economic Development be requested to commission a feasibility study with the view of identifying a possible site(s) for possible township establishment, taking into account the Draft SDF for Jonkershoek, but also taking into account the positioning of bulk infrastructure and access to the site(s);</p> <p>(e) that the National Department of Public Works be requested to transfer the land to Stellenbosch Municipality;</p> <p>(f) that the National Department of Public Works be requested to transfer the land on which the office space previously used by Cape Nature, either by way of acquisition or by way of a Lease Agreement, to the Municipality;</p> <p>(g) that, the Director: Infrastructure Services be requested to compile a status quo report regarding the availability of bulk infrastructure but also indicating the cost of possible interim upgrading of such bulk infrastructure;</p> <p>(h) that the Director: Planning & Economic Development be requested to finalise the SDF for Jonkershoek in terms of the SPLUMA Act 16 of 2013;</p> <p>(i) that the Municipal Manager be authorised to conclude an agreement(s) with the relevant authorities to ensure that Stellenbosch Municipality is in a position to do law enforcement in the Jonkershoek Valley, with specific reference to the prevention of further unauthorised structures being constructed/erected;</p> <p>(j) that a progress report be tabled to Council within 6 months, including an environmental impact report and indicating progress that has been made regarding the provision of services; and</p> <p>(k) that, in the mean-time, all expenditure be incurred within the existing, approved budget.</p>	2018-11-28	ALL DIRECTORS	70.00	<p>The National Department of Public Works was requested the use of the office space. A meeting in this regard was scheduled for 29 January 2020. The meeting took place and after an inspection at the property the Municipality decided not to take up the offer of the office space from Public Works due to the dilapidated state of the building and the costs involved to repair it.</p> <p>Water Services is available, a sanitation service is provided as well as a waste service. Electricity is provided by Eskom.</p> <p>The transfer of the land has not taken place yet despite various follow ups from Stellenbosch.</p> <p>Matter needs political intervention on provincial level to ensure action by the National Department.</p>
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639570	<p>TO AUTHORISE THE MUNICIPAL MANAGER TO START THE PRESCRIBED PUBLIC PARTICIPATION PROCESS AS PER CHAPTER 4 OF THE MUNICIPAL ASSET TRANSFER REGULATIONS, WITH THE VIEW OF THE FOLLOWING A TENDER/CALL FOR PROPOSAL PROCESS FOR OUTSOURCING THE MANAGEMENT/USE OF THE KAYAMANDI ECONOMIC AND TOURISM CORRIDOR (KETC)</p>	<p>7.7.2 TO AUTHORISE THE MUNICIPAL MANAGER TO START THE PRESCRIBED PUBLIC PARTICIPATION PROCESS AS PER CHAPTER 4 OF THE MUNICIPAL ASSET TRANSFER REGULATIONS, WITH THE VIEW OF FOLLOWING A TENDER/CALL FOR PROPOSAL PROCESS FOR OUTSOURCING THE MANAGEMENT/USE OF THE KAYAMANDI ECONOMIC AND TOURISM CORRIDOR (KETC)</p> <p>25TH COUNCIL MEETING: 2019-03-27: ITEM 7.7.2</p> <p>RESOLVED (majority vote)</p> <p>a) that Council authorises the Municipal Manager to start the Public Participation Process (60 days) as per Chapter 4 of the Asset Transfer Regulations with the intention of following an appropriate process for the outsourcing and management of the Kayamandi Economic and Tourism Corridor;</p> <p>(b) that Council gives reasonable consideration to all regulations and processes required by the Municipal Policy on the Management of Immovable Property, the Asset Transfer Regulations and prescriptions of the MFMA, and then to follow the process that best ensures the correct operational outcome for the Kayamandi Economic and Tourism Corridor;</p> <p>(c) that the local community be invited to submit representations; and</p> <p>(d) that the Municipal Manager be authorized to conclude the contract or agreement after (c) above is finalized in terms of the applicable Act/Regulation.</p> <p>The following Councillors requested that their votes of dissent be minuted: Cllrs RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.</p>	2019-03-27	CRAIGA	90.00	Item has been prepared and is signed off by all signatories for submission to the S80 Portfolio Committee scheduled for February 2021.
	<p>PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER, FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS</p>	<p>7.2.2 PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER, FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS</p> <p>26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that it be noted that no comment/inputs were received from the residents of wards 1 and 2 in regard to the future use of the properties;</p>	2019-04-24	ANNALENEDB	60.00	Specifications to be submitted to Bid Specification Committee in January 2021.

		<p>(b) that erven 3192, 3019 and 3111 be identified as land not needed to provide the minimum level of basic municipal services, i.e. that it can be, in principle, disposed of;</p> <p>(c) that Council resolves that the properties be put out on a Call for Proposals for multi-purpose institutional use to the benefit of the community. Proposals will be evaluated based on the type of institutional uses, how it will benefit the greater community, and how many institutions will be accommodated through the proposals;</p> <p>(d) that the matter be reported back to Mayco and Council after implementation of resolution (c) above; and</p> <p>(e) that the conditional awarding of the tenders by the Bid Adjudication Committee, should in principle disposal be approved, be submitted to Council to make a final determination on the disposal of the properties.</p> <p><i>Councillor DA Hendrickse requested that his vote of dissent be minuted, on the grounds that, in his view, the item is not legally compliant.</i></p>				
	PROPOSED DISPOSAL OF ERF 347, LE ROUX (GROENDAL)	<p>7.2.2 PROPOSED DISPOSAL OF ERF 347, LE ROUX (GROENDAL) 27TH COUNCIL MEETING: 2019-05-29: ITEM 7.2.2 RESOLVED (majority vote)</p> <p>(a) that Erf 347, Le Roux (Groendal) be identified as land not needed to provide the minimum level of basic municipal services, i.e. that it can be disposed of in principle;</p> <p>(b) that Council resolves to dispose of the property by going out on a Call for Proposal, soliciting proposals to develop the land for high density gap housing opportunities; ensuring optimal use of the land, and thereby creating more opportunities for residents of the area. This may include apartments, flats or town houses of different typologies;</p> <p>(c) that the market value of the property be determined by two independent valuers and be taken into consideration in the SCM determination and reported to Council when the item is tabled for final consideration as indicated in (d) below; and</p> <p>(d) that, following the supply chain process, the matter be brought back to Council for a final decision on whether to dispose of the property under the conditions set in the supply chain process.</p> <p><i>Cllrs DA Hendrickse and LK Horsband requested that their votes of dissent be minuted</i></p>	2019-05-29	PIETS	30.00	Compilation of tender document in progress. Specification will be submitted to DCS in February 2021.

	<p>PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (EISENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY</p>	<p>7.10.2 PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (EISENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY</p> <p>27TH COUNCIL MEETING: 2019-05-29: ITEM 7.10.2</p> <p>RESOLVED (nem con)</p> <p>(a) that Council, in principle, agrees to take over the Management of the Vaaldraai Settlement, as an interim arrangement;</p> <p>(b) that Council, in principle, agrees to attend to the township establishment of Vaaldraai, subject thereto that additional land be made available, the detail to be agreed upon;</p> <p>© that before any final decision in this regard is made (i.e. (a) and (b) above) the Department: Planning and Economic Development be requested to conduct a feasibility study, which study must also attend to the availability (or not) of bulk infrastructure as well as the identification of additional land to be transferred, taking into account the number of residents/backyard dwellers already on the property; and</p> <p>(d) that, following the feasibility study, a progress report be submitted to Council with the view of making a final determination on the matter.</p>	2019-05-29	LESTERVS	85.00	<p>The tender was awarded, and the service provider concluded the brief. A feasibility study was submitted to Council and was approved. Further discussions with Provincial Department of Public Works will now commence, given the fact that the said area is outside the urban edge.</p>
	<p>VAN DER STEL SPORT FACILITY: REVIEW OF THE AGREEMENTS BETWEEN STELLENBOSCH MUNICIPALITY (WC024), STELLENBOSCH SPORT AND RECREATION ASSOCIATION (SSRA) AND VAN DER STEL SPORT COUNCIL</p>	<p>12.2 VAN DER STEL SPORT FACILITY: REVIEW OF THE AGREEMENTS BETWEEN STELLENBOSCH MUNICIPALITY (WC024), STELLENBOSCH SPORT AND RECREATION ASSOCIATION (SSRA) AND VAN DER STEL SPORT COUNCIL</p> <p>29TH COUNCIL MEETING: 2019-07-24: ITEM 12.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that the draft MOU between the Stellenbosch Municipality and the SSRA be approved for a six-month period;</p> <p>(b) that, upon the dissolution of the lease agreement between the SSRA and Van Der Stel Sports Council, the Director: Community & Protection Services be mandated to conclude a lease agreement, in line with a rental amount in line with relevant tariffs for rental of municipal property, as amended, from time to time;</p>	2019-07-24	ALBERTVDM	85.00	<p>Point (b) The department is in the process of implementing the Hybrid Model, as approved by Council 25 November 2020.</p> <p>Point (d) The department has received the final draft report from the Service Provider.</p> <p>Point ©: In progress.</p> <p>Point (f): To be dealt with by Finance Department.</p>

		<p>© that Council agrees that the Community Services Department review the Sport Policy and Facilities Management Model (Plan) of the Stellenbosch Municipality, in consultation with the SSRA;</p> <p>(d) that Council notes that the Municipality will appoint a service provider to conduct a forensic audit of the financial (accounts), operational systems and processes in operation at the Van Der Stel Sport Club; and that the Senior Manager Community Services report back to Council on the forensic investigation's outcome;</p> <p>© that Council notes that the Community Services Department will commence with the process to develop an alternative management model for the Van Der Stel Sport facility, in consultation with the SSRA;</p> <p>(f) that a separate report on the outstanding debt of Area Sport Councils be submitted to the next Council Meeting; and</p> <p>(g) that the period of the aforementioned lease agreement period not exceed six (6) months and that the draft Lease Agreement be updated to reflect same.</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p> <p><i>Cllrs FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango (Ms); N Mananga-Gugushe (Ms); MD Oliphant and N Sinkinya (Ms);</i></p> <p><i>Cllr J Hamilton requested that his vote of support be minuted.</i></p>				
	<p>PROPOSED RENEWAL OF LEASE AGREEMENT: PORTION OF ERF 62, KAYAMANDI: DEPARTMENT OF PUBLIC WORKS: POLICE STATION</p>	<p>11.2.1 PROPOSED RENEWAL OF LEASE AGREEMENT: PORTION OF ERF 62, KAYAMANDI: DEPARTMENT OF PUBLIC WORKS: POLICE STATION</p> <p>30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.1</p> <p>RESOLVED (nem con)</p> <p>(a) that the portion of erf 62, used as a police station, be identified as land not needed for municipal purposes during the proposed lease period;</p> <p>(b) that approval be granted for the renewal of the Lease Agreement for a period of 9 years and 11 months;</p> <p>© that it be noted that leasing property to another sphere of government/organ of state is exempted from following a public participation process;</p>	2019-08-28	PIETS	90.00	<p>Lease agreement submitted to DPW for signature.</p> <p>No response yet – to be followed up with Department.</p>

		(d) that Council considers the request of the department to rent the property at an amount of R 6121.99 per month, escalating at 6% per annum, and © that the Municipal Manager be authorised to draft and sign an appropriate new lease agreement.				
	ADOPTION OF THE DRAFT LOCAL ECONOMIC DEVELOPMENT STRATEGY FOR PUBLIC PARTICIPATION	11.7.1 ADOPTION OF THE DRAFT LOCAL ECONOMIC DEVELOPMENT STRATEGY FOR PUBLIC PARTICIPATION 30TH COUNCIL MEETING: 2019-08-28: ITEM 11.7.1 RESOLVED (nem con) that the draft Economic Development Strategy be approved and published for further inputs from the public for a period of 30 days.	2019-08-28	CRAIGA	85.00	Draft LED Strategy is being reviewed by the Department and will be finalised for Public Participation by end March 2021.
	DRAFT POLICY ON PLACE NAMING, STREET NAMING AND RENAMING AND NUMBERING FOR STELLENBOSCH MUNICIPALITY, EDITED 17 MAY 2019	11.7.2 DRAFT POLICY ON PLACE NAMING, STREET NAMING AND RENAMING AND NUMBERING FOR STELLENBOSCH MUNICIPALITY, EDITED 17 MAY 2019 31ST COUNCIL MEETING: 2019-09-25: ITEM 11.7.2 RESOLVED (nem con) (a) that the revised Policy on Place Naming and Street Naming, Renaming and Numbering for Stellenbosch Municipality be advertised for public comment for 60 days; (b) that after public participation has been received, the Draft Policy will be brought back to Council for final consideration; and (c) that the final approved Policy be translated into all 3 official languages.	2019-09-25	STIAANC	75.00	Required amendments as requested by the Municipal Manager was undertaken and Item will serve at the next Council meeting scheduled for March 2021.
	TRANSFER OF 80 HOUSES: LA MOTTE VILLAGE	11.2.1 TRANSFER OF 80 HOUSES: LA MOTTE VILLAGE 32ND COUNCIL MEETING: 2019-10-23: ITEM 11.2.1 RESOLVED (majority vote with abstentions) (a) that transfer to the 10 households that are paid up be effected as a matter of urgency;	2019-10-23	PIETS	85.00	Progress report was submitted to Council as part of feedback on outstanding resolutions in November 2020. Further item to follow.

		<p>(b) that a monthly progress report from the transferring attorney on the status quo and progress of the transfer be provided to the Municipality;</p> <p>© that letters be given as a matter of urgency to the 9 beneficiaries who allowed illegal occupants to occupy the houses to provide reasons why the houses should not be transferred to other beneficiaries;</p> <p>(d) that letters be given as a matter of urgency to all illegal occupying households to provide reasons why they should not be evicted from the houses they are occupying illegally as they were not recognised as the beneficiaries for the houses they occupy;</p> <p>© that an investigation as a matter of urgency be lodged as to how the 10 illegal occupants of unallocated houses were allowed to occupy the houses; and</p> <p>(f) that letters be given as a matter of urgency to all beneficiaries who are in arrears on the outstanding rental amounts to inform them that council intend to assist them, should they qualify for financial assistance from financial institutions or government subsidies to buy the houses. They will however still be liable for outstanding amounts on services.</p>				
	DRAFT HOUSING ALLOCATION POLICY	<p>11.4.1 DRAFT HOUSING ALLOCATION POLICY</p> <p>32ND COUNCIL MEETING: 2019-10-23: ITEM 11.4.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council adopts the Housing Allocation Policy as a draft, in principle, and</p> <p>(b) that the Draft Housing Allocation Policy for Stellenbosch Municipality be advertised for public comments, whereafter it be resubmitted to Council for final consideration and subsequent adoption.</p>	2019-10-23	ROTANDAS	60.00	An item has been compiled, signed and submitted for inclusion in the Agenda of the MayCo scheduled for March 2021.
	IDENTIFICATION OF POSSIBLE INFILL HOUSING DEVELOPMENTS IN THE CLOETESVILLE AREA	<p>11.4.2 IDENTIFICATION OF POSSIBLE INFILL HOUSING DEVELOPMENTS IN THE CLOETESVILLE AREA</p> <p>32ND COUNCIL MEETING: 2019-10-23: ITEM 11.4.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that the Directorate: Planning and Economic Development be requested to conduct feasibility studies on all the erven that were identified in the Aurecon report, as well as the sites identified by the representatives of</p>	2019-10-23	LESTERVS	90.00	A service provider was appointed to conduct a feasibility study on eleven (11) sites as identified by Council. The objective is also to identify the development potential of each site and to provide a conceptual layout (SDP) of the identified sites. The consultant is on track according to their planned programme.

		<p>the Backyarders Committee except those mentioned in paragraph (c) below;</p> <p>(b) that these studies include the feasibility for housing, including emergency housing, different housing typologies that address the challenges the communities are facing in the Cloetesville area; or whether it will be better suited for other community needs;</p> <p>© that the Municipal Manager be mandated to start an investigation into non-municipal land including properties owned by the national or provincial government that may be acquired by Council for housing purposes; and</p> <p>(d) that a feasibility study report be submitted as soon as possible but not later than the end of the current financial year.</p>				The final feasibility reports have been received and will be submitted to Council during the third quarter of the 2020/2021 financial year.
	ADOPTION OF THE STELLENBOSCH INFORMAL TRADING POLICY	<p>13.3 ADOPTION OF THE STELLENBOSCH INFORMAL TRADING POLICY</p> <p>32ND COUNCIL MEETING: 2019-10-23: ITEM 13.3</p> <p>RESOLVED (majority vote)</p> <p>(a) that, after considering the comments made by the public, Council adopts the Stellenbosch Informal Trading Policy; and</p> <p>(b) that the Stellenbosch Informal Trading By-Law be amended to incorporate the objectives and provisions as incorporated in the Informal Trading Policy.</p>	2019-10-23	CRAIGA	80.00	The draft Informal Trading bylaw has been workshopped with the internal departments. In process to incorporate comments into the document.
	SECTION 78 (4) REPORT FOR THE PROVIDING OF SUFFICIENT PUBLIC PARKING	<p>13.3 SECTION 78 (4) REPORT FOR THE PROVIDING OF SUFFICIENT PUBLIC PARKING</p> <p>35TH COUNCIL MEETING: 2020-02-26: ITEM 13.3</p> <p>RESOLVED</p> <p>a) that this report be noted;</p> <p>b) that Council accepts that all the requirements of Section 78(3) (Annexure A) in terms of investigating the feasibility of the provision of sufficient parking, has been complied with;</p> <p>c) that Council accepts that parking forms an integral part of the total Mobility concept within Greater Stellenbosch Area and relates to other major parts such as: Traffic Flow, Public Transport (PT), Non-Motorised Transport (NMT),</p>	2020-02-26	DEONL	55.00	<p>Municipal Systems Act. Section 80 and 81 – Providing a service through a Service Delivery Agreement. Any service provision of this nature was prohibited during the Alert Level 5 lockdown period.</p> <p>The provision of single level public parking is being debated and will be addressed once the final 2020/21 budget has been approved. The latter is drastically affected by the COVID-19 lockdown. A progress report will be submitted to Council early in the 2020/21 Financial year.</p>

		<p>Transit Oriented Development (TOD), and Movement of Disabled Persons (normally seen as a primary part of NMT);</p> <p>d) that Council notes that in order to alleviate the parking process as a whole, matters such as PT, NMT, TOD must also be addressed in synchronisation, as this will directly affect the quantity and positioning of parking;</p> <p>e) that Council, in terms of the Municipal Systems Act (MSA), Act 32 of 2000, as amended, Section 78(4), accepts that the method of providing parking generally be considered as follows:</p> <ul style="list-style-type: none"> (i) Provision of open one level parking space needs, be performed on an internal mechanism; (ii) Provision of multi storied parking space needs, be performed on an external mechanism. <p>f) that Council approves the provision of parking as a first phase as mentioned hereunder, which must be in line with future mobility developments, as the final mobility status can by nature not be resolved at this time;</p> <p>g) that Council proceed with the initial provision and upgrade of parking spaces as follows:</p> <ul style="list-style-type: none"> (i) that the legislative process be commenced with to provide multiple level parking, and management thereof, utilising an External Mechanism of parking in the following areas: <ul style="list-style-type: none"> (1) Eikestad Mall Parking area bounded by Andringa -, Victoria, and Ryneveld Streets. Portion of erf 1692, erven, 1969, 1972, 1973, 1974, 1975, 1976, 6402 and 6636; and (2) Techno Park area, considering the area bounded by Tegno Road, Termo Avenue and Proton Road. Portion of erf 13171 (ii) that the following areas, as a first phase, be upgraded and/or developed as a single layer open space parking area, utilising an internal service delivery mechanism: <ul style="list-style-type: none"> (1) Dennesig Existing Parking Area, entrance in Hoffman Road, Part of Erf 235; 				<p>Program:</p> <ol style="list-style-type: none"> 1. Develop SDA by February 2021. 2. Report to Council on Draft SDA as well as program for community participation in April 2021. 3. Community Participation to end May 2021.
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		<p>(2) Municipal Court Existing Parking Area, entrance from Papegai Road, Erf 528;</p> <p>(3) Aandklas Existing Parking Area, entrance from Du Toit Road Part of Erf 235;</p> <p>(4) New Parking Area Bounded by Borchard Road and Andringa Street to be considered as an extension of the public parking on erf 2529;</p> <p>(5) New Parking Area Bounded by Jan Cilliers Road, Ds Botha Road and Muller Road to be considered as new parking area. Part of Erf 175/0; and</p> <p>(6) Parking area to be upgraded at the old tennis courts, Franschoek, Erf 1538.</p> <p>(h) that Council proceeds with the setting up of a Service Delivery Agreements for the provision of Bulk Parking, as required by Section 80(1) & (2), of the MSA and in particular section 80(1)(b) (which prescribes an SDA with a Private Company) for the areas mentioned under 4.7.1;</p> <p>(i) that the Service Delivery Agreement be approved by Council as a draft SDA prior to Community Participation takes place; and</p> <p>(j) that the matter of providing a synchronised total mobility network be urgently pursued with all the role-players participating in the mobility arena which includes Public Transport, Non-Motorised Transport, Transit Oriented Development, Parking and Universal Access.</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p> <p><i>Cllrs F Adams; FT Bangani-Menziwa (Ms); DA Hendrickse; N Mananga-Gugushe (Ms); C Moses (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.</i></p>				
	POSSIBLE DEVELOPMENT OF ERVEN 412 AND 284, GROENDAL BY WAY OF	(b) POSSIBLE DEVELOPMENT OF ERVEN 412 AND 284, GROENDAL BY WAY OF A CALL FOR PROPOSAL(S)	2020-03-31	LESTERVS	55.00	The user department (Property Management) together with Department: Housing Development is currently in

	A CALL FOR PROPOSAL(S)	<p>COUNCIL ITEM 5.4.1, 2020-03-31:</p> <p>After careful scrutiny of item 5.4.1: POSSIBLE DEVELOPMENT OF ERVEN 412 AND 284, GROENDAL, BY WAY OF A CALL FOR PROPOSAL(S), and as per the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I HEREBY APPROVE THE SAID ITEM AS FOLLOWS:</p> <p>(a) that erven 412 and 284, Le Roux, be identified as land not needed to provide the minimum level of basic municipal services;</p> <p>(b) that the Administration is authorised to follow a public Call-for-Proposal, based on the points system as set out in paragraph 6.2.9;</p> <p>© that approval is granted for the discounted sales prices as set out in paragraph 6.2.6 subject to the sales restrictions set out in paragraph 6.2.7;</p> <p>(d) that approval is granted for the qualifying criteria set out in paragraph 6.2.8;</p> <p>© that the discounted bulk infrastructure contribution as set out in paragraph 6.2.10, is approved; and</p> <p>(f) that, following the conditional awarding of the bid to the bidder(s) scoring the highest points, an item be submitted to Council to make a final decision on the disposal of the land.</p>				process to formulate a Call for Proposal in line with the approved agenda item, to serve before the BSC. A service provider will also be appointed to draft different site development options for Council approval.
	APPROVAL OF STELLENBOSCH ROADS MASTER PLAN	<p>APPROVAL OF STELLENBOSCH ROADS MASTER PLAN</p> <p>COUNCIL ITEM 7.7: 2020-04-30</p> <p>After careful scrutiny of the item: APPROVAL OF STELLENBOSCH ROADS MASTER PLAN, and as the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, as such I HEREBY:</p> <p>On 2020-04-30 Mr Louw addressed the Mayor on the implications of the proposed plan. Item is referred back for refinement and further inputs and communication with Provincial Departments.</p>	2020-04-30	JOHANF	60.00	Had a discussion with Provincial Government. Additional requirements raised from Province that needs to be included into the Master Plan. Input from Province, Mayor, Councillors and Officials are being incorporated into the document. Revisions to be resubmitted to S80 Committee in February 2021.
	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES	12.1.6 CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY INTERWASTE (PTY) LTD	2020-06-12	DEONL	70.00	Plan of action: 1. Report to MayCo in February 2021.

	RENDERED BY INTERWASTE (PTY) LTD	<p>SPECIAL COUNCIL MEETING: 2020-06-12: ITEM 12.1.6</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council takes note of the circumstances as provided in the report;</p> <p>(b) that investigation be done with regard to transgression of policies for disciplinary purposes and that the associated disciplinary steps be taken;</p> <p>(c) that Council certifies the expenditure of R 4 111 001.60 (VAT inclusive) to Interwaste (Pty) Ltd as irrecoverable and that this amount be written off; and</p> <p>(d) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2).</p> <p><i>Cllr DA Hendrickse requested that his vote of dissent be minuted.</i></p>				
	ENCROACHMENT APPLICATION HORIZON HOUSE ERF 3722 AND PORTIONS OF ROAD RESERVE: RETURN ITEM	<p>11.2.3 ENCROACHMENT APPLICATION HORIZON HOUSE ERF 3722 AND PORTIONS OF ROAD RESERVE: RETURN ITEM</p> <p>36th COUNCIL MEETING: 2020-07-29: ITEM 11.2.3</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council considers the objection before making a final determination;</p> <p>(b) that, should Council decide to approve the encroachment application, the Municipal Manager be authorised to conclude the Agreement; and</p> <p>© that consideration be given to the proposed delegation to the Municipal Manager in APPENDIX 5.</p> <p><i>The following Cllrs requested that their votes of dissent be minuted:</i></p> <p><i>Cllr F Adams; FT Bangani-Menziwe (Ms); G Cele (Ms); DA Hendrickse; LK Horsband (Ms); N Sinkinya (Ms); and P Sitshoti (Ms).</i></p>	2020-07-29	PIETS	80.00	Awaiting on signature from Horizon House to conclude the Agreement.
687976	FEEDBACK ON PUBLIC PARTICIPATION PROCESS: ENTERING INTO LAND AVAILABILITY AGREEMENTS WITH	<p>11.4.1 FEEDBACK ON PUBLIC PARTICIPATION PROCESS: ENTERING INTO LAND AVAILABILITY AGREEMENTS WITH SOCIAL HOUSING INSTITUTIONS (SHIs) AND/OR OTHER DEVELOPMENT AGENCIES (ODAs) FOR THE DEVELOPMENT AND MANAGEMENT OF SOCIAL HOUSING ESTATES</p>	2020-07-29	LESTERVS	70.00	Social housing is strictly regulated by the SHRA. The user department has started to engage with the SHRA and PdoHS in preparing the

	SOCIAL HOUSING INSTITUTIONS (SHIs) AND/OR OTHER DEVELOPMENT AGENCIES (ODAs) FOR THE DEVELOPMENT AND MANAGEMENT OF SOCIAL HOUSING ESTATES	<p>36th COUNCIL MEETING: 2020-07-29: ITEM 11.4.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council takes note of inputs/comments that were received, following the public notice advertised;</p> <p>(b) that a phased approach be adopted to implement social housing in Stellenbosch;</p> <p>(c) that the property situated to the north of the town opposite Kayamandi, erven 81/2 and 81/9, Stellenbosch, commences with the procurement process to appoint a suitable SHIs and/or ODAs;</p> <p>(d) that phase 2 commences after the successful completion of the development as mentioned in © above on Remainder of erf 2149 better known as Lapland;</p> <p>(e) that phase 3 commences after the successful completion of the development as mentioned in (d) above on Remainder of Farm 180 better known as Teen-die-Bult; and</p> <p>(f) that Council makes a final determination for the administration to commence with a process toward entering into Land Availability Agreements with SHIs and/or ODAs successful in a Public Competitive Process.</p> <p><i>Councillors F Adams; DA Hendrickse and LK Horsband (Ms) requested that their vote of dissent be minuted.</i></p>				<p>necessary documentation to follow a Public Competitive Process.</p> <p>The BSC referred the draft Call for Proposal back to the user department in order to finalise the scoring criteria with SHRA and PdoHS. The amended draft Call for Proposal was resubmitted to the BSC in January 2021 and will be advertised after the tender is approved.</p>
	PROGRESS UPDATE: COMPILATION OF DRAFT ADAM TAS CORRIDOR LOCAL SPATIAL	<p>11.7.1 PROGRESS UPDATE: COMPILATION OF DRAFT ADAM TAS CORRIDOR LOCAL SPATIAL DEVELOPMENT FRAMEWORK</p> <p>36th COUNCIL MEETING: 2020-07-29: ITEM 11.7.1</p>	2020-07-29	CRAIGA	90.00	Built Environment Partnership (Pty) Ltd appointed as the multi-disciplinary team to assist Council

	DEVELOPMENT FRAMEWORK	<p>RESOLVED (majority vote)</p> <p>(a) that Council takes cognizance that the process for the Compilation of the draft Adam Tas Corridor Local Spatial Development Framework has commenced;</p> <p>(b) that the Adam Tas Corridor geographic area to which the Local Spatial Development will apply, as specified in of this report, has been approved by the Municipal Manager;</p> <p>(c) that the Senior Manager: Development Planning has been assigned and appointed as the Project Leader for the formulation of the draft Adam Tas Corridor Local Spatial Development Framework;</p> <p>(d) that the process to procure a multi-disciplinary team to undertake the required professional services for the compilation of the draft Adam Tas Corridor Local Spatial Development Framework is currently underway; and</p> <p>(e) that a Project Team consisting of the following members have been identified to contract and project manage the Adam Tas Corridor Catalytic Initiative:</p> <ul style="list-style-type: none"> • Craig Alexander Pr Pln, Project Leader (Senior Manager: Development Planning) • Stiaan Carstens Pr Pln, Senior Manager: Development Management • Mr Lester van Stavel, Manager: Housing Development • Ms Jerri-Lee Mowers, Senior Manager: Development Services <p>The following Western Cape Government: Department of Environmental Affairs & Development Planning (“DEA&DP”) representatives, listed below, will coordinate the input from WCG and serve as technical advisors to the Project Team:</p> <ul style="list-style-type: none"> • Ms Catherine Stone Pr Pln, Director: Spatial Planning; • Mr Kobus Munro Pr Pln, Director: Regulatory Planning; • Mr Jeremy Benjamin Pr Pln, Coordinator: Regional Socio-Economic Programme: Stellenbosch (“RSEP”) <p><i>Councillors F Adams; DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</i></p>				<p>with the compilation of the ATC LSDF.</p> <p>Bernabe De La Bat (Manager: Spatial Planning) was elected as the project leader.</p>
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	DRAFT PROBLEM PROPERTY BY-LAW FOR STELLENBOSCH MUNICIPALITY	<p>13.2 DRAFT PROBLEM PROPERTY BY-LAW FOR STELLENBOSCH MUNICIPALITY</p> <p>36th COUNCIL MEETING: 2020-07-29: ITEM 13.2</p> <p>RESOLVED (nem con)</p> <p>(a) that the revised draft By-law on Problem Properties for Stellenbosch Municipality (WC024) attached as ANNEXURE 1 be recommended for approval in terms of Sections 11(3)(m) of the Local Government Municipal Systems Amendment Act 32 of 2000 and;</p> <p>(b) the administration proceed with the publication of the by-law.</p>	2020-07-29	STIAANC	95.00	<p>The approved Bylaw must still be promulgated and the identification of the Departmental custodian to implement and uphold the Bylaw must still be addressed.</p> <p>A meeting with key Departments were held on 14 December 2020 after which Neville Langenhoven did a competitive study with the existing Prevention of Public Nuisance Bylaw to assist with determining the custodian Department to uphold the Problem Property Bylaw. A meeting will be scheduled at the end of January 2021 to discuss and resolve the matter. A report will be presented to the Municipal Manager for consideration.</p>
689949	RETURN ITEM: APPLICATION FOR A LONG-TERM LEASE AGREEMENT BETWEEN STELLENBOSCH MUNICIPALITY AND THE STELLENBOSCH FLYING CLUB: PORTION L OF FARM 502, STELLENBOSCH	<p>11.2.1 RETURN ITEM: APPLICATION FOR A LONG-TERM LEASE AGREEMENT BETWEEN STELLENBOSCH MUNICIPALITY AND THE STELLENBOSCH FLYING CLUB: PORTION L OF FARM 502, STELLENBOSCH</p> <p>37TH COUNCIL MEETING: 2020-08-24: ITEM 11.2.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council takes note of the public participation that was followed in terms of the Asset Transfer Regulations;</p> <p>(b) that Council considered the inputs that were received during the public participation process in terms of Section 35 of the Asset Transfer Regulations;</p> <p>(c) that Council confirms that the land in question, i.e. portion L of Farm 502, Stellenbosch, be identified as land not needed for the municipality's own use during the period for which the right is to be granted;</p> <p>(d) that Council, in principle, approves a term Lease Agreement on the basis of a private treaty agreement as provided for in Regulation 34(1) (b) of the Asset Transfer Regulations, read with paragraph 9.2.2.1 (1)</p>	2020-08-24	PIETS	90.00	Return item will serve at January 2021 MayCo/Council meeting.

		<p>of the Policy on the Management of Council owned property for a period of 9 years and 11 months;</p> <p>(e) that the lease agreement is subject to the Lessee reaching agreement with Working on Fire and Provincial Department of Education in regard to their needs and may enter sub-lease agreements with both entities as well as other entities linked to providing services to the airfield;</p> <p>(f) that a new market-related lease amount be determined, based on an independent valuation being obtained with escalation of CPI per year for the duration of the agreement;</p> <p>(g) that Council approves the option of a renewal of the lease agreement for a further period equal to the lease agreement now proposed; and</p> <p>(h) that Council's in principle approval be advertised for comments/inputs/alternative proposals, and that any inputs in regard thereto be placed before council before a final decision is made.</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p> <p><i>Cllr F Adams; FT Bangani-Menziwa (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.</i></p>				
690383	<p>LONGLANDS HOUSING PROJECT – CRITERIA FOR THE SELECTION OF BENEFICIARIES</p>	<p>11.4.2 LONGLANDS HOUSING PROJECT – CRITERIA FOR THE SELECTION OF BENEFICIARIES</p> <p>37TH COUNCIL MEETING: 2020-08-24: ITEM 11.4.2</p> <p>RESOLVED (nem con)</p> <p>(a) that 60 Erven with Top Structures of the 144 Erven (c) be allocated to beneficiaries residing in Longlands Property and that the original list of Longlands Property be used to determine these 60 beneficiaries;</p> <p>(ii) beneficiaries from Longlands Property who do not qualify be allocated Enhanced Serviced Sites, in which event these beneficiaries will be responsible to construct their own top structures;</p> <p>(b) that 42 Erven with Top structures of the 144 Erven be allocated to potential beneficiaries on the Longlands Broader Community Housing Demand Database, and that priority be given to potential beneficiaries</p>	2020-08-24	ROTANDAS	45.00	<p>An opportunity will now be granted until the end of February 2021 for all applicants on the Longlands waiting list to come and update their information.</p>

		<p>over the age of 40 years and households with applicant(s) or dependants with permanent disability, in a registration ordered list and proof of such be obtained from SASSA;</p> <p>© that 4 of the 144 Erven be allocated to beneficiaries identified by Mr Kallie Kirsten as per agreement with the municipality; and</p> <p>(d) that 38 Erven of the 144 Erven be developed into a Temporary Residential Area (TRA), with 2 (Two) families being placed in each TRA Erf which will result in 76 opportunities, and that allocation be effected in the following manner:</p> <p>(i) 18 TRA sites be allocated to families residing in the Triangle, and 2 families placed in 1 (One) Erf. This will accommodate 35 families who currently reside in the Triangle;</p> <p>(ii) that 10% of the sites in the project, which is 14 sites, be reserved for persons in WC024 who qualify for housing assistance in terms of the Emergency Housing Policy; and</p> <p>(iii) that a further 6 of the sites be reserved for persons in WC024 who are deemed as "SPECIAL CASES" and residing in conditions that are dangerous and deemed a health hazard due to medical conditions which have resulted in permanent disability and warrant better living conditions. A detailed report of such person(s) is to be submitted to the Municipal Manager for approval.</p>				
688647	REQUEST FOR INTRODUCTION OF STELLENBOSCH MUNICIPALITY DRAFT BY-LAW ON PARKING	<p>11.5.1 REQUEST FOR INTRODUCTION OF STELLENBOSCH MUNICIPALITY DRAFT BY-LAW ON PARKING</p> <p>37TH COUNCIL MEETING: 2020-08-24: ITEM 11.5.1</p> <p>RESOLVED (nem con)</p> <p>(a) that the content of this report be noted;</p> <p>(b) that the Draft By-Law on Parking, attached as ANNEXURE A, be accepted as per Section 12(1) of the Municipal Systems Act, as amended; and</p> <p>(c) that a Public Participation process be launched as per Section 12(3)(b) and Section 21 of the Municipal Systems Act.</p>	2020-08-24	DEONL	90.00	<p>Public participation process was in September/October 2020. Item with public comments will serve at the February 2021 to enable coordination with Streets By Law, Poster By Law and Outdoor Dining Policy.</p> <p>By Law delayed enabling synchronisation with outdoor dining policy. To serve at Council in March 2021.</p>

688645	REQUEST FOR INTRODUCTION OF STELLENBOSCH MUNICIPALITY DRAFT BY-LAW ON ROADS AND STREETS	<p>11.5.2 REQUEST FOR INTRODUCTION OF STELLENBOSCH MUNICIPALITY DRAFT BY-LAW ON ROADS AND STREETS</p> <p>37TH COUNCIL MEETING: 2020-08-24: ITEM 11.5.2</p> <p>RESOLVED (nem con)</p> <p>(a) that the content of this report be noted;</p> <p>(b) that the Draft By-Law on Roads and Streets, attached as ANNEXURE A, be accepted as per Section 12(1) of the Municipal Systems Act, as amended; and</p> <p>(c) that a Public Participation process be launched as per Section 12(3)(b) and Section 21 of the Municipal Systems Act.</p>	2020-08-24	DEONL	90.00	<p>Public participation process in September/October 2020. Item with public comments will serve at Council in February 2021 to enable coordination with Parking By Law, Poster By Law and Outdoor Dining Policy.</p> <p>By Law delayed enabling synchronisation with outdoor dining policy. To serve at Council in March 2021.</p>
	REPORT TO COUNCIL REGARDING THE INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT BY CLR R DU TOIT	<p>17.2 REPORT TO COUNCIL REGARDING THE INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT BY CLR R DU TOIT</p> <p>37TH COUNCIL MEETING: 2020-08-24: ITEM 17.2</p> <p>Before deliberations on the matter, Cllr DD Joubert and R Du Toit (Ms) recused themselves from the meeting for the duration of the item.</p> <p>RESOLVED (nem con)</p> <p>a) that the item be referred to the Disciplinary Committee for Councillors to investigate and make a finding on any alleged breach of the Code of conduct; and</p> <p>b) that, following the investigation, the Disciplinary Committee to make appropriate recommendations to the Council in the event of findings.</p>	2020-08-24	JCANTHONY	75.00	Date still to be determined for a Disciplinary Committee meeting to consider the relevant cases.
	EXTENSION OF CESSION AND ASSIGNMENT OF LEASES: LEASE AREA 1 OVER REMAINDER FARM 377F AND LEASE AREA 1 OVER ERF 9190	<p>11.2.1 EXTENSION OF CESSION AND ASSIGNMENT OF LEASES: LEASE AREA 1 OVER REMAINDER FARM 377F AND LEASE AREA 1 OVER ERF 9190</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 11.2.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council takes note of the written submission on the status of the Empower initiatives and the request to extend the ceding of the lease;</p> <p>(b) that the proposed ceding and assignment of the Lease Agreement in relation to Lease Area 1 over Remainder Farm 377 and Lease Area 1 over Remainder erf 9190 to Kleine Zalze's BEE Newco be approved in</p>	2020-10-28	PIETS	45.00	Return item will serve after the closure of the Public Participation process.

		<p>principle for a period of 9 years and 11 months on condition that yearly reports be provided to the Municipality in regard to the progress of the black empowerment company;</p> <p>© that the Municipality's intention to cede the rights to the lease for a period of 9 years and 11 months be advertised for inputs/alternative proposals or objections.</p> <p>(d) that the current and future road reserves be excluded from any agreement; and</p> <p>© that the possible extension of the lease be reviewed/considered after 2029 taking into Account the progress on empowerment and BBBEE initiatives.</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p> <p><i>Cllrs FT Bangani-Menziwe (Ms); G Cele (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.</i></p>				
	VOORGELEGEN COMPLEX: INFORMATION STATEMENT	<p>11.2.2 VOORGELEGEN COMPLEX: INFORMATION STATEMENT</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 11.2.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council approves the information statement attached as Appendix 1 for Public Participation; and</p> <p>(b) that, following the Public Participation process, a report be submitted to Council in order to consider the future use of the Voorgelegen Complex.</p>	2020-10-28	PIETS	60.00	Public notice has been advertised. Return item will serve at March 2021 Council meeting.
	POSSIBLE DISPOSAL OF ERF 4810 (3 SWAWELAAN), ERF 4811 (3A SWAWELAAN) AND	<p>12.2.4 POSSIBLE DISPOSAL OF ERF 4810 (3 SWAWELAAN), ERF 4811 (3A SWAWELAAN) AND ERF 4812 (6 TINKTINKIE STREET) STELLENBOSCH</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 11.2.4</p>	2020-10-28	ANNALEND B	50.00	Awaiting valuation to determine reserve price. Specifications approved to appoint auctioneer.

	ERF 4812 (6 TINKINKIE STREET) STELLENBOSCH	<p>RESOLVED (majority vote)</p> <p>(a) that Erf 4810, Erf 4811 and Erf 4812 Stellenbosch, be identified as land not needed to Provide the minimum of basic services;</p> <p>(b) that Council approves the disposal of the 3 erven by public auction at a market related price with a reserve set price determined by a valuation;</p> <p>© that the Municipal Manager be authorised to conclude the sale agreements after the auction, provided that the sale prices are not lower than the reserve price; and</p> <p>(d) that the three erven be disposed of to different buyers.</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p> <p><i>Cllrs FT Bangani-Menziwe (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.</i></p>				Auction alternatively planned for January 2021.
	STELLENBOSCH MUNICIPALITY: ALIGNMENT OF THE MUNICIPAL INTEGRATED HUMAN SETTLEMENT PLAN (IHSP) WITH THE GUIDELINES AS PROPOSED BY THE WESTERN CAPE GOVERNMENT: HUMAN SETTLEMENTS	<p>11.4.1 STELLENBOSCH MUNICIPALITY: ALIGNMENT OF THE MUNICIPAL INTEGRATED HUMAN SETTLEMENT PLAN (IHSP) WITH THE GUIDELINES AS PROPOSED BY THE WESTERN CAPE GOVERNMENT: HUMAN SETTLEMENTS</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 11.4.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that a new Integrated Human Settlement Plan (IHSP) be compiled that adheres to the "Guidelines for the Preparation of Municipal Human Settlement Plans" as proposed by the Western Cape Government: Department Human Settlements, subject to funding being made available; and</p> <p>(b) that a new Integrated Human Settlements Plan (IHSP) be developed that aligns housing development with the long-term vision as envisaged in the approved Integrated Development Plan and the Municipal Spatial Development Framework.</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p>	2020-10-28	ANTHEAS/ LESTERVS	55.00	<p>It is a requirement that the IHSP be aligned with the Stellenbosch Municipality's approved Integrated Development Plan and Spatial Development Framework.</p> <p>An item served at BSC. The tender has been advertised on 16 January 2021 with a closing date of 15 February 2021.</p>

		<i>Cllrs FT Bangani-Menziwe (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.</i>				
	FEEDBACK AND WAY FORWARD IN RESPECT OF THE BUSINESS WEBINAR STELLENBOSCH WC024 & COVID-19: REALITIES, REMEDIES, ROAD AHEAD, HELD ON 23 JULY 2020	<p>11.7.2 FEEDBACK AND WAY FORWARD IN RESPECT OF THE BUSINESS WEBINAR STELLENBOSCH WC024 & COVID-19: REALITIES, REMEDIES, ROAD AHEAD, HELD ON 23 JULY 2020</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 11.7.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council takes note of the comments and / or inputs submitted during the webinar and the written submissions;</p> <p>(b) that the Department: Development Planning be authorised to, through the Office of the Municipal Manager, allocate point person(s) from each Directorate to investigate the submissions and compile an Action Plan, which must be submitted to the next Council Meeting;</p> <p>(c) that, as part of point (b), an engagement be held with the following sectors, through virtual meetings, and if required, in person engagements, on the following preliminary dates, as per schedule attached as APPENDIX 3:</p> <ul style="list-style-type: none"> • Tourism (Wine Industry, Events & Filming) – 04 September 2020 • Manufacturing – 08 September 2020 • Construction & Finance – 15 September 2020 • Agriculture – 09 September 2020 • Informal Sector – 10 September 2020 • Education – 18 September 2020 <p>(d) that the Department: Development Planning compiles a detailed proposed Action Plan, to be included in the Stellenbosch Municipality Economic Recovery Plan, which must be completed before end February 2021, and which must be submitted to Council for consideration by November 2021, taking into account the financial, operational and risk implications; and</p> <p>© that, in the event 'quick' wins or responses are identified, that such initiatives be brought to Council at the next Council Meeting and be documented as part of the proposed Action Plan, and where such</p>	2020-10-28	CRAIGA	55.00	Department is in process to meet with all sectors but need to discuss the way forward with the Portfolio Councillor.

		<p>interventions are delegated to the Municipal Manager, that such interventions be implemented and Council be notified accordingly.</p> <p><i>ClIrs FT Bangani-Menziwe (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms) and LL Stander.</i></p>				
691675	<p>INVESTIGATION OF THE RHENISH COMPLEX FOR ECONOMIC DEVELOPMENT OPPORTUNITIES</p>	<p>11.7.3 INVESTIGATION OF THE RHENISH COMPLEX FOR ECONOMIC DEVELOPMENT OPPORTUNITIES</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 11.7.3</p> <p>RESOLVED (majority vote)</p> <p>(d) that Council takes note of the numerous studies and planning over the years that were done on the Rhenish Complex without any noticeable implementation of the approved recommendations;</p> <p>(e) that Council approves the request of the Directorate: Planning & Economic Development to investigate the development of all municipal owned landholdings within the demarcated areas as depicted within the boundaries of Dorp-, Herte-, Alexander-, Market-, Bird- and Mill Street for potential economic opportunities to kick start the development of the entire Rhenish Complex;</p> <p>(f) ©that the investigation into the development of the Council owned landholdings considers the context of the surrounding spaces in the town centre; and</p> <p>(g) that such an investigation be done within three months after which a report with a request for the advertisement of the proposals be tabled to Council to enable the phased implementation of such proposals.</p>	2020-10-28	CRAIGA	45.00	<p>FQ was advertised for Service Provider to do comparative analysis report on all the studies compiled within the area. The preferred bid exceeded the threshold for FQ of R200 000 and will be re-advertised as preferred bidder included a landscape proposal which was not required for the TOR.</p>

		<i>Cllrs FT Bangani-Menziwe (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms) and LL Stander.</i>				
694269	PROGRESS REPORT IN RESPECT OF THE USAGE OF THE AGRICULTURAL LAND LEASED TO THE EMERGING FARMERS AND PROVIDING FEEDBACK ON POTENTIAL FURTHER LEASEHOLD FARMS TO POTENTIAL EMERGING FARMERS	<p>11.8.1 PROGRESS REPORT IN RESPECT OF THE USAGE OF THE AGRICULTURAL LAND LEASED TO THE EMERGING FARMERS AND PROVIDING FEEDBACK ON POTENTIAL FURTHER LEASEHOLD FARMS TO POTENTIAL EMERGING FARMERS</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 11.8.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that cognizance be taken of the farming activities as outlined in paragraph 6.3 of this report;</p> <p>(b) that an investigation be launched in respect of the land not previously allocated, as outlined in paragraph 6.4 of this report, for the use of livestock farming, specifically for the purposes of accommodating piggeries and bee farming, and that a report with recommendations in respect of such an investigation be tabled to Council;</p> <p>© that note be taken of the additional agricultural land parcels referred to in paragraph 6.5 of this report, and that the further investigation by the Directorate: Planning & Economic Development be supported to inform Council of the possible and best use of such agricultural land for the purpose of allocating such land to emerging farmers;</p> <p>(d) that financial support mechanisms be investigated by the Directorate: Planning & Economic Development, in consultation with the Western Cape Government: Department of Agriculture (Farmers Support Programme) and the National Department of Rural Development and Land Reform, to support emerging farmers with potential infrastructure- and operational shortcomings;</p> <p>© that the Directorate: Planning & Economic Development submits the investigation report referred to in recommendation (d) above to Council for noting purposes, and to distribute the list of funding organisations and / or mechanisms to emerging farmers to assist with the compilation of their business plans; and</p>	2020-10-28	CRAIGA	70.00	<p>Letter for cancellation of lease agreement was issued to the Late Roland Meyer's family and GC Hendricks whom did not use the land.</p> <p>Three portions of land will be advertised on Farm 502BH with water rights.</p>

		<p>(f) that the Department: Development Planning & Economic Development commences with research to provide proposals to enable emerging farmers with the option for the placement of accommodation units for security and storage purposes, which include ablution facilities on the individual land parcels which were allocated.</p> <p><i>Cllrs DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</i></p>				
	UNIVERSAL ACCESS POLICY REVIEW	<p>11.9.1 UNIVERSAL ACCESS POLICY REVIEW</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 11.9.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>that the Revised Universal Access Policy be advertised for public participation.</p>	2020-10-28	MICHELLEA	95.00	The item with all public comments was prepared and submitted for inclusion to the MayCo agenda of 20 January 2021.
	REPORT TO COUNCIL REGARDING THE INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT BY COUNCILLOR F ADAMS	<p>17.1 REPORT TO COUNCIL REGARDING THE INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT BY COUNCILLOR F ADAMS</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 17.1</p> <p>Before deliberations on the matter, the Executive Mayor, Ald G Van Deventer (Ms); Cllrs P Crawley (Ms) and AR Frazenburg recused themselves for the duration of the matter.</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the matter be referred to the Disciplinary Committee for Councillors to investigate and make a finding on any alleged breach of the Code of Conduct; and</p> <p>(b) that, following the investigation, to make appropriate recommendations to the Council in the event of a guilty finding.</p> <p><i>Councillor DA Hendrickse requested that his vote of dissent be minuted.</i></p>	2020-10-28	JCANTHONY	40.00	Date still to be determined for a Disciplinary Committee meeting to consider the relevant cases.

	<p>REPORT ON NON-ATTENDANCE OF THREE OR MORE CONSECUTIVE COUNCIL MEETINGS RE: COUNCILLOR MD OLIPHANT</p>	<p>17.2 REPORT ON NON-ATTENDANCE OF THREE OR MORE CONSECUTIVE COUNCIL MEETINGS RE: COUNCILLOR MD OLIPHANT</p> <p>38TH COUNCIL MEETING: 2020-10-28: ITEM 17.2</p> <p>During deliberations on the matter, the DA requested a 5 minuted break, which the Speaker allowed.</p> <p>After the meeting resumed it was</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council notes the absence without substantiated evidence of Cllr MD Oliphant from the respective three Council meetings dated Wednesday, 29 July 2020, Monday 24th August 2020 and Friday 11th September 2020;</p> <p>(b) that Council notes that the Councillor was requested to provide input by the Speaker's office;</p> <p>(c) that the matter be referred to the disciplinary Committee for finalization of the process</p> <p><i>Councillor DA Hendrickse requested that his vote of dissent be minuted.</i></p>	2020-10-28	JCANTHONY	40.00	Date still to be determined for a Disciplinary Committee meeting to consider the relevant cases.
	<p>APPLICATION FOR A OF LEASE AGREEMENT: FRANSCHHOEK LIFE CRAFT CENTRE: ERF 143, FRANSCHHOEK</p>	<p>11.2.2 APPLICATION FOR A OF LEASE AGREEMENT: FRANSCHHOEK LIFE CRAFT CENTRE: ERF 143, FRANSCHHOEK</p> <p>39TH COUNCIL MEETING: 2020-11-25: ITEM 11.2.2</p> <p>RESOLVED (majority vote with 1 abstention)</p> <p>(a) that a portion of Erf 143, Franschhoek, be identified as land not needed for own use as provided for in Regulation 36 of the Asset Transfer Regulations;</p> <p>(b) that Council does not approve the application;</p>	2020-11-25	PIETS	70.00	Call for proposals was advertised with a closing date of 25 January 2021. A return item will thereafter be submitted to Council for consideration.

		<p>(c) that the department be requested to advertise for businesses to provide proposals on the future use of the property, and that the proposals include an indication of the type of business, a business plan, and the number of employment opportunities;</p> <p>(d) that Council will consider the proposals and then make a determination on which proposal to approve before a lease agreement will be entered into with a new lessee; and</p> <p>(e) that the Life Craft Centre be given notice to vacate the property by no later than 30 March 2021.</p>				
	<p>PROPOSED SUB-LEASE FROM THE STELLENBOSCH FLYING CLUB</p>	<p>11.2.4 PROPOSED SUB-LEASE FROM THE STELLENBOSCH FLYING CLUB</p> <p>39TH COUNCIL MEETING: 2020-11-25: ITEM 11.2.4</p> <p>RESOLVED (majority vote)</p> <p>(h) that the request from the Western Cape Government be noted;</p> <p>(i) that the response from the Flying Club be noted;</p> <p>© that the Flying Club be allowed to enter into a sub-lease with the Western Cape Department of Education to enable learners to use the facilities at the Flying Club; and</p> <p>(d) that the content of the agreement be reported to the Executive Mayor in consultation with the Executive Mayoral Committee.</p> <p><i>Councillor F Adams requested that his vote of dissent be minuted.</i></p>	2020-11-25	PIETS	90.00	<p>Applicant will be informed accordingly.</p> <p>Agreement will be reported to Mayoral committee.</p>
	<p>INVESTIGATION WITH REGARDS TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE</p>	<p>11.6.1 INVESTIGATION WITH REGARDS TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE</p> <p>39TH COUNCIL MEETING: 2020-11-25: ITEM 11.6.1</p> <p>RESOLVED (majority vote with 1 abstention)</p>	2020-11-25	SCHALKVDM	10.00	<p>A proposal, in consultation with Property Management, on the way forward to be submitted to the Municipal Manager for consideration.</p>

		<p>(a) that Council approves Option 3: the redesign of the existing layout of erven in Mont Rochelle Nature Reserve;</p> <p>(b) that Option 3 be implemented once budget for this purpose becomes available;</p> <p>(c) that existing landowners of erven in sensitive areas be offered a like-for-like (with reference to erf size) proposal in a less sensitive location within the revised layout, as provided for in Paragraph 9.2.3 of the Property Management Policy;</p> <p>(d) that the Municipal Manager be authorised to finalise the above process insofar as an agreement between the relevant landowners can be reached; and</p> <p>(e) that the remaining unsold erven be de-proclaimed and consolidated into Mont Rochelle Nature Reserve.</p> <p><i>Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</i></p>				
	MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS	<p>11.10.1 MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS</p> <p>39TH COUNCIL MEETING: 2020-11-25: ITEM 11.10.1</p> <p>During deliberations on the matter, Cllr P Sitshoti (Ms) requested that the topic of Human Rights be discussed with Council, before the partnership is undertaken. Speaker replied that her request is NOTED.</p> <p>RESOLVED (majority vote with 1 abstention)</p> <p>(a) that Council notes the invitation by ICLD annexed hereto as “APPENDIX 1”;</p> <p>(b) that Council approves that Stellenbosch Municipality enters into a partnership with a Swedish Municipality on the topic of Human Rights;</p> <p>(c) that the Municipal Manager be authorized to negotiate the terms of the partnership agreement with the identified Swedish Municipality as per the requirements of the Inception Phase of the partnership; and</p> <p>(d) that the Municipal Manager submits a report to Council subsequent to the conclusion of the Inception Phase, i.e. after one (1) year or as soon as practically possible thereafter.</p>	2020-11-25	JOHRUR	90.00	A return item will serve at MayCo/Council for consideration during January 2021. Suitable representatives need to be identified and appointed to represent Council in the partnership with Jönköping Municipality (Swedish Municipality).

		<i>Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</i>				
	LEASE OF COUNCIL-OWNED LAND FOR (ADDITIONAL) PARKING PURPOSES: ATTERBURY: PORTION OF LEASE FARM 369P	<p>13.6 LEASE OF COUNCIL-OWNED LAND FOR (ADDITIONAL) PARKING PURPOSES: ATTERBURY: PORTION OF LEASE FARM 369P</p> <p>39TH COUNCIL MEETING: 2020-11-25: ITEM 13.6</p> <p>RESOLVED (majority vote)</p> <p>(a) that the portion of Lease Farm 369P, consisting of 100 parking bays be identified as land not needed for any other municipal service;</p> <p>(b) that council in principle approves the lease agreement with Atterbury, to enable them to use a portion of Lease Farm 369P, consisting of 100 parking bays;</p> <p>(c) that Council's intention to conclude a lease Agreement with Atterbury for a period of 12 months without following a supply chain process be advertised for public comments/inputs/objections, whereafter a return item will be submitted to Council to make a final determination in this regard;</p> <p>(d) that council lease the land based on the "encroachment" parking tariffs as approved in the latest tariff book; and</p> <p>(e) that the applicants be allowed to use the parking bays until council can make a final determination provided that the tariff set out in the tariff book is paid on a monthly basis.</p> <p><i>Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</i></p>	2020-11-25	PIETS	60.00	Notice was published, a return item will serve before Council in March 2021.
698326	FEEDBACK ON PUBLIC PARTICIPATION PROCESS: PROPOSED DISPOSAL (THROUGH A LAND AVAILABILITY AGREEMENT) OF MUNICIPAL LAND, ERF 7001, CLOETESVILLE, STELLENBOSCH AND THE APPOINTMENT OF	<p>FEEDBACK ON PUBLIC PARTICIPATION PROCESS: PROPOSED DISPOSAL (THROUGH A LAND AVAILABILITY AGREEMENT) OF MUNICIPAL LAND, ERF 7001, CLOETESVILLE, STELLENBOSCH AND THE APPOINTMENT OF A TURNKEY DEVELOPER / IMPLEMENTING AGENT IN ORDER TO FACILITATE THE DELIVERY OF GAP HOUSING UNITS</p> <p>39TH COUNCIL MEETING: 2020-11-25: ITEM 13.10</p> <p>RESOLVED (majority vote)</p>	LESTERVS	2020-11-25	60.00	Stage 2 of the Call for Proposals served at the BSC on 04 November 2020 to approve the specifications in order to request the bidders to submit their financial proposals. An item will serve before MayCo/Council during January 2021 to obtain approval on the preferred conceptual site development layout. Stage 2 of the

	<p>A TURNKEY DEVELOPER / IMPLEMENTING AGENT IN ORDER TO FACILITATE THE DELIVERY OF GAP HOUSING UNITS</p>	<p>(a) that Council takes note of inputs/comments that were received, following the public notice advertised;</p> <p>(b) that preference be given to residents that qualify as first-time homeowners living in Cloetesville area and thereafter to qualifying first-time home owners within the WCO24;</p> <p>(c) that the procurement process to appoint a Turnkey Developer / Implementing Agent for the planning and implementation of Erf 7001, Cloetesville, Stellenbosch, continues as advertised; and</p> <p>(d) that after the procurement process has been concluded by the BAC, a further report will be submitted to Council.</p>				<p>Call for Proposals will then be concluded.</p>
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NB: RESPONSES OBTAINED FROM RELEVANT DEPARTMENTS

10.	ITEMS FOR NOTING
10.1	REPORT/S BY THE EXECUTIVE MAYOR
10.1.1	REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM VIRTUAL MEETING: 20 NOVEMBER 2020

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

27 January 2021

1. **SUBJECT: REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM VIRTUAL MEETING: 20 NOVEMBER 2020**

2. **PURPOSE**

To inform Council of the matters under discussion at the Mayor – Rector Forum virtual meeting held on 20 November 2020.

3. **DELEGATED AUTHORITY**

FOR INFORMATION

4. **EXECUTIVE SUMMARY**

The Executive Mayor has since her election reported to the Council on discussions that takes place at the regular meetings of the Mayor – Rector Forum. The meeting was held on 20 November 2020. The minutes is attached as **Annexure A**.

5. **RECOMMENDATION**

that Council takes note of the report from the Executive Mayor.

6. **DISCUSSION / CONTENTS**

6.1 **Background**

The forum was established to collaborate and share information and research on main areas of agreement regarding the challenges facing Stellenbosch and the possible solutions.

6.2 **Discussion**

The Executive Mayor has since her election reported to the Council on discussions that takes place at the regular meetings of the Mayor – Rector Forum. The minutes is attached as **ANNEXURE A**.

The following concerns were discussed: 15 November 2020

- Standing items
 - o Overview of SU regarding the COVID-19 pandemic
 - o Overview of SM regarding the COVID-19 pandemic
 - o Feedback: Mobility Subcommittee
 - o Feedback: monitoring and Advisory Committee on Crime (MACC)
 - o Feedback: Infrastructure Development Subcommittee
 - o Water Management

- New matters
 - o Local support for Township and Village Tourism social enterprise
 - o African Human Rights Moot Court Competition Introduction
 - o MOU – Engineering projects and advisory
 - o SU 2021 calendar – what to expect for 2021 / returning of students
 - o Energy / Electricity project / IPP

6.3 **Financial Implications**

Recommendations following from the discussions is dealt with in terms of the approved budget.

6.4 **Legal Implications**

Any recommendations flowing from the discussions are dealt with through items or normal administrative actions within the policies of Council.

6.5 **Staff Implications**

This report has no additional staff implications to the Municipality.

6.6 **Previous / Relevant Council Resolutions**

20 August 2020

6.7 **Risk Implications**

No additional risk implications

6.8 **Comments from Senior Management**

The report was not circulated for comment. The Executive Mayor discusses relevant issues with the Municipal Manager who takes up actions with the Directors directly.

ANNEXURES

Annexure A: - Minutes of the Mayor/Rector meeting, 15 November 2020.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	MANAGER: COUNCIL SUPPORT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	Donovan.Muller@stellenbosch.gov.za
REPORT DATE	13 January 2021

ANNEXURE A

Minutes of the Rector / Executive Mayor's Forum

Date: Friday 20 November 2020
Time: 11:00 – 13:00
Venue: Microsoft Teams
Chair: Prof W de Villiers (WdV)

Attendees:

Stellenbosch Municipality (the municipality)	
Mr Deon Louw (DL)	Director: Engineering Services
Mr Gary Boshoff (GB)	Director: Community & Protection Services
Mr Anthony Barnes (AB)	Director: Planning and Human Settlements
Mr Charl Kitching (CK)	Deputy Director: Security Services
Ms Annalene de Beer (AdB)	Standing in for the Municipal Manager
Stellenbosch University (the university)	
Prof Wim de Villiers (WdV)	Rector and Vice-Chancellor
Prof Stan du Plessis (SdP)	Chief Operating Officer
Prof Nico Koopman (NK)	Vice-Rector: Social Impact, Transformation & Personnel
Prof Eugene Cloete (EC)	Vice-Rector: Research, Innovation & Post Graduate Studies
Ms Nicolette van den Eijkel (NvdE)	Chief Director: Facilities Management
Dr Leslie van Rooi (LBvR)	Senior Director: Social Impact & Transformation
Mr Desmond Thompson (DT)	Communication Specialist

Apologies:

Stellenbosch Municipality (the municipality)	
Mr Donovan Muller (DM)	Manager: Councillor Support
Adv Gesie van Deventer (GvD)	Executive Mayor
Ms Geraldine Mettler (GM)	Municipal Manager
Stellenbosch University (the university)	
None	

Secretariat: Stellenbosch University (Ms Michelle Jooste)

Item	Discussion	Responsible person
1.	Opening & welcome	
	WdV welcomed all and apologies were noted.	WdV
2.	Finalisation of agenda	
	No new items were added to the agenda.	WdV
3.	Approval of previous minutes	
	The minutes of the previous meeting of 20 August 2020 were approved.	WdV
4.	Matters from previous meeting	
4.1	<p>Future upgrade of Die Braak AdB mentioned that the plans for upgrading of Die Braak are not finalised and recommends that the item stand over to the next meeting.</p> <p>AB noted that at the Council Meeting of the municipality, which was held on 28 October 2020, the Council discussed the investigation of the Rhenish Complex for economic development opportunities, which includes Die Braak. The Rhenish Complex comprise of a group of historic buildings, spaces and gardens which include Market Street, Herte Street, Dorp Street and Die Braak.</p> <p>The Council of the municipality gave permission to the Directorate: Planning and Economic Development to investigate the potential economic development opportunities for the Rhenish complex. An open formal invitation to bid for the future development of the Rhenish complex were published on the website of the municipality. The closing date was 23 November 2020.</p> <p>AB added that a service provider will be appointed to assist in collecting the information and assist with a development framework which will also include a phased-in proposal. The idea is to get the development framework and proposal to the Council of the municipality at the end of March / April 2021.</p>	AdB / AB
4.2	<p>Homeless people on campus NvdE reported that there are no new developments. There were 2 or 3 homeless individuals that were removed per night from the university campus.</p> <p>The temporary homeless shelter at Van der Stell was closed, as mentioned by CK. The municipality requested some assistance from the Stellenbosch Night Shelter which then accommodated some of the homeless individuals.</p> <p>Homeless people with mental health issues remains a problem. The municipality is experiencing many challenges when dealing with mentally ill homeless people. The process is being handled by the Manager: Community Development, Michelle Aalbers (municipality) who has a protocol in place and constantly engages with SAPS.</p>	NvdE / CK
4.3	<p>SU Woordfees 2021 The SU Woordfees will be taking place from 17 – 23 September 2021 with the possibility of an online limited festival in February 2021.</p>	LBvR
4.4	<p>The post office in the Neelsie WdV requested some feedback on the post office in the Neelsie. A new post office will be opened in December 2020 at the Pick a Pay Building with more</p>	WdV

Item	Discussion	Responsible person
	facilities and counters and will be ideally positioned to service larger groups of people.	
4.5	<p>Support Stellenbosch Campaign WdV complimented the organisers of the Support Stellenbosch Campaign and felt it was an overall good campaign. LBvR added that additional funding was received for the campaign which meant that Support Stellenbosch could launch a second phase.</p>	WdV / LBvR
5.	Standing Matters	
5.1	<p>Overview of Stellenbosch University regarding the Covid-19 pandemic WdV reported that the Graduation in December 2020 will occur in a hybrid format that complies with Covid-19 regulations and will not put the health and safety of graduands or their guests at risk.</p> <p>The Rectorate of the university approved a hybrid graduation model that consists of small face-to-face ceremonies from 14 to 16 December 2020, as well as faculty-specific online ceremonies.</p> <p>Twelve small physical graduation ceremonies (four per day) will be held in the Endler Hall of the Conservatoire on Stellenbosch campus for the conferral of doctorates (including those from the March/April 2020 cycle), honorary doctorates, the Chancellor's Awards and the Chancellor's Medal.</p> <p>Faculty-specific online ceremonies will be held for the remainder of the categories of graduands, who would therefore receive their qualifications virtually.</p> <p>SdP displayed a graph as indication on where we as South Africa stands in relation to international comparison with respect to the second wave. This graph displays serious examples of what can happen. SdP reiterated that we should remain careful and keep safety protocols in place.</p> <p>A summarised academic scenario for 2021 is that most undergraduate students may return to campus in March 2021, with substantial face-to-face lectures within the university's envisaged hybrid learning and teaching model. In practice the university will continue as in terms 3 and 4 of 2020, but with more contact sessions. This will be dependent on the campus lecture facilities functioning at up to 50 percent occupation and additional health and safety measures.</p> <p>The academic year for all undergraduate programmes will commence on 15 March 2021. The start of the welcoming programme for newcomer first year and their parents is on Thursday 4 March 2021.</p> <p>In the university residences, much planning is in progress on how to accommodate students back safely while providing essential food and cleaning services. The necessary safety protocols for Covid-19 will be in place.</p> <p>EC mentioned that the SU Medical Advisory Committee reporting to the university's Institutional Committee for Business Continuity (ICBC) had a meeting Thursday 19 November 2020. Some feedback from the meeting was that infections are going down in almost all the provinces except Eastern Cape and Western Cape. The Eastern Cape is becoming the country's hotspot area.</p> <p>Dr Jantjie Taljaard at the university's Faculty of Medicine and Health Sciences (Tygerberg Campus) indicated that the ICU of Tygerberg Hospital is full of Covid-19 patients as mentioned by EC. There has been an increase in the</p>	WdV / SdP / EC

Item	Discussion	Responsible person
	number of covid-19 cases but not covid-19 deaths. What is uncertain at the moment is that a second wave would be as deadly as the first wave. EC added that the resurgence is a cause of concern and urged all to be vigilant and play our part in preventing the further spread of the virus in the coming season.	
5.2	<p>Overview of Stellenbosch Municipality regarding the Covid-19 pandemic</p> <p>Annalene de Beer (AdB) joined the meeting on behalf of GM, the municipal manager. The municipality is in the same situation as the university reported by AdB. The municipality continues to inform and encourage the public and employees of protocols in place and steps to help communities to flatten the curve. Since there are more social activity during this time of the year, the municipality has experienced more cases. The municipality Council meetings is still taking place online.</p> <p>AB added that due to the health and safety concerns of the Covid-19 pandemic, members of the community were requested to participate in the planning process for the review of the Integrated Development Plan (IDP) for the 2021/22 financial year, online via a link that was made available on the municipal website. The online public participation meetings were scheduled from 26 October 2020 to 4 November 2020 and was very successful.</p> <p>DL noted that the municipality made sure that all areas were sanitised. Five fatalities in the workforce were reported but the necessary steps were taken to isolate and treat these cases.</p>	AdB / AB / DL
5.3	<p>Feedback on Stellenbosch Municipality Mobility Forum (SMMF)</p> <p>DL provided the forum with a full written report on feedback by the Stellenbosch Municipality Mobility Forum (SMMF). The purpose of the written report is to inform the forum about the matters dealt with at the SMMF of 31 August 2020.</p> <p>Some of the matters, extracted from the report, that DL discussed in the meeting is listed as follows:</p> <ul style="list-style-type: none"> • The major investigation project, which is the Public Transport Service Network, which is based on the Integrated Public Transport Network were discussed. • Provincial Government is looking at formalizing the minibus taxi industry. • A parking development programme in is process. The municipality Council has decided that single layer parking will be done internally, and multiple layer parking will be done on an external service provider basis. A few areas have been identified to expand parking. An additional 500 parking spaces will be done. • The municipality had budget cuts, due to the Covid-19 pandemic, which affected some of the current projects. • Sidewalks will be implemented in residential areas and current sidewalks will the upgraded. • Current projects that is in design phase include the upgrading of the access road to Technopark. Schuilplaats Road on R44 is nearly completed. • The upgrading of roads in Franschoek is in progress. • R45 safety upgrades are in process. • Localised intersection improvements in the CBD is underway. • The municipality is currently working with the university on a traffic optimisation programme. The purpose is to coordinate traffic signals with vehicle flow. The municipality is to synchronise the traffic lights on R44 by March 2021. • By-laws that are in process and will be sent out for public participation is the Streets by-law, Parking by-law, Stormwater by-law, Posters and 	DL

Item	Discussion	Responsible person
	<p>Outdoor advertising and Integrated Waste by-law.</p> <p>WdV posed the question on the construction that is currently taking place in the CBD and university campus. DL answered that there is a huge influx of companies that want to install fibre to make sure they reach the residential areas.</p> <p>DT also commented via the chat box on Microsoft Teams with an extract from the university's Rector's Management Report: 'Construction on the Victoria Street non-motorised transport (NMT) project commenced on 3 June 2020. It entails new potable water mains, IT sleeves, manholes and paving. The paving will improve the mobility experience of both students and the general public. A first of its kind on our Stellenbosch campus, the project will provide pedestrian pathways, tactile paving for persons with impaired vision, and bicycle lanes – all in one.'</p>	
5.4	<p>Feedback by Monitoring & Advisory Committee on Crime (MACC) NvdE reported that no meetings took place since the Covid-19 pandemic.</p>	NvdE
5.5	<p>Feedback by Infrastructure Development Subcommittee The subcommittee is currently busy with various projects as noted by DL. Some of the projects are listed below.</p> <ul style="list-style-type: none"> • The development of a public transport system including a feeder system from Somerset West to Klapmuts as well as the parking development programme. • Stellenbosch vision for 2030, looking at the spatial development framework. • The evaporation model for the Idas Valley dam which originated in the drought. The municipality is currently working on solutions to reduce the evaporation from the dam. • Conjunctive water resource modelling – the university is assisting the municipality to assess the water master plan. • Investigating and developing different methods to clean storm water runoff. • Electricity measurements at mini substations to evaluate the loading at various areas. • Creating a standard in grey water quality, for future development. • Water saving measures. • The landfill site is full. Currently waste is being transported to Cape town. The municipality is working on a solution. 	DL
5.6	<p>Water Management DL informed the forum that following the City of Cape Town decision, the municipality has decided to lift all water restrictions in Stellenbosch. From 1 November 2020 the municipality therefore moved from Level 2 water restrictions to Level 0. Residents were still requested to continue to be water wise and use water sparingly.</p> <p>Metro dam level is on 99% and Stellenbosch dam is 100% full.</p>	DL
6.	New matters	
6.1	<p>Local support for Township and Village tourism social enterprise LBvR introduced Nicolette Booyens who is the CEO of Stellenbosch Entrepreneur & Enterprise Development (SEED). Nicolette Booyens shared a presentation on the Stellenbosch Township and Village initiative.</p>	LBvR & Nicolette Booyens

Item	Discussion	Responsible person
	<p>Stellenbosch Township and Village was founded by SEED in 2018 with a strong drive towards sustainable trading and development. Stellenbosch Township and Village is in partnership with Visit Stellenbosch, Amazink/Greater Stellenbosch Development Trust and the Pniel Erfenis en Kultuur Trust.</p> <p>Township & Village have developed and adopted 12 authentic tourism experience products in Kayamandi, Pniel, Kylemore, Johannesdal, Idas Valley and soon in Jamestown, representing 50 service providers.</p> <p>The function of Township and Village is to help and assist emerging service providers / entrepreneurs to enter the formal tourism economy of Stellenbosch. Most of the activities is marketing and sales and to procure direct income of these providers.</p> <p>The products they offer are:</p> <ul style="list-style-type: none"> • Walking Tours & Cycling for example Kayamandi on Foot. An informative guided community tour featuring history and cultural experiences. • Home Dining. One of the examples being Kylemore Home Dining where one can experience the richness of Kylemore village and enjoy a three-course meal at the home of Siena Charles. • Events like the Amazink Dinner Theatre where you can enjoy a three-course meal, live show and group drumming session. <p>All of these products mentioned above are presented by local people.</p> <p>With this background Nicolette Booyens is making a request and reaching out to corporates and the broader Stellenbosch to consider these abovementioned services and to help them to develop.</p>	
6.2	<p>African Human Rights Moot Court Competition introduction</p> <p>LBvR introduced Prof Annika Rudman from the Department of Public Law at the university's Faculty of Law. Prof Rudman shared a presentation on the annual African Human Rights Moot Court competition.</p> <p>The competition is taking place from 26 to 31 July 2021 in Stellenbosch. The competition is about young soon to be lawyers engaging with each other in a continental competition learning about each other, learning about human rights and growing together.</p> <p>The university will welcome about 250 - 300 participants, students, lectures, and judges to Stellenbosch to participate in the competition. This competition has been running for 29 years. The Centre for Human Rights at the University of Pretoria, partners with African Universities every year to host the competition.</p> <p>The participants come from more than 70 African Universities and is an educational competition which compete for the sake of learning. Also, to strengthen the intercontinental – cooperation and providing the students the opportunity to listen to each other's legal arguments, different languages and different styles.</p> <p>The two different aspects of the theme for 2021 is Sexual and gender-based violence and the right to legal recognition of gender identity.</p> <p>Prof Rudman expressed her gratitude toward the generous support from the university's Strategic Fund, Rector's fund and the Law Faculty's Trust Fund for their contributions to the competition. The faculty of Law are in the process of signing a Memorandum of Understanding with the South African Human Rights</p>	LBvR & Prof Annika Rudman

Item	Discussion	Responsible person
	<p>Commission (SAHRC).</p> <p>Prof Rudman extended an invitation to the forum to attend the opening and closing sessions in 2021 with a humble request for any funds and/or other assistance that the municipality would be able to extend to the event.</p>	
6.3	<p>MOU – Engineering projects and advisory</p> <p>This item was discussed after item 6.5 and NvdE added by mentioning that DL is currently in conversation with the Faculty of Engineering as well as the Centre for Renewable and Sustainable Energy Studies at the university. Prof Wikus van Niekerk, Dean of the Faculty of Engineering and NvdE met with Mr Gerhard Lipp from the university’s Legal Services Division to discuss how the university can make sure that the necessary mechanism is in place for this project. The idea is to create an overarching MOU.</p>	NvdE
6.4	<p>Stellenbosch University 2021 calendar – what to expect for 2021 / returning of students</p> <p>This item was discussed under 5.1.</p>	GvD / WdV
6.5	<p>Energy / Electricity project / IPP</p> <p>DL shared a presentation to introduce and brief the forum on the project they are currently busy with: Stable Electricity Purchases and Service provision by municipalities.</p> <p>DL mentioned that the project is the possible generation and procurement of alternate electricity energy from a source other than Eskom. DL had some pre-emptive discussions with the university and the Council for Scientific and Industrial Research (CSIR) in October 2020.</p> <p>The whole process started when the Department of Mineral Resources approved municipalities to buy electricity from Independent Power Producers (IPP). Municipalities in good standing will now be allowed to formulate an energy plan that does not rely solely on Eskom.</p> <p>The proposed scope of the joint investigation with the university and CSIR is, and this is extracted from the presentation:</p> <ul style="list-style-type: none"> • Obtain locally based expertise to assist the municipality to source stable electricity. • Investigate sources of electricity provision already available and used. • Look at the impact of various types of Electricity Generation on Municipal service provision. • Find ways and means that will allow municipalities to obtain stable and sufficient electricity from legal providers of green electricity other than Eskom. • Find ways to generate or purchase alternate electricity but still be viable as a Municipal Distributor of Energy. <p>The current projects that the municipality are investigating / tested as briefly explained by DL are:</p> <ul style="list-style-type: none"> • Methane extraction from landfill site. Possibility of generating 2MW. Concentrate on peak time generation. • Once landfill is extended, look at AD process of wet waste to add to capacity. Possibly a further 1 MW. • Introducing household tariffs such that peak time usage is reduced. • Process of collecting restaurant fats and converting this into eco diesel. • WWF-SA Project: Future Electricity Generation at Local Level. 	DL

Item	Discussion	Responsible person
	<p>Possible larger projects to investigate, explained by DL are:</p> <ul style="list-style-type: none"> • Solar Farms, • Municipal Rooftop Solar – the university is already involved, • Wind Farms, • Importing electricity from Independent Power Producers such as the Gouda Farm in Drakenstein, • Alternate ways of determination of municipal tariffs. <p>DL continued to elaborate on the possible plan of action for the project.</p> <ul style="list-style-type: none"> • The kick-off discussion took place in October 2020. • The idea is to recruit the university and CSIR as partners and start the viability assessment and finish the study by the end of February 2021. • The project should be placed on the Integrated Development Plan (IDP) by March 2021 with a 10-year budget. • Buy in from the National Energy Regulator of South Africa (NERSA) and Department of Mineral Resources and Energy (DMRE) are needed and should be obtained by April 2021. • Set up a draft power purchase agreement with the Independent power producers, creating a business plan by end April 2021. <p>The project is planned to start in June / July 2021.</p>	
7.	Next Meeting	
	<p>The meeting adjourned at 12:40. The meeting dates for 2021 will be communicated.</p>	

10.2	REPORT/S BY THE SPEAKER
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NONE

10.3	REPORT/S BY THE MUNICIPAL MANAGER
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NONE

11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]
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11.1	COMMUNITY DEVELOPMENT AND PROTECTION SERVICES: (PC: CLLR R BADENHORST)
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NONE

11.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
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11.2.1	PAYMENT OF WARD COMMITTEE MEMBERS WHERE WARD COMMITTEES DID NOT CONVENE MEETINGS DURING QUARTER 4 OF 2020
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 January 2021 and 27 January 2021

1. SUBJECT: PAYMENT OF WARD COMMITTEE MEMBERS WHERE WARD COMMITTEES DID NOT CONVENE MEETINGS DURING QUARTER 4 OF 2020

2. PURPOSE

To submit to Council a report to consider if payment should be made to ward committee members where their ward committee did not convene meetings during the period October 2020 to December 2020 due to various challenges.

3. DELEGATED AUTHORITY

Council is the decision-making authority.

4. EXECUTIVE SUMMARY

Subsequent to the declaration of a national disaster on the Covid-19 pandemic on 15 March 2020, Council, at an urgent meeting on 25 March 2020, granted permission to the Executive Mayor to exercise powers of the Council with the exception of powers stipulated in Section 160(2) of the Constitution. The Executive Mayor approved the payment of ward committee members despite the fact that they did not meet during lockdown, as committees could not meet.

With the entire country placed on alert level 2 during August 2020 in the wake of a moderate Covid-19 spread of the virus, council meetings took place again although on a virtual platform. Council was fully operational and the full workforce at work although some ward offices were still closed. Council withdrew the delegations to the Executive Mayor on her request in September 2020.

The ward offices, except those of wards 16 and 17, opened on 01 September 2020 after the national lockdown implemented in March 2020. This paved the way for ward committees to convene meetings, strictly adhering to the Covid-19 regulations, health and safety protocols.

The wards indicated in Table 1 below did not convene any ward committee meetings during the period October to December 2020 for the reasons indicated below as received from the respective ward councillor. Payment could not be made to the ward committee members of said ward committees as Clause 25 of the Policy and Procedures for Ward Committees stipulates that payment for out-of-pocket allowances should be made to a ward committee member for attending a ward committee meeting.

The country has subsequently moved to level 1 and was again placed under revised level 3 lockdown regulations from 28 December 2020. The responsibilities of the Ward Committee members are not limited to attending ward meetings, but include working within their respected communities and to assist the Ward Councillor in executing his/her functions/duties. For these reasons it is proposed that the Ward Committee members be paid despite meetings not taking place.

Table 1: List of ward committees that held no meetings during the period October to December 2020

Ward	Meetings scheduled prior to lockdown	Reason/s for not being able to meet
3	6 Oct ; 3 Nov	Unrest within Lanquedoc led to Councillor being protected 24/7
5	6 Oct ; 3 Nov ; 1 Dec	No network connection: ward office could therefore not function – was waiting for equipment to enable ICT to fix the problem at the ward office. Problem only fixed on 15 December 2020
14	14 Oct ; 11 Nov	No ward office – awaiting action from LED to provide office space as per negotiations done by the Office of the Speaker
22	7 Oct ; 4 Nov ; 3 Dec	No ward office – previous office space utilised (Plein Street Library Hall) not available during lockdown and beyond

Council has adopted a revised Policy and Procedures for Ward Committees on 25 November 2020. In terms of the said Policy ward committee members will be paid an amount of R350.00 for out-of-pocket expenses incurred when attending a ward committee meeting.

Council must consider if they want to consider waiving Clause 25 and approving the payment to ward committee members of those wards that could not meet as a result of the challenges as indicated in Table 1 above. It is also advised that Council resolves on the period between January 2021 and March 2021 as it is unclear what the situation will be as the current level 3 has been extended to manage wave 2 of the virus.

5. RECOMMENDATION

For consideration

6. DISCUSSION / CONTENTS

When the President of South Africa on 15 March 2020 declared the Coronavirus (Covid-19) pandemic a national disaster in terms of Section 23(1) of the Disaster Management Act, 2002, it was to prevent an uncontrolled surge of infections and to prepare the health system adequately. During August 2020 indications were that South Africa has reached the peak and subsequently moved beyond the inflexion point of the curve.

On 17 August 2020 the entire country was placed on alert level 2 as a result of a moderate Covid-19 spread of the virus. Economic activity was permitted with the required and appropriate stringent health protocols and safety precautions in place. The country has subsequently moved to level 1 and was again placed under revised level 3 lock down regulations from 28 December 2020.

Ward offices, with the exception of wards 16 and 17, opened on 01 September 2020 after the lockdown levels were relaxed. Wards 3, 5, 14 and 22 did not convene meetings for the period October to December due to various challenges as outlined in Table 1. It is therefore recommended to Council to consider allowing payment to be made to the ward committee members of the wards that did not hold meetings. In terms of the Policy and Procedures for ward committees, payment should be made to ward committee members for out-of-pocket expenses when attending a ward committee/public meeting.

Clause 25 of the Policy *inter alia* stipulates:

“(1) Members of ward committees will be reimbursed for out-of-pocket expenses as contemplated in clause 25(2)(a)(i) below.

(2) The Municipality will annually budget for the reimbursement of:

(a) out-of-pocket expenses for members of ward committees in respect of their participation in ward committees subject to the following criteria as approved by the Council on 20 June 2012 and revised by the Council on 28 October 2015:

(i) that 14 ward committee meetings which will comprise one ward committee meeting every month and one open public meeting every semester (every six months) be identified and approved by the ward committee as paid meetings and that each serving member present at these meetings be paid an out-of-pocket allowance of R350.00 per meeting (R350 x 14 = R4 900.00). Payment of out-of-pocket allowances will be made quarterly.

... (iii) that reimbursements only be paid on verification of the attendance register of meetings attended and that reimbursements only be electronically transferred to the bank account of the relevant ward committee members ...”

The above-mentioned stipulations necessitate that Council considers waiving these stipulations to enable the Administration to effect payment to ward committee members of those wards that did not convene meetings.

6.1 Background

Council approved a revised Policy and Procedures for Ward Committees at a Council meeting on 25 November 2020. This policy makes provision for Ward Committee members to be reimbursed for out-of-pocket expenses for attending ward committee meetings. Item 25(2) stipulates that payment be made on verification of attendance registers of meetings held.

The country has been in lockdown since 27 March 2020. Towards the end of August 2020 the lockdown was eased to level 2 in terms whereof, amongst others, meetings could be held with the necessary Covid-19 protocol i.e. screening, sanitising and social distancing being adhered to.

Most of the ward committees except wards 3, 5, 14 and 22 convened meetings after the reopening of ward offices on 01 September 2020. The wards which did not meet during the period October to December 2020 encountered various problems that prevented them from convening meetings as set out in Table 1. The country has subsequently moved to level 1 and was again placed under revised level 3 lock down regulations from 28 December 2020. It is also advised that Council resolves on the period between January 2021 and March 2021 as it is unclear what the situation will be as the current level 3 has been extended to manage wave 2 of the virus.

6.2 Financial Implications

Budgetary provision has been made in the 2020/2021 Budget for the payment of ward committee members.

6.3 Legal Implications

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

6.4 Staff Implications

This report has no additional staff implications to the Municipality.

6.5 Risk Implications

Risk implications for the Municipality are addressed in the item.

6.6 Comments from Senior Management:

Not requested

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 7.2.1

- (a) that the report is noted;
- (b) that Council waives clause 25 of the Policy and Procedures for Ward Committees for the last quarter of 2020; and
- (c) that, where meetings could not take place as indicated in the item, the ward committee members be paid for the last quarter of 2020, given the fact that the ward committee members also fulfilled other duties in the wards as ward committee members.

ATTACHMENTS:

APPENDIX 1 – Delegations conferred on the Executive Mayor.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Nicky Ceasar</i>
POSITION	<i>Executive Support Officer</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021 808 8618</i>
E-MAIL ADDRESS	nicky.ceasar@stellenbosch.gov.za
REPORT DATE	<i>21 January 2021</i>

APPENDIX 1



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APPENDIX 1

CONFERRAL OF COUNCIL POWERS ON THE EXECUTIVE MAYOR

9.1	DELEGATION TO THE EXECUTIVE MAYOR AND EMERGENCY ASSISTANCE TO CITIZENS IN LIGHT OF COVID-19
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Collaborator No:

IDP KPA Ref No:

Good governance and compliance

Meeting Date:

25 March 2020

1. DELEGATION TO THE EXECUTIVE MAYOR AND EMERGENCY ASSISTANCE TO CITIZENS IN LIGHT OF COVID-19

2. PURPOSE OF REPORT

- (a) To obtain approval from Council to confer all Council powers and functions upon the Executive Mayor with the exception of the non-delegated powers as per section 160 (2) of the Constitution; and
- (b) To approve the emergency assistance to citizens in light of the COVID-19 pandemic.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The President of South Africa on 15 March 2020 declared the Coronavirus (COVID-19) pandemic a national disaster in terms of Section 23(1) (b) of the Disaster Management Act 2002. In his address, President Cyril Ramaphosa, in order to enable the development of an integrated and coordinated disaster management mechanism to focus on the prevention and reduction of the COVID-19 outbreak, has put specific measures in place.

Several regulations in this regard have been Gazetted during the past week that need urgent decision-making. It is not practical to call a Council meeting every time a decision must be made in the case of an emergency. Council therefore grants permission to the Executive Mayor to exercise power of the council during the national disaster with the exception of powers in section 160(2) of the Constitution.

Moreover, it is anticipated that the COVID-19 will have adverse effects on the economy and especially on the most vulnerable and the poorest of the poor. It is for this reason that as a responsible and caring government emergency assistance is proposed to alleviate the impact on our communities.

URGENT COUNCIL MEETING: 2020-03-25: ITEM 9.1

With reference to recommendation (e), Councillor DA Hendrickse requested that it be minuted that he objects to the Executive Mayor using delegated powers during this period to approve matters not specifically relating to COVID-19.

RESOLVED (majority vote)

- (a) that a payment reprieve be granted to citizens on application and when the criteria as set out in 6.2 are met;

- (b) that, should this agreement as referred to in 6.2 not be honoured, the full outstanding debt will become payable immediately;
- (c) that the free basic water allocation to registered indigents be increased from 6 kilo litres to 10 kilo litres from 1 April 2020 until 30 June 2020;
- (d) that credit control measures and procedures be suspended until the end of April 2020 or to such time that lockdown might be extended;
- (e) that permission be granted to confer all Council powers and functions upon the Executive Mayor with the exception of the non-delegated powers as per section 160 (2) of the Constitution until the disaster is lifted by the President; and
- (f) that the Municipal Manager be mandated to investigate and approve any further debt relief as needed.

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

Cllrs Bangani-Menziwe (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); N Mananga-Gugushe (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@stellenbosch.gov.za
REPORT DATE	25 March 2020

11.2.2	PROPOSED AMENDED LEASE AGREEMENT: KARLIEN AND KANDAS CRECHE: ERVEN 12758 AND 12759, STELLENBOSCH
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

20 January 2021 and 27 January 2021

1. SUBJECT: PROPOSED AMENDED LEASE AGREEMENT: KARLIEN AND KANDAS CRECHE: ERVEN 12758 AND 12759, STELLENBOSCH

2. PURPOSE

To obtain Council's approval to amend the Lease Agreement between Stellenbosch Municipality and Karlien and Kandas crèche in regard to erven 12758 and 12759, Stellenbosch.

3. DELEGATED AUTHORITY

The Executive Mayor in consultation with the Executive Mayoral committee has delegated powers to made a decision in regard to lease agreements for less than 10 years and values that will be less than R5 million.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality took over a Lease Agreement between Karlien en Kandas Crèche and the Dutch Reform church when the properties (erven 12758 and 12759) were transferred to Stellenbosch Municipality in 2001. This agreement was for an undetermined period, and had an early termination clause (6 months).

This Agreement was replaced with a new Lease Agreement in 2004, also for an undetermined period (**APPENDIX 3**). Changes to the existing lease can only be implemented with the agreement of the lessee as rights are in existence in terms of the current agreement's term. The Lessee has indicated that they will accept the change in the lease period. The nature of the business of the crèche requires that they get at least 12 months' notice to ensure that the children are accommodated should they need to move out of the current facility

The item served before Mayco in November 2019, but was referred back due to the link the property has with erf 13246..The item on erf 13246 was resubmitted for consideration early in 2020, but the item on erf 13246 was referred back and therefore this item was also not dealt with. Both items are resubmitted for consideration.

The item served before Council in November 2020.No resolution was taken as it stood down for further deliberation. It is resubmitted for consideration.

5. RECOMMENDATIONS

- (a) that it be confirmed that erven 12758 and 12759 were identified as land not needed for municipal purpose for the period for which the rights are awarded;
- (b) that Council notes that a current lease agreement with the Lessee exists;
- (c) that Council considers to amend the period of the lease from an undetermined time to 9 years and 11 months based on the following conditions:
 - i) Monthly rental: 50% of market value, to be determined by an independent valuer, as contemplated in par 22.1.4 of the Property Management Policy;
 - ii) Annual escalation: 6%;
 - iii) An early termination clause of 12 months written notice (given the nature of the purpose for which the lessee uses the property), should the property be required for municipal purposes;

-
- (d) that public comments/objections be requested and that the item be resubmitted in terms of the delegation after the public participation process; and
 - (e) that the lessee be responsible for the costs of the rezoning of the property. Should the rezoning not be approved, the lease agreement will have to be terminated.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Acquisition of properties

Erven 12758 and 12759 were acquired by Stellenbosch Municipality by virtue of an Exchange of Land Agreement concluded between Stellenbosch Municipality and the Dutch Reform Church in May 1993.

6.1.2 Ownership

The properties were transferred to Stellenbosch Municipality on 2001.01.23 and now vests with the Municipality by virtue of Title Deed T4375/2001. Copies of the Deeds Records are attached as **APPENDIX 1**.

6.1.3 Lease Agreement

At the time of acquiring the properties from the Dutch Reform Church: Welgelegen a Lease Agreement was in place between then and Karlien and Kandas (Mrs. Vlok). The agreement was for an undetermined period, but with a 6 months early termination clause. A copy of the Lease Agreement is attached as **APPENDIX 2**.

In terms of the legal principle "*huur gaan voor koop*", this lease agreement was taken over by Stellenbosch Municipality. The rental at the time was R100/month.

6.1.4 New Lease Agreement

On 2004.08.08 a new Lease Agreement was concluded in to make the monthly rental more market related. Correspondence and a copy of the Lease Agreement is attached as **APPENDIX 3**. In terms of the new Lease Agreement a monthly rental of R340-00 was payable, with an annual escalation of 10%. The term of the agreement was for an undetermined period.

6.1.5 Request for further amendment of Lease Agreement

On 2019.07.11 the Director: Corporate Services addressed a memo to the Manager: Property Management requesting some information in regard to the Lease Agreement. A copy of the memo is attached as **APPENDIX 4**.

6.2. DISCUSSION

6.2.1 Location and context

Erven 12758 and 12759 are situated in Rhode Street, as shown on Fig 1 and 2, below.



Fig 1: Location and context: Erven 12758/9



Fig 2: Extent of property

6.2.2 Ownership

As indicated above, ownership of the properties vests with Stellenbosch Municipality.

6.2.3 Zoning

Although it was a condition of the Exchange of Land Agreement that the properties were to be rezoned, and although the Municipality started the process of rezoning (see notices published on 1996.05.10 hereto attached as **APPENDIX 5**), the properties were never formally rezoned from single residential to educational/institutional purposes to allow for

a crèche to be operated. The properties are still zoned for single residential use. See copy of zoning certificate issued on 2009-09-01, hereto attached as **APPENDIX 6**.

6.2.4 Current rental payable

The current monthly rental amounts to R1796.61. Over and above the monthly rental, the crèche is also liable for annual levies in relation to sewer and refuse removals as well as services consumed.

6.3 Financial Implications

Should Council approve the recommendations, a new monthly rental (at 50% of market rental) will be determined.

6.4 Legal Implications

6.4.1 Asset Transfer Regulation

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

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

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

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

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

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

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

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

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

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

6.4.2 Policy on the Management of Council owned property

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

One of the circumstances listed in (l) is lease contracts with existing tenants of immovable properties, not exceeding ten (10) years. Seeing that the crèche offers a service to the community, albeit at a fee, it is recommended that Council approve a Lease Agreement on a private treaty basis, i.e. direct negotiations. It is further recommended that the rental be determined at 50% of market rental.

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

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

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions

The approval of the rental agreement did not serve before Council.

6.7 Risk Implications

Risks are addressed in the item.

6.8 Comments from Senior Management

6.8.1 Municipal Manager:

The recommendations are supported.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 7.2.3

- (a) that it be confirmed that erven 12758 and 12759 were identified as land not needed for municipal purpose for the period for which the rights are awarded;
- (b) that Council notes that a current lease agreement with the Lessee exists;
- (c) that Council approves, in principle, the amendment to the period of lease from an undetermined period to a period of 9 years and 11 months;
- (d) that public comments/objections be requested on the amendment of the lease, and that the item be resubmitted after the public participation process; and
- (e) that the determination of the monthly rental and the decision on the costs for rezoning of the property stand over until after the public participation process has been completed.

ANNEXURES:

- Appendix 1: Windeed Records
- Appendix 2: Lease Agreement
- Appendix 3: New Lease Agreement
- Appendix 4: Memo from DCS
- Appendix 5: Notices that were published
- Appendix 6: Zoning Certificate

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	<i>Manager: Property Management</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@stellenbosch.gov.za
REPORT DATE	30 October 2020

APPENDIX 1

WinDeed Database Deeds Office Property

STELLENBOSCH, 12759, 0 (CAPE TOWN)

**GENERAL INFORMATION**

Date Requested 2019/09/16 12:40
Deeds Office CAPE TOWN
Information Source WINDEED DATABASE
Reference -

PROPERTY INFORMATION

Property Type ERF
Erf Number 12759
Portion Number 0
Township STELLENBOSCH
Local Authority STELLENBOSCH MUN
Registration Division NOT AVAILABLE
Province WESTERN CAPE
Diagram Deed T4375/2001
Extent 720.0000SQM
Previous Description PTN OF 5339-GP709/94
LPI Code C06700220001275900000

OWNER INFORMATION**Owner 1 of 1**

Type LOCAL AUTHORITY
Name MUN STELLENBOSCH
ID / Reg. Number -
Title Deed T4375/2001
Registration Date 2001/01/23
Purchase Price (R) EXCHANGE *
Purchase Date -
Share 0.00
Microfilm 2001 0105 2173
Multiple Properties YES
Multiple Owners NO

ENDORSEMENTS

No documents to display

HISTORIC DOCUMENTS (1)

#	Document	Owner	Amount (R)	Microfilm
1	T20474/1985	NED GER KERK-WELGELEGEN	210,000	2001 0105 2166

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APPENDIX 2

REPUBLIEK SUID-AFRIKA
INKOMSTE
2.8.90 NR 803 000,4
REVENUE
CLUSTER MARKOTTERITH AFRICA
Posbus 12
STELLENBOSCH

HUURKONTRAK

OOREENKOMS VAN HUUR AANGEGAAN DEUR EN TUSSEN:

THEUNIS JACOBUS BOTHA

in sy hoedanigheid as Leraar en Gevolmagtigde van die Kerkraad van die
NEDERDUITSE GEREFORMEERDE KERK STELLENBOSCH-WELGELEGEN
Gemeente

behoorlik daartoe gemagtig deur 'n Besluit van die Kerkraad geneem op 'n
vergadering gehou te STELLENBOSCH op die 4de Februarie 1986
~~1990~~

MW. J. G. ...

van: Posbus 7036
Dalsig
STELLENBOSCH
Telefoon 5975

(hierna die VERHUURDER genoem)

en

MARICHEN CORENE VLOK
(Identiteitsnommer 530305 0045 00 7)

Getroud buite gemeenskap van goedere

van: Coronatastraat 31
Paradyskloof
STELLENBOSCH
7600

Telefoon 900077

(hierna die HUURDER genoem)

MW. ...

Now draw 12 758 2-9

-2-

1. Die VERHUURDER verhuur hiermee en die HUURDER huur hiermee:

Sodanige gedeelte van Erf 5339 STELLENBOSCH geleë op die hoek van Van Rheedestraat en Rhodeslaan, Die Boord, Stellenbosch,

soos deur die VERHUURDER aan HUURDER uitgewys.

2. Die aanvanklike huurtermyn sal in aanvang neem op 23 Maart 1990 en sal eindig op 22 Maart 1991. Na verstryking van die aanvanklike huurtermyn sal die huurkontrak voortduur vir 'n onbepaalde tydperk onderworpe aan 6 (SES) maande wedersydse skriftelike opsegging van huur.
3. Die huurgeld vir die periode 23 Maart 1990 tot en met 22 Maart 1991 sal R100.00 (EEN HONDERD RAND) per maand wees, welke huurgeld maandeliks vooruit voor of op die eerste dag van iedere en elke maand aan die VERHUURDER betaal sal word by die Kerkkantoor te Welgelegen Kerkentrum, Binnekringweg, Stellenbosch of te sodanige ander plek as wat die VERHUURDER die HUURDER van tyd tot tyd skriftelik in kennis mag stel. Die huurgeld vir enige verdere gedeelte van die verdere huurtermyn na verstryking van die aanvanklike huurtermyn sal van tyd tot tyd tussen die VERHUURDER en die HUURDER ooreengekom word.
4. Die uitsluitlike en enigste gebruik waarvoor die verhuurde perseel aangewend mag word, is vir die oprigting en bedryf van 'n Kleuterbewaarskool deur die HUURDER op sy kostes en wel onderworpe aan die volgende voorwaardes:-
 - 4.1 Die afwykende gebruik van Erf 5339 vir doeleindes van 'n Kleuterbewaarskool sal gedig wees so lank dit die Raad van die Munisipaliteit van Stellenbosch behaag;
 - 4.2 Die vereistes soos gestel deur die Hoof Gesondheidsbeampte van die Raad van die Munisipaliteit van Stellenbosch moet deur die HUURDER nagekom word;

MAW

-3-

- 4.3 Die VERHUURDER sal aanspreeklik wees vir betaling van die belasting en dienstariewe soos geheg deur die Plaaslike Owerheid ten opsigte van die grond alleen van daardie gedeelte van Erf 5339 wat nie deur die HUURDER in beslag geneem word ingevolge die bepalings van hierdie huurkontrak nie, terwyl die HUURDER aanspreeklik sal wees vir betaling van daardie gedeelte van die belastings en diensgelde soos gehef deur die Plaaslike Owerheid op die gebou opgerig op Erf 5339 asook enige verhoogde diensgelde weens ingebruikneming van toilet fasiliteite asook ten opsigte van 'n pro rata gedeelte van die belastings gehef deur die Plaaslike Owerheid ten opsigte van die grond soos geokkupeer deur die HUURDER ingevolge die bepalings van hierdie huurkontrak. 'n Sertifikaat uitgereik deur die VERHUURDER sal afdoende bewys wees van die gedeelte van die belastings verskuldig deur die HUURDER en sal op aanvraag deur die HUURDER aan die VERHUURDER betaal word;
- 4.4 Slegs een ingang tot die Kleuterbewaarskool en wel vanaf Rhodestraat sal toegelaat word;
- 4.5 Die gebou moet te alle tye op die Suidwestelike gedeelte van Erf 5339 geplaas wees;
- 4.6 Die gebou moet te alle tye van 'n geverfde Everite dakbedekking (Core-of-Spantyle) wees.
5. Die VERHUURDER sal geregtig wees op die gratis gebruik van die gebou opgerig op die verhuurde perseel gedurende Sondae vir Kerklike fasiliteite.
6. Die HUURDER vrywaar hiermee die VERHUURDER teen enige eise vir skade of beserings wat enige iemand mag opdoen as gevolg van ongelukke op die verhuurde perseel.
7. Geen openbare veiling sal op die eiendom gehou word nie.
8. Geen honde, katte, voëls of ander troeteldiere van enige aard mag op die perseel of enige gedeelte daarvan aangehou word sonder die toestemming van die VERHUURDER nie.



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-4-

9. Die HURDER sal verplig wees om by verstryking van die huurkontrak die gemelde voorafvervaardigde gebou op eie koste te verwyder en die verhuurde perseel terug te plaas in die toestand waarin dit was ten tyde van die aanvang van die huurkontrak.
10. Die HURDER verleen hiermee aan die VERHUURDER die reg om alle verbeterings op die verhuurder perseel soos aangebring deur die HURDER oor te neem by verstryking van die huurtermyn teen 'n vergoeding ooreengekom te word tussen die HURDER en die VERHUURDER onderling.
11. Die HURDER onderneem hiermee om daardie gedeelte van Erf 5339 wat beslaan word deur die gemelde voorafvervaardigde gebou, asook daardie gedeelte wat die gebou omring soos uitgewys deur die VERHUURDER aan die HURDER, behoorlik te omhein en te alle tye in 'n goeie toestand van onderhoud en netheid te hou.
12. Geen persone of persone sal sonder die skriftelike toestemming van die VERHUURDER toegelaat word om op die verhuurde perseel te oornag nie.
13. Die HURDER onderneem om op aanvraag aan die Prokeurs CLUVER & MARKOTTER te betaal die seëlbelasting asook die koste van en in verband met die opstel, konsultasies, telefoonoproepe en verlyding van hierdie kontrak.
14. Indien die HURDER nalaat om die huurgeld of enige gedeelte daarvan stiptelik op die betaaldatum te betaal of by die verbreking van enige voorwaarde van hierdie huurkontrak, sal die VERHUURDER geregtig wees om hierdie ooreenkoms dadelik te kanselleer en besit te neem van die eiendom sonder om afbreuk te doen aan die VERHUURDER se reg om 'n eis in te stel teen die HURDER vir agterstallige huurgeld of vir vergoeding van enige skade deur die VERHUURDER gely weens die beëindiging van die huurkontrak.



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-5-

ALDUS gedoen en geteken te STELLENBOSCH op hierdie _____ dag
van _____ 1990 in die teenwoordigheid van die ondergetekende getuies.

AS GETUIES:-

1. 

J Botha
VERHUURDER

2. _____

ALDUS gedoen en geteken te STELLENBOSCH op hierdie _____ dag
van _____ 1990 in die teenwoordigheid van die ondergetekende getuies.

1. 

Mason
HUURDER

2. _____

APPENDIX 3

oppv = 1487 m²
grondw = R390 000
= R262 / m²
2003.06.09

7/1/2/17 (ASS)

2003-06-09



MEMO AAN

DIREKTEUR: BEPLANNING EN EKONOMIESE ONTWIKKELINGSDIENSTE

VERHURING VAN RAADSEIENDOM AAN KARLIEN EN KANDAS

Die Raad verhuur Erwe 12758 en 12759 aan Karlien en Kandas Pre-primêre Skool vir 'n onbepaalde tyd vir R100,00 per maand.

Hierdie aangeleentheid spruit voort uit die onderverdeling en verkoop van erwe in die Boord. Die eiendom was eers in besit van die NG Kerk Stellenbosch Welgelegen maar is geruil vir ander grond in Paradyskloof.

Terwyl die kerk die grond besit het, is Karlien en Kandas daar gevestig en met die ruiltransaksie het die betrokke 2 erwe die Raad se eiendom geraak.

Ondersoek is gedoen na die verskuiwing van Karlien en Kandas maar tot op hede het dit nog nie 'n werklikheid geword nie.

Ek is van mening dat die verhuring van die erwe vir R100,00 per maand glad nie realisties is nie.

Het jy enige voorstelle in hierdie geval ?

Dankie.

n DIREKTEUR: KORPORATIEWE DIENSTE

767 m²
R170 000 - grond
265 000 - besit.

TIK4: 9FVERHURING/JJK/JS

12759.

R220 000 - per. 14/17
grond = R390 000
265 000
655 000

(720 m²)
767
1487

Evakke. L 18/6

Kommunikasie R15.00



MEMO

2003.07.09

'N GELEENTHEID • AN OPPORTUNITY • 'N THUBA

12758

Datum / Date: 2003/07/09

AAN / TO: N. Kruger
 Departement / Department: Konsultante Dienste
 VAN / FROM: P. vd Meerwe
 Departement / Department: R+ LCD
 ONDERWERP / SUBJECT: Erwe 1278 + 12754: Kuberi + Kando - Huis

Kuberi
 Ek stem saam dat die bedrag van R100 p/m nie realisties is nie. Ek stel die vly. voor:

Mensipale waarde : Erf 12758 -- R170000
 12759 -- R220000
 R390000

Totale erfoppervlakte 1487 m²

⇒ Waarde / m² = R262 per m²

Rijwaaier is vir jou 2000 geplaas. Ek dink dat 10% p.j. bygesit moet word. Ek oop dus reken dat 'n bedrag van R340 per maand gesa kan word.

Ek vertrou u vind by 'n orde.

Kruik

Ber
 AM

MEMORANDUM VAN OOREENKOMS

AANGEGAAN DEUR EN TUSSEN
STELLENBOSCH MUNISIPALITEIT

hierin verteenwoordig deur die DIREKTEUR: KORPORATIEWE DIENSTE

(hierna die "EIENAAR" genoem)

EN

KARLIEN EN KANDAS

(in haar hoedanigheid as EIENAAR genoem)

hierin verteenwoordig deur MEV M VLOK

(hierna die "OKKUPEERDER" genoem)

NADEMAAL die EIENAAR die erwe waarop die KARLIEN EN KANDAS SPEELSKOOL geleë is besit, soos duidelik aangetoon op die aangehegte sketsplan, naamlik Erwe 12758 en 12759.

EN .

NADEMAAL die OKKUPEERDER begerig is om die eiendom, soos aangetoon op dieselfde aangehegte sketsplan, te gebruik, kom die EIENAAR en die OKKUPEERDER soos volg ooreen:

1. Die EIENAAR verskaf en die OKKUPEERDER benut hiermee die eiendom, geleë in Rhodesstraat in die Afdeling en Munisipaliteit Stellenbosch, soos gemerk op die kaart hierby aangeheg as AANHANGSEL 1.

(hierna genoem die "VERHUURDE EIENDOM")

1.

J. M. Burger
P. Vlok

- 2.1 Die gebruik van die VERHUURDE EIENDOM tree op 2004-04-01 in werking en loop vir solank dit die EIENAAR behaag.
3. Die OKKUPEERDER onderneem om die VERHUURDE EIENDOM slegs te gebruik vir die doel van speelskool.
- 4.1 Die OKKUPEERDER betaal 'n huurgeld van R340,00 (DRIEHONDERD EN VEERTIG RAND) per maand aan die EIENAAR, welke bedrag jaarliks op 1 Julie met 10% opwaarts aangepas sal word.
- 4.2 Die OKKUPEERDER sal verantwoordelik wees vir heffings ten opsigte van water- en elektrisiteitsverbruik asook die normale heffings ten opsigte van vuilnisverwydering en riolering.
5. Die OKKUPEERDER onderneem om alle strukturele veranderinge aan die binnekant van die gebou wat hy benut en vir sy eie doeleindes nodig ag, op sy eie koste aan te bring, met dien verstande dat alle planne en spesifikasie daarvoor eers deur die EIENAAR goedgekeur moet word.
6. Die EIENAAR is by die beëindiging van hierdie kontrak nie gebonde om enige vergoeding aan die OKKUPEERDER te betaal vir enige verbeterings wat, hetsy met of sonder die EIENAAR se goedkeuring, deur die OKKUPEERDER aan die VERHUURDE EIENDOM aangebring is nie. Alle verbeteringe wat as vaste toebehore aangebring is sal deur die OKKUPEERDER op eie koste verwyder word.
7. Die EIENAAR het deur sy behoorlik gemagtigde verteenwoordigers die reg van toegang tot die VERHUURDE EIENDOM te alle redelike tye met die doel om inspeksies uit te voer.

[Handwritten signature]
[Handwritten signature]
M Burger
Dwyk

8. Die OKKUPPEERDER is verantwoordelik vir alle instandhoudingswerk aan die gebou wat hy gebruik en onderneem om die gebou en VERHUURDE EIENDOM in 'n netjiese en sindelike toestand te hou.
9. Die EIENAAR aanvaar geen verantwoordelikheid vir skade aan enige ameublement, toerusting of ander goedere wat die OKKUPPEERDER in die gebou bring of huisves nie.
10. Die OKKUPPEERDER vrywaar die EIENAAR teen enige eise van 'n derde party ten opsigte van skade gely, hetsy aan persoon of goedere, wat mag ontstaan as gevolg van hierdie gebruik.
11. Die OKKUPPEERDER onderneem om alle wette en verordeninge wat sy onderneming raak, na te kom.
12. Die OKKUPPEERDER sal verantwoordelik wees vir die nakoming van alle vereistes en voorskrifte in terme van die Wet op Masjinerie en Beroepsveiligheid, 1983, soos gewysig.
13. Indien die OKKUPPEERDER versuim om enige voorwaarde van hierdie ooreenkoms na te kom of indien dit sou blyk dat die onderneming aanstootlik vir die omgewing is of 'n ernstige oorlas skep, het die EIENAAR die reg om hierdie ooreenkoms met kennisgewing van 6 (SES) maande of tot die einde van die betrokke jaar te kanselleer welke ookal die vroegste mag wees.
14. Die OKKUPPEERDER mag nie die VERHUURDE EIENDOM of enige gedeelte daarvan onderverhuur sonder die EIENAAR se toestemming nie.

[Handwritten signature]
[Handwritten signature]
[Handwritten signature]

GETEKEN TE STELLENBOSCH OP HIERDIE 8 DAG VAN Augustus 2004 IN
DIE AANWESIGHEID VAN DIE ONDERGETEKENDE GETUIES:

AS GETUIES

1. [Handwritten Signature]

[Handwritten Signature]

DIREKTEUR: KORPORATIEWE DIENSTE

2. _____

GETEKEN TE STELLENBOSCH OP HIERDIE 8 DAG VAN Augustus 2004 IN
DIE AANWESIGHEID VAN DIE ONDERGETEKENDE GETUIES:

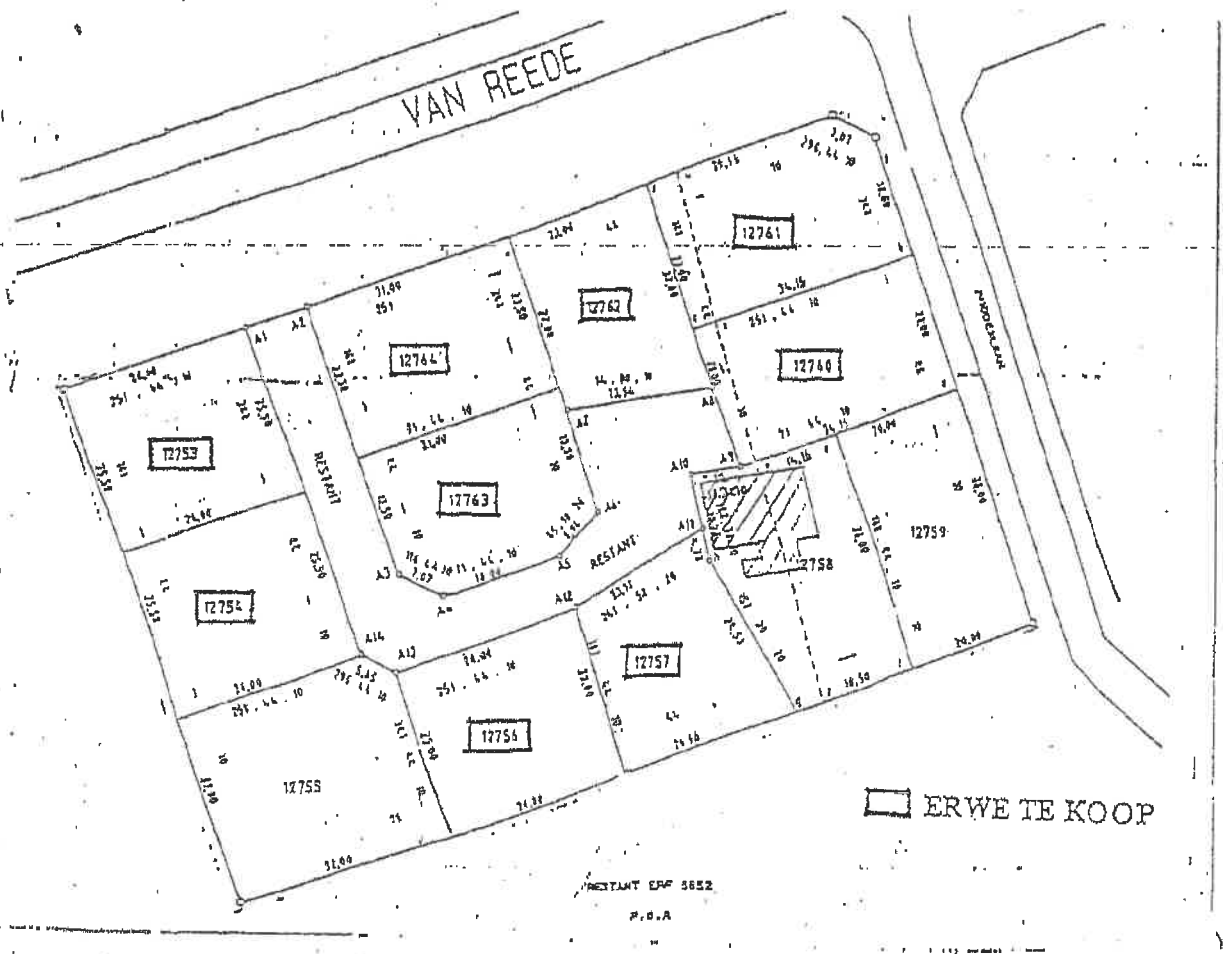
AS GETUIES

1. [Handwritten Signature]

[Handwritten Signature]

OKKUPEERDER






2. [Handwritten Signature]



ERWE TE KOOP

RESTANT EFF 5652
P.O.A.

B

 Mrs. M

APPENDIX 4



Stellenbosch Municipality

CORPORATE SERVICES DIRECTORATE

MEMORANDUM

TO : MANAGER: PROPERTIES AND BUILDIN MAINTENANCE
FROM : DIRECTOR CORPORATE SERVICES
DATE : 11 JULY 2019
RE : KARLIEN EN KANDAS SPEELSKOOL
COPIES TO : MUNICIPAL MANAGER
: RECORDS

Attached hereto is a copy of the lease agreement entered into with the crèche. In 2004.

I am informed that this agreement is linked to the buy-back of land in Paradyskloof from the NG Church in the Boord as my understanding is that the crèche is operated from the erven that we received as part of the land swap? Please advise if there is a link as this would then have to be addressed in the item to Mayco – planned for August 2019.

I do not see and end date in the agreement. In that case this agreement should have been notarial registered and I am not even sure if it was legal to make it open ended in terms of the provisions of the Asset Transfer Regulations. I am also informed that the erf is not zoned for the activity of a crèche which need to be corrected – please advise what the zoning is and if there is a need for rezoning should they want to continue with the lease and the use there. The provisions of the amount of the lease is also not in line with the current provisions as a % of the market related rent/value and in case of long term arrangements providing for a new valuation process.

Are they up to date with their rent and has the rent now escalated as it should have?

I am of the opinion that the agreement will have to be reviewed and brought in line with other agreements (not longer than 9 years 11 months) etcetera and approved by council.

Please advise on all the questions?

ANNALENE DE BEER
DIRECTOR: CORPORATE SERVICES

APPENDIX 5

Embodiment 10/5/96.

14.

14/3/2/1
→ REF 12758
12759

**MUNISIPALITEIT
STELLENBOSCH
WYSIGING VAN
SONERINGSKEMA
HERSONERING
VAN ERWE 12758
EN 12759, GELEË
TE LAETITIA 9 EN
RHODESLAAN
NOORD 5, DIE
BOORD**

Kennis geskied hiermee ingevolge artikel 17(2)(a) van Ordonnansie 15 van 1985 dat die Stadsraad van voorneme is om erwe 12758 en 12759 vanaf enkelbewoning na onderwysinrigtingdoelindes (beperk tot 'n kinderbewaarskool te hersoneer.

Verdere besonderhede is gedurende kantoorure by die kantoor van die Hoofstadsbeplanner, Departement Beplanning en Ontwikkeling, Stadshuis, Pleinstraat, Stellenbosch beskikbaar en enige kommentaar kan skriftelik, maar nie later nie as 1996-05-31 by die ondergetekende ingedien word.
Uitgerende Hoof/
Stadsklerk
Kennisgewing nr 44
gedateer 1996-05-10.

**STELLENBOSCH MUNICIPALITY
AMENDMENT TO ZONING SCHEME
REZONING OF ERVEN 12758 AND
12759, SITUATE AT 9 LAETITIA AND
5 RHODES AVENUE NORTH, DIE
BOORD**

Notice is hereby given in terms of section 17(2)(a) of Ordinance no 15 of 1985 that the Town Council received an application for the rezoning of erven 12758 en 12759 from single residential to educational institution purposes (limited to a crèche). Further particulars are available at the office of the Chief Town Planner, Department of Planning and Development, Town Hall, Plein Street, Stellenbosch during office hours and any comments may be lodged in writing with the undersigned, but not later than 1996-05-31.

Chief Executive/Town Clerk
Notice no 44 dated 1996-05-10.

APPENDIX 6



1 September 2009

Our Ref : 12758
Contact per : C Alexander
Contact no : (021) 808 8656

ZONING CERTIFICATE – ERF 12758, STELLENBOSCH

It is hereby certified that the zoning of Erf 12758, Stellenbosch in terms of the Zoning Scheme Regulations of Stellenbosch is:

Single Residential

NORMAL DEVELOPMENT	SPECIAL DEVELOPMENT
(2)	(3)
Dwelling house Hothouse	Additional dwelling unit Day-care centre limited to 15 children Guest house Breeding of dogs Use of a minor portion of a dwelling house for social, religious or occupational purposes or for a home-enterprise. Accommodation of additional persons

Department: Planning & Development Services
ZD/ca

11.2.3	APPLICATION FOR A LONG-TERM LEASE AGREEMENT BETWEEN STELLENBOSCH MUNICIPALITY AND THE STELLENBOSCH FLYING CLUB: PORTION L OF FARM 502, STELLENBOSCH
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

20 January 2021 and 27 January 2021

1. SUBJECT: APPLICATION FOR A LONG-TERM LEASE AGREEMENT BETWEEN STELLENBOSCH MUNICIPALITY AND THE STELLENBOSCH FLYING CLUB: PORTION L OF FARM 502, STELLENBOSCH

2. PURPOSE

The purpose of this report is to:-

- a) Provide feedback on the public participation process envisaged in paragraph 9.2.2.1 of the Policy on the Management of Council-owned property, and
- b) Make a final determination on the request for a long term lease agreement.

3. DELEGATED AUTHORITY

The Executive Mayor in consultation with the Executive Mayoral Committee has delegated powers to decide on lease agreements less than 10 years. Council however has to deal with properties worth more than R5 million even if the proposed agreement is less than 10 years.

4. EXECUTIVE SUMMARY

After following the public participation process prescribed by Regulation 35 of the Asset Transfer Regulation, Council decided on 2010-08-29 *inter alia*, to in principle approve a Lease Agreement with the Flying Club for a period of 9 years and 11 months without following a public competitive process, subject thereto that Council's intention to enter into the agreement be advertised for public comment/inputs/alternative proposals.

The notice was published on 2 October 2020 and the closure for inputs was 23 October 2020.

Only one (1) input was received from the Western Cape Education Department which must now be considered by Council, before making a final determination regarding the proposed long term Lease Agreement (see 6.1.4 below).

The valuation reports are attached as appendices 4 and 5.

A further letter was received from the Western Cape Education department, of which the contents speaks for itself, dated 23 November 2020 and is attached as **APPENDIX 6**.

5. RECOMMENDATIONS

- (a) that Council considers the inputs received from the Western Cape Education Department; and
- (b) that Council makes a final determination on the request for a long term lease in the light of the valuation reports attached.

6. DISCUSSION / CONTENT**6.1 Background****6.1.1 Existing lease agreement**

Since 1973 the Stellenbosch Flying Club is leasing a portion of land, approximately 28.2ha in extent) from Stellenbosch Municipality. They currently lease and occupies the area in terms of an Agreement of Lease dated 10 February 1992, which agreement is due to expire on 31 March 2021. The current Lease Agreement does not allow for a renewal and/or extension of the term. The intention to enter into a long term lease agreement was advertised as is required in terms of regulation 35 and Council resolved to in principle approve a lease agreement of 9 years and 11 months on 24 August 2020.

6.1.2 Further consideration by Council

Following the above resolution, a public notice was published in the Eikestad news on 18th June 2020, soliciting inputs/comments on the Information Statement, as provided for in Regulation 35 of the Asset Transfer Regulation.

On 2010-08-24 Council considered the inputs/comments received. Having considered the matter, Council decided as follows:

RESOLVED (majority vote)

- (a) that Council takes note of the public participation that was followed in terms of the Asset Transfer Regulations;
- (b) that Council considered the inputs that were received during the public participation process in terms of Section 35 of the Asset Transfer Regulations;
- (c) that Council confirms that the land in question, i.e. portion L of Farm 502, Stellenbosch, be identified as land not needed for the municipality's own use during the period for which the right is to be granted;
- (d) that Council, in principle, approves a term Lease Agreement on the basis of a private treaty agreement as provided for in Regulation 34(1) (b) of the Asset Transfer Regulations, read with paragraph 9.2.2.1 (1) of the Policy on the Management of Council owned property for a period of 9 years and 11 months;
- (e) that the lease agreement is subject to the Lessee reaching agreement with Working on Fire and Provincial Department of Education in regard to their needs and may enter sub-lease agreements with both entities as well as other entities linked to providing services to the airfield;
- (f) that a new market-related lease amount be determined, based on an independent valuation being obtained with escalation of CPI per year for the duration of the agreement;
- (g) that Council approves the option of a renewal of the lease agreement for a further period equal to the lease agreement now proposed; and
- (h) that Council's in principle approval be advertised for comments/inputs/alternative proposals, and that any inputs in regard thereto be placed before council before a final decision is made.

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

6.1.3 Public Notice

Following the above Council-resolution a public notice was published in die Burger of 02 October 2020, soliciting public inputs/comments/alternative proposals within 21 days from date of publication, i.e. on/or before 23 October 2020 on the fact that Council intended to enter into a lease agreement for a period of 9 years and 11 months.

A copy of the public notice is attached as **APPENDIX 2**.

6.1.4 Inputs/comments received

At the closing date and time only one (1) input was received, that of the Western Cape Educations Department, a copy of which is attached as **APPENDIX 3**.

6.1.5 Appointment of valuers

Following the above Council resolution 2(two) independent Valuers were appointed to advise Council on a market related rental. The valuations is attached as **APPENDIX 4 AND 5**.

6.2 DISCUSSION

Council must now make a final determination on the proposed lease of 9 years and 11 months that was approved in principle with the Stellenbosch Flying Club. Council should decide to approve of the proposed long term lease agreement.

6.3 Legal requirements

The recommendations contained in the item comply with Council's policy and relevant legislation.

6.4 Financial Implications

The rental must be determined. Council already indicated that it must be market-related. Valuations were obtained from 2 different companies and are attached as **APPENDICES 4 AND 5**.

6.5 Staff Implications

This report has no additional staff implications to the Municipality;

6.6 Previous / Relevant Council Resolutions

See paragraph 6.1.2 above

6.7 Risk Implications

Risks are addressed in the item

6.8 Comments from Senior Management**6.8.1 Municipal Manager**

Supports the recommendations

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 7.2.5

- (a) that Council takes note of the inputs received from the WCED;
- (b) that the lease be approved to be entered into for a period of 9 years and 11 months with an option to renew the agreement after this initial period;
- (c) that before the lease is signed, proof be submitted from the Western Cape Education Department on the agreement reached between the WCED and the Flying Club;
- (d) that a market-related rental of R30 080.00 (the average of the two new evaluations) be charged from 1 April 2021;
- (e) that the rental be escalated by CPI on the first day of the financial year annually, excluding 1 July 2021;
- (f) that, if the Flying Club wishes to enter into a sub-lease arrangement, such sub-lease must be approved by Council;
- (g) that Council approves the sub-leases with the current companies operating on the field and with whom sub-leases were approved previously;
- (h) that the delegation to approve any other sub-leases be delegated to the Municipal Manager;
- (i) that the agreement may be terminated earlier on a 12 months' notice period if the land is needed for municipal services; and
- (j) that the Flying Club pays the taxes and services punctually.

ANNEXURES:**Appendix 1: Agenda Item****Appendix 2: Public Notice****Appendix 3: Comment received: From Western Cape Education Department****Appendix 4: Valuation report****Appendix 5. 2nd Valuation report****FOR FURTHER DETAILS CONTACT:**

NAME	Piet Smit
POSITION	<i>Manager: Property Management</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@ Stellenbosch.gov.za
REPORT DATE	2021 – 01 - 03

APPENDIX 1



Collaborator No: (To be filled in by administration)
IDP KPA Ref No: **GOOD GOVERNANCE**
Meeting Date: **12and 24 August 2020**

1. SUBJECT

RETURN ITEM: APPLICATION FOR A LONG-TERM LEASE AGREEMENT BETWEEN STELLENBOSCH MUNICIPALITY AND THE STELLENBOSCH FLYING CLUB: PORTION L OF FARM 502, STELLENBOSCH

2. PURPOSE

The purpose of this report is to submit the written comments received after completion of the public participation process. An Information Statement was published, and the comments must now be considered to make a decision in regard to the application of the Flying Club.

3. DELEGATED AUTHORITY

Municipal Council due to the value of the land and the possible term of the lease.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality concluded a Lease Agreement with the Stellenbosch Flying Club on 10 February 1992, which agreement is due to expire on 21 March 2021. They have requested that the Lease Agreement be renewed for another 30-year term. Subsequently they have amended their request to whatever other term Council see fit given the nature of the activities on the site **Appendix 6**.

The Lease Agreement does not have a provision dealing with a renewal and therefore it is suggested that a new agreement be concluded, as provided for in the Property Management Policies, should Council approve of the request for a long-term lease. Before Council could decide the intention to enter into the long-term lease must be advertised for public inputs thus the Information statement that was published. The views of Provincial and national Treasury should also be solicited. Letters were sent to both (**Appendix 7**) in May 2020, but no comment has been received to date.

The item served before the Executive Mayor on 24 April 2020, where it was *inter alia* decided, that Council only considers the approval of a long-term lease **after the public participation process** envisaged in Regulation 35 of the Asset Transfer Regulation is

Council must now consider the written inputs received after the information statement was published and whether to approve a lease agreement on a private treaty basis as requested by the Stellenbosch Flying Club, or not and if approved the term of the lease and the rental amount.

5. RECOMMENDATIONS

- 5.1** that Council takes note of the written inputs and consider the written inputs received after publication of the information statement;
- 5.2** that Council, consider the application for a new long-term lease to the Flying Club;
- 5.3** that, Council determine the period of the lease agreement on a private treaty basis, i.e. without following a public tender process as well as determine the rental amount should a lease be approved.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Existing lease agreement

Since 1973 the Stellenbosch Flying Club is leasing a portion of land, approximately 28.2ha in extent) from Stellenbosch Municipality. They currently lease and occupies the area in terms of an Agreement of Lease dated 10 February 1992, which agreement is due to expire on 31 March 2021. The current Lease Agreement does not allow for a renewal and/or extension of the term. A copy of the agreement was attached to the previous item that formed part of the March 2020 council agenda. The item was not dealt with due to Council the lock down and was dealt with by the Executive Mayor in April 2020 under the delegated powers given to her. agenda. A self-explanatory letter for a further long-term lease agreement received from the Stellenbosch Flying Club, dated 21 June 2018, was also attached to the item of March 2020.

6.2 Discussion:

Consideration by Executive Mayor

On 24 April 2020 the Executive Mayor (under delegated authority) considered the matter and decided as follows:

- a) *“that the Council resolution dated 30 April 2015 be rescinded;*
- b) *that the land in question, i.e. portion L of Farm 502, Stellenbosch, be identified as land not needed for the municipality’s own use during the period for which the right is to be granted;*
- c) *that Council only considers the approval of a long-term lease after a public participation process;*

- before an in-principle decision is taken;
- e) that Council approves the amended draft Information Statement (ANNEXURE C) for public participation, which include inter alia, the proposed inclusion of an aeronautical school by Provincial Department and Working on Fire programmes presently working from the property; and
- f) that, following the public participation process a report be submitted to Council in order to in principle consider the request of the Flying Club for a further lease.”

A copy of the agenda item, together with the minutes, is attached as **APPENDIX 1**.

Public Notice

Following the above resolution, a Public Notice was published in the Eikestad News on the 18th of June 2020, soliciting inputs/comments on the Information Statement. A copy of the Public Notice is attached as **APPENDIX 2**.

Inputs received

The closing date for the inputs was 10 July 2020. At the closing date the following written inputs were received:

- Cllr Franklin Adams: See **APPENDIX 3**;
- Cllr DA Hendrickse: See **APPENDIX 4**; and
- Western Cape Government: Department of Education: See **APPENDIX 5**.

Locality and context

The locality of the Stellenbosch Airfield is indicated on Fig 1 below.



Fig 1: Location and regional context

Services

The Stellenbosch Airfield has been operating since the early 1900's and over time the required infrastructure and services to operate an airfield of this nature has been acquired. The full complement of municipal services are available.

Ownership

The ownership of Farm 502 vests with Stellenbosch Municipality.

Motivation for entering into a lease agreement with the Flying Club

The Stellenbosch Flying Club has leased the property from the Municipality since 1973. In the intervening period the club has grown substantially and added significant value to the property including the construction of a runway and associated taxiways, hangars, a clubhouse and flight school and installation of all associated electrical, water, sewerage and roads infrastructure. The result is that today there is an excellent, local airfield serving the various needs of not only the local recreational flying fraternity, but the greater Stellenbosch and regional community with top class flight training centres, an accredited aircraft maintenance facility and base for the essential services provide by Working on Fire during the Western Cape fire season.

The facility is very well managed by an extremely competent team drawn from it's membership of around 600 persons which includes professionals in a variety of fields such as private, airline and emergency services pilots, medical, finance and business professionals. The combination of skills ensures that a high level of management effectiveness and good governance oversight is maintained which makes for an efficient resource which meets the high standards set by the South African Civil Aviation Authority for an airfield of this nature.

The club and its membership have made a significant investment to get the club and the airfield to where it is today, and naturally they are anxious to ensure that this facility, it's availability to the Stellenbosch region and their use thereof continue for many years to come.

The continued existence of the Stellenbosch Flying Club on this site not only ensures that the facility remains for the use of aviators, but is also ensures the continued employment of approximately 50 local persons from a variety of backgrounds who are employed by the Club, the Club's flight training school, the Stellenbosch Flying Academy and Stellair, the on-site, licenced aircraft maintenance facility.

Of even greater importance to the region is the essential emergency response service hosted here in the form of Working on Fire who have been instructed by the South

African Civil Aviation Authority to establish a permanent maintenance facility in the Western Cape for their fleet of helicopters and fixed wing firefighting aircraft. Working on Fire currently operates from a temporary facility on the premises rented from the club and they are dependent on other maintenance organisations for the maintenance of their aircraft. While there are alternative options for the establishment of their permanent base, Stellenbosch is their preferred location with its central proximity to the fire prone areas of the Western Cape as shown over a number of years during which they have based themselves here during the summer fire season. The further benefit that Stellenbosch derives from their presence is the large number of young, local people that they employ every season, and the additional personnel that they will engage should they establish their base on the field. They are however at the point at which a decision has to be made in order to ensure that the required facility is operational by December 2018 for this year's fire season.

What is essential to the Stellenbosch Flying Club to enter into a long term lease with the Stellenbosch Municipality, is so there can be stability and security for the other entities like Working on Fire, the company that is involved in the servicing of the planes so these entities have the assurances that they need, in order to make a substantial investment to construct the facilities that they require to comply with the directive from the South African Civil Aviation Authority. If one considers the track record the Club has as a tenant of the Municipality and as the operator of a highly efficient airfield they believe that it is in the interest of the Municipality and the region to continue with the relationship with the Stellenbosch Flying Club through a new agreement. They acknowledge that the new agreement would be subject to review and revision as appropriate from time to time.

Precinct Plan

The Planning & Economic Development Department recently compiled a precinct plan for the area, a copy of which was circulated previously. From this plan it is clear that the airfield fit in with the long-term plans for the area.

Proposed new bypass road

As shown on Fig 2 below, a new Western bypass road is planned to, *inter alia*, provide a new access to the airfield precinct. The position of the existing airfield, as well as possible, future extensions could be accommodated by the new proposed bypass road.

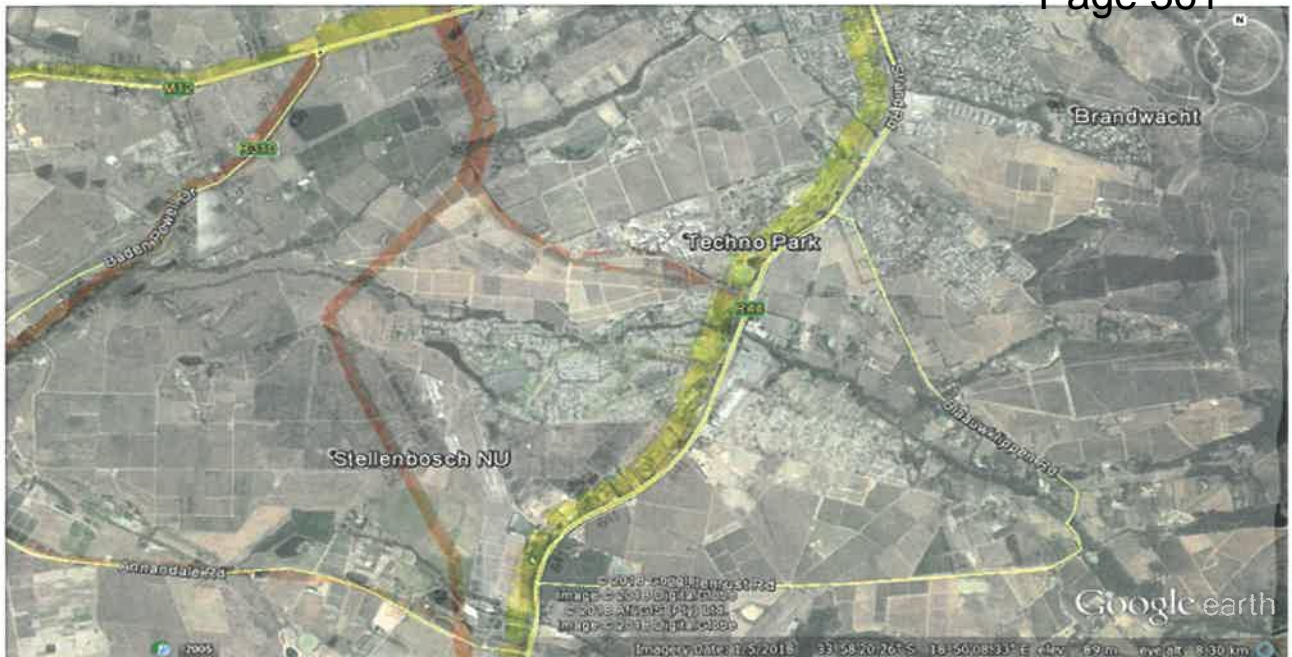


Fig 2: Proposed Western by-pass route

6.3 Legal requirements

Asset Transfer Regulations

Granting of rights to use, control or manage a capital asset

In terms of Regulation 34, a municipality may grant a right to use, control or manage a capital asset only after:

- 1) a) The accounting officer has, in terms of Regulation 35, concluded a public participation process regarding the proposed granting of the right; and
 - b) The municipal Council has approved in principle that the right may be granted.
- 2) Sub-regulation (1)(a) must be complied with only if:
 - a) the capital asset in respect of which the proposed right is to be granted has a value in excess of R10m; and
 - b) a long term right is proposed.

*Please note that, for the purpose of this report, it will be assumed that the property falls within this category, i.e. value in excess of R10M. According to the General Valuation of 2017 the total Municipal valuation of the property is R20,339 million including a business category portion valued at R17,519 million.

- 3) a) Only a Municipal Council may authorise the public participation process referred to in sub-regulation (a)

- i) the reason for the proposal to grant a long term right to use, control or manage the relevant capital asset;
- ii) any expected benefit to the municipality that may result from the granting of the right;
- iii) any expected proceeds to be received by the municipality from the granting of the right; and
- iv) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.

Public participation process for granting of long term rights

In terms of Regulation 35, if a Municipal Council has in terms of Regulation 34(3)(a) authorised the Accounting Officer to conduct a public participation process, the Accounting Officer must, at least 30 days before the meeting of the Municipal Council at which the decision referred to in Sub-regulation (1)(b) is to be considered (i.e. in principle decision).

- a) In accordance with Section 21A of the Municipal Systems Act:
 - i) Make public the proposal to grant the relevant right together with the Information Statement referred to in Reg 34(3)(b);
and
 - ii) invite the local community and interested persons to submit to the municipality comments or representations in respect of the proposed granting of the right; and
- b) solicit the views and recommendations of National Treasury or the relevant Provincial Treasury on the matter.

Consideration of proposals

In terms of Regulation 36, the Municipal Council must, when considering the approval of any such right, take into account:

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

Conditional approval of rights

In terms of Regulation 40, an approval in principle in terms of Regulation 34(1) (b) that a right to use, control or manage a capital asset may be granted, may be given subject to any conditions, including conditions specifying: -

- a) The type of right that may be granted, the period for which it is to be granted and the way in which it is to be granted;
- b) The minimum compensation to be paid for the right; and
- c) A framework within which direct negotiations *for the granting of the right must be conducted if applicable.

Granting of rights to be in accordance with disposal management system

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

- a) the value of the asset; or
- b) the period for which the right is granted; or
- c) whether the right is to be granted to a private sector party or organ of state.

*The Policy on the Management of Council-owned property is regarded as the Municipality's Disposal Management System. (See paragraph 6.2.4.2, below).

Policy on the Management of Council owned property**Competitive process**

In terms of paragraph 7.2.1, unless otherwise provided for in the policy, the disposal of viable immovable property shall be effected by means of a process of public competition.

In terms of paragraph 9.1.1 of the Policy,

The type of a formal tender may vary, depending on the nature of the transaction:

- i) Outright tender may be appropriate where the Immoveable property ownership is not complex, and the Municipality is seeking obligations to be placed on the successful tenderer which are clear and capable of specification in advance.
- ii) Qualified tenders/call for proposals will be appropriate where the Immoveable property ownership position is complex or the development proposals for the

Immovable property are insufficiently identified or otherwise incapable of detailed specification at the pre-tender stage.

- iii) Call for proposals on a build-operate transfer (B.O.T) basis will be used if a developer is required to undertake the construction, including the financing, of a facility on Municipal-owned land, and the operation and maintenance thereof. The developer operates the facility over a fixed term during which it is allowed to charge facility users appropriate fees, rentals and charges not exceeding those proposed in its bid or as negotiated and incorporated in the contract, to enable the developer to recover its investment and operating and maintenance expenses in the project. The developer transfers the facility to the municipality at the end of the fixed term.

Such a process may, depending on the nature of the transaction, include a two-stage or two-envelope bidding process (proposal call) in terms of which only those bidders that meet the pre-qualification criteria specified in the first stage are entitled to participate in the second stage.

Should Council decide to follow a public competitive process, it is recommended that a Call for Proposals based on a two stage bidding process, be followed, in which case the following Preference Point System (see par. 14 of the policy) will be applicable unless determined otherwise by Council:

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

- (a) Price: Sixty (60) points maximum. The highest financial offer shall score sixty (60) points with lower offers scoring proportionally in relation to the highest offer.
- (b) Status: Twenty (20) points for black people and legal entities owned by black people. Points for legal entities will be proportionately allocated according to the percentage ownership by black people.
- (c) Development Concept: Twenty (20) points maximum, which shall be measured and adjudicated as per criteria to be agreed upon for the specific project.

*In terms of par. 14.1.1 of the policy the Municipal Council may, on an *ad hoc* basis adjust the scoring system set out in this section for a specific immovable property or group of immovable properties to enable it to achieve specific targets or a specific outcome.

Further, in terms of par. 18, criteria other than price, status and development concept such as technical capability and environmentally sound practices, cannot be afforded points for evaluation. They can be specified in a call for tenders but they will serve as qualification criteria or entry level requirements, i.e a means to determine whether or not a specific tenderer is a complying tenderer in the sense of having submitted an acceptable tender. Only once a tender is regarded as a complying tenderer would it then stand in line for the allocation of points based on price, status and development concept.

Deviation from competitive process

In terms of paragraph 9.2.2 of the Policy, the Municipal Council may dispense with the prescribed, competitive process, and may enter into a private treaty agreement through any convenient process, which may include direct negotiations, but only in specific circumstances, and only after having advertised Council's intention so to act. Should any objections be received as a consequence of such a notice, such objections first be considered before a final decision is taken to dispense with the competitive process established in this policy. However, should any objections, be received from potential, competitive bidders, then a public competitive process must be followed.

The advertisement referred to above should also be served on adjoining land owners, where the Municipal Manager is of the opinion that such transaction may have a detrimental effect on such adjoining land owner(s):

- a) Due to specific circumstances peculiar to the property under consideration, it can only be utilized by the one person/organisation wishing to enter into the Property Transaction;
- (e) in exceptional cases where the Municipal Council is of the opinion the public competition would not serve a useful purpose or that it is in the interest of the community and the Municipality. In such cases reasons for preferring such out-of hand sale or lease to those by public competition must be recorded".
- l) lease contracts with existing tenants of immovable properties, not exceeding ten (10) years, may be renegotiated where the Executive Mayor is of the opinion that public competition would not serve a useful purpose or that renewal is aligned with the Municipality's strategic objectives and in the interest of the Community, subject to such renewal being advertised calling for public comment. The existing tenant shall give notice of the intention to renegotiate the lease at least six months before the date of termination;

From the above it is clear the Council may, under the circumstances described above, decide to dispose with a competitive (tender) process.

6.4 Financial Implications

The rental must be determined.

6.5 Staff Implications

This report has no additional staff implications to the Municipality;

6.6 Previous / Relevant Council Resolutions

24 April 202 – Executive Mayor under delegation by Council. (Appendix 1)

6.7 Risk Implications

Risks are addressed in the item

6.8 Comments from Senior Management

Chief Financial Officer

According to the General Valuation of 2017 the total valuation of the property is R20,339 million including a business category portion valued at R17,519 million.

The property is well located and may be affected by future spatial planning considerations like the Western Bypass.

Director: Community Services

The item is fully supported as a functional airfield offers many advantages to the municipality, the community and even the greater district from a disaster management point of view.

Municipal Manager:

The item is fully supported as a functional airfield offers many advantages to the municipality, in that it can unlock various economic opportunities and can be catalytic in a post Covid-19 economic. Further to this it is ideally located in case of disasters especially mountain fires and can service the greater district from a disaster management point of view.

ANNEXURES:

Appendix 1: Agenda Item and Minutes

Appendix 2: Public Notice

Appendix 3: Comment received: Cllr F Adams

Appendix 4: Comment received: Cllr DA Hendrickse

Appendix 5: Comment received: WCED

Appendix 6: Revised request from the Flying club

Appendix 7: Letters to Provincial and national Treasury

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	Manager: Property Management
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@ Stellenbosch.gov.za
REPORT DATE	2020-08- 06

37TH COUNCIL MEETING: 2020-08-24: ITEM 11.2.1**RESOLVED** (majority vote)

- (a) that Council takes note of the public participation that was followed in terms of the Asset Transfer Regulations;
- (b) that Council considered the inputs that were received during the public participation process in terms of Section 35 of the Asset Transfer Regulations;
- (c) that Council confirms that the land in question, i.e. portion L of Farm 502, Stellenbosch, be identified as land not needed for the municipality's own use during the period for which the right is to be granted;
- (d) that Council, in principle, approves a term Lease Agreement on the basis of a private treaty agreement as provided for in Regulation 34(1) (b) of the Asset Transfer Regulations, read with paragraph 9.2.2.1 (1) of the Policy on the Management of Council owned property for a period of 9 years and 11 months;
- (e) that the lease agreement is subject to the Lessee reaching agreement with Working on Fire and Provincial Department of Education in regard to their needs and may enter sub-lease agreements with both entities as well as other entities linked to providing services to the airfield;
- (f) that a new market-related lease amount be determined, based on an independent valuation being obtained with escalation of CPI per year for the duration of the agreement;
- (g) that Council approves the option of a renewal of the lease agreement for a further period equal to the lease agreement now proposed; and
- (h) that Council's in principle approval be advertised for comments/inputs/alternative proposals, and that any inputs in regard thereto be placed before council before a final decision is made.

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

Clr F Adams; FT Bangani-Menziwa (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	Manager: Property Management
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@stellenbosch.gov.za
REPORT DATE	2020-08-06

APPENDIX 2

KENNISGEWINGS


**HANTAM MUNISIPALITEIT
HANTAM MUNICIPALITY**


Herewith Hantam Municipality would like to inform prospective bidders that the following tender is being advertised:

1. NC065/T19/2020: CALVINIA NORTHERN WELLFIELD PIPELINES

The full advertisement can be found on the website of Hantam Municipality at www.hantam.gov.za and on the e-portal website www.etenders.gov.za.

**Mr. J. I. Swartz
MUNICIPAL MANAGER**


STELLENBOSCH
STELLENBOSCH • PIETEL • FRANSCHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

LOCAL AUTHORITY NOTICE

PROPOSED LONG-TERM LEASE AGREEMENT WITH STELLENBOSCH FLYING CLUB: PORTION 1 OF FARM 502, STELLENBOSCH

1. BACKGROUND
During 1992 Stellenbosch Municipality and the Stellenbosch Flying Club concluded (renewal) a long term Lease Agreement for the period 1 April 1991 to 31 March 2021.

The Stellenbosch Flying Club has recently requested that a new long term Lease Agreement be concluded, as the existing contract does not allow for an automatic renewal and/or extension of the term.

2. COUNCIL RESOLUTION
After following the public participation process prescribed by Regulation 35 of the Asset Transfer Regulation Council, considered the application on 2010-08-24.

Having considered the matter, Council decided, inter alia, to, in principle, approves a long term Lease Agreement, with the Flying Club on a private treaty basis, i.e. without following a public competitive process, as provided for in paragraph 9.2.2.1 of the Policy on the Management of Council-owned property, subject thereto that Council's intention so to act be advertised for public comments/input/alternative proposals.

3. FURTHER INFORMATION
Further information, such as the agenda item that served before Council, is available at the office of the Manager: Property Management during office hours.

Email: piet.smit@stellenbosch.gov.za
Physical address: 3rd Floor, Oude Bloemhof (Absa) Building, corner of Ryneveld and Plein Streets, Stellenbosch.
Postal Address: P O Box 17, Stellenbosch 7599
Cell phone: 084 504 5065
Landline: 021 808 8189

4. INVITATION TO SUBMIT COMMENTS /INPUTS OR ALTERNATIVE PROPOSALS
Interested and affected parties/individuals are hereby invited/called upon to submit comments/inputs or alternative proposals in respect of the proposed granting of the rights referred to above.

Any such comments /inputs/alternative proposals must be in writing and must reach the Office of the Manager: Property Management by no later than 21 days after the date of publication of this notice, at close of business at the address or e-mail listed above.

5. PERSONS WITH DISABILITIES
Notice is further given in accordance with Section 21 of the Local Government: Municipal Systems Act, No 32 of 2000 that anyone with disabilities or who is unable to write, but need to participate in the process, may present him/herself during office hours at the office of the Manager: Property Management, where a staff member of the Municipality will assist such person to transcribe that person's comments/inputs or alternative proposals.

**GERALDINE METTLER
MUNICIPAL MANAGER: STELLENBOSCH MUNICIPALITY**


MATZIKAMA MUNICIPALITY
TENDER NOTICE

Notice is hereby given that the following tenders are advertised on the Matzikama Municipality website at www.matzikamamun.co.za and on the municipal notice boards at all offices in Matzikama Municipal Area:

T16/2020/2021: UPGRADING OF WATER & SEWER INFRASTRUCTURE IN PAPENDORP

Any specification enquiries can be directed to Mr. Carel Davids at tel: 021 914 0300 or e-mail: carel@lyners.co.za

Compulsory Clarification meeting: 13 October 2020 at 11:00 Ebenhaezer Community Hall
Closing Date: 27 October 2020 at 12:00

T29/2020/2021: APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A VALUE ADDED TAX REVIEW FOR MATZIKAMA MUNICIPALITY

Any specification enquiries can be directed to Lizaan King at e-mail: lizaan@matzikama.gov.za


Closing Date: 20 October 2020 at 12:00

Prospective tenderers can also contact Andrea Lott at 027 201 3477 or email andrea@matzikama.gov.za and Erico Christiaan at 027 201 3366 or email ern2@matzikama.gov.za to view an electronic version of the detailed advertisement.

**Al Hendricks
Municipal Manager
Notice: K49/2020**

**Municipal Offices
37 Church Street / P.O. Box 98
Vredendal 8160**

www.matzikama.gov.za 140164 www.thematzikamacompany.co.za


SWARTLAND
MUNICIPALITY
UMASIPALA

KENNISGEWING VAN TENDERKANSELLASIE

Kennis geskied hiermee dat die volgende tender gekanselleer is:

TENDERKENNISGEWING: T44/19/20

Tenderbeskrywing: Malmesbury RSEP: Lewering en Aanplant van Gras en Bome
Rede vir kansellasië: Verandering in projekomvang van waaë begrotingsbeperkings.

TENDERUITNODIGINGS

TENDERKENNISGEWING: T26/20/21

NUWE BELIGTING VIR SPORTGRONDE IN DARLING EN CHATSWORTH

Swartland Munisipaliteit vra hiermee tenders aan vir die lewering en installering van nuwe beligting by die Gabriel Pharaoh-sportgronde in Darling en die Chatsworth-sportgronde naby Malmesbury.

Tenderaars moet oor 'n CIBD-registrasie in 'n EP-klas vir konstruksiewerk beskik, met 'n graderingstoekening gelykstaande aan of hoër as die gradering wat bereken word op grond van die tenderaanbod van 'n waarde soos bepaal deur Regulasie 25(1B) of 25(7A) van die Konstruksiebedryf-ontwikkelingsregulasies, 2004 (soos gewysig). Die geskatte waarde van die kontrak is tussen R3 miljoen en R6 miljoen.

Tegniese navrae rakende hierdie tender kan aan mnr Theo Potgieter by tel. 021 914 0300, faks 021 914 0437 of e-pos theo@lyners.co.za gerig word.

'n Verpligte opklaringsvergadering met verteenwoordigers van die Werkgewer sal op Woensdag, 14 Oktober 2020 vanaf 11:00 (registrasie sluit om 11:05) by die Swartland Munisipale Kantore, PEP Gebou op die hoek van Hill- en Piet Retiefstraat in Malmesbury plaasvind, waarna die konstruksieterrain besoek sal word.

'n Gestipuleerde minimum drumpel vir plaaslike vervaardiging en inhoud is van toepassing vir die lewering van elektriese kables en elektrisiteitsmeters. Bylaag MBD 6.2 moet voltooi word deur tenderaars wat op die lewering van elektriese kables, elektrisiteitsmeters, PVC-pyp en staalprodukte kwoteer.

Volledig voltooide tenders in 'n verskeide kovert gemerk: "T26/20/21: NUWE BELIGTING VIR SPORTGRONDE IN DARLING EN CHATSWORTH", met die naam en adres van die tenderaar, moet voor 12:00 op Vrydag, 23 Oktober 2020 in die tenderbus, Munisipale Kantore, Kerkstraat, Malmesbury ingedien word, waarna tenders in die openbaar oopgemaak sal word.

TENDERKENNISGEWING: T27/20/21

MALMESBURY RSEP: LEWERING EN AANPLANT VAN GRAS EN BOME

Swartland Munisipaliteit vra hiermee tenders aan vir die lewering en aanplant van gras en bome in Malmesbury.

Tenderaars moet oor 'n CIBD-registrasie in 'n SH- of CE-klas vir konstruksiewerk beskik, met 'n graderingstoekening gelykstaande aan of hoër as die gradering wat bereken word op grond van die tenderaanbod van 'n waarde soos bepaal deur Regulasie 25(1B) of 25(7A) van die Konstruksiebedryf-ontwikkelingsregulasies, 2004 (soos gewysig). Die geskatte waarde van die kontrak is tussen R500 000 en R1 miljoen.

Navrae wat met die uitreik van hierdie dokumente verband hou, kan aan mnr Wihan Swart by Lyners Raadgewende Ingenieurs by tel. 021 672 0622, faks 021 672 0619 of e-pos wihan@lyners.co.za gerig word.

'n Verpligte opklaringsvergadering met verteenwoordigers van die Werkgewer sal op Woensdag, 14 Oktober 2020 om 10:00 (registrasie sluit om 10:05) by die Swartland Munisipale Kantore, PEP Gebou op die hoek van Hill- en Piet Retiefstraat in Malmesbury plaasvind, waarna die konstruksieterrain besoek sal word.

Volledig voltooide tenders in 'n verskeide kovert gemerk: "T27/20/21: MALMESBURY RSEP: LEWERING EN AANPLANT VAN GRAS EN BOME", met die naam en adres van die tenderaar, moet voor 12:00 op Vrydag, 23 Oktober 2020 in die tenderbus, Munisipale Kantore, Kerkstraat, Malmesbury ingedien word, waarna tenders in die openbaar oopgemaak sal word.

Voorkeur sal gegee word aan tenderaars wat aan die kriteria voldoen wat in die Tenderdata gespesifiseer is. Slegs tenderaars wat aan die nakomingskriteria in die Tenderdata voldoen, sal toegelaat word om tenders in te dien.

Tenderdokumente kan vanaf 09:00 op Maandag, 5 Oktober 2020 by die kantore van die Direkteur: Siviele Ingenieurswese Swartland Munisipaliteit, Piet Retiefstraat 6, Malmesbury afgehaal word. 'n Nie-verhaalbare bedrag van R300,00 in kontant of per bankgewaarborgde tjek in die naam van die Swartland Munisipaliteit, is betaalbaar by die afhaal van die tenderdokumente.

'n Verteenwoordiger van die Munisipaliteit sal op versoek beskikbaar wees om hulp te verleen met die voorbereiding van die tendervoorleggings, met uitsondering van die bepaling van die tenderprijs. Tenderaars word versoek om mnr Johan Venter by tel. 022 487 9400 voor die tendersluitingsdatum te skakel oor navrae rakende die voltooiing van die skedule of inligting oor die tender.

Tenders sal geëvalueer word ingevolge die Raad se Voorkeurverkrigingsbeleid en die spesifikasies wat saam met die tenderdokument uitgereik word. Die kontrak sal ingevolge die 80/20-voorkeuropuntstelsel geëvalueer word. Die Voorkeurverkrigingsbeleid is gedurende normale kantoorure ter insae by die munisipale kantore.

Die Swartland Munisipaliteit onderskryf en ondersteun die Regering se Swart Ekonomiese Bemagtigingsprogram en is daartoe verbind om die ongelykheid van die verlate reg te stel. Tenderaars wat vir die voordele van die Wet op Breedgebaseerde Swart Ekonomiese Bemagtiging (B-BBEE) wil kwalifiseer, moet Bylaag MBD 6.1 (deel van die tenderdokument) volledig voltooi. Voorkeerpunte MOET ook in paragraaf 6.1 geëis word. Tenderaars word versoek om oorspronklike en geldige B-BBEE-statusvlak verifiërings sertifikate of gewaarmerkte afskrifte daarvan in te dien, ten einde hul B-BBEE-graderingselke te substansieer. Die Munisipaliteit behou die reg voor om bewyse van bemagtiging aan te vra en te verseker dat die skep van werksgeleenthede teen gepaste vergoeding wel aan histories-benadeelde individue beskikbaar gestel word.

Laat tenders sal nie aanvaar word nie en die Munisipaliteit word nie daartoe verbind om die laagste, 'n gedeelte van 'n tender of 'n tender in geheel te aanvaar nie. Die Munisipaliteit behou die reg voor om enige deel van die projek weg te laat. Geen tender sal per telefoon, faksimilie of e-pos aanvaar word nie. Tenders mag slegs op die uitgereikte tenderdokumentasie ingedien word. Voorskrifte vir die versending, adressering, aflewering, oopmaak en beoordeling van tenders word in die Tenderdata uiteengesit.

**Swartland Munisipaliteit
Privaat Sak X52
Malmesbury
02 Oktober 2019**

**JJ Schoitz
Munisipale Bestuurder**

www.thematzikamacompany.co.za 140590 www.ayazndmbanga.co.za

APPENDIX 3



Reference: 20200915-8070
Enquiries: Gerrit Coetzee (0844224334)

Ms G Mettler
Municipal Manager
Stellenbosch Municipality
PO Box 17
Stellenbosch
7600

Dear Ms Mettler

APPLICATION FOR THE LONG-TERM LEASE AGREEMENT BETWEEN STELLENBOSCH MUNICIPALITY AND THE STELLENBOSCH FLYING CLUB: PORTION L OF FARM 502, STELLENBOSCH AND PROPOSED SUB-LEASE FROM THE STELLENBOSCH FLYING CLUB (SFC)

The above-mentioned applications as well as the council decision of 24 August 2020 refers. At the meeting of 24 August council, in principle, approved a term lease agreement on the basis of a private treaty agreement for a period of 9 years and 11 months. Based on the council decision, the lease agreement will be subject to the Lessee reaching agreement with Working on Fire and Provincial Department of Education in regard to their needs and may enter sub-lease agreements with both entities and well as other entities linked to providing services to the airfield.

Council's in principal approval was further advertised for comment/inputs/alternative proposals. This letter is submitted as the Western Cape Education Department's (WCED) further comment/input with regard to the proposal. In an effort not to repeat the comments submitted 20 April 2020, please find these comments attached which remain relevant for this final decision.

The WCED, having an interest in the decisions that are being made, would like to submit this further comment for clarity in terms of our proposal to establish an Aeronautical School at the Stellenbosch Airfield. The WCED appreciate the in-principal decision taken by council to approve a term lease agreement with the Stellenbosch Flying Club (SFC) and the condition proposed that the lease agreement be subject to the Lessee reaching agreement with the WCED in regard to our needs.

It is important to note that the WCED have continued engagement with the SFC, although no final agreements have been made between the parties. The WCED will continue these engagements in an effort to ensure that all the needs of the WCED are met with the understanding that the SFC will accommodate the WCED's proposed Aeronautical School within the confines of the relevant aeronautical requirements and legislation regarding safety. The WCED have stated on numerous occasions that the safety of learners and staff remains paramount in our decisions regarding this school.

Despite this undertaking by the WCED, it remains our intention to find practical ways of accommodating the proposed Aeronautical school on the leasehold area of the SFC, as a first phase of development. As mentioned in previous correspondence, the establishment of the school is planned in phases, with only the first phase (maximum 60 students) being accommodated at the Airfield. All necessary precautions and measures must be taken to ensure adherence to requirements for the management of safety and security of this registered aerodrome. The SFC has indicated that they are willing to assist the WCED with regard to the establishment of the school and the associated agreements in terms of services that will need to be entered into with various parties.

However, accommodating the school on the premises of the SFC remains a challenge to the club. This emphasises the importance for council to make a decision regarding availing a site adjacent to the airfield to the WCED for the establishment of the proposed Aeronautical School. Although the SFC seems willing to assist, it might not be practical for them to assist with accommodation, forcing the WCED to find alternative accommodation for phase 1 of the project. Further negotiations between the WCED and the SFC will ultimately determine the location of phase 1 of the project.

The WCED remains committed to the establishment of a high school within the province that specialises in Aeronautical Sciences and increase the technical skills base in the Western Cape, specifically Aviation and Aircraft practitioner skills. Once again, the WCED would like to emphasise the decision to locate the school in Stellenbosch is part of a targeted spatial intervention plan to respond to the education needs of communities in the district. Stellenbosch was decided upon, not only because of the availability of training facilities at the airfield, but also the proximity to the Stellenbosch University, their Engineering faculty and the academic/innovative ethos of the town.

However, the WCED will need the assistance of the Stellenbosch Municipality, the SFC and the broader community of Stellenbosch to make this dream a reality. The opportunities and benefits associated with the successful establishment of such a school in Stellenbosch could prove to be of huge value to the municipality and broader community. It would be a real pity if the establishment of this school cannot be realised in Stellenbosch. Your continued assistance in this regard is appreciated.

I trust that you will take the above-mentioned into account when considering the applications surrounding the SFC lease and sub-lease. Should council require any further information, the WCED is more than willing to present our proposal in person to council. We await your positive feedback in this regard. Please do not hesitate to contact Gerrit Coetzee on 0844224334 should you require further information.

Regards



GERRIT COETZEE
DIRECTOR: PHYSICAL RESOURCES PLANNING & PROPERTY MANAGEMENT
DATE: 2020/09/15

Copy to:

Piet Smit (Piet.Smit@stellenbosch.gov.za)

Annalene De Beer (Annalene.DeBeer@stellenbosch.gov.za)



Directorate: Physical Resource Planning
& Property Management
Gerrit.Coetzee@westerncape.gov.za
tel: +27 21 467 9261 fax: 021 467 2565

Reference:
Enquiries: Gerrit Coetzee (0844224334)

Ms G Mettler
Municipal Manager
Stellenbosch Municipality
PO Box 17
Stellenbosch
7600

Dear Ms Mettler

APPLICATION FOR THE LONG-TERM LEASE AGREEMENT BETWEEN STELLENBOSCH MUNICIPALITY AND THE STELLENBOSCH FLYING CLUB: PORTION L OF FARM 502, STELLENBOSCH; AND

PROPOSED SUB-LEASE FROM THE STELLENBOSCH FLYING CLUB

The above-mentioned applications refer as well as the council decision of 26 February 2020 setting out the process for the long-term lease of the Stellenbosch Flying Club (SFC) and the subsequent decision to subject the application to a public participation process. The Western Cape Education Department (WCED), having an interest in the decisions that are being made, would like to submit the following comments for clarity in terms of our proposal to establish an Aeronautical School at the Stellenbosch Airfield.

In a letter dated 07 November 2019, the WCED requested Stellenbosch Municipality to grant permission to the SFC to sub-lease a portion of their leased property (a hanger) to the WCED for the establishment of an Aeronautical school. The decision to sub-lease is however not subject to a public participation process, but council indicated that the decision to sub-lease will only be made once the public participation process for the long-term lease agreement between the Stellenbosch Municipality and the SFC has been concluded and a decision is made in this regard by council.

Upon hearing the news that Stellenbosch Municipality is considering both applications (long-term lease and sub-lease) at the same time, the SFC submitted a letter dated 20 January 2020, with the intention of making their position in this regard known. The SFC does not object to the proposed high school but renders its *"firm support for this venture and intention to find a workable solution while maintaining an open mind to the complex constraints posed by our location."* Despite this support, the letter does highlight several reasons and concerns why the school cannot practically function on the airfield. Noise-pollution, increase traffic and the stringent requirements for the management of the safety and security of registered aerodromes are concerns raised by the SFC.

In light of these concerns the WCED would like to highlight the following to the Stellenbosch Municipality as comments related to the applications under consideration by council:

- The WCED have continued engagement with the SFC, following their letter to council. With the SFC planning the Stellenbosch Air Show and the Covid 19 lock-down, it has not been possible for the WCED and SFC to meet regarding these matters. These engagements will continue after the lock-down has ended.
- It is important to emphasise the intention of the WCED, that is for the establishment of a high school within the province that specialises in Aeronautical Sciences. The intention is to increase the technical skills base in the Western Cape, specifically Aviation and Aircraft practitioner skills.
- Not all students attending the school, will necessarily become pilots and follow the pathway of training for a pilot. Many of the students will follow career paths into aviation engineering and mechanics and will thus limit the impact in terms of actual flight training.
- The decision to locate the school in Stellenbosch is part of a targeted spatial intervention plan to respond to the education needs of communities in the district. Stellenbosch was decided upon, not only because of the availability of training facilities at the airfield, but also the proximity to the Stellenbosch University, their Engineering faculty and the academic/innovative ethos of the town.
- The school is planned in a phased approach. The first phase constitutes a multi-year pilot as 3 consecutive cohort intakes of up to a maximum of 20 Grade 10 learners are planned for the years 2020, 2021 and 2022. Each of those cohorts are to be progressed to Grade 12 examinations and the curriculum design will be tested and finalised during this phase. The school would not have more than 60 learners enrolled in total in any academic year during the first phase (considering maximum class sizes for Grade 10, 11 and 12).
- The second phase, should an evaluation of the pilot project recommend it does so, would be to expand to a fully-fledged technical education public high school, i.e. a school of specialisation under the authority of the minister for Education in the Western Cape that covers Grades 8 to 12, on a property that would ideally, but not necessarily, be located in close proximity to Aeronautical training facilities and that has suitable space for conducting practical exercises.
- The WCED would ideally like to secure the use of a hanger at the SFC and secure the use of aviation training facilities preferably through lease agreements or the acquisition of such facilities. The context for the requirement of a hanger at the SFC is primarily to find an adequate location for instruction and administration facilities, provided the appropriate authorisation could be obtained.
- Although the SFC does mention the clear and stringent requirements for the management of the safety and security of registered aerodromes as stipulated by the South African Civil Aviation Authority, it remains the intention of the WCED to

find practical ways of accommodating the proposed Aeronautical school on the leasehold area of the SFC, as a first phase of development. As explained above, the establishment of the school is planned in phases, with only the first phase (maximum 60 students) being accommodated at the Airfield. All necessary precautions and measures will be taken to ensure adherence to requirements for the management of safety and security of this registered aerodrome.

- As mentioned earlier, a key design principle for the curriculum for this school, is to minimise the proportion of learners of any cohort that would pursue Private Pilots training, as another school in the Province already caters for this. For this new school, the prospect of being co-located with drone training and other aeronautical research and development establishments is more exciting and a bigger drawcard. The intended development of the curriculum is focused on technical education, in which students will need to complete both rigorous vocational and academic programs, that provide excellent preparation for aviation-related careers as well as higher education.
- The target operating model of this new type of public school is intentionally that it will function as a "Collaboration school" – a first-of-its-kind, innovative new model being pioneered in the Western Cape and that was introduced legally as part of a reform to enhance school accountability and governance. A "Collaboration School" means an institutional mechanism that contractually partners schools with an external school operating partner committed to increasing the quality of the teaching and learning at that school in order to substantially improve the school's education outcomes. The operating partner for the target Aeronautical Sciences school, whether in Stellenbosch or elsewhere in the Province, has not been finalised as yet, but will require a background in Aviation and related experiences.
- The premise for the Collaboration School also includes a contributory governance role for "Donors", a group of private foundations that have indicated their intention to fund and work together with Government for the purpose of supporting the Collaboration School Pilot programme to develop a sustainable model for improved education outcomes for more learners.
- The design of the school and governance model will consider the situational context of this unique school of specialisation. Given its premise as a public school, it will first and foremost be managed and governed in accordance with the provisions of the applicable legal and regulatory frameworks governing education delivery.
- It is also important to point out that accommodating the school within the environment of the airfield will be temporary in nature. In fact, accommodating the school on the airfield would only be an option if compliance with applicable environmental and aviation authority regulations could be met and a full risk assessment was done that considers the safety of all stakeholders, particularly that of our young learners. Therefore, it should be noted clearly that there is no intent to locate a fully-fledged high school at the SFC or even on adjacent land, unless this

land was zoned for educational purposes and all conditions could be fulfilled. A long-term lease would not be required by the WCED; the sub-lease request to the SFC is for a pre-determined term only, while the project is in its initial phase (3 year contract).

The WCED would appreciate any **municipal support with regard to establishing a workable agreement with the SFC**, to the extent that the municipality include the successful agreement between the SFC and the WCED as a condition of approval in the renewal of the lease agreement of the SFC with Stellenbosch Municipality. It remains imperative that the SFC and the WCED find agreeable terms with regards to access to their facilities and services; otherwise the proposed aeronautic school remains a non-starter.

I trust that you will take the above-mentioned into account when considering the applications surrounding the SFC lease and sub-lease. Should council require any further information, the WCED is more than willing to present our proposal in person to council. We await your positive feedback in this regard. Please do not hesitate to contact Gerrit Coetzee on 0844224334 should you require further information.

Regards

A handwritten signature in black ink, appearing to read 'Gerrit Coetzee', written over a faint circular stamp or watermark.

GERRIT COETZEE
DIRECTOR: PHYSICAL RESOURCES PLANNING & PROPERTY MANAGEMENT
DATE: 2020/04/20

APPENDIX 4

RENTAL VALUATION REPORT

PORTION OF FARM 502/L
STELLENBOSCH RD

(STELLENBOSCH FLYING CLUB)



HCB Property Valuations

14 Church- & Long Street
Moorreesburg
7310

Tel: 022 433 2035 **Cell:** 083 663 2140

Email: admin@hcb.co.za

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is valued free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. All engineering information is assumed to be correct. The plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that there is full compliance with all applicable state and local environmental regulations and laws unless non-compliance is stated, defined and considered in the valuation report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless non-compliance is stated, defined and considered in the valuation report.
9. It is assumed that all required licenses, certificates of occupancy, consents or other legislative or administrative authority from any local or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespassing unless noted in this report.



Signature

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general limiting conditions.

1. The apportionment, if any, of the total valuation figure in this report between land and improvements applies only under the stated client instructions and is hypothetical. The separate allocations for land and buildings must not be used in conjunction with any other valuation and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the valuer, and in any event only with proper written qualification and only in its entirety.
3. The valuer herein by reason of this valuation is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially conclusions as the value, the identity of the valuer, or the firm with which the valuer is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the valuer.
5. Neither the whole nor any part of this valuation report or certificate or any reference thereto may be included in any published document, circular or statement, or published in any way without the valuer's written approval of the form and context in which it may appear. The publication shall deem to include references in company accounts and/or director's reports or any other company statement or circular.
6. The valuation is prepared on the basis that full disclosure of all information and facts which may affect the valuation, has been made to the valuer and no liability or responsibility will be accepted whatsoever for the valuation unless such full disclosure has been made.
7. This valuation is solely for the use of the party to whom it is addressed in accordance with the instructions. Reliance on it by any third party cannot be regarded as reasonable and no responsibility to any third party is or will be accepted for the whole or any part of the valuation.
8. The valuer has no personal interest in the property.
9. In the unlikely event of the client incurring any losses due to negligence of the valuers, valuers in training and assistants, the aggregate amount of the damages recoverable against the valuer shall not exceed the fee for providing the service.



Signature

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1. **INTRODUCTION**

I, Coenraad Botha, registered as a Professional Valuer in terms of the Property Valuers Profession Act 47 of 2000, do hereby certify that I have inspected and identified the subject property referred to in this report and have obtained all the necessary information to determine the market value thereof.

➤ *See Annexure 1 for Valuer Certificate*

1.1 **Instruction**

An instruction was received from Stellenbosch Municipality to attend to the valuation of the property being more commonly known as Leased Area L of Farm 502, Stellenbosch RD (Flying Club). The purpose of the valuation is to determine the open market rental of the property as on 1 November 2020.

➤ *See Annexure 2 for Instruction*

1.2 **Date of Valuation**

The date of valuation as instructed by the client is 1 November 2020.

1.3 **Date of Inspection**

The property was inspected by HCB during the GV 2020 process. We are therefore familiar with subject property and the surrounding area.

2. **TITLE DEED DESCRIPTION**

2.1 **Title Deed**

There is no Title Deed information available for this leased section as this is an unregistered portion of Stellenbosch RD 502 portion L.

2.2 **Description**

The property can be described as "Portion of Farm 502, leased area L Stellenbosch RD, Western Cape". Hereafter in the report we will refer to this erf as "subject property".

2.3 **Owner**

Farm 502 is registered in the name of Stellenbosch Municipality.

2.4 Extent

Information received from the client is that the area for rental valuation is 28,2ha.

2.5 Purchase Price

Not relevant to this report, because it will not have an impact on Market Value.

2.6 Surveyor General Information

CSG information is available for Stellenbosch RD 502/RE of which subject property is a portion of. Therefore no CSG information is included in this valuation report. Please refer to image below indication the portion of subject property in red.

**2.7 Title Deed Conditions**

We could not find any special conditions on subject property that may affect the market value.

3. LOCAL, PROVINCIAL AND CENTRAL GOVERNMENT INFORMATION

3.1 Local Authority

This property falls under the jurisdiction of the Stellenbosch Municipality, situated in the Western Cape.

3.2 Municipal Valuation

Municipal valuation was done on subject property during the GV 2020 process, however we are of the opinion that this will not have an impact on current market rental.

4. PHYSICAL DESCRIPTION

4.1 Land

Subject property is flat and ground conditions is good, therefore our findings that the topography will not affect market value.

- *See Annexure 3 for Locality Map / Aerial Photo / Photo of Subject Property*

4.2 Improvements

There are several improvements on the subject property, but for the purpose of this valuation it will not be included, as our instruction is to determine market rental for the land portion only.

5. MARKET ANALYSIS

Rent is a system of payment for the temporary use of something owned by someone else; the payments for such use are typically referred to as “rent”. In the open market, rent is a product; it does not occur naturally, as in, ‘this is the rent for the premises’. To value rent, all the terms and conditions of the tenancy must be known, stated in advance or defined. However, because the rent at a new letting is often agreed before the lease is drafted and/or approved; it is possible for a completed lease to contain terms and conditions that could produce a different rent to what was agreed.

6. METHOD OF VALUATION

The Comparable Rental Method of valuation is considered to be the most suitable method to employ in order to establish the market rental of the subject property. In applying the Comparable Rental Method, it is necessary to investigate the sales of similar type properties that have been rented as well as returns/yield as required by the holders of such land.

The above information is compared to the subject property, which involves judgments as to the degree of similarity with regard to value factors such as location, shape of erf and use to which the subject property can be put.

7. ESTABLISHMENT OF COMPARABLE RENTALS

7.1 Highest and Best use

Definition: *“The most probable use of a property which is physically possible, appropriately justified, legally permissible, financially feasible and which result in the highest value of the property being valued”.*

Therefore, it could be argued that the highest and best use of a property is, which is physically possible, appropriately justified, legal permissible, financial feasible and which result in the best value of the property to be valued.

In regards to subject property, it is current uses as a Flying Club. In order for the subject property to be developed a rezoning application may be required and building plan approval.

7.2 Valuation Method


The market was surveyed for current ground leases, rates of return and leasing practices of both firms and public agencies in order to derive the net operating income attributable to the land. No comparable vacant land leases could be established in the area.

The market was surveyed for comparable sales and the following sales was noted.

Property 1

	Farm No:	468 Ptn 9
	Suburb:	Stellenbosch RD
	Extent:	9.2727ha
	Date of Sale:	11/03/2019
	Sales Price:	R6,400,000-00
	Rand/ha	±R690,000-00/ha

Property 2

	Farm No:	468 Ptn 24
	Suburb:	Stellenbosch RD
	Extent:	35.4925ha
	Date of Sale:	23/02/2019
	Sales Price:	R39,000,000-00
	Rand/ha	±R1,100,000/ha

Property 3

	Farm No:	510 Ptn 6
	Suburb:	Stellenbosch RD
	Extent:	19.8142ha
	Date of Sale:	31/08/2018
	Sales Price:	R19,000,000-00
	Rand/ha	±R960,000-00/ha

Property 4

	Farm No:	491 Ptn 2
	Suburb:	Stellenbosch RD
	Extent:	105.9642ha
	Date of Sale:	04/09/2017
	Sales Price:	R30,000,000-00
	Rand/ha	±R283,000-00/ha

7.3 Application of Comparables

Investigation of these sales it was derived at that Vacant Agricultural sell for between R285,000-00/ha to R1,100,000-00/ha.

After adjustments for time, use, shape, layout and location was done it is my opinion that a per hectare tariff of R650,000-00/ha is applicable and market related for subject property.

Subject property can be broken down as follow;

- Vacant agricultural land 28,2ha @ R650,000-00/ha

It is therefore my opinion that the market value of the subject property is R18,330,000-00

To determine a rental, the market was surveyed to establish an acceptable market rate of return. Market indicated that return varies between 2% to 5%. It is my opinion, taking into consideration current market and economic factors that the applicable rate of return should be 2% and the rental therefore calculated at R366,600-00 annually, rounded to **R30,550-00/month**.

8. CERTIFYING OF VALUE

I hereby certify that I have identified the subject property and obtained all the necessary information to determine the market rental thereof.

Accordingly, I hereby certify that in my opinion, to the best of my knowledge, skill and expertise, the monthly rental of the subject property as at 1 November 2020 to be R30,550-00 per month (Thirty thousand five hundred and fifty rand per month).

Signed at **MOORREESBURG** on this **24TH** day of **NOVEMBER 2020**.



Hendrik Coenraad Botha
Professional Valuer
SACPVP Registration Number: 5601

9. CAVEATS

This valuation has been prepared on the basis that full disclosure of all Information and factors which may affect the valuation have been made to Ourselves and we cannot accept any liability or responsibility whatsoever for the Valuation, unless such full disclosure has been made.

9.1 Valuation Standard

This valuation has been prepared in accordance within the guidelines of the South African Institute of Valuers for valuation reports.

9.2 Statutory Notices and Unlawful Use

We have assumed that the property and its value are unaffected by any statutory notice or condition of Title where Title Deeds have not been inspected, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

9.3 Confidentiality

This valuation is produced exclusively for the Stellenbosch Municipality and for the specific purpose to which it refers. It may be disclosed to your other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

9.4 Non-Publication

Kindly note that neither the whole nor any part of this report, nor any reference thereto maybe included in any published document, circular or statement, nor published in any way without our prior written approval at to the form or context in which it may appear.

10. ANNEXURES

10.1 Annexure 1 – Valuer Certificate



SOUTH AFRICAN COUNCIL FOR THE
**PROPERTY VALUERS
PROFESSION**

This is to certify that

HENDRIK COENRAAD BOTHA

is registered as

Professional Valuer

In terms of section 20(2)(a) of the
Property Valuers Profession Act, 2000

DATE OF REGISTRATION AS: Professional Valuer: 28 January 2020

DATE OF ISSUE: 13 February 2020

PERIOD OF VALIDITY: 28 January 2020 - 30 June 2024



JF Cloete
President



REGISTRATION No: 5601



MC Seota
Registrar

10.2 Annexure 2 – Instruction



HCB

Valuations and Services (Pty) Ltd

Cnr Church Street & Long Street, PO Box 247, Moorreesburg, 7310
T: +27(0)86 142 2669 M: +27(0)83 663 2140 E: admin@hcb.co.za
Company No: 2012/168731/07 GPS: -33.1550,18.6625

GENERAL INSTRUCTION

Date: **24 November 2020**

Property Description: **Leased Area L of Farm 502 Stellenbosch RD**

Additional Information: **Area known as Stellenbosch Flying Club**

“Hereby I, (Names & Surname) _____ representative of Stellenbosch Municipality instructs Coenraad Botha of HCB Valuations & Services (Pty) Ltd to do a **MARKET RENTAL VALUATION** on subject property”.

Date of Valuation must be: **1 November 2020**

Signature Applicant
Stellenbosch Municipality

10.3 Annexure 3 – Locality Map / Aerial Photo / Photo of Subject Property



10.4 Annexure 4 – Rental Valuation Certificate**HCB**

Valuations and Services (Pty) Ltd

Cnr Church Street & Long Street, PO Box 247, Moorreesburg, 7310
 T: +27(0)86 142 2669 M: +27(0)83 663 2140 E: admin@hcb.co.za
 Company No: 2012/168731/07 GPS: -33.1550,18.6625

Rental Valuation Certificate

Client:	Stellenbosch Municipality
Erf Number:	Portion L of Farm 502
Suburb:	Stellenbosch RD
Owner:	Stellenbosch Municipality
Extent:	28.2ha
Date of Valuation:	1 November 2020
Reference Number:	SBM/24/10/2020/502/L
Total Market Rental (Annual):	R366,600-00
Total Market Rental (Monthly):	R30,550-00

COMMENTS:

- This Rental Valuation Certificate must be read together with the attached Valuation Report.
- Property to be rented by Stellenbosch Flying Club
- Date issued: 24 November 2020

Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601

APPENDIX 5

THE VALUATOR GROUP

PostNet Suite 526, Private Bag X16, Constantia, 7848

T: 0861 659 659 F: 0866 201 127

E: info@thevaluator.co.za Website : www.thevaluator.co.za



THE VALUATOR
GROUP

THE VALUE IN VALUATION

OPEN MARKET RENTAL REPORT:

Stellenbosch Flying Club

A Portion of the REM of farm 502 Stellenbosch RD

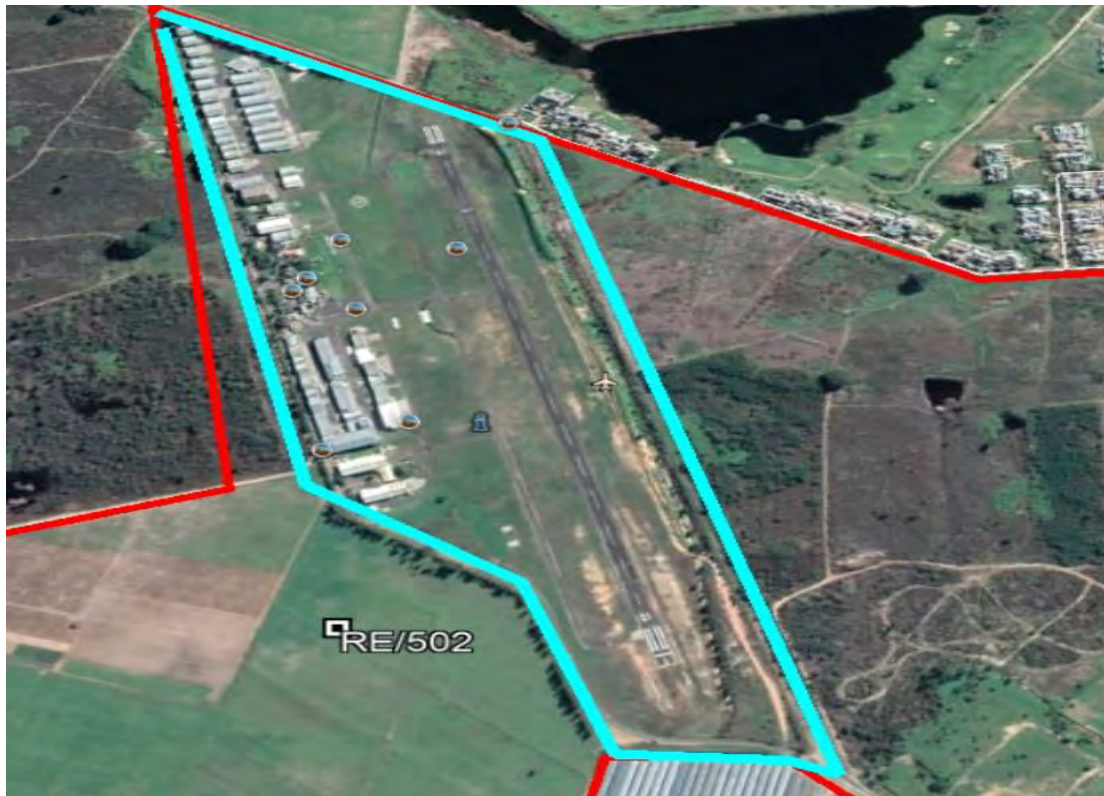
As at 1 November 2020



THE VALUATOR GROUP

OPEN MARKET RENTAL REPORT

Stellenbosch Flying Club



Property Description:	Stellenbosch Flying Club
Property Address:	Rem of 502 Stellenbosch RD
Instructing Client:	Stellenbosch Municipality
Valuation Date:	1 November 2020

WE VALUE ALL ASSETS



the mark of
property
professionalism
worldwide

0861 659 659 (SA) +27 82 900 5385 (Int.) info@thevaluator.co.za www.thevaluator.co.za
Head Office Correspondence: PostNet Suite 526, Private Bag X16, Constantia, 7848
Offices throughout South Africa, Africa, Indian Ocean Islands, UK and UAE (Dubai)

The Valuator Group (Pty) Ltd. Registration Number: 2012/051869/07. Group CEO: GD Commins
Management: John Woodhouse, Marc Cloete, Annemarie Keller, Gail Commins, Ockert Brits, Rowan Bennett & Paul Myson

* Members of the SA
Institute Of Valuers



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SECTION A – SUMMARY**Executive Summary**

Mr P Smit

It is with great pleasure that we present you with the Open Market rental report for a portion of Rem Farm 502 Stellenbosch RD as per your instruction.

The key findings and inputs from this report can be summarised as follows:

Registered Owner	Mun Stellenbosch
Purchase Date	18/05/1883
Purchase Price	N/A
Property Extent	Approximately 28.2 ha
Current Zoning	undefined
Municipal Value	Not applicable
Local Authority	Municipality Stellenbosch
Structural Condition	Valued as vacant
Current Usage	Airfield
Highest and Best Use	Airfield
Methods of Valuation	Market Yield applied to Comparable Sales
Effective Valuation Date	1 November 2020
Comparable Rental Value	R 29 610/month or R 355 320/year

Please note very little market data was available to base a valuation on, and therefore various assumptions were made in the compilation of this report. A margin of variance must therefore be anticipated.



THE VALUATOR
GROUP

As per your instruction, I have valued the subject property, described as:

502L: Stellenbosch Flying Club

I consider a likely Realistic Open Market Rental of the Subject Property (as at 28.2ha) to be in the region of:

R 355 320/annum

(Three Hundred and Fifty-Five Thousand Three Hundred and Twenty Rand per year)

Effective Valuation Date: 1 November 2020

I declare that the subject property was identified and valued in accordance with the principles of valuation prescribed by the South African Council for the Property Valuers Profession.

This certificate forms part of and must be read in conjunction with the full immovable valuation report, which is numbered from pages 1 to 13.

Signed at Pretoria on this 16th day of November 2020

PG Cert BES | AssocRICS | MIVSA | SACPVP
Professional Valuer (Reg No:)

— WE VALUE ALL ASSETS —

Correspondence: PostNet Suite 526, Private Bag X16, Constantia, 7848
Head Office: 41 Main Street, Newlands, 7700 (Offices throughout Africa)
T: 0861 659 659 F: 0866 201 127 E: info@thevaluator.co.za www.thevaluator.co.za

SECTION B – INTRODUCTION**1. INSTRUCTION**

An instruction was sent to The Valuator Group by Mr Smit to perform a motivated valuation report to determine market rental value on the subject property as at date of valuation.

2. VALUERS INFORMATION

The valuation was conducted by Ockert Brits, a registered Professional Valuer with registration number 6876 in terms of the Property Valuer's Profession Act, (Act No 47 of 2000).

3. PURPOSE OF VALUATION

The purpose of this valuation is to determine the fair market rental value of the property as at the date of valuation.

4. INSPECTION

An onsite physical inspection of the subject property was NOT conducted.

5. DATE OF VALUATION

The effective date of valuation is 1 November 2020, after the valuer has considered the physical qualities of the subject property also conducting thorough research on local and regional property tendencies in arriving at a fair market value.

6. BASIS OF THE VALUATION

Our instruction requires that the open market rental value of the subject property be determined on the date of valuation. Market value is defined by the International Valuations Standards Council as: "The estimated amount for which an asset or liability should exchange/let on the valuation date between a willing buyer/lessor and a willing seller/lessee in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion."

SECTION C – GENERAL INFORMATION

7. TITLE DEED INFORMATION

The subject property consists a portion of Rem of Farm 502 Stellenbosch RD.

8. SURVEYOR GENERAL INFORMATION

The subject property was identified and quantified.

9. TOWN PLANNING INFORMATION

Primary Conditions

Not applicable.

10. SERVICES

The subject property is reportedly un-serviced.

11. MUNICIPAL VALUATION

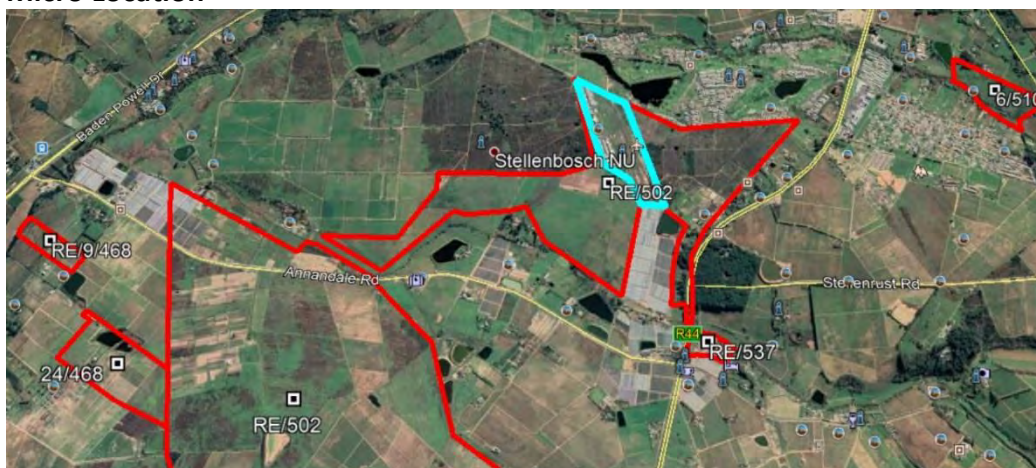
Not applicable.

12. LOCALITY

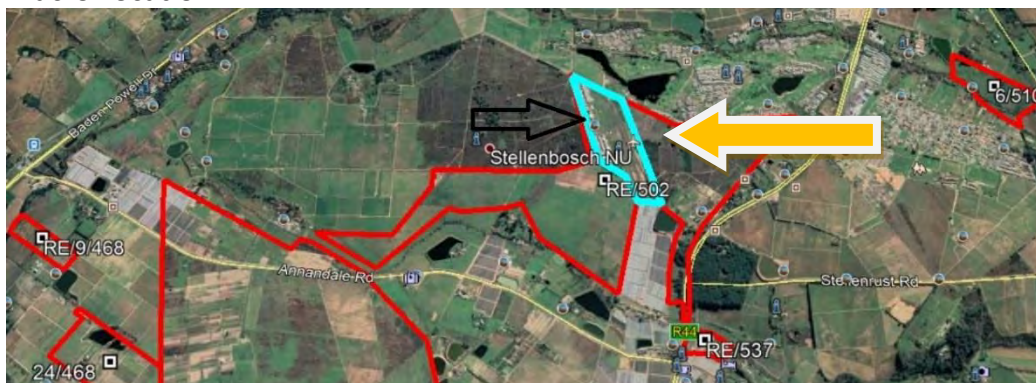
The subject property is located in close proximity to de Zalze Estate Stellenbosch, with the immediate area being utilised mainly for residential and agricultural purposes.

Comparable property sales prices over the last 24 months in the area according to transfers vary with little to no comparable sales found.

Micro Location



Macro Location



13. SITE LAYOUT AND TOPOGRAPHY

The site offers an irregular plot, on the edge of De Zalze south of Stellenbosch.

We have not carried out geological tests and our valuation thus assumes that soil conditions are stable supporting anticipated/actual use.

Layout (in Light Blue)



14. IMPROVEMENTS

Omitted as instructed.

15. LEGAL CONSIDERATIONS

We are not aware of any registered or unregistered rights that could influence the property directly or indirectly.

16. HIGHEST AND BEST USE

The IVS Framework defines the term as: “The market value of an asset will reflect its highest and best use. The highest and best use is the use of an asset that maximises its potential and that is possible, legally permissible, and financially feasible. The highest and best use may be for continuation of an asset’s existing use or for some alternative use. This is determined by the use that a market participant would have in mind for the asset when formulating the price that it would be willing to bid.”

The determination of the highest and best use involves consideration of the following:

- a) To establish whether a use is possible, regard will be had to what would be considered reasonable by market participants.
- b) To reflect the requirement to be legally permissible, any legal restrictions on the use of the asset, e.g. zoning designations, need to be taken into account.
- c) The requirement that the use be financially feasible takes into account whether an alternative use that is physically possible and legally permissible will generate sufficient return to a typical market participant, after taking into account the costs of conversion to that use, over and above the return on the existing use.

As the property is already improved with a reported dwelling, the highest and best use would in my opinion be **Airfield.**

SECTION D – MARKET RESEARCH

17. EXTENT OF RESEARCH

Various sales entered the market in the last 24 months, yet none compared to the subject property directly.

SECTION E – VALUATION CALCULATION

18. METHODOLOGY

In arriving at a fair market rental value cognisance will be given to the Comparable Sales Method in determining the rental value:

Comparable Sales Method – This method, which is regarded as the most accepted method for the valuation of immovable assets, will be applied. The valuation requires that the open market value of the subject property as at the date of valuation is defined. It measures the value of an asset by comparing recent sales or offerings of similar or substitute property and related market data. However, it is rarely possible to find such evidence relating to identical assets.

Market Value can be defined as the most likely price a willing buyer will pay a willing seller for the subject property on the date of the valuation without any pressure or influences from either party, taking into consideration external market tendencies as well as inherent facts regarding the subject property.

19. COMPARABLE SALES

We analysed the local property market and the sales as recorded in at the Deeds Office

- 468 portion 9, a property measuring 9.2727 hectare, sold in 11 March 2019 for R 6 400 000.00. which equates to R 690 000.00 per hectare. An adjustment will be considered to scale.
- 510 portion 6, a property measuring 19.8142 hectare, an improved farm consisting of staff buildings in a bad condition. Sold on 2018/08/31 for R19 000 000. This equates to R 950 000/ha. This sale is not directly comparable to the subject property, are on the Blaauklippen site of the R44, cultivated lands and buildings value deducted.
- 468 portion 24, an improved portion measuring 35,4925 hectares. Sold on 2019/02/23 for R 39 000 000.00 which equates to R 1 110 000/ha. This Property is improved with a big house and cottages and stores, cultivated lands and buildings value deducted.

Conclusion to sales

Various factors need to be considered, including the effect of the currently dismal economy, which will have a directly negative influence on the rentability of the subject property.

Furthermore, the sales we managed to identify do not compare to the subject property, and various adaptations thereto need to be made. This will in effect dilute the credibility of such information and the user of this report is hereby made aware of the possibility of such variances.

After applying formulae to take size difference into account, and provision being made for the cultivated fields and improvements, we arrive at:

Sale 1: R 520 000/ha

Sale 2: R 850 000/ha

Sale 3: R 530 000/ha

We will therefore assume a R/ha of R 630 000

It is our experience that vacant land usually lets in the region of 2,0% to 5% of market value per annum. Taking into account the current economic scenario, low risk posed and the overall contribution the tenant brings to the area, we will opt for the low portion of this band.

Therefore, based on the sales and the differences observed when compared to the subject property, we are of the opinion that the subject property would likely obtain rental offers in the region of R 355 320/annum.

Likely rental value:

R 29 610/month (rounded)

20. CAVEAT

The property has been valued as if wholly owned, with no account being taken of any outstanding monies due in respect of mortgage bonds, loans, or charges.

We have not undertaken a structural survey of any kind, nor have we arranged for tests or inspections to be carried out on any of the service installations or water sources. Our valuation assumed that all services, structures, and improvements are in a satisfactory state of repair and condition.

This valuation is produced exclusively for client and for the specific purpose to which it refers. It may be disclosed to other professional advisors assisting in respect of the purpose it is intended for, as well as any client on whose behalf this valuation is requested, but not to any other person or company. Kindly note that; neither the whole nor any part of this valuation or any reference thereto may be included in any published document, circular or statement, nor may it be published in any way without the written consent of the valuer.

This valuation has been prepared on the basis that full disclosure of all information and factors, which may affect the valuation, has been made to us. Condition and quality of structures are assumed as good and comparable to sales quoted.

Special interest buyers have not been taken into consideration for the purpose of this valuation.

We have no personal interest nor contemplate having an interest in these assets.
VAT is not included in the valuation, unless otherwise indicated.

Our aggregate liability arising out of, or in connection with this valuation, whether arising from negligence, breach of contract, or any other cause whatsoever, shall in no event exceed the fee agree upon to render this valuation by the valuer. This clause shall not exclude or limit our liability for actual fraud and shall not limit our liability for death or personal injury caused by our negligence.

If you suffer loss as a result of our breach of contract or negligence, our liability shall be limited to a just and equitable proportion of your loss having regard to the extent of responsibility of any other party. Our liability shall not increase by reason of a shortfall in recovery from any other party, whether that shortfall arises from an agreement between you and them, your difficulty in enforcement, or any other cause.

None of our employees, partners or consultants individually has a contract with you or owes you a duty of care or personal responsibility. You agree that you will not bring any claim against any such individuals personally in connection with our services.

The client agrees that the trade of valuation is not considered a precise science, and that the market analysed can depict variances. The valuer therefore only renders an opinion to better equip the client in decision making, and by no means intends to dictate precise values. COVID-19 has been declared a pandemic and a national disaster in place. Substantial turmoil has occurred in local and international financial markets and due to the developing situation, it is not possible at this time to quantify its long-term or short-term effects on real estate markets or on the subject property. The value opinion contained in this appraisal is based on findings of an analysis of market data available to the valuer at the time of the assignment. This report is valid for 12 months from date of valuation and is not transferable.

— WE VALUE ALL ASSETS —

11.2.4	PROPOSED EXCHANGE OF LAND: LEASE FARMS 502AA, 502AB AND A PORTION OF PORTION 13 OF FARM 491 FOR A PORTION OF PORTION 10 OF FARM 502, STELLENBOSCH: SPIER HOLDINGS (PTY) LTD
--------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

20 January 2021

1. SUBJECT: PROPOSED EXCHANGE OF LAND: LEASE FARMS 502AA, 502AB AND A PORTION OF PORTION 13 OF FARM 491 FOR A PORTION OF PORTION 10 OF FARM 502, STELLENBOSCH: SPIER HOLDINGS (PTY) LTD

2. PURPOSE

To consider the (in principle) application to exchange land as submitted by Spier Holdings (Pty) Ltd.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

Spier Holdings (Pty) Ltd is leasing a number of Municipal-owned Lease Farms. They have now applied for an exchange of portions of Lease Areas for a portion of their own land. Council must now consider this application in principle in terms of the relevant provisions contained in the Property Management Policy.

There are 4 options that are discussed under point 6 below. Council may also decide on any other option. In consideration of the option sit must be taken into account that the properties fall in the above R10 million value categories and the provisions of the asset transfer regulations for the properties therefore needs to be followed which means an Information statement and public participation process must first be followed before a decision can be taken, similar to what took place with the lease process of the Flying club.

5. RECOMMENDATION

For consideration of the options indicated in the item.

6. DISCUSSION / CONTENT

6.1 Background

6.1.2 Current Lease Agreements

Spier Holdings (Pty) Ltd is leasing, *inter alia*, the following Lease Farms in terms of contracts concluded in 1991:

Property description	Size	Lease Period
Portion 13 of Farm 491/1	11.3660	01/04/1991 – 31/03/2041
502AA	11.1ha	01/04/1991 – 31/03/2041
502AB	17.5ha	01/04/1991 – 31/03/2041

6.1.3 Land exchange proposal

On 25 March 2019 Spier Holdings (Pty) Ltd submitted a proposal for a land exchange, i.e. three (3) portions of Municipal Lease Land, totalling 39,966ha in total for a portion of Portion 10 of Farm 502, Stellenbosch (Spier property) equal in size. A copy of their proposal is attached as **APPENDIX 1**.

They subsequently have indicated that the application should be put on hold.

A letter has now been submitted to the Municipal Manager, requested that their proposal now be considered. Their latest correspondence is attached as **APPENDIX 2**.

6.2. DISCUSSION

6.2.1 Property description

6.2.1.1 Location and context

The three municipal lease properties are situated to the North of the Annandale road, as indicated on Fig 1 and 2 below.



Fig 1: Location and context



Fig 2: Extent of properties

The Spier property, being a 36.96ha portion of Portion 10 of Farm 502 is situated to the East of the Stellenbosch Airfield, as indicated on Fig 3 and 4 below.

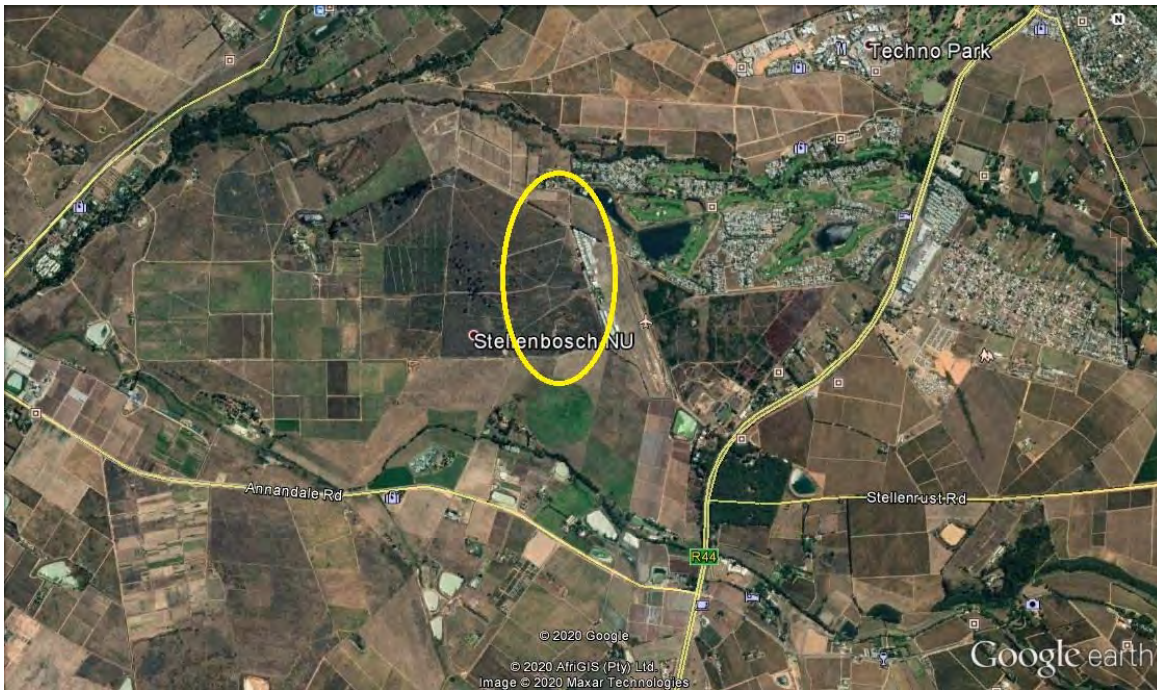


Fig 3: Location and context

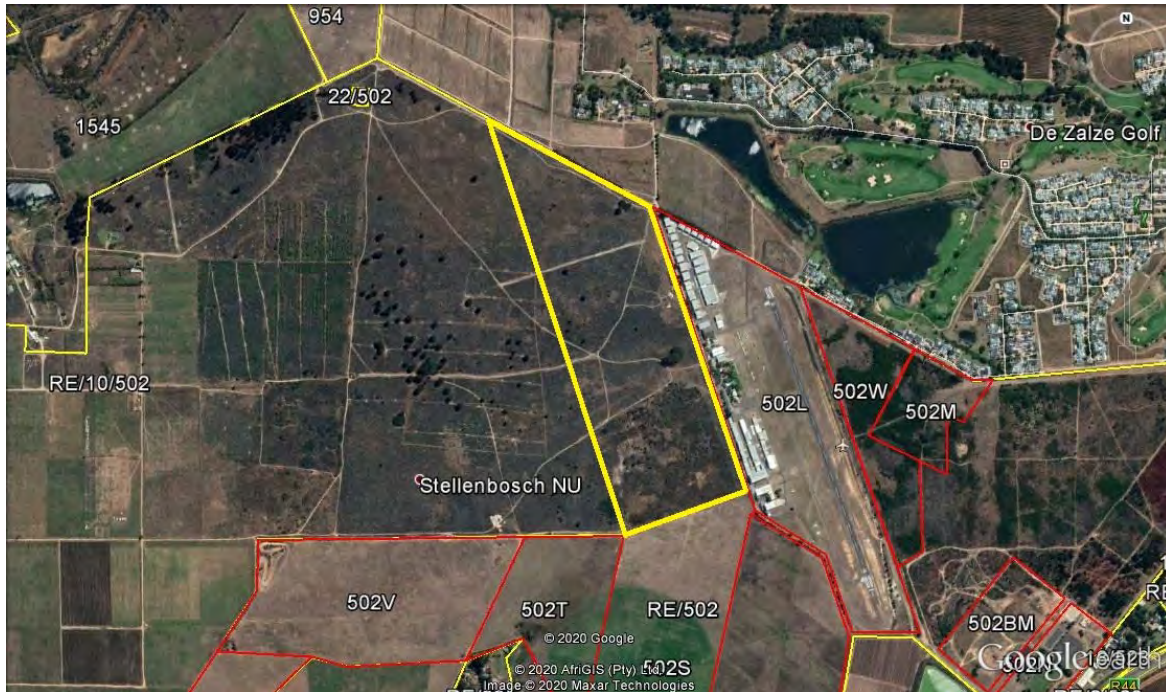


Fig 4: Extent of property

6.2.1.2 Ownership

The three portions of Lease Properties, being two (2) portions of Remainder Farm 502 (Lease Farm 502AA and 502AB) and Portion 13 of Farm 491, vests with Stellenbosch Municipality by virtue of Title Deeds STFS-34/1883 and T30979/1976 respectively, as indicated on Windeed records hereto attached as **APPENDIX 3** and **4** respectively.

Remainder Portion 10 of Farm 502, is registered in the name of Spier Farm Management (Pty) Ltd by virtue of Title Deed T55654/2002. See Windeed record attached as **APPENDIX 5**.

6.2.1.3 Current Land Use

All the properties are currently zoned for Agricultural Activities, whilst a portion is utilised for Agricultural production and Agri processing (Spier Wine Cellars).

6.2.1.4 Improvements

A wine cellar has been constructed on a portion of Lease Farm 502AA and a portion of Portion 13 of Farm 491, whilst other buildings/structures were constructed on a Portion of Portion 13 of Farm 491 as shown on Fig 5, below. A valuation of the improvements made is attached as **APPENDIX 7**.



Fig 5: Improvements

In terms of the Lease Agreements, all permanent improvements will become the property of the Municipality at the end of the Lease term.

The portion of Portion 10/502 (Spier's property) is undeveloped and has not actively been used for agricultural purposes for some years. This means that it will be seen as virgin land and special applications and approvals are required for nativities on the land.

6.2.1.5 Water Rights

Council properties all have water rights and depending on the option decided on by council the influence of the water rights have to be discussed.

The existing water rights is as follows:

Farm 502AA:6Ha

Farm 502AB:9Ha

Farm 491/1:5Ha

6.2.2 Options for consideration

6.2.2.1 Option 1: Exchange of land

Council agree on the exchange of land, as proposed by Spier, i.e. the disposal of Lease Farms 502AA, 502AB and portion 13 of Farm 491 (measuring approximately 39,966ha) in exchange for a portion of Portion 10 of Farm 502 (Spier property), measuring approximately 39,966ha in extent.

This option is based on the assumption that the two portions of land is more or less equal in value. This Department is of the view that the Spier land (per ha) is not equal in value, due to the environmental sensitivity of it (renosterveld).

The advantage with this option is that no rate payer's money would be used to acquire the portion of land adjacent to the airfield which open options in respect of potential planning and economic initiations relevant to the airfield precinct, e.g. expansion of airfield, provision of Western by-pass road, etc.

6.2.2.2 Option 2: Exchange of land, but for a bigger land parcel

Council agree on the exchange of land, i.e. the disposal of Lease Farms 502AA; 502AB and Portion 13 of Farm 491 (measuring 39.966ha) in exchange for a bigger portion of Portion 10 of Farm 502 (Spier property), measuring approximately 97.22 ha in extent, as shown on Fig 5, below.



Fig 5: Extent of land

This option is based on the assumption that the Spier land (measuring 97.22ha) as indicated in Fig 5, is more or less equal in value with the Lease Farms (measuring 39.966ha), as the Spier land has certain development constraints, i.e. environmental sensitive area.

Although the Spier land may be less in economic value, it might have some environmental/strategic value for the municipality.

6.2.2.3 Option 3: Exchange of land, but smaller portion of lease land

Council agree on the exchange of land, i.e. the disposal of portions of Lease Farms, measuring 5.83ha in extent, as shown on Fig 6, below, for the portion of Farm 502/10 (Spier property), as indicated in their proposal.



Fig 6: Extent of land

This would give ownership to Spier of their Cellar buildings and would allow for possible expansion of the Airfield and by-pass road.

6.2.2.4 Option 4: Disposal of only the cellar portion

Council agree to the disposal of the lease-land indicated on Fig 6 (Cellar building at a market related price, to be determined by an independent valuer.

6.3 Financial Implications

The financial implications will be dependent on which option is approved. A Valuation report of the land alone is attached as **APPENDIX 6**.

Property description	Extent and zoning	Municipal Valuation	Current owner
Portion 13 of Farm 491/1 (see fig 2)	11.336ha	R7 385 000.00	Stellenbosch Municipality
Farm 502AA (see fig 2)	11.1ha	R 1 540 000.00	Stellenbosch Municipality
Farm 502AB (see fig 2)	17.5ha	R 2 190 000.00	Stellenbosch Municipality
Portion of portion 10 of Farm 502 (see fig 4)	365,0017 ha	R 33 050 000.00	Stellenbosch Municipality

Property description	Market related value as per appendix 6 (land only) and appendix 7 (improvements)
Farm 502 portions AA and AB & portion of Farm 491 portion 13	R11 494 050.00
Farm 502 portion 10	R11 390 310. 00
Total on improvements	R 7 934 100.00

6.4 Legal Implications

6.4.1 Municipal Finance Management Act

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

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

- (a) has decided on reasonable grounds that **the asset is not needed to provide the minimum level of basic municipal services**; and
- (b) has considered the **fair market value** of the asset and the **economic and community value** to be received in exchange for the asset.

6.4.2 Asset Transfer Regulation (ATR)

6.4.2.1 Transfer or disposal on non-exempted capital assets

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

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

6.4.2.2 Consideration of proposals to transfer or dispose of non-exempted capital assets

In terms of Regulation 7 the municipal council **must**, when considering any proposed transfer or disposal of a non-exempted capital asset in terms of regulation 5(1)(b)(i) and (ii), **take into account**—

- (a) whether the capital asset may be **required for the municipality's own use** at a later date;
- (b) the **expected loss or gain** that is expected to result from the proposed transfer or disposal;
- (c) the extent to which any compensation to be received in respect of the proposed transfer or disposal will result in a **significant economic or financial cost or benefit** to the municipality;
- (d) the **risks and rewards** associated with the operation or control of the capital asset that is to be transferred or disposed of in relation to the municipality's interests;
- (e) the **effect** that the proposed transfer or disposal will have on the **credit rating** of the municipality, its ability to raise long-term or short-term borrowings in the future and its financial position and cash flow;

- (f) any **limitations or conditions** attached to the capital asset or the transfer or disposal of the asset, and the consequences of any potential non-compliance with those conditions;
- (g) the estimated **cost** of the proposed transfer or disposal;
- (h) the transfer of any **liabilities** and reserve funds associated with the capital asset;
- (i) any comments or representations on the proposed transfer or disposal received from the local community and other interested persons; (if applicable)
- (j) any written views and recommendations on the proposed transfer or disposal by the National Treasury and the relevant provincial treasury; (if applicable)
- (k) the interests of any affected organ of state, **the municipality's own strategic, legal and economic interests** and the interests of the local community; and
- (l) **compliance** with the **legislative regime** applicable to the proposed transfer or disposal.

6.4.2.3 **Conditional approval of transfer or disposal of non-exempted capital assets**

Further, in terms of Regulation 11, an **approval in principle** in terms of regulation 5(1)(b)(ii) or 8(1)(b)(ii) that a non-exempted capital asset may be transferred or disposed of, **may be given subject to any conditions**, including conditions specifying—

- (a) **the way in which the capital asset is to be sold or disposed of;**
- (b) **a floor price or minimum compensation for the capital asset;**
- (c) whether the capital asset may be transferred or disposed of for **less than its fair market value**, in which case the municipal council must first consider the criteria set out in regulation 13(2); and
- (d) **a framework within which direct negotiations** for the transfer or disposal of the capital asset **must be conducted** with another person, if transfer or disposal is subject to direct negotiations.

6.4.2.4 **Transfer or disposal of non-exempted capital assets to be in accordance with disposal management system**

In terms of Regulation 12; if approval has been given in terms of regulation 5(1)(b)(ii) or 8(1)(b)(ii) that a non-exempted capital asset may be transferred or disposed of, the relevant municipality may transfer or dispose of the asset only in accordance with its **disposal management system***, irrespective of—

- (a) the value of the capital asset; or
- (b) whether the capital asset is to be transferred to a private sector party or an organ of state.

***Please note:** The Policy on the Management of Council-owned property is deemed to be the disposal management system. See par. 6.2.2.3 below.

6.4.2.5 Compensation for transfer of non-exempted municipal capital assets

In terms of Regulation 13, the compensation payable to a municipality for the transfer of a non-exempted capital asset must, subject to sub regulation (2)—

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

6.4.2.6 Transfer agreements

Lastly in terms of Regulation 17, a municipality may transfer assets approved for transfer to a private sector party or organ of state in terms of this Chapter, **only by way of a written transfer agreement** concluded between the transferring municipality and the receiving private sector party or organ of state.

A transfer agreement must set out the terms and conditions of the transfer, including, as a minimum—

- (a) a sufficient **description** of the capital asset being transferred in order to identify the asset;
- (b) particulars of any subsidiary assets that are transferred with the capital asset;
- (c) particulars of any liabilities transferred with the asset;
- (d) the **amount of compensation** payable to the municipality or municipal entity for the transfer of the asset or assets, and the terms and conditions of payment; and
- (e) the **effective date** from which the risk and accountability for the asset or assets is transferred to the receiving private sector party or organ of state.

6.4.3 Policy on the management of Council-owned property**6.4.3.1 Disposal management principles**

In terms of paragraph 7.2.1, unless otherwise provided for in the policy, the disposal of Viable Immovable property shall be effected-

- a) by means of a process of **public competition**; and
- b) at **market value** except when the public interest or the plight of the poor demands otherwise.

6.4.3.2 Methods of disposal

In terms of paragraph 9 the type of tender may vary, depending on the nature of the transaction.

The following options may be considered:

- a) outright tender;

- b) Call for proposals;
- c) Call for proposals on a Build-Operate-Transfer basis

6.4.3.3 Deviation from a Competitive process

In terms of paragraph 9.2.2 the Municipal Council may **dispense with the competitive processes** established in this policy, and may enter into a **Private Treaty Agreement** through any convenient process, which may include direct negotiations, including in response to an unsolicited application, only in the following circumstances, and only **after having advertised Council's intention so to act**.

Should any objections be received as a consequence of such a notice, such objections first be considered before a final decision is taken to dispense with the competitive process established in this policy.

However, should any objections be received from potential, competitive bidders, then a public competitive process must be followed. The advertisement referred to above should also be served on adjoining land owners, where the Municipal Manager is of the opinion that such transaction may have a detrimental effect on such adjoining land owner(s):

- (a) **in exceptional cases where the Municipal Council is of the opinion the public competition would not serve a useful purpose** or that it is in the interest of the community and the Municipality, and where none of the conditions as set out in the policy provides for such exception, is permitted, and where they are not in conflict with any provision of the policy. In such cases reasons for preferring such out-of hand sale or lease to those by public competition; must be recorded.

Also, in terms of paragraph 9.23 of the Property Management Policy the "*disposal by exchange of land will be appropriate when it is **advantageous to the Municipality** and other parties to exchange land in their ownerships and will achieve best consideration for the municipality. The Municipal Council must authorise the disposal of land by exchange with another land owner for alternative land. **Reasons for justifying this manner of disposal must be recorded in writing.***

*The exchange will usually be **equal in value**. However, an inequality in land value may be compensated for by other means where appropriate. In such circumstances the Municipality must seek an independent valuation to verify that "best consideration" will be obtained".*

6.5 Staff Implications

No additional staff implications

6.6 Previous / Relevant Council Resolutions

The approval of the current agreements were not considered by this council.

6.7 Risk Implications

The risks are addressed in the item content

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

No issues foreseen from Water Services.

This land swop will have no impact on the road from Techno Park to Adam Tas and the land is not required for this purpose as it is more than 4 kilometres to the south of the link road at Technopark. The link road starts at Technopark and continues north to Adam Tas.

It would however have a major impact on the possible future western bypass if the bypass road is build next to the airfield. In such case the land next to the airfield will be needed.

6.8.2 Director: Planning and Economic Development

No comments submitted.

6.8.3 Chief Financial Officer

No comments submitted.

6.8.4 Municipal Manager

Note the different options for consideration

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 7.2.6

that Council considered the application, and does not approve the land exchange application.

ANNEXURES:

Appendix 1: Original Proposal from Spier

Appendix 2: Further correspondence from Spier

Appendix 3, 4 and 5: Windeed records

Appendix 6: Valuation report (land only)

Appendix 7: Valuation report (Improvements)

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	<i>Manager: Property Management</i>
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@stellenbosch.gov.za
REPORT DATE	2020-08 - 03

APPENDIX 1

7692
Spier

25th March 2019

STELLENBOSCH MUNICIPALITY

PO Box 17
Stellenbosch
7599

Attention: Mr Piet Smit
Manager: Property Management
Stellenbosch Municipality

Dear Sir

Re: Land Exchange Proposal for Erfs 502AA,502AB and portion 13 of 491

Attached please find a proposal from Spier for consideration of a land exchange between Spier Holdings and the aforementioned Erfs on lease with the municipality.

Please advise if any further documentation is required or representations to yourself or others.

Yours Faithfully



Heidi Newton-King
heidink@spier.co.za
0823824585

SPIER HOLDINGS (Pty.) Ltd.

Spier Wine Farm, R310, Stellenbosch, 7600

PO Box 137, Lymedoch, 7603

Tel: +27 (0)21 881 8400 Fax: +27 (0)21 881 3699 www.spier.co.za

DIRECTORS: Andrew Milne, Gerhard De Kock

REGISTRATION Nr: 1999/019779/07

STELLENBOSCH MUNICIPALITY

Attention: Mr Piet Smit

Manager: Property Management

Application for Consideration of a Land Exchange**1. INTRODUCTION**

Spier Wine Farm is applying for the consideration of a land exchange for the Leased lands 502AA 502AB and 491/13 currently under long term lease with the Municipality. The lease agreements are attached as Appendix 1 of this report.

Application is hereby made in terms of 9.2.3.2 the Municipal Property Policy for the disposal of Municipal Lease farms 502 AA, 502 AB and Portion 13 of Farm 491 Stellenbosch in exchange for a portion of Portion 10 of Farm 502 (owned by Spier Farm Management) as more fully described in paragraph 2 (description). A copy of the Title Deed is attached as Appendix 2 of this report.

2. DESCRIPTION, SIZE AND OWNERSHIP

Property Description:	FARMS 502AA,502AB and portion 13 of Farm 491
Property Owner:	Stellenbosch Municipality on long term lease to Spier (1st April 1991-31st March 2041)
Bonds:	N/A
Erf size:	502AA = 11,1ha. 502AB = 17,5ha. Portion 13 of farm 491 = 11.36ha
Zoning:	Agricultural
Land Use:	Agricultural

Property Description:	Portion 10 of Farm 502 Stellenbosch
Property Owner:	Spier Farm Management (Pty) Ltd
Bonds:	N/A
Farm size:	365.0017ha
Zoning:	Agricultural
Land Use:	Agricultural

SPIER HOLDINGS (Pty.) Ltd.

Spier Wine Farm, R310, Stellenbosch, 7600

PO Box 137, Lynedoch, 7603

Tel: +27 (0)21 881 8400 Fax: +27 (0)21 881 3699 www.spier.co.za

DIRECTORS: Andrew Milne, Gerhard De Kock

REGISTRATION Nr. 1899/019778/07

The properties are currently in use for Agricultural activities, with a portion of 491/13 and 502AA being utilised for Agricultural Production and Agric- processing (Spier Wine Cellar).

All 3 properties are zoned 'Agriculture' under the Stellenbosch Municipal Zoning Scheme.

4. THE LAND EXCHANGE PROPOSAL

Spier proposes the Exchange of the 3 portions of Municipal Owned land (totalling 39.9ha) with a parcel of Spier Owned land of the same size which borders on the West boundary of the Municipal Owned Farm RE/502 which houses the Stellenbosch airfield. (See diagram 3 below)

The properties included in this proposal are all zoned Agricultural and are utilised as such.

4.1 LAND EXCHANGE – Diagram 3



5. MOTIVATION

5.1 Need

Spier leases a number of portions of land from the Stellenbosch Municipality.

Historically we have met our commitments to furthering the land reform agenda by ensuring that Farm 502BH of 65.5 was made available to 13 previously disadvantaged farmers. The Small Farmworkers Holdings Trust was set up, and for five years Spier supported the farmers infrastructurally and logistically to an estimated total of R1.5 million rand. We negotiated with the Trust that the land be directly leased from municipality to complete the land reform process.

We would like to further our commitments to a broader agenda of long term food security, training of young farmers and the development of a learning farm model based on ecologically restorative food production. To meet these objectives we would need to secure the land in order to invest into these programmes.

- **Heritage** : The proposed use is in keeping with the broad landscape rural agricultural aesthetic of the Cape Winelands cultural landscape.

8. CONCLUSION

The disposal by exchange of land is considered appropriate and advantageous to the Municipality as no ratepayers money would be used to acquire a portion of private owned land that holds strategic benefits in respect of potential planning and economic initiatives relevant to the air field precinct. The proposed exchange of the long term leased farms will provide a secured and guaranteed platform for Spier to implement rural development programmes and initiatives as prioritised in terms of the Municipal Policy and Planning Frameworks.

It is therefore requested that council approve the proposed land exchange as it will enable and contribute to leveraging social, economic and environmental returns for both the Municipality, Spier and the local community.

Ends.

APPENDIX 2

1692
Spier

Stellenbosch Municipality
Attention: Geraldine Mettler

5th February 2020

Dear Geraldine,

Enclosed please find our motivation for a land exchange in terms of the Municipality's policy on the management of immovable property.

A copy of this will be delivered to Mr Piet Smit.

We would like to meet with you and any other appropriate members of the municipal team to present this proposal in full prior to submission to council to ensure there is a clear understanding of our proposal beyond a formal document only.

Please contact me on heidink@spier.co.za, 021809-1918 or 0823824585 should you require further info prior to a discussion.

I will contact your offices to schedule a suitable time and ask that you acknowledge receipt of the application.

Regards



Heidi Newton-King
Sustainability and HR Director
SPIER

SPIER HOLDINGS

Spier Wine Farm, R310, Stellenbosch, 7600

PO Box 137, Lynedoch, 7603

Tel: +27 (0)21 881 8400 Fax: +27 (0)21 881 9899 www.spier.co.za

DIRECTORS: Andrew Milne, Gerhard De Kock

REGISTRATION Nr: 1999/019776/07

1692
Spier

STELLENBOSCH MUNICIPALITY

Attention: 1. Gerakline Mettler
Municipal Manager
2. Piet Smit
Property Management

Application for Consideration of a Land Exchange

MOTIVATION IN TERMS OF THE STELLENBOSCH MUNICIPALITY'S POLICY ON THE MANAGEMENT OF IMMOVABLE PROPERTY:

PROPOSED EXCHANGE OF FARMS 502 AA, 502 AB, AND PORTION 13 OF FARM 491 STELLENBOSCH FOR A PORTION OF PORTION 10 OF FARM 502 STELLENBOSCH

1. INTRODUCTION

Spier Wine Farm is applying for consideration proposed land exchange between Stellenbosch Municipality and Spier Wine Farm – involving the exchange of Municipally owned Farms 502 AA, 502 AB, and Portion 13 of Farm 491 Stellenbosch for a portion of the Spier Wine Farm owned Portion 10 of Farm 502 Stellenbosch.

The proposal is submitted at the initiative of Spier Wine Farm, within the framework provided by section 7.2.4 of the Municipality's policy on the management of immovable property (hereafter referred to as the Policy), which states that the Municipality can entertain unsolicited proposals for the development of viable immovable property, with the proviso that it is in line with the Municipality's strategic objectives and more specifically that it favours the promotion of black ownership, entrepreneurship, and community upliftment.

Application is hereby made in terms of 9.2.3.2 the Municipal Property Policy for the disposal of Municipal Lease farms 502 AA, 502 AB and Portion 13 of Farm 491 Stellenbosch in exchange for a portion of Portion 10 of Farm 502 (owned by Spier Farm Management) as more fully described in paragraph 2.

2. DESCRIPTION, SIZE AND OWNERSHIP

Property Description:	FARMS 502AA, 502AB and portion 13 of Farm 491
Property Owner:	Stellenbosch Municipality on long term lease to Spier (1st April 1991-31st March 2041)
Bonds:	N/A
Erf size:	502AA = 11,1ha. 502AB = 17,5ha. Portion 13 of farm 491 = 11.36ha
Zoning:	Agricultural
Land Use:	Agricultural

Property Description:	Portion 10 of Farm 502 Stellenbosch
Property Owner:	Spier Farm Management (Pty) Ltd
Bonds:	N/A
Farm size:	365.0017ha
Zoning:	Agricultural
Land Use:	Agricultural

3.LOCALITY, CURRENT LAND-USE AND ZONING

3.1 LOCALITY MAP – Diagram 1



The Lease properties 502AA and 502AB are located on Annandale Road with 491/13 abutting these two properties on the northern boundaries, a total of 39,9 Ha.

3.2 CURRENT LAND USE AND ZONING MAP – Diagram 2



The properties are currently in use for Agricultural activities, with a portion of 491/13 and 502AA being utilised for Agricultural Production and Agric- processing (Spler Wine Cellar).

All three properties are zoned 'Agriculture' under the Stellenbosch Municipal Zoning Scheme.

- **Resource custodianship:** Regenerative agricultural practices will continue the improvement of soil health, soil water retention, and soil carbon sequestration within the currently leased portions over time, as well as utilise significantly less water per yield than conventional agricultural practices.
- **Food and agriculture:** Local food security will be enhanced through the proposed self-sustaining learning farm, which will showcase the production of nutritious food through sustainable farming methods, for the benefit and development of the long-term food security of the local community. It is intended that this will play a significant role in the development of a replicable model which addresses regional food security and young farmer development using regenerative agriculture practices.
- **Heritage:** The proposed use is in keeping with the broad landscape rural agricultural aesthetic of the Cape Winelands cultural landscape.

6. EXISTING SERVICES

The land exchange will not have any impact on services.

7. IMPACT ON SURROUNDING PROPERTIES

Positive impact in that the agricultural heritage and visual aesthetic will be retained.

8. THE PROPOSAL AND THE STIPULATIONS OF THE MUNICIPALITY'S POLICY ON THE MANAGEMENT OF IMMOVABLE PROPERTY

8.1 Policy preamble and guiding principles and values

The preamble to the Policy recognises the inequitable spread of ownership of immovable property throughout the municipal area, the historical causes thereof, and the leading role of the Municipality in redressing these imbalances by ensuring that the immovable property assets under its control are dealt with in a manner that ensures the greatest possible benefit to the Municipality and the community that it serves, and makes available economic opportunities. The preamble also recognises that the Municipality must manage its immovable property in a fair, transparent, and equitable manner.

Our proposal supports the guiding principles and values "a" and "b" outlined in section 5.1. of the Policy ("c" deals with cases where the Municipality retains ownership). Specifically, our proposal supports:

The use of the Municipality's immovable property to promote social integration, to redress existing spatial inequalities, to promote economic growth, to build strong, integrated and dignified communities and to provide access to housing, services, amenities, transport and opportunities for employment. The promotion of access by black people to the social and economic benefit of immovable property ownership, management, development and use.

8.2 Most appropriate use assessment

Section 8 of the Policy states that prior to disposal, the most appropriate use of a property needs to be determined. Most appropriate use is one which achieves an optimum balance between:

The protection of ecological processes and natural systems.

The optimum financial return to and economic development of the municipal area.

The enhancement of the cultural, economic, physical and social wellbeing of people and communities.

While all three elements apply to all property, the Policy acknowledges that the significance of each – and the relationship between them – may vary from property to property. Further, it is stated that in determining most appropriate use, regard should be given to government policy, spatial and sectoral plans, and the views of interested and affected parties.

As outlined in the original report and motivation from Spier Wine Farm (attached), it is believed that the proposed land exchange and use will safeguard the protection of ecological processes and natural

systems while contributing to the socio-economic objectives of the Municipality, specifically the well-being, and livelihood opportunity of citizens.

The range of approaches and practices supported by Spier Wine Farm over time, including those related to food production, resource management, ownership in assets and processes by previously disadvantaged people, training initiatives, and education and livelihood development, is fully aligned with national, provincial, and Municipal policy (including the Municipal Integrated Development Plan).

The proposal is also aligned with the approved Municipal Spatial Development (MSDF) Framework, which, as a core principle, sets out to maintain and grow the assets of Stellenbosch's natural environment (including agricultural land) that underpin economic development and support human well-being.

The MSDF clearly indicates the subject properties for agricultural use into the future.

8.3. Process of disposal

The Policy recognises three broad methods of property disposal:

Competitive processes (through formal tenders, public auction, closed tenders, and/ or unsolicited bids).
 Non-competitive processes (where the non-viable property is disposed to an adjacent owner regarded as the only party who can use the land, or viable property is disposed of without a competitive process).
 The exchange of land (when it is advantageous to the Municipality and other parties to exchange land in their ownership and will achieve best consideration for the municipality).

Spier Wine Farm maintains that the third option – an exchange of land – is advantageous to both the Municipality and Spier Wine Farm. This option enables the continuation and expansion of known and valued Spier Wine Farm programmes, which all support the Municipality's resource management, community development, and economic development objectives – currently undertaken on leased land.

In pursuit of an exchange of "equal" value, Spier Wine Farm offers a portion of Portion 10 of Farm 502 as an exchange for three portions of leased land, Farms 502 AA, 502 AB, and Portion 13 of Farm 491. The area sought and area offered is roughly of equal size and both zoned Agricultural.

Spier Wine Farm understands that:

The Municipal Council must authorise the disposal of the land portions as proposed by Spier Wine Farm. The issue of "equal" value needs to be determined through negotiation and that the current offer can serve as a starting point of such deliberations.

"Inequality" in value – should it be found – may be compensated by other means where appropriate and that the Municipality, in such circumstance, must seek an independent valuation to verify that "best consideration" will be obtained through the exchange.

All costs pertaining to a transaction, inclusive of any costs relating to transfer, registration, survey, subdivision, consolidation, advertisement, and relocation or provision of services cost shall be borne by an applicant, provided that the Municipality may waive its right to claim those costs if the reason for the sale is to rid the Municipality of a burden to maintain the immovable property or exercise control thereover (section 19.2. of the Policy).

Where applicable, existing services shall be secured by means of the registration of a servitude in favour of the Municipality (section 19.3. of the Policy).

Unless approved in writing by the Municipality, the immovable property exchanged may only be used for the purpose as approved by the Municipality and purpose regularized by the relevant by-laws and any applicable legislation (section 19.6. of the Policy).

9. CONCLUSION

Over a sustained period of time, Spier Wine Farm has contributed significantly to sustainable resource and community development thinking and practice, including that related to food production, resource management, ensuring ownership in and meaningful benefit from assets and processes by previously disadvantaged people, training initiatives, and education and livelihood development.

The Spier Wine Farm approach and practice are fully aligned with national, provincial, and Municipal policy (including the Municipal Integrated Development Plan and MSDP) and has had a significant impact on the livelihood opportunity of many citizens.

Access to leased land – owned by the Stellenbosch Municipality – has contributed to Spier Wine Farm delivering on its agenda. Ownership of land currently leased from the Municipality through the proposed land exchange will provide security of tenure, in turn, enabling further planned investment by Spier Wine Farm in support of its commitment and associated programmes.

It is, therefore, requested that council approve the proposed land exchange as it will enable and contribute to leveraging social, economic and environmental returns for both the Municipality, Spier and the local community.

Ends.

APPENDIX 3

Deeds Office Property

FARM 502, 502, 0 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION

Deeds Office	CAPE TOWN
Date Requested	2020/03/16 12:23
Information Source	DEEDS OFFICE
Reference	-



PROPERTY INFORMATION

Property Type	FARM
Farm Name	FARM 502
Farm Number	502
Portion Number	0 (REMAINING EXTENT)
Local Authority	STELLENBOSCH MUN
Registration Division	STELLENBOSCH RD
Province	WESTERN CAPE
Diagram Deed	STF5-34/9/1883
Extent	9.9894H
Previous Description	-
LPI Code	C06700000000050200000

OWNER INFORMATION

Owner 1 of 2

Company Type	LOCAL AUTHORITY
Name	MUN STELLENBOSCH
Registration Number	
Title Deed	STF5-34/1883
Registration Date	1883/09/20
Purchase Price (R)	SECT 16
Purchase Date	-
Share	
Microfilm Reference	2006 1881 1465
Multiple Properties	NO
Multiple Owners	NO

Owner 2 of 2

Company Type	LOCAL AUTHORITY
Name	MUN STELLENBOSCH
Registration Number	
Title Deed	T36696/2006
Registration Date	-
Purchase Price (R)	TRANSFER BY ENDO
Purchase Date	-
Share	
Microfilm Reference	2006 1869 1425
Multiple Properties	NO
Multiple Owners	NO

ENDORSEMENTS (8)				
#	Document	Institution	Amount (R)	Microfilm
1	I-1064/93LG	-	UNKNOWN	
2	I-2562/2014LG	-	UNKNOWN	
3	K211/1962S	-	UNKNOWN	
4	K5211/2006S	-	UNKNOWN	2006 1869 1430
5	K925/1965S	-	UNKNOWN	
6	VA5665/2006	MUN STELLENBOSCH	UNKNOWN	2006 1869 1399
7	FARM ST 502	-	UNKNOWN	1985 0072 0330
8	PTNS ST RD 502/1-3&6	-7	UNKNOWN	

HISTORIC DOCUMENTS (2)				
#	Document	Owner	Amount (R)	Microfilm
1	STF5-34/1883	MUN STELLENBOSCH	UNKNOWN	2006 1881 1465
2	STF5-34/1883	MUN STELLENBOSCH	SECT 16	2006 1881 1465

DISCLAIMER

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APPENDIX 4

WinDeed Database Deeds Office Property

SPIER, 491, 13 (CAPE TOWN)

GENERAL INFORMATION

Date Requested 2020/03/16 12:27
 Deeds Office CAPE TOWN
 Information Source WINDEED DATABASE
 Reference -

**PROPERTY INFORMATION**

Property Type FARM
 Farm Name SPIER
 Farm Number 491
 Portion Number 13
 Local Authority STELLENBOSCH MUN
 Registration Division STELLENBOSCH RD
 Province WESTERN CAPE
 Diagram Deed T30979/1976
 Extent 11.3660H
 Previous Description -
 LPI Code C0670000000049100013

OWNER INFORMATION**Owner 1 of 2**

Type LOCAL AUTHORITY
 Name MUN STELLENBOSCH
 ID / Reg. Number -
 Title Deed T30979/1976
 Registration Date 1976/10/05
 Purchase Price (R) 0
 Purchase Date -
 Share 0.00
 Microfilm 2001 0238 0620
 Multiple Properties NO
 Multiple Owners NO

Owner 2 of 2

Type LOCAL AUTHORITY
 Name MUN STELLENBOSCH
 ID / Reg. Number -
 Title Deed T20759/2001
 Registration Date -
 Purchase Price (R) TRANSFER BY ENDO
 Purchase Date -
 Share 0.00
 Microfilm 2001 0238 0626
 Multiple Properties NO
 Multiple Owners NO

ENDORSEMENTS (2)

#	Document	Institution	Amount (R)	Microfilm
1	K222/2001S	-	UNKNOWN	2001 0238 0639
2	FARM ST 491/13	-	UNKNOWN	1985 0072 0318

HISTORIC DOCUMENTS

No documents to display

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APPENDIX 5

WinDeed Database Deeds Office Property

FARM 502, 502, 10 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION

Date Requested 2020/03/16 12:49
 Deeds Office CAPE TOWN
 Information Source WINDEED DATABASE
 Reference -



PROPERTY INFORMATION

Property Type FARM
 Farm Name FARM 502
 Farm Number 502
 Portion Number 10 (REMAINING EXTENT)
 Local Authority STELLENBOSCH MUN
 Registration Division STELLENBOSCH RD
 Province WESTERN CAPE
 Diagram Deed T49951/1995
 Extent 365.0017H
 Previous Description -
 LPI Code C0670000000050200010

OWNER INFORMATION

Owner 1 of 1

Type COMPANY
 Name SPIER FARM MANAGEMENT PTY LTD
 ID / Reg. Number 197000912107
 Title Deed T55654/2009
 Registration Date 2009/11/11
 Purchase Price (R) 15,202,777
 Purchase Date 2009/02/20
 Share 0.00
 Microfilm 2010 0020 0340
 Multiple Properties NO
 Multiple Owners NO

ENDORSEMENTS (5)

#	Document	Institution	Amount (R)	Microfilm
1	K33/2008S	-	UNKNOWN	2008 0105 4505
2	FROM 502/9,502/8	-	UNKNOWN	-
3	B30161/2009	NEDBANK LTD	17,500,000	2010 0020 0348
4	B12403/2012	NEDBANK LTD	64,000,000	-
5	VA4344/2018	NEDBANK LTD	UNKNOWN	-

HISTORIC DOCUMENTS (10)

#	Document	Owner	Amount (R)	Microfilm
1	B43956/2000	-	9,150,000	2008 0105 4611
2	B58185/1999	-	11,000,000	2008 0105 4540
3	T49952/1995	SPIER HOME FARMS PTY LTD	11,970,000	2010 0020 0341
4	T49952/1995	NEWSHELF 31 PTY LTD	11,970,000	2010 0020 0341
5	B13123/2002	-	38,850,000	2010 0020 0347
6	T49951/1995	UNIVERSITY OF STELLENBOSCH	CCT	1995 0632 5360
7	VA1014/1998	-	UNKNOWN	1998 0243 1765
8	VA5728/2007	-	UNKNOWN	2007 1016 1131
9	T55654/2009	SPIER PROP PTY LTD	15,202,777	2010 0020 0340
10	B30162/2009	-	80,000,000	2010 0020 0349

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APPENDIX 6

VALUATION REPORT

Farm 502 Portions AA & AB,
Portion of Farm 491 Portion 13
Portion of Farm 502 Portion 10

STELLENBOSCH



HCB Property Valuations

29 Church Street
Moorreesburg
7310

Tel: 086 142 2669 **Fax:** 086 514 8551

Email: admin@hcb.co.za

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is valued free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. All engineering information is assumed to be correct. The plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that there is full compliance with all applicable state and local environmental regulations and laws unless non-compliance is stated, defined and considered in the valuation report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless non-compliance is stated, defined and considered in the valuation report.
9. It is assumed that all required licenses, certificates of occupancy, consents or other legislative or administrative authority from any local or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespassing unless noted in this report.



Signature

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general limiting conditions.

1. The apportionment, if any, of the total valuation figure in this report between land and improvements applies only under the stated client instructions and is hypothetical. The separate allocations for land and buildings must not be used in conjunction with any other valuation and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the valuer, and in any event only with proper written qualification and only in its entirety.
3. The valuer herein by reason of this valuation is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially conclusions as the value, the identity of the valuer, or the firm with which the valuer is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the valuer.
5. Neither the whole nor any part of this valuation report or certificate or any reference thereto may be included in any published document, circular or statement, or published in any way without the valuer's written approval of the form and context in which it may appear. The publication shall deem to include references in company accounts and/or director's reports or any other company statement or circular.
6. The valuation is prepared on the basis that full disclosure of all information and facts which may affect the valuation, has been made to the valuer and no liability or responsibility will be accepted whatsoever for the valuation unless such full disclosure has been made.
7. This valuation is solely for the use of the party to whom it is addressed in accordance with the instructions. Reliance on it by any third party cannot be regarded as reasonable and no responsibility to any third party is or will be accepted for the whole or any part of the valuation.
8. The valuer has no personal interest in the property.
9. In the unlikely event of the client incurring any losses due to negligence of the valuers, valuers in training and assistants, the aggregate amount of the damages recoverable against the valuer shall not exceed the fee for providing the service.



Signature

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1. CERTIFICATION

I, Henrik Coenraad Botha, registered as a Professional Valuer in terms of the Property Valuers Profession Act 47 of 2000, do hereby certify that I have inspected and identified the subject properties referred to in this report and have obtained all the necessary information to determine the market value thereof.

➤ *See Annexure 1 for Valuer Certificate*

2. INSTRUCTION

Instruction was received from the Stellenbosch Municipality to attend to the valuation of Farm 502 portions AA & AB, portion of Farm 491 portion 13 and portion of Farm 502 portion 10, Stellenbosch. The purpose of the valuation is to determine the value of these portions to facilitate a land swap between the Stellenbosch Municipality and Spier Farm Management (Pty) Ltd.

There are 3 options that is to be considered namely;

1. Exchange of land for more or less the same size
2. Exchange of land, but for a bigger land parcel
3. Exchange of land, but for a smaller portion of lease land

➤ *See Annexure 2 for Instruction*

3. DATE OF VALUATION

The date of the valuation is 1 January 2021.

4. TITLE DEED DESCRIPTION

Information obtained from the Deeds Office indicates that Farm 502 portions AA & AB as well as Farm 491 portion 13 are all owned by the Stellenbosch Municipality under title deed numbers STFS-34/1883 and T30979/1976 respectively.

The total extent of these subject properties are 39,9660ha broken down as follow;

- Farm 502 portion AA 11,1000ha
- Farm 502 portion AB 17,5000ha
- Portion of Farm 491 portion 13 11,3660ha

Information obtained from the Deeds Office indicates that Farm 502 portion 10 are owned by Spier Farm Management (Pty) Ltd under title deed T55654/2002.

The properties as far as could be ascertained are not subject to any Land Claims.

5. SURVEYOR GENERAL INFORMATION

Not applicable to this report.

6. LOCAL GOVERNMENT INFORMATION

The subject property falls within the jurisdiction of the Stellenbosch Municipality.

7. ZONING INFORMATION

As per point 6.2.1.3 of the attached instruction it is indicated that all the subject properties are currently zoned for Agricultural Activities. This was not further investigated.

8. MUNICIPAL VALUATION AND INFORMATION

The current municipal valuation for Stellenbosch Municipality was done on 1 July 2020 and the values of subject properties are as follow;

- Farm 502 portion AA R1,540,000-00
- Farm 502 portion AB R2,190,000-00
- Portion of Farm 491 portion 13 R7,385,000-00
- Farm 502 portion 10 R33,050,000-00 (365,0017ha)

9. LOCALITY

Please refer to attached Locality Map.

➤ *Please see Annexure 3 for Locality Map*

10. PHYSICAL DESCRIPTION

A wine cellar has been constructed on a portion of Farm 502 portion AA and a portion of Farm 491 portion 13. Other buildings/structures were constructed on a portion of Farm 491 portion 13.

The portion of Farm 502 portion 10 is undeveloped and has not actively been used for agricultural purposes for some years.

It is however noted that as per our instruction only the land is to be valued.

11. MARKET VALUE DEFINITION

Market value is defined by the International Valuation Standards Council as: "The estimated amount for which an asset should exchange, on the date of valuation, between a willing buyer and a willing seller, in an arms-length transaction, after proper marketing, wherein the parties had each acted knowledgeably, prudently and without compulsion".

12. HIGHEST AND BEST USE

This is described as the most probable use of a property, which is physically possible, appropriately justified, legally permissible, financially feasible and which results in the highest value of the property being valued. Subject properties are current zoned for Agricultural Activities and are used for Agricultural Activities. I am therefore of the opinion that subject properties are being used at its Highest and Best Use.

13. MARKET OVERVIEW AND SURVEY

Stellenbosch is a popular area with regard to sales in the area, see section 15 below for comparable sales.

14. METHOD OF VALUATION

The Comparable Sales Method of valuation is considered to be the most suitable method to employ in order to establish the market value of the subject property. In applying the Comparable Sales Method, it is necessary to investigate the sales of similar type properties that have been sold as well as comparable properties which are on the market.

The above information is compared to the subject property, which involves judgments as to the degree of similarity with regard to value factors such as location, construction type, age, condition and layout. The sales of properties, which are most comparable, tend to set the range in which the value of the subject property will fall. Further consideration of comparative data will indicate to the valuer a figure representing the value of the subject property in keeping with the definition of value sought as at the date of valuation.

15. COMPARABLE SALES

The market was surveyed for comparable Agricultural Land sales in the surrounding area. The results are tabulated below.

Sales – With relation to Municipal Owned Properties (Farm 502 portions AA & AB and portion of Farm 491 portion 13)

No.	Description	Sale Price	Sale Date	Size (ha)	Price/ha
1.	Farm 277	R87,492,369	2017/09/04	141.3077	R323,522
2.	Farm 276	R87,492,369	2017/09/04	25.1092	
3.	Farm 275	R87,492,369	2017/09/04	104.0205	
4.	Farm 491 Portion 2	R30,000,000	2017/09/04	105.9642	R283,114
5.	Farm 468 Portion 9	R6,400,000	2019/03/11	9.2727	R690,198

Sales – With relation to Spier owned property (Farm 502 portion 10)

No.	Description	Sale Price	Sale Date	Size (ha)	Price/ha
1.	Farm 468 Portion 24	R39,000,000	2019/02/23	35.4925	R1,098,824
2.	Farm 510 Portion 6	R19,000,000	2018/08/31	19.8142	R958,908
3.	Farm 491 Portion 2	R30,000,000	2017/09/04	105.9642	R283,114

16. DETERMINATION AND ADJUSTMENT TO VALUE

Based on the above survey and comparable sales it was concluded that the market value of subject portions under ownership of the Municipality that a rate of R400,000/hectare for irrigation land apply and that a rate of R175,000/hectare for field apply. Thus the value of subject portions is calculated at follow;

- Farm 502 portion AA
Irrigation 6.0000ha @ R400,000-00 = R2,400,000-00
Field 5.1000ha @ R175,000-00 = R 892,500-00
= R3,292,500-00

- Farm 502 portion AB
Irrigation 9.0000ha @ R400,000-00 = R3,600,000-00
Field 8.5000ha @ R175,000-00 = R1,487,500-00
= R5,087,500-00

- Portion of Farm 491 portion 13
Irrigation 5.0000ha @ R400,000-00 = R2,000,000-00
Field 6.3660ha @ R175,000-00 = R1,114,050-00
= R3,114,050-00

= R11,494,050-00

Based on the above survey and comparable sales it was concluded that the market value of subject property under ownership by Spier Farm Management (Pty) Ltd that a rate of R285,000/ha for field apply. Thus the value of subject portion of the same extent as the Municipal owned properties can be calculated as follow;

- Portion of Farm 502 portion 10
Field 39.9660ha @ R285,000-00 = R11,390,310-00

17. CERTIFICATION OF VALUATION

I hereby certify that I have identified the subject properties which were identified for value and obtained all the necessary information to determine the market value thereof. Accordingly, I hereby certify that in my opinion, to the best of my knowledge, skill and expertise, the market value of the subject properties for the extent of 39,9660ha, as identified in section 2 as at 1 January 2021 is.

**Farm 502 portions AA & AB & portion of Farm 491 portion 13 is;
R11,494,050-00**

**Portion of Farm 502 portion 10 is;
R11,390,310-00**

Signed at **MOORREESBURG** on this **14th** day of **JANUARY 2020**.

A handwritten signature in black ink, appearing to read 'Botha', written in a cursive style.

**Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601**

18. CAVEATS

This valuation has been prepared on the basis that full disclosure of all Information and factors which may affect the valuation have been made to Ourselves and we cannot accept any liability or responsibility whatsoever for the Valuation, unless such full disclosure has been made.

- Valuation Standard

This valuation has been prepared in accordance within the guidelines of the South African Institute of Valuers for valuation reports.

- Statutory Notices and Unlawful Use

We have assumed that the property and its value are unaffected by any statutory notice or condition of Title where Title Deeds have not been inspected, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

- Confidentiality

This valuation is produced exclusively for the Stellenbosch Municipality and for the specific purpose to which it refers. It may be disclosed to your other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

- Non-Publication

Kindly note that neither the whole nor any part of this report, nor any reference thereto maybe included in any published document, circular or statement, nor published in any way without our prior written approval at to the form or context in which it may appear.

19. ANNEXURES

19.1 Annexure 1 – Valuer Certificate



SOUTH AFRICAN COUNCIL FOR THE
**PROPERTY VALUERS
PROFESSION**

This is to certify that

HENDRIK COENRAAD BOTHA

is registered as

Professional Valuer

In terms of section 20(2)(a) of the
Property Valuers Profession Act, 2000

DATE OF REGISTRATION AS: Professional Valuer: 28 January 2020

DATE OF ISSUE: 13 February 2020

PERIOD OF VALIDITY: 28 January 2020 - 30 June 2024



JF Cloete
President



REGISTRATION No: 5601



MC Seota
Registrar

19.2 Annexure 2 – Instruction

Spier

Property description	Size	Lease Period
Portion 13 of Farm 491/1	11.3660 R5831800	01/04/1991 – 31/03/2041
502AA	11.1ha R1455M	01/04/1991 – 31/03/2041
502AB	17.5ha	01/04/1991 – 31/03/2041

R2625M

6.1.2 Land exchange proposal

On 25 March 2019 Spier Holdings (Pty) Ltd submitted a proposal for a land exchange, i.e. three (3) portions of Municipal Lease Land, totalling 39,966ha in total for a portion of Portion 10 of Farm 502, Stellenbosch (Spier property) equal in size. A copy of their proposal is attached as APPENDIX 1.

They subsequently have indicated that the application should be put on hold.

A letter has now been submitted to the Municipal Manager, requested that their proposal now be considered. Their latest correspondence is attached as APPENDIX 2.

6.2. DISCUSSION

6.2.1 Property description

6.2.1.1 Location and context

The three municipal lease properties are situated to the North of the Annandale road, as indicated on Fig 1 and 2 below.



Fig 1: Location and context



Fig 4: Extent of property

6.2.1.2 Ownership

The three portions of Lease Properties, being two (2) portions of Remainder Farm 502 (Lease Farm 502AA and 502AB) and Portion 13 of Farm 491, vests with Stellenbosch Municipality by virtue of Title Deeds STFS-34/1883 and T30979/1976 respectively, as indicated on Windeed records hereto attached as **APPENDIX 3** and **4** respectively.

Remainder Portion 10 of Farm 502, is registered in the name of Spier Farm Management (Pty) Ltd by virtue of Title Deed T55654/2002. See windeed record attached as **APPENDIX 5**.

6.2.1.3 Current Land Use

All the properties are currently zoned for Agricultural Activities, whilst a portion is utilised for Agricultural production and Agri processing (Spier Wine Cellars).

6.2.1.4 Improvements

A wine cellar has been constructed on a portion of Lease Farm 502AA and a portion of Portion 13 of Farm 491, whilst other buildings/structures were constructed on a Portion of Portion 13 of Farm 491 as shown on Fig 5, below.



Fig 5: Improvements

In terms of the Lease Agreements, all permanent improvements will become the property of the Municipality at the end of the Lease term.

The portion of Portion 10/502 (Spier's property) is undeveloped and has not actively been used for agricultural purposes for some years. This means that it will be seen as virgin land and special applications and approvals are required for activities on the land.

6.2.1.5 Water Rights

Council properties all have water rights and depending on the option decided on by council the influence of the water rights have to be discussed.

The existing water rights is as follows:

Farm 502AA:6Ha
 Farm 502AB:9Ha
 Farm 491/1:5Ha

6.2.2 Options for consideration

6.2.2.1 Option 1: Exchange of land

Council agree on the exchange of land, as proposed by Spier, i.e. the disposal of Lease Farms 502AA, 502AB and portion 13 of Farm 491 (measuring approximately 39,966ha) in exchange for a portion of Portion 10 of Farm 502 (Spier property), measuring approximately 39,966ha in extent.

This option is based on the assumption that the two portions of land is more or less equal in value. This Department is of the view that the Spier land (per ha) is not equal in value, due to the environmental sensitivity of it (renosterveld).

The advantage with this option is that no rate payer's money would be used to acquire the portion of land adjacent to the airfield which open options in respect of potential planning and economic initiations relevant to the airfield precinct, e.g. expansion of airfield, provision of Western by-pass road, etc.

6.2.2.2 Option 2: Exchange of land, but for a bigger land parcel

Council agree on the exchange of land, i.e. the disposal of Lease Farms 502AA; 502AB and Portion 13 of Farm 491 (measuring 39.966ha) in exchange for a bigger portion of Portion 10 of Farm 502 (Spier property), measuring approximately 97.22 ha in extent, as shown on Fig 5, below.



Fig 5: Extent of land

This option is based on the assumption that the Spier land (measuring 97.22ha) as indicated in Fig 5, is more or less equal in value with the Lease Farms (measuring 39.966ha), as the Spier land has certain development constraints, i.e. environmental sensitive area.

Although the Spier land may be less in economic value, it might have some environmental/strategic value for the municipality.

6.2.2.3 Option 3: Exchange of land, but smaller portion of lease land

Council agree on the exchange of land, i.e. the disposal of portions of Lease Farms, measuring 5.83ha in extent, as shown on Fig 6, below, for the portion of Farm 502/10 (Spier property), as indicated in their proposal.



Fig 6: Extent of land

This would give ownership to Spier of their Cellar buildings and would allow for possible expansion of the Airfield and by-pass road.

6.2.2.4 Option 4: Disposal of only the cellar portion

Council agree to the disposal of the lease-land indicated on Fig 6 (Cellar building at a market related price, to be determined by an independent valuer.

6.3 Financial Implications

The financial implications will be dependent on which option is approved. The estimated values of the land is as follows. These values are estimated by the department and not valuer land values.

19.3 Annexure 3 – Aerial Photos





Google Earth
Image © 2020 Maxar Technologies
© 2020 Afrisis (Pty) Ltd.
© 2020 Google

APPENDIX 7



Valuations and Services (Pty) Ltd

Cnr Church Street & Long Street, PO Box 247, Moorreesburg, 7310
T: +27(0)86 142 2669 M: +27(0)83 663 2140 E: admin@hcb.co.za
Company No: 2012/168731/07 GPS: -33.1550,18.6625

The Municipal Manager
Stellenbosch Municipality
P.O. Box 17
STELLENBOSCH
7600

14 January 2021

To whom it may concern

RE: ADDENDUM TO VALUATION REPORT – PROPOSED LANDSWOP, FARM 502 PORTIONS AA & AB, PORTION OF FARM 491 PORTION 13 AND PORTION OF FARM 502 PORTION 10

Municipality instructed HCB to determine the value of the improvements as stated in correspondence received with reference to section 6.2.1.4 Improvements, which states; “A wine cellar has been constructed on a portion of Lease Farm 502 portion AA and a portion of Farm 491 portion 13, whilst other buildings/structures were constructed on a portion of Farm 491 portion 13 as shown in the figure below”.



Our records indicate that the description and the extent of improvements is as follow;

- Cellar 2242m²
- Stores 306m²
- All other improvements are non-permanent structures which can be seen on the attached addendum.

It is our opinion to determine a fairvalue (fairvalue = replacement cost minus depreciation) of the improvements and deduct a depreciation factor for age and condition, thus;

- Cellar @ R5,500-00/m² – 40% depreciation
 $R5,500-00 \times 2242m^2 - 40\% \text{ depreciation} = R12,331,000-00 - R4,932,400-00$
= R7,398,600-00
- Stores @ R3,500-00/m² – 50% depreciation
 $R3,500-00 \times 306m^2 - 50\% \text{ depreciation} = R1,071,000-00 - R535,500-00$
= R535,500-00
- Total fairvalue of improvements **= R7,934,100-00**

This total fairvalue of improvements should be added to the applicable land totals as indicated in the valuation report to determine the total value of subject properties.

I trust you will find this in order.

Regards,



Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601





11.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]
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NONE

11.4	HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)
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NONE

11.5	INFRASTRUCTURE: (PC: CLLR Q SMIT)
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11.5.1	REQUEST TO COMMENCE WITH THE INVESTIGATION INTO THE USE AND GENERATION OF ALTERNATE ELECTRICITY ENERGY SUPPLIES
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

20 January 2021

1. SUBJECT: REQUEST TO COMMENCE WITH THE INVESTIGATION INTO THE USE AND GENERATION OF ALTERNATE ELECTRICITY ENERGY SUPPLIES

2. PURPOSE

To inform Council about the option to investigate alternate forms of Electricity Supplies through own generation or purchases from Independent Power Producers.

3. DELEGATED AUTHORITY

Municipal Council -- for notification.

4. EXECUTIVE SUMMARY

Under previous circumstances, the Constitution did not allow Local Government to enter into the generation of electricity and the Electricity Regulation Act did not allow municipalities to purchase electricity from any company other than Eskom. Through the promulgation of Electricity Regulation Act Regulations, in 16 October 2020, this changed and municipalities are now allowed to generate electricity and purchase electricity from other electricity providers than Eskom.

Stellenbosch Municipality is in the position to make use of internal research entities, Stellenbosch University and the Council for Scientific and Industrial Research (CSIR) as well as the Western Cape Government to facilitate the investigations into viability and feasibility of the following possible projects and other similar possibilities:

- a. Rooftop Solar Panel Generation of Electricity
- b. Methane Mining of the Landfill Site and utilising methane to power engines which in turn generates electricity through generators

-
- c. Storage of Electricity with batteries/capacitor in order store cheap electricity at night and to use this during expensive slots within the day
 - d. Allowing the public to generate electricity and sell this to the municipality
 - e. Purchasing Electricity from registered Independent Power Providers (IPPs)
 - f. Investigating the generation of electricity on a large scale with the view of onward selling of this electricity to willing buyers outside the jurisdiction of Stellenbosch Municipality.

5. RECOMMENDATIONS

- (a) that Council approves the investigation into alternate methods of electricity generation and purchases;
- (b) that Council approves the joint investigation to be done by University of Stellenbosch, Council for Scientific and Industrial Research (CSIR), and the Western Cape Government;
- (c) that Council accepts the initiating of the following processes as may be required:
 - i. Municipal Systems Act, Section 78(1) processes
 - ii. Municipal Finance Management Act, Section 33 investigation processes
 - iii. Electricity Regulation Act, Section 13; and
- (d) that Council considers the funding of such investigations and implementation of completed investigations within the determination of the 2021/22 budget process.

6. DISCUSSION / CONTENTS

6.1 Background

Within the Constitution, Local Government is awarded the right to manage the provision of services as listed in Schedule 4B and Schedule 5B.

Section 156 of the Constitution states:

156. (1) A municipality has executive authority in respect of, and has the right to administer,

- a. the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5; and
- b. any other matter assigned to it by national or provincial legislation

One such service is Electricity Reticulation, which means the receiving of electricity and distributing this to end consumers. Section 156(1)(b) also states that further services may be administered provided that National Government or Provincial Government must legislate such provision.

For some years South Africa has suffered due to the shortage of available electricity. National Government has decided to assist the continued supply of electricity by now allowing municipalities to also generate electricity and purchase electricity from other sources than Eskom.

On 16 October 2020 the Regulations of the Electricity Regulation Act was amended and legislated that municipalities are allowed to:

Regulation 5 is amended to allow municipalities to procure and/or generate electricity: "(3) A municipality, as an organ of state, may apply to the Minister to procure or buy new generation capacity in accordance with the Integrated Resource Plan, and such municipality must- ..."

To this end Local Government is now free to generate its own electricity or purchase such electricity from other sources than Eskom.

6.2. Discussion

6.2.1 Various possible Electricity Generation and/or Electricity Purchases of Electricity may be sought. These are, but not limited to:

- a Rooftop Solar Panel Generation of Electricity
- b Methane Mining of the Landfill Site and utilising methane to power engines which in turn generates electricity through generators
- c Storage of Electricity with batteries/capacitor in order store cheap electricity at night and to use this during expensive slot within the day
- d Allowing the public to generate electricity and sell this to the municipality
- e Purchasing Electricity from registered Independent Power Providers (IPPs)
- f Investigating the generation of electricity on a large scale with the view of onward selling of this electricity to willing buyers outside the jurisdiction of Stellenbosch Municipality

6.2.2 In order to generate own electricity or purchase alternate energy, it is necessary to conduct various investigations and assessments as per various Acts. These include:

- a. The Municipal Systems Act – Sections 76 to 82
- b. The Municipal Finance Management Act – Section 33 and the Supply Chain Management Regulations and possibly the Private Public Partnership Regulations
- c. The Electricity Regulations Act – Section 8, Sections 11 to 15
- d. The National Energy Act – Section 6 and 17

6.2.3 Any possible project has to be assessed and, depending on its characteristics, may or may not need an MSA Section 78 investigation or an MFMA Section 33 investigation or investigation required by the Electricity and Energy legislation. All these investigations must prove that any of the mentioned project will be viable and feasible.

6.2.4 Council is hereby requested to allow the Directorate: Infrastructure Services to enter into the investigation of such projects and to enter into legislated investigation requirements to test the viability and feasibility of each of these projects or any other that may be found to be cost effective in the acquisition of alternate electricity energy.

Where necessary and legally required such investigations may include type MSA Section 78(1) assessments, MFMA Section 33 assessments, Investigations required by the ERA. These investigations will determine which of these projects could be Viable and Feasible. When projects are considered to be viable, a report will be submitted to Council before any further actions are taken to introduce such a project

6.2.5 Council is further requested to allow the Directorate to enter into a joint investigating venture with the University of Stellenbosch, the Council for Scientific and Industrial Research (CSIR) and the Western Cape Government.

6.2.6 There is a possibility that grant funds can be obtained to conduct such investigation and this Directorate will also request that some funds be made available to conduct some exercises. These will be part of the 2021/22 budget requests.

6.3 Financial Implications

This report has financial implications to the municipality but will only become known once some assessments have been done. Listed projects may also have security of supply benefits as well as savings due to generating own electricity.

6.4. Legal Implications

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

6.5. Staff Implications

No staff positions are affected

6.6. Previous / Relevant Council Resolutions

Not Applicable

6.7. Risk Implications

Risks such as sufficient electricity supply and proper funding balancing are being mitigated.

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

WRITER OF REPORT

6.8.2. Director: Planning and Economic Development

Support recommendations

6.8.3. Director: Community and Protection Services

No comment

6.8.4. Director: Corporate Services

Commented. Adjustments were made related to comments

6.8.5. Chief Financial Officer

No comment

6.8.6. Municipal Manager

With the on-going blackouts and loadshedding, it is imperative that the Municipality investigates alternate energy sources, and in particular, own generation to enable sustainability of energy received. More so in the light of securing income generating development for the WC 024 in order to increase the rates base and work toward long-term viability and sustainability.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 7.5.1

- (a) that Council approves the investigation into alternate methods of electricity generation and purchases;
- (b) that Council approves the joint investigation to be done by University of Stellenbosch, Council for Scientific and Industrial Research (CSIR), and the Western Cape Government;
- (c) that Council accepts the initiating of the following processes as may be required:
- i. Municipal Systems Act, Section 78(1) processes
 - ii. Municipal Finance Management Act, Section 33 investigation processes
 - iii. Electricity Regulation Act, Section 13; and
- (d) that Council considers the funding of such investigations and implementation of completed investigations within the determination of the 2021/22 budget process.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	<i>Director Infrastructure Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	021 808 8815
E-MAIL ADDRESS	deon.louw@stellenbosch.gov.za
REPORT DATE	12 January 2021

11.6	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))
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NONE

11.7	PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: (PC: CLLR E GROENEWALD (MS))
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NONE

11.8	RURAL MANAGEMENT: (PC: CLLR S PETERS)
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NONE

11.9	YOUTH, SPORTS AND CULTURE: (PC:)
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11.9.1	UNIVERSAL ACCESS POLICY REVIEW
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Collaborator No: 700482
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 20 January 2021

1. SUBJECT: UNIVERSAL ACCESS POLICY REVIEW

2. PURPOSE

To obtain Council approval for the Universal Access Policy Review.

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

Council approved the Universal Access Policy in April 2016. The first review includes progress evaluation of policy implementation and the introduction of the White Paper on the Rights of Persons with Disabilities.

5. RECOMMENDATIONS

- (a) that Council notes the results of the public participation process for the Review of the Universal Access Policy; and
- (b) that the reviewed Universal Access Policy be approved.

6. DISCUSSION / CONTENTS**6.1 Background**

Stellenbosch Municipality was the first local authority to approve a Universal Access policy. Since the approval of the policy efforts towards implementation has been made and the review intend to highlight successes achieved, to identify gaps and to recommend changes to assist with implementation.

6.2 Discussion

The approval of the Universal Access Policy requires an attitude change amongst the administration and political sphere of the municipality. Part of the required change is the elimination of the thinking that the policy only relates to persons with disability.

The intent of the policy is to ensure that all departments take into consideration the differences between the citizens when planning and implementing services. This include elderly persons, persons with physical and mental disabilities, mothers with small children, the different educational levels and languages of our communities and persons with temporary mobility issues. It thus cannot be a policy for implementation by one department, but should guide all departments to think about the services they render and how they can contribute towards an obstacle free environment to ensure citizens can interact not only with the municipality but also with each other freely.

The review of the policy focus on:

- a) A revision of what has been achieved and what have not been achieved.
- b) Legislative changes
- c) Reviewing the objectives of the policy and its alignment with clear performance indicators.
- d) A brief view on possible reasons as to why the policy is not achieving the objectives.

A. POLICY IMPLEMENTATION HIGHLIGHTS AND GAPS:

Most of the changes resulting from the policy is visible through the services of the Infrastructure Services Directorate and in particular the Roads and Storm Water Department. Corporate Services has also made changes in its approach to maintenance and new facilities. Mostly when doing maintenance where the public requires access or it is demanded through Occupational Health and Safety. The following is examples of completed works:





Project Description: Handrails, access ramps, accessible toilets, Disability Parking Bays

Location: Municipal Court, Cloetesville Ward Office, Stellenbosch Traffic Dept, Stellenbosch Pay point, Franschhoek Admin Building, Plein Street Library, Plein Street Admin Building, Stellenbosch Town Hall



Project Description: Sidewalks and dropped curbs, raised pedestrian crossing, tactile paving, audible tactile buttons at pedestrian crossing

Location: Tarentaal Road, Plein Street, Dorp Street, R44, R310, Martinson Road, C/o Andringa and Crozier Street

Sidewalk Implementation:

- During the 2015/2016 financial year, the implementation of Non-Motorized Projects and the construction of 5,7km of sidewalks/cycle paths were embarked upon. Sidewalks along main routes from neighbouring residential areas were constructed to complete links to the Stellenbosch CBD.
- During the 2016/2017 financial year the Provincial Government granted Stellenbosch Municipality R4M for the development of NMT facilities. This money was used to supplement the municipality's own budgets. Sidewalks were constructed in Ida's Valley, Cloetesville, Klapmuts and Stellenbosch CBD. Approximately 3,2km's of sidewalks were constructed.
- During the 2017/18 financial year, sidewalks have been constructed in various residential areas, namely Groendal, Uniepark, Mostertsdrift, Stellenbosch CBD, Ida's Valley and Cloetesville. Approximately 2,4 km's of sidewalks were constructed.
- Extract 2018/2019 Draft Annual Report: During the 2018/19 financial year, sidewalks have been constructed in the following residential areas, namely Stellenbosch CDB, Franschoek, Paradyskloof, Raithby, Wemmershoek, Pniel, Kylemore, Jamestown. The Municipality will continue with its annual programme to expand the NMT network. Approximately 2,4 km's of sidewalks were constructed.

All Municipal traffic signals and signalized pedestrian crossings have been equipped with accessible push button controls that provide audible information on safe road crossing.

Engineering Services has appointed a consultant to carry out a detailed inventory of our sidewalk infrastructure and UA infrastructure with the intention of making the information available on a Geographic Information System.

The municipality however would still benefit from a single reporting platform where all contributions towards achieving UA can be logged such as the performance scorecards of the directors.

Community participation is encouraged through work done by the Community Development Department including quarterly networking through the Stellenbosch Disability Network and the annual Walk with Disability Campaign. These initiatives include a memorandum handed to the municipality expressing the need of the community with accessible transport as their number one priority.



Infrastructure Services established the Mobility Forum and the Non-Motorised Transport Working Group. The Mobility Forum looks at mobility in and around Stellenbosch holistically, whilst the Working Group focus specifically on mobility of a non-motorised nature. Both these structures has representation from various sectors of the community that will benefit from Universal Access.

The recent re-activation of the Stellenbosch Municipality Facebook page and Twitter Account (2018) and complaints platform through whatsapp (2019) has provided easy access to information to all citizens. The value of access to information through these platforms must not be underestimated and can be considered of more value than a formal website as it is easier for citizens to interact with.

The primary measurement for success i.t.o policy implementation would be whether the municipality is making it easier for the community to interact with the municipality on issues of concern, but also for normal interaction relating to paying accounts and submitting building plans as an example.

The following are examples of the most prevalent issues where institutional changes have not yet been made and where serious consideration should be given to:

- a) Public Meetings and Notices: IDP meetings are still held in inaccessible venues and transport for citizens to these meetings and municipal events such as The Festival of Lights is not accessible. Placing notices only in formal newspapers and on the municipal website can no longer be deemed enough. The use of the municipal Facebook page can contribute if all departments make use of this platform in addition to legislative communication requirements.
- b) Planning applications: Applications for these services are not available purely electronically and requires a person to physically come to the municipality to submit applications. The applications submissions can only be made during certain times of the day and requires an additional trip to the municipality should you have missed the office hours (8:30-13:30). The Planning and Economic Development Directorate is however in the process of implementing BPAMS and TPAMS which will allow 100% remote applications and hopes to have these implemented by March 2020. It however requires a very close relationship with ICT services to ensure that the municipal ICT infrastructure is equipped to deal with the electronic requirements of the planning applications, but also any other electronic system for interaction between the public and the municipality . The current ICT upgrade thus contributes to achieving universal access when interacting with the municipality.
- c) Accessible public transport: In order to promote access to economic opportunities, the municipality must strive to work towards accessible transport for persons with disabilities, but also for all citizens in low socio-economic circumstances. This need is expressed in the annual memorandum handed to the municipality by the disability sector and requires specific attention.
- d) Seamless non-motorised mobility in and around town centres and adjacent communities. Examples include mobility between the university campus and Stellenbosch town, mobility within communities like Cloeteville, Kayamandi, etc. for citizens with mobility issues to reach public transport and other amenities.
- e) Integrated planning and recording of efforts in relation to the implementation of the Universal Access Policy.
- f) Equal access to leisure and sport facilities for persons with disabilities.
- g) Business application still requires physical interaction with the municipality between at least three different departments requiring access to parking in the centre of town.

B. LEGISLATIVE CHANGES:

The **White Paper on the Rights of Persons with Disability** (WPRPD) was not included in the policy as it was gazetted during the finalization of the Universal Access Policy. It is important to note that the WPRPD does not introduce a policy shift. Nor does it replace any sector specific policies on disability. It reiterates that the primary responsibility for disability equity lies with national, provincial and local government; and other sectors of society but also allocates responsibilities to persons with disabilities and their families. The vision of the WPRPD is the creation of a free and just society inclusive of all persons with disabilities as equal citizens.

Although the focus of the White Paper is on persons with disability, for the purpose of the review of the Universal Access (UA) Policy, it is important to remind oneself that what is applicable to persons with disability is also applicable to elderly persons, mothers with children and persons with mobility issues even if it is temporary in nature and thus will guide the UA Policy.

The strategic pillars of the WPRPD for realising the rights of persons with disabilities provide guidance and specific required actions that has bearing on the Universal Access policy. The following pillars is specifically linked to the role and responsibility of local government with specific targets set in the implementation matrix of The White Paper.

PILLAR 1: REMOVING BARRIERS TO ACCESS AND PARTICIPATION

The creation of barrier-free environments requires collective and concurrent actions. Accessibility lies at the heart of the right to human dignity – being able to live as an equal resident in one’s community, being accorded respect for your personal space, having the right to equal opportunities and negotiating one’s life unhindered by manmade barriers. A number of articles in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) requires State Parties to take appropriate measures to ensure that persons with disabilities are able to access, on an equal basis with others, the physical environment, transportation, information and communications as well as other facilities and services open or provided to the public, both urban and in rural areas. These include:

Art 9: Accessibility

Art 11: Situations of risk and humanitarian emergencies

Art 20: Personal Mobility

Art 21: Freedom of Expression and opinion and access to information

Art 30: Participation in cultural life, recreation, leisure and sport

The following six dimensions have to be addressed in order to remove barriers to access and participation: Detail and guidelines on how to address the dimensions can be found as:

- Changing attitudes and behaviour
- Access to the built environment
- Access to transport
- Access to information and communication
- Universal design and access, and
- Reasonable accommodation measures

“One of the greatest hurdles disabled people face when trying to access mainstream programmes are negative attitudes. It is these attitudes that lead to the social exclusion and marginalisation of persons with disabilities.”

The thought that we have to spend taxpayer's money on taxpayers and that we might have to serve them differently to the way we have in the past seems unbearable to the public servant.

PILLAR 3: SUPPORTING SUSTAINABLE INTEGRATED COMMUNITY LIFE

Persons with disabilities have an equal right to live in the community, with choices equal to others. This requires that government, across all three spheres, take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community.

Women and girls tend to carry the responsibility of caring and providing for children with disabilities and adults with severe disabilities where personal assistance and accessible child-care facilities are not available, making them less likely to develop careers, find partners and access training and educational opportunities.

This pillar particularly refer to the right of persons to be included in all forms of community life through equal choice – being able to use the same amenities, transport, participate in community activities (IDP meetings and community celebrations).

The focus areas are:

- Building socially cohesive communities and neighbourhoods
- Building supporting families
- Accessible human settlements (close to work, transport, schools)
- Access to community based services supporting independent living
- Protection during situations of risk and disaster

PILLAR 6: STRENGTHENING THE REPRESENTATIVE VOICE OF PERSONS WITH DISABILITIES

Being able to take decisions that affect one's standard of living – where you go to school, where you live, with whom you live, who you form relationships with, where you work and what work you do – is an unknown concept for many persons with disabilities. The principle of self-representation is therefore paramount in ensuring an adequate standard of living.

Focus areas include:

- Strengthening access and participation through self-representation
- Recognitions of representative organisations of persons with disabilities
- Strengthening the diversity and capacity of DPO's and self-advocacy programmes
- Public participation and consultation, and
- Self-representation in public life

PILLAR 7: BUILDING A DISABILITY EQUITABLE STATE MACHINERY

“Disability must be integrated into all facets of planning, recognising that there is no one-size-fits-all-approach”

National Development Plan, 2012

Efficient, effective and development-orientated state machinery that delivers services in an equitable manner is an essential element of a capable and developmental state that pursues a “substantive” rather than “formal” approach to equality, in other words, that the circumstances of people are taken into account and focus is on ensuring equality of outcomes. The state machinery includes the legislative, executive across all three spheres of government.

Focus areas include:

Disability must be mainstreamed across the following five focus areas:

- Disability equitable planning, budgeting and service delivery
- Disability equitable evidence information policy and programme development
- Public procurement and regulation
- Capacity building and training
- Strengthening accountability

PILLAR 9: MONITORING AND EVALUATION

The monitoring process involves collecting, analysing, and reporting data on inputs, activities, outputs, outcomes and impacts as well as external factors, in a way that supports effective management of implementation of the WPRPD.

Government performance information will triangulate with the tracking of statistical and financial information and citizen's voices.

Programmatic Performance: Performances focuses on the interventions that ensure that outcomes are being met. The data stream will ensure there is evidence that persons with disabilities are considered and integrated into government programmes and policies. This stream will encompass a largely quantitative evidence base. The data for this stream will be primarily sourced from government's existing performance monitoring frameworks.

C. REVIEW OF POLICY OBJECTIVES:

The spirit of the Universal Access Policy is one of constant improvement. This, however, becomes difficult to measure in the absence of specific objectives per department and the lack of understanding that Universal Access do not only apply to persons with disabilities. Although the WPRPD has major impact on a policy of this nature, it should not confuse the policy with one aimed at persons with disabilities and thus the responsibility of a few within the organisation.

Further criticism on the policy is the fact that the current policy objectives are difficult to measure and is not linked to specific responsible sections within the municipality. The policy should comprise of a clear goal with measurable outcomes that will also assist in reporting on the progress made with implementation of the WPRPD.

This policy review will thus include a re-look at the intent of the municipality and aim to simplify the content in order for different departments to understand their role within the implementation of the policy.

The objectives of the policy is thus explained in the policy in alignment with the pillars and policy directives of the WPRPD.

D. POSSIBLE FACTORS CONTRIBUTING TO NON-IMPLEMENTATION OF THE UA POLICY

Below are some contributing factors. The list is not exhaustive.

- a) **Understanding universal access concepts:** Sections of the policy is devoted to explaining what universal access and universal design is. Officials not working with these concepts on a daily basis may find it confusing. It is suggested that these sections be referred to in the policy, but that it then be added to the policy in the form of an annexure.

- b) **Misconceptions:** There are a couple of misconceptions within the organisation that could contribute to non-implementation. One is that officials do not see it as part of their responsibility, but that it is the responsibility of the owner of the policy. Elevation of the policy to the level of the municipal manager and directors can assist with implementation through a shared responsibility and can also assist with integrated planning and reporting on progress. A second misconception is that officials relate universal access to disability access. This is clear through the fact that when asked, examples of physical mobility are cited as examples of policy implementation. In this sense a department like the IDP department or municipal communication will struggle to connect their function to access. Font size and colour or accessible venues are not in the mind of departments as contributions towards universal access policy implementation. A third misconception is that for universal access implementation there is one answer. This could not be further from the truth. In understanding the principles of universal design, one can creatively think about how to do the normal things with persons who function differently in mind.
- c) **Budgetary considerations:** The current approach to policy implementation is through normal departmental annual budgeting. This contributes towards departments finding it difficult to report on UA implementation projects and budgets spent towards it.

The municipal priority determined with the Integrated Development Plan guiding budget allocations is focussed on safety and security matters (with the focus on security) causing budgeting for accessibility projects to fall by the wayside. The cost involved in retro-fitting and approval of additional expenditure becomes difficult for the maintenance department and it is often considered to rather obtain approval for basic work to be done.

Council should consider whether ring-fencing funds in each department for the implementation of the Universal Access Policy will accelerate policy implementation.

- d) **Trying to be everything to everybody:** To be able to prove that efforts have been made across the municipal area, projects are implemented piece-meal without a clear indication of where we are starting and where we want to go to. Projects are also often done in reaction to community outcry and is thus not proactive in nature. An integrated plan (especially with engineering and maintenance services) that clearly indicate the beginning and end result over a number of years will assist with measurable milestones.
- e) **The role of persons with disability representation on municipal platforms:** The Stellenbosch Disability Network represents all DPO's in and around Stellenbosch. They have taken it upon themselves to interact with the municipality on different platforms:
- a. Representation at IDP meetings
 - b. Representation at the Mobility Forum
 - c. Representation at the NMT Working Group
 - d. Annual Walk with Disability to raise awareness and communicate with the municipality through a memorandum.

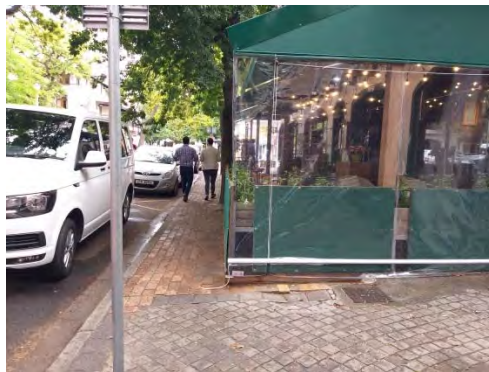
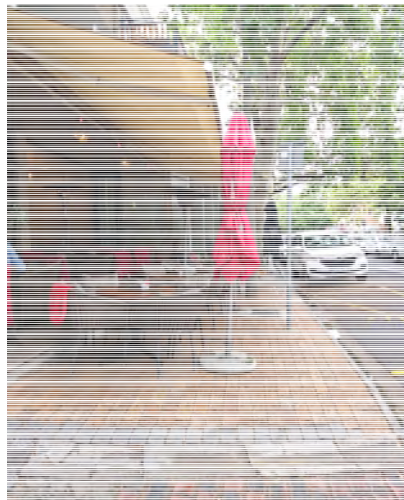
One has to ask – with all their efforts, why are they not being heard? Are there competing agendas between representatives at these forums?

- f) **Implementation Priorities:** During the development of the policy and the workshops conducted with councillors and officials certain implementation priorities were identified and agreed upon. These priorities should form part of

the budget prioritization process and could be better understood if incorporated into the objectives of the policy.

- g) **Institutional Obstacles:** Lack of integrated planning: Line departments are implementing programmes without consulting each other. This often led to the municipality being responsible not only for non-implementation of the UA Policy, but also for contributing towards making the current situation worse.

Outdoor Dining Policy: It seems as if there is uncertainty regarding the rules relating to the use of pedestrian walk ways for use as outdoor dining area. Whether this is the result of a lack of a policy to provide guidelines or because of no enforcement, is not sure. The result is however that persons with mobility issues cannot use pedestrian areas safely.



Whether the above examples are legal or not, has no bearing on the fact that it prohibit persons with limited mobility to access which does not contribute to the implementation of the AU Policy.

6.3 Financial Implications

The implementation of the Universal Access Policy does not have ring-fenced budget allocated as it was decided that the implementation of the policy should be part of the normal function of each department of the municipality. The financial implications are thus incorporated in the existing budget. This, however, makes the measuring and reporting of progress difficult.

It should be noted that National Treasury was tasked to, by 2030:

-
- a) Develop and implement funded Universal Design Access Plans
 - b) Incorporate universal design principles in procurement of goods, services and construction of infrastructure
 - c) To develop a disability equitable budgeting model
 - d) To align social assistance with the cost of disability
 - e) To incorporate the concept of universal design in infrastructure grants and tax rebate programmes
 - f) To develop a financing strategy to retrofit existing infrastructure

The above should provide guidance on what the municipal finance department can be expected to comply with in the future.

6.4 Legal Implications

Comment required from legal department

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

38TH COUNCIL MEETING: 2020-10-28: ITEM 11.9.1

RESOLVED (majority vote with abstentions)

that the Revised Universal Access Policy be advertised for public participation.

6.7 Risk Implications

Should non/minimal/fragmented-implementation of the policy continue, the municipality runs the reputational risk of being in non-compliance to its own policies? This has already been highlighted through the annual memorandum handed over to the municipality during the Walk with Disability Campaign.

6.8 Comments from Senior Management:

6.8.1 Director: Infrastructure Services

There is no objection to the latest version of the universal access policy.

6.8.2 Director: Planning and Economic Development

None received by due date.

6.8.3 Director: Community and Protection Services:

Supports the item and policy.

6.8.4 Director: Corporate Services:

Provided feedback on public comment received.

6.8.5 Chief Financial Officer:

None received by the due date.

6.8.6 Municipal Manager:

Supports the item and policy

FURTHER COMMENTS BY THE DIRECTOR COMMUNITY AND PROTECTION SERVICES.

The revised Universal Access Policy was erroneously advertised for public comment in The Eikestad News (2020-09-24), on the municipal Facebook page and through the Stellenbosch Disability Network and the Stellenbosch Advocacy Network (SCAN). The closing date was extended to 2020-11-16 and this notice was again circulated through all the local networks and social media.

The following comments were received:

Date/From	Comment	Mun Response
25-09-2020 Mike van Rensburg Digitaly Done (ANNEXURE C)	Dear Michelle Congratulations on the draft of the Universal Access Policy for Stellenbosch Municipality. I would like to submit that you also adjust your municipal website to be accessible to disabled people. As far as I know you will be the first municipality to do so in South Africa. Digitaly Done has taken the liberty and performed an audit on your website which highlights the shortcomings as measured against the WCAG 2.1 document. (Web Content Accessibility Guidelines (WCAG) 2.1 defines how to make Web content more accessible to people with disabilities. Accessibility involves a wide range of disabilities, including visual, auditory, physical, speech, cognitive, language, learning, and neurological disabilities.) Please have a look at our website, digitalydone.com. An icon on the left hand side midway down the page opens up the disabled options. Feel free to test the different options. In no way does the changes impact on your website to the everyday user. It merely makes it accessible to disabled people. We would love to be involved in implementing the changes. Will be great to hear from you Michelle Have a great day Mike van Rensburg	Sent to Communication for comment. Due 2 Oct Email Received 06-10-2020 from Communication Department: I have reviewed digitalydone.com and have taken note of the measures proposed by this company. The Communications Department is currently in the final stages of redesigning the municipal website to improve navigation and user-experience. Further feedback received: 08-01-2021: Office of the MM: Governance. Fortunately, there are currently, on the web numerous applications possible which could assist in making the reports more accessible, without making significant changes to the website currently. The recommendations will be considered and tested with various platforms to see what can be incorporated within the scope of the current tender and will be taken into account in future adaptations to website. This comment is not requiring changes to the policy.
23-10-2020 Dr Cindy Wigget-Barnard Stellenbosch Disability Network (ANNEXURE D)	In Oct 2019, representatives from the Stellenbosch Disability Network met with Michelle Aalbers & Portia Jansen and made the following suggestion for improving the 2016 UA policy:	Noted

	<ul style="list-style-type: none"> • The importance of setting clear and achievable objectives within the policy; • Using these objectives to set priorities and targets for municipal employees and representatives; • Including the new White Paper on the Rights of Persons with Disabilities in the policy throughout. Upon reading the December 2019 Reviewed Policy, we feel that this policy largely addressed the above suggestions and is generally a good guiding document for the municipality. 	
	<p>We do, however, have the following concerns: There is no mention of appointing more people with disabilities within the municipal team;</p>	<p>Email received 15-12-2020 from the Director Corporate Services: The employment equity policy includes people living with disabilities as a target group.</p> <p>The Job Description template has a section asking about physical abilities. Departments must make sure when they complete that why they ask for physical abilities. Departments however do not apply their minds when completing the forms.</p>
	<p>There is no suggestion of appointing a dedicated UA officer of disability desk to monitor and enforce the policy;</p>	<p>The function relating to Persons with Disabilities is within the Department Community Development with a specifically appointed employee. This persons is also responsible for the monitoring of the implementation of the policy. Once the policy is approved the department intent to contact all directorates to indicate a contact person that can be contacted re the monitoring of the objectives.</p> <p>No changes are required to the policy resulting from this comment as a dedicated person is already indicated on the organogram of the municipality.</p>
	<p>Your objectives listed are not necessarily comprehensive and specific enough. As such, we suggest adding the following specific objectives:</p>	<p>Mr Fullard: "Although supported, the below comments does not require changes to the policy as the detail forms part of other plans as listed below. The Roads and Transport Department commits to further and continuous communication with the Stellenbosch Disability Network through the established structures."</p>
	<p>a) Performing a comprehensive transport needs assessment and updating of the Transport Register of the CITP with regards to the utilisation of public transport, the status of transport facilities and the utilisation of the various modes of transport as applied to people</p>	<p>Feedback received from Mr J Fullard 13-11-2020</p> <p>a) The comment is noted and is supported. Measures are being put in place to initiate a Comprehensive Transport Universal Access (UA) Needs Assessments and Feasibility Study.</p>

	<p>with limited mobility (i.e. people with disabilities, the elderly, parents with infants etc.).</p> <p>b) Establishing a centralised database/system for reporting inaccessible transport services, sidewalks, infrastructure and systems, as well as up-to-date data and maps on where accessible routes are.</p> <p>c) Acquiring/Contracting universally accessible vehicles for transporting people with mobility impairments. These vehicles can be used to transport people to special municipal events (e.g. IDP meetings) as well as within and between communities.</p> <p>d) Prioritizing the provision, accessibility and safety of non-motorised pedestrian routes in communities, especially around service centres such as day clinics, halls and police stations. Also ensuring that sidewalks in the CBD of Stellenbosch and surrounding towns of the municipality are physically accessible and free of obstructions (including safe alternative routes during construction and maintenance of sidewalks).</p> <p>e) Urgently, and in collaboration with the Stellenbosch Mobility Forum, start engaging and planning for the establishment of an integrated and universally accessible public transport system for Stellenbosch.</p> <p>f) Mandating sensitisation training as part of any supplier/tender appointment (including transport and taxi licensing) process to ensure that all suppliers that will impact public access and services are sensitised to universal access and that they provide adequate and reasonable accommodation as required.</p>	<p>The outcome of this assessment and feasibility study will be incorporated into the CITP to ensure that the transport needs for all people (including those with limited mobility) are taken into account.</p> <p>b) Due to the scarcity of resources (personnel and funding), it is proposed that current staff include UA reporting into existing procedures. Currently there is a centralised system in place that deals with all Municipal complaints, these can be expanded to include Universal Accessibility.</p> <p>c) The Municipality had reviewed its internal capacity and is not in a position to acquire and manage public transport vehicles. Assessments will be undertaken to determine the most appropriate mechanism to establish a Public Transport system. The UA transport assessment and feasibility study mentioned above will determine the UA transport need and most appropriate model to address these needs.</p> <p>d) The comment is noted and supported, the Municipality's NMT Masterplan and policy, currently under review, endeavors to make provision for safe NMT facilities at all areas and especially around high concentration points and where high volumes of pedestrian traffic exist and anticipated meet. A detailed inspection of all existing NMT infrastructure had been carried out and is recorded in an asset register. Enforcements to transgressions and obstructions on sidewalks are being prioritized. Regular inspections are being carried out and improvements to infrastructure implemented on an ongoing basis to address the backlog of historic infrastructure that is not in line with UA principals.</p> <p>e) The Municipality had embarked on, and is currently in process of obtaining council approval to explore the most appropriate mechanism for the establishment of a Public Transport and, as mentioned above measures are being put in place to initiate a Comprehensive Transport Universal Access (UA) Needs Assessments and Feasibility Study. The outcome of these</p>
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		<p>studies would provide direction for an integrated and universally accessible public transport system for Stellenbosch.</p> <p>f) The comment is noted and supported. Work Instructions issued, by various Municipal Department's such as the Roads and Transport Department, to Consultants and Contractors ensures that Universal Accessibility is implemented on all new works.</p>
<p>10-11-2020 Kirchner van Deventer Head: Carnegie Research Commons (US) (ANNEXURE E)</p>	<p>May I please request a copy of the above mentioned document? Also, where may comments on the document be directed?</p>	<p>10-11-2020 Email sent with link to notice and reviewed policy. No comments received by the closing date. No changes required to the policy.</p>
<p>11-11-2020 Lilley Berrington Citizen with visual impairment (ANNEXURE F)</p>	<p>Requested word copy of reviewed policy and extension in order for her to comment on the policy.</p>	<p>11-11-2020 Work copy of policy was provided via email. Extension granted till 16-11-2020 as per her request.</p>
<p>Comment received 16-11-2020 Lilley Berrington (ANNEXURE G)</p>	<p>Supporting Sustainable integrated Community life: Provide information on available service to all parents and care-givers of children Information available in print format in all three of the official languages of the WC</p> <p>Comment: a) Suggest adding that information should also be provided as accessible electronic documents. The word print here is ambiguous and might lead to inaccessible material. b) I strongly suggest that accessible digital platforms and information should be added as an objective. All websites, mobile apps, and other platforms should be designed to be compliant with digital accessibility standards, otherwise they will be unusable for print disabled users, users with motor impairments, and others. Digital platforms should be designed in line with the World Wide Web Consortium (W3C) guidelines on accessible web design. I specifically refer to the W3C's Web Content Accessibility Guidelines (WCAG), and the Web Accessibility Initiative's guidelines on Accessible Rich Internet Applications (WAI-ARIA). I realise that the table of</p>	<p>a) Email received 15-12-2020 Director Corporate Services: We cannot provide the word documents as they may be altered – that is the reason why on the website the PDF versions are provided. The Council agendas on the website is not scanned – it is converted PDF documents. Corporate Services are only responsible for the committee documentation on the website – not all documentation for example – the IDP is dealt with by MM's office, Budget by CFO's office, SDF by Planning and Economic development. Referred to the Director Corporate Services for a response b) Email Received 06-10-2020 from Communication Department: I have reviewed digitalydone.com and have taken note of the measures proposed by this organisation. The Communications Department is currently in the final stages of redesigning the municipal website to improve navigation and user-experience. Further comment received from the Office of the MM: Governance 08-01-2021: Compliance to digital accessibility will be explored and where possible adaptations will be made gradually to facilitate alignment over time. The communication team can encourage the broader municipal community to ensure that all documents posted on the web is a pdf conversion and not</p>

	<p>objectives includes a general target for accessible products and services. However, in my experience digital platforms are most often overlooked in this context, perhaps because they are not as visible to the general public as the built environment. Accessible platforms also need to interact with assistive technologies like screen readers (for print disabled users) and devices for providing switch access (for motor impaired users), which requires conventions which the general public is not usually aware of.</p> <p>c) General Comment on the Policy with Regards to Engagement with Disabled People: The policy emphasizes the role of disabled people’s organisations and the Stellenbosch Disability Network with regards to monitoring implementation of UA practices and gaining feedback. However, it should be born in mind that a large number of disabled people are not affiliated with DPO’s. I suggest that a strategy should be developed for engaging with individual disabled citizens as well. Perhaps social media and other digital channels could be utilised for this endeavor.</p> <p>d) Further comment on engagement: The document doesn’t mention where people with disabilities can report inaccessible infrastructure. Is there such a platform, and where might people find out about it?</p> <p>e) Final general comment: I would like to suggest that you approach me before the next review of the policy. A group of people with disabilities that I know (including myself) are willing to act as consultants.</p>	<p>scanned to pdf to allow for easier use of the text through different applications. This comment is not requiring changes to the UA policy but can be taken up in the Communication Policy.</p> <p>c) Individuals are encouraged to participate in all matters of the municipality through the IDP process. Ensuring written communication, communication platforms and venues that are used are accessible for all persons will assist with this.</p> <p>Comment received from Office of MM: Governance: 08-01-2021: All IDP related documents including performance reports and the annual report is converted to Pdf and not scanned to Pdf which makes the text accessible for enlargement or for web-based reading through various applications.</p> <p>General public communication is also sent to the public via sms or whatsapp where contact details are made available to the IDP Office. The IDP Office also recently developed a citizen app to allow for larger spread of information.</p> <p>Fortunately, there are currently on the web numerous applications possible which could assist in making the reports more accessible, without making significant changes to the website currently.</p> <p>We take note of the comments received and will test what can be reasonably done to allow for access. Recommendation w.r.t. how we can improve universal access of IDP and performance reports going forward is welcome.</p> <p>d) This is a duplication of the comment received from the Stellenbosch Disability Network (b) and responded to by the Department Roads and Transport. The second mention indicates that the information for registering complaints is not easily available. This level of detail in the policy is however not desirable. More regular communication via social media might be a solution.</p> <p>e) The comment is noted.</p>
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The above comments received and response from respective directorates indicate that further changes to the Universal Access (UA) policy is not required, but that directorates should look at their internal policies and how it is aligned with the UA Policy. Specific reference should be made to transport plans, communication, public participation and recruitment & selection policies as well as standard operating procedures.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 7.9.1

- (a) that Council notes the results of the public participation process for the Review of the Universal Access Policy; and
- (b) that the reviewed Universal Access Policy be approved.

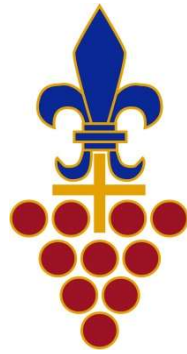
ANNEXURES

- Annexure A:** UNIVERSAL ACCESS POLICY REVIEWED (With track changes)
- Annexure B:** UNIVERSAL ACCESS POLICY REVIEWED (Without track changes for ease of reading.)
- Annexure C:** COMMENTS RECEIVED: M v RENSBURG, DIGITALLY DONE
- Annexure D:** COMMENTS RECEIVED: STELLENBOSCH DISABILITY NETWORK
- Annexure E:** COMMENTS RECEIVED: K v DEVENTER, CARNEGIE RESEARCH COMMONS
- Annexure F:** COMMENTS RECEIVED: L BERRINGTON
- Annexure G:** COMMENTS RECEIVED: L BERRINGTON

FOR FURTHER DETAILS CONTACT:

NAME	Michelle Aalbers
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DIRECTORATE	Community and Protection Services
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REPORT DATE	2020-12-23

ANNEXURE A



Stellenbosch Municipality

Universal Access Policy

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EXECUTIVE SUMMARY

The ~~vision of the Stellenbosch Municipality is to be the Innovation Capital of South Africa with the~~ mission to of Stellenbosch Municipality is to "deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens". As a means to deliver on this ~~vision and~~ mission, Stellenbosch Municipality is guided by the South African Constitution (1994), United Nations International Convention on the Rights of Persons with Disabilities and Optional Protocol (to which South Africa is a signatory since 2007), the Promotion of Equality and Prevention of Unfair Discrimination Act (2000), Employment Equity Act (2001), the White Paper on Transforming Service Delivery – Batho Pele (1997), along with other legislation listed in the Legislative Framework in **ANNEXURE 1**.

As a commitment to strive for Universal Access (UA), Stellenbosch ~~Municipality, Municipality~~ supported by their ~~Values: Character Leadership~~ Values: Integrity, Accountability, Transformation and Innovation, supports the creation of accessible communication material, information systems and infrastructure throughout the Municipality. To understand and implement UA, Stellenbosch Municipality is informed and guided by Universal Design (UD), a **process** of embedding **choice** for all **people** in the **things** we design to do.

1. UD is a **process** rather than a final type of product, space or system. In accepting that UD is a process, Stellenbosch Municipality concede to the fact that it will never be completed, but that we commit to a lifetime of learning and understanding of different users' needs, abilities and desires.
2. **Choice** involves flexibility and multiple alternative means of use and/or interface.
3. **People** include the full range of people regardless of age, ability, sex, economic status, race or religion.
4. **Things** include spaces, products, information systems and any other things that humans manipulate or create.

The need for a UA Policy ~~Framework~~ stems from the Municipality's commitment to ensure equal service to persons with disability and the statistics obtained from SASSA, SA Census 2010, and the establishment of a civil Disability Network within the municipal area (**ANNEXURE 2**), whilst keeping in mind that a large percentage of people do not identify any degree of limitations as a disability. For this reason, the direct beneficiaries of a Universal Access Policy ~~Framework~~ will be approximately 7,9% of the population. However, the secondary beneficiaries including pregnant women, people travelling with small children, children younger than 14 years and elderly people will total to an estimated 65% of the total Municipal population.

The approved White Paper on the Rights of Persons with Disabilities consists of 9 pillars and an implementation matrix (2015-2030) with specific targets for all spheres of government. The role of local government is clearly indicated with a specific reference to achieving universal access. ANNEXURE 2)

List of abbreviations

Abbreviation		Explanation
DPO	Disability Persons' Organizations	Organizations representing and serving persons with disabilities
IDP	Integrated Development Plan	Integrated Development Planning is an approach to planning that involves the entire municipality and its citizens in finding the best solutions to achieve good long-term development. Once the IDP is drawn up all municipal planning and projects should happen in terms of the IDP. The annual council budget should be based on the IDP. Other government departments working in the area should take the IDP into account when making their own plans.
LED	Local Economic Development	To build up the economic capacity of a local area to improve its economic future and the quality of life for all. It is a process by which public, business and nongovernmental sector partners work collectively to create better conditions for economic growth and employment generation. (World Bank)
MAYCO	Mayoral Committee	Committee existing of the Mayor and all portfolio councillors
SASSA	South African Social Security Agency	Agency responsible for the administration of Social Grants
UA	Universal Access	The equal ability of all people to participate in any process irrespective of their diverse needs/requirements
UD	Universal Design	UniversalDesign.com defines Universal Design (UD) as the process of embedding choice for all people in the things we design. Universal Design continues to evolve as both designers and users broaden their understanding and experience of different users' needs, abilities and desires. The more you know about UD, the more you realize that there will always be more to learn. Universal Design is a lifelong learning opportunity, and no one knows it all. We are all students of Universal Design who can learn from each other about how to better design things for all people.
<u>WPRPD</u>	<u>White Paper on the Rights of Persons with Disability</u>	<u>Gazetted March 2016 to provide policy directive for SA on the Rights of Persons with Disabilities</u>

1. INTRODUCTION

The policy intends to create a conducive environment to address issues affecting people with diverse needs/requirements including persons with disabilities within the Stellenbosch Municipal area. It provides guidance on the development and implementation of programmes aimed at promoting the rights and freedoms of people with disabilities as well as other persons with diverse needs/requirements. It advocates for the mainstreaming of issues affecting persons with disability and diverse needs/requirements into municipal departments and directorates. The policy is firmly grounded on the principle that UA should be made integrated into project conceptualization, planning and implementation of IDP programmes in all departments. It also suggests models and mechanisms for coordination of UA implementation, monitoring and evaluation.

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

It is thus important when considering programmes or policies that the approach should make provision for addressing attitudes, processes, knowledge and the environment in which people with diverse needs, including people with disabilities, function.

The White Paper on the Rights of Persons with Disability (WPRPD) does not introduce a policy shift. Nor does it replace any sector specific policies on disability. It reiterates that the primary responsibility for disability equity lies with national, provincial and local government; and other sectors of society but also allocates responsibilities to persons with disabilities and their families. The vision of the WPRPD is the creation of a free and just society inclusive of all persons with disabilities as equal citizens.

In order to achieve the above, universal accessibility should not be viewed as just physical changes to buildings and the like, but inclusion through the acceptance of Universal Design Principles in the development of standards and guidelines. The term “Universal Design” has evolved from the “Barrier Free Design” and “Accessible Design”, design processes that focused specifically on addressing the needs of people with disabilities. Universal Design goes further by recognizing that we all exist somewhere on a wide continuum of human ability. Everyone, even the most able-bodied person, passes through childhood, periods of temporary illness and injury, and old age. By designing for the more limited abilities on the continuum, we can create environments, products, and services that will be easier for all people to use, regardless of their abilities, age or current state of health.

2. STRATEGIC POSITIONING

2.1. VISION

To create accessible communication media, information systems and infrastructure to lead to the full participation and equal access to opportunities for all people, including people with disabilities within the jurisdiction of Stellenbosch Municipality.

2.2. MISSION

This policy aims to ensure the human rights of people with diverse needs/requirements through the alignment of projects and programmes to support universal participation and equalization of opportunities for all people, including persons with disabilities. Stellenbosch Municipality aims to achieve said mission through:

- 2.2.1. Promotion of equal opportunities and full participation or inclusion of people with diverse needs/requirements in the economic, social and political life through the introduction of UA and UD.
- 2.2.2. Prioritization and integration of UA and UD principles into the IDP and subsequent budget of all departments.
- 2.2.3. Inter-departmental approach in the planning and implementation of disability-related services and programmes.
- 2.2.4. The integration of disability issues into line functions of the Municipality's departments as well as a commitment on the part of the Stellenbosch Municipality to address disability issues appropriately.
- 2.2.5. People with diverse needs/requirements are capacitated to enable them to live productive and sustainable lives.
- 2.2.6. Physical, social, economic and other barriers that prohibit or limit access of persons with disability are removed through creation of conducive and accessible environments.
- 2.2.7. Ensure appropriate allocation of funds to designated programmes of different Municipal Departments to give effect to the policy.
- 2.2.8. Monitoring and evaluating the impact of UA programmes as part of our commitment to improve service delivery through UD.

2.3. PRINCIPLES AND UNDERLYING VALUES

In order to ensure all programmes, processes and infrastructure introduced by Stellenbosch Municipality ensures UA, this policy adopts the seven principles of UD [\(ANNEXURE 3\) to guide departments on the requirements to achieve UA:](#)

[2.3.1 Equitable Use](#)

[2.3.2 Flexibility in Use](#)

[2.3.3 Simple and Intuitive Design](#)

2.3.4 Perceptible Information2.3.5 Tolerance for Error2.3.6 Low Physical Effort2.3.7 Size and Space for Approach and Use

-These above principles support the key principles/values of the White Paper on the Rights of Persons with Disabilities:

2.3.8 Respect for inherent human dignity and individual autonomy2.3.9 Non-discrimination2.3.10 Full and effective participation and inclusion in society2.3.11 Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity2.3.12 Equalisation of opportunities2.3.13 Accessibility2.3.14 Equality between men and women' and2.3.15 Respect for the evolving capacities of children with disabilities and for their right to preserve their identities

~~-, equality of opportunity, access to services and information, full and effective participation, respect for evolving capacity and the need to contribute to changes in negative attitudes and cultural beliefs about people with diverse needs/requirements as outlined in the Disability Framework for Local Government.~~

~~2.3.1. **Equitable Use:** The design is useful and marketable to people with diverse abilities.~~

- ~~• All potential users could use this product in essentially the same way, regardless of differences in personal capabilities.~~
- ~~• Potential users could use this product without feeling segregated or stigmatized because of differences in personal capabilities.~~
- ~~• Potential users of this product have access to all features of privacy, security, and safety, regardless of personal capabilities~~
- ~~• This product appeals to all potential users.~~

~~2.3.2. **Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities,~~

- ~~• Every potential user can find at least one way to use this product effectively.~~
- ~~• This product can be used with either the right or the left hand alone.~~
- ~~• This product facilitates (or does not require user accuracy and precision.~~

- This product can be used at whatever pace (quickly or slowly) the user prefers.

2.3.3. **Simple and Intuitive:** Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.

- This product is as simple and straightforward as it can be
- An untrained person could use this product without instructions
- Any potential user can understand the language used in this product
- The most important features of this product are the most obvious
- This product provides feedback to the user

2.3.4. **Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.

- This product can be used without hearing
- This product can be used without sight
- The features of this product can be clearly described in words (e.g. in instruction manuals or on telephone help lines)
- This product can be used by persons who use assistive devices (e.g. eyeglasses, hearing aids, sign language)

2.3.5. **Tolerance for Error:** This design minimizes hazards and the adverse consequences of accidental or unintended actions.

- Product features are arranged according to their importance
- This product draws the user's attention to errors or hazards
- If the user makes a mistake with this product, it won't cause damage or injure the user
- This product prompts the user to pay attention during critical tasks

2.3.6. **Low Physical Effort:** The design can be used efficiently and comfortably and with a minimum of fatigue.

- This product can be used comfortably (e.g. without awkward movements or postures)
- This product can be used by someone who is weak or tired
- This product can be used without repeating any motion enough to cause fatigue or pain
- This product can be used without having to rest afterward

2.3.7. **Size and Space for Approach and Use:** Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture or mobility.

- It is easy for a person of any size to see all important elements of this product from any position (e.g. standing or seated)
- It is easy for a person of any size to reach all the important elements of this product from any position (e.g. standing or seated)
- This product can be used by a person with hands of any size.

- ~~There is enough space to use this product with devices or assistance (e.g. wheelchair, oxygen tank, or service animal)~~

2.4. PRIORITIES

~~There are effectively no programmes that are a priority over another as Universal Access is a systematic upgrade of all policies, planning, products, services, communication and processes that will allow for all persons with diverse needs/requirements to go about their lives unassisted and without prejudice. This policy purports to ensure said systematic upgrade through the holistic uptake of Universal Access and Universal Design as the basis for all endeavours. The approach should be augmented by integrated and coordinated management of planning, implementation, as well as monitoring and evaluation of programmes by line departments, thus utilising structures as the Director's Forum in order to realise this goal. It is recognized that not all of the priorities are the mandate of local government and in such cases Provincial Government should be lobbied. The Municipality should prioritize programmes that include but are not limited to:~~

~~2.4.1. All new developments to be aligned to UD~~

~~2.4.2. Prioritize projects that are linked with Safety and Security~~

~~2.4.3. Public participation~~

~~2.4.4. Accessibility~~

~~2.4.5. Economic Development~~

~~2.4.6. Health Care~~

~~2.4.7. Inclusive development/education and sport/recreation~~

~~2.4.8. Community Development and networking~~

2.4. OBJECTIVES

~~The objective of the policy described below provides an overview of what needs to be addressed. **Measurement of specific progress made shall be done annually against the specific targets identified in Annexure 3.**~~

To facilitate the development and implementation of municipal services, processes, facilities and projects that is accessible to all persons with diverse needs/requirements including people with disabilities (mainstreaming) through the systematic integration of UA and UD.

Objective	WPRPD Pillar and Policy Directive	KPI/Target		Responsibility
		2020-2025	2026-2030	
That employees with diverse needs/requirement, their families and the community is made aware of existing	Removing barriers to access and participation. Changing attitudes and behaviour – Develop and implement a Disability Rights Awareness Plan	Plan finalised MOA's signed with 2 strategic partners Minimum 1 community	Plan reviewed MOA signed with 5 strategic partners	Community Development IDP HR

<u>Objective</u>	<u>WPRPD Pillar and Policy Directive</u>	<u>KPI/Target</u>		<u>Responsibility</u>
		<u>2020-2025</u>	<u>2026-2030</u>	
<u>government policies, programmes and services.</u>		<u>dialogue per annum</u>	<u>Minimum 2 community dialogue per annum</u>	
	<u>Supporting Sustainable integrated Community life: Building socially cohesive communities and Neighbourhoods: Include the rights of persons with disabilities in all social chesion and human rights promotion programmes and messages.</u>	<u>50% of all social cohesion and human rights promotion programmes and messages highlight the rights of persons with disabilities</u>	<u>100% of all social cohesion and human rights promotion programmes and messages highlight the rights of persons with disabilities</u>	<u>Community Development New Housing Development Informal Settlements</u>
	<u>Removing Barriers to access and Participation: All public and private institutions must ensure equitable access to and participation in programmes and services – This includes the development and publication of reasonable accommodation measures in service charters and standards</u>	<u>Develop Reasonable Accommodation Standards</u>	<u>Publish and implement standards</u>	<u>Engineering Services Corporate Services Community and Protection Services</u>
	<u>Removing Barriers to access and Participation: Enforcing barrier free participation for all persons in line with approved regulatory licencing requirements.</u>	<u>100% enforcement</u>	<u>100% enforcement</u>	<u>Building Control Business Licensing Public Transport</u>
	<u>Supporting Sustainable integrated Community life: Provide information on available service to all parents and care-givers of children</u>	<u>Disability information portal in place and information updated annually</u>	<u>Information available in print format in all three of the official languages of the WC</u>	<u>ICT Community Development</u>
<u>Consulting with stakeholders in a conducive environment for equal participation to ensure a collaborative approach to addressing the needs of persons with disabilities in municipal service delivery.</u>	<u>Supporting Sustainable integrated Community life: Address violence against women/girls/boys and the LGBTI community– appropriate measures must be taken to ensure that women, girls and boys are and feel safe living in their communities</u>	<u>50% of the municipality's programmes provide for the inclusion of women, children, LGBTI community</u>	<u>100% of the municipality's programmes provide for the inclusion of women, children, LGBTI community</u>	<u>All Directorates</u>
	<u>Supporting Sustainable integrated Community life: Accessible human settlements/neighbourhoods – Include supported community living plans in all IDP's. The plans and budgets must make provision for coordinated</u>	<u>Supported community living plans included in IDP</u>		<u>IDP Planning and Economic Development Engineering Services</u>

<u>Objective</u>	<u>WPRPD Pillar and Policy Directive</u>	<u>KPI/Target</u>		<u>Responsibility</u>
		<u>2020-2025</u>	<u>2026-2030</u>	
	and integrated community living support plans, focussing in particular on access to the built environment, integration of transport nodes and humand settlement spatial design			
	Supporting Sustainable integrated Community life: Protection during situations of risk and disaster – Review all disaster management plans to ensure provision for persons with diverse needs including disabilities in emergencies. Plans must incorporate provisions to map homes and/or institutions in which persons that might require special assistance during emergencies are living. Training of disaster management personnel to prevent injury during evacuations which might result in primary or secondary impairments is required.	100% of disaster management plans reviewed (inclusive of maps for 75% of the area) and universal design access plans developed and implemented.	100% of disaster management plans reviewed (inclusive of maps for 100% of the area) and universal design access plans developed and implemented.	Disaster Management
	Supporting Sustainable integrated Community life: Provide accessible emergency services – Municipal emergency services must put in place reasonable accommodation support systems and trained emergency personnel to ensure equitable and immediate access to services for persons with disabilities	100% of emergency personnel have been trained Reasonable accommodation measures in place in 100% of municipal emergency services, including for deaf and hearing impaired persons		Fire and Disaster Management
Assess, prioritise and adapt the physical structural design of council facilities, infrastructure, processes and communication to ensure constant improvement on the accessibility for people with diverse needs ensuring social integration of all groups with dignity and respect.	Supporting Sustainable integrated Community life: Ensure that all community development programmes and community facilities are accessible to persons with disabilities including social, economic, religious, cultural, sport and leisure and transport facilities and programmes	25% of existing facilities are retrofitted to comply with minimum norms and standards 50% of existing programme comply with accessibility standards	75% of existing facilities retrofitted to comply with minimum norms and standards 100% of exiting programme comply with accessibility standards	Corporate Services Community and Protection Services
	Supporting Sustainable	Development of		Planning and

<u>Objective</u>	<u>WPRPD Pillar and Policy Directive</u>	<u>KPI/Target</u>		<u>Responsibility</u>
		<u>2020-2025</u>	<u>2026-2030</u>	
	<u>integrated Community life: Provide access to subsidised housing support – Persons with disabilities and single mothers of children with disabilities must have equitable access to the full range of subsidised housing support provided by the state</u>	<u>information explaining and accessing subsidised housing support in all three WC languages completed.</u>		<u>Economic Development</u>
<u>Systematic review and improvement of HR and Engineering systems, processes and projects to ensure all persons have equal access to employment</u>	<u>Reducing economic vulnerability and releasing human capital: Strengthen and broaden the geographic reach of programmes and projects designed to reduce poverty amongst persons with disability. – Focus placed on:</u> <ul style="list-style-type: none"> <u>• Accessible and affordable transport</u> <u>• Increasing household income through employment and work opportunities</u> <u>• Provision of accessible transport to health care facilities</u> 	<u>Baseline for access to programmes in municipalities established. 25% improvement in access to all programmes</u>	<u>75% improvement in access to all programmes</u>	<u>Corporate Services Engineering Services</u>
<u>Annual monitoring and reporting on implementation of the Universal Access Policy through the scorecards of the Municipal Manager and Directors.</u>	<u>Building a disability equitable state machinery: Develop disability rights and equity commitment statements</u>	<u>100% compliance</u>		<u>Municipal Manager</u>
	<u>Building a disability equitable state machinery: Strengthen Accountability – Include disability outcomes in performance contracts of senior managers across directorates.</u>	<u>Guidelines for disability equity dimensions approved – 100% compliance</u>	<u>100% compliance</u>	<u>Municipal Manager</u>

~~2.4.1. Ensure that employees with diverse needs/requirements, their families and the community are aware of existing government policies, programmes and services.~~

~~2.4.2. Enhance networking and collaboration with Persons with Disability Organisations (DPOs) and liaison with communities to improve the organisation of disability structures and to ensure a collaborative approach to addressing the needs of persons with disabilities within Stellenbosch Municipal area in municipal service delivery.~~

~~2.4.3. To assess, prioritise and adapt the physical structural design of Council facilities, processes and communication to enhance accessibility for people with diverse needs/requirements including disabilities within the constraints of historical and reasonable accommodation thereby ensuring social integration of all groups with dignity and respect.~~

~~2.4.4. Monitor and evaluate the Municipality's delivery on inclusion of persons with diverse needs/requirements including persons with disability as part of its workforce and all aspects of service delivery.~~

~~2.4.5. First review of this policy in 2019.~~

2.5. PRIORITIES

~~There are effectively no programmes that are a priority over others as Universal Access is a systematic upgrade of all policies, planning, products, services, communication and processes that will allow for all persons with diverse needs/requirements to go about their lives unassisted and without prejudice. This policy purports to ensure said systematic upgrade through the holistic uptake of Universal Access and Universal Design as the basis for all endeavours. The approach should be augmented by an integrated and coordinated management system for planning, implementation, as well as monitoring and evaluation of programmes by line departments, thus utilising structures as the Director's Forum in order to realise this goal. It is recognized that not all of the priorities are the mandate of local government and in such cases Provincial Government should be lobbied. The Municipality should prioritize programmes that include but are not limited to:~~

~~2.5.1. All new developments to be aligned to UD~~

~~2.5.2. Safety and Security~~

~~2.5.3. Public participation~~

~~2.5.4. Accessibility~~

~~2.5.5. Economic Development~~

~~2.5.6. Health Care~~

~~2.5.7. Inclusive development/education and sport/recreation~~

~~2.5.8. Community Development and networking~~

3. ROLE OF STELLENBOSCH MUNICIPALITY

Although specific roles and responsibilities are outlined with specific attention to the Office of the Municipal Manager and the Department Community Development, all directorates and departments have a responsibility in mainstreaming the rights of persons with disability within their realm of responsibilities. Each directorate has a

specific function in service delivery to the community and are responsible for the inclusion of UA and UD in the conceptualization, implementation and reporting of projects.

3.1. KEY INSTITUTIONAL MECHANISMS

- 3.1.1. Utilizing relevant MAYCO member offices (getting buy-in from highest political authority) to support universal access disability budget and interventions.
- 3.1.2. Encouraging the participation of people with disabilities in the Municipality's processes (e.g. IDP reviews and LED forums).
- 3.1.3. Consulting with disabled people's organizations DPOs through the Stellenbosch Disability Network
- 3.1.4. Disability programming and implementation processes must be handled by managers in different departments of the Municipality and reported to the Department Community Development through a designated disability liaison.
- 3.1.6. Implementation of this policy will be measured through the annual review of the personal SCORECARDS of directors.

3.2. THE ROLE OF THE OFFICE OF THE MUNICIPAL MANAGER

- 3.2.1. Implement agreed performance management targets related to Universal Access on annual basis with all directors.
- 3.2.2. Include target of 2% employment for persons with disabilities in performance agreement of each director.
- 3.2.3. Monitor and evaluate programmes implemented by departments and directorates for UA responsiveness or sensitivity according to agreed upon performance targets.
- 3.2.4. Ensure the implementation of the Universal Access Policy for the Stellenbosch Municipality and report on said improvements annually to council.

3.3. THE ROLE OF THE DEPARTMENT COMMUNITY DEVELOPMENT

- 3.3.1. Liaise with the Provincial and Local Government Department on disability issues. Coordinate and mainstream UA policies in strategies and structures.
- 3.3.2. Network and liaise with the Stellenbosch Disability ForumNetwork.

- 3.3.3. Assist the Performance Management Unit and line departments with the process of developing sector-specific indicators in the Municipality relying on Universal Design Principles.
- 3.3.4. Provide guidance for UA analysis and facilitate inter-departmental collaboration among departments in the mainstreaming of disability into the policies, planning, programmes, IDP and budget.
- 3.3.5. Implement programmes of benefit to people with disabilities in conjunction with civil society organizations ~~of and~~ for people with disabilities, as per [the Community Development StrategyMunicipal Disability Action Plan](#).

~~Although specific roles and responsibilities are outlined with specific attention to the Office of the Municipal Manager and the Department Community Development, all directorates and departments have a responsibility in mainstreaming the rights of persons with disability within their realm of responsibilities. Each directorate has a specific function in service delivery to the community and are responsible for the inclusion of UA and UD in the conceptualization, implementation and reporting of projects.~~

4. 4. POLICY REVIEWREFERENCES

This policy will be reviewed in 2023.

- 4.1. ~~The Constitution of the Republic of South Africa 1996~~
- 4.2. ~~Disability Framework for Local Government 2009-2014.~~
- 4.3. ~~Integrated National Disability Strategy White Paper~~
- 4.3. ~~Local Government Municipal Systems Act, No. 32 of 2000~~
- 4.4. ~~Social Development Disability Policy~~
- 4.5. ~~United Nations Convention on the Rights of Persons with Disabilities.~~
- 4.6. ~~United Nations Optional protocol to the Convention on the Rights of Persons with Disabilities.~~
- 4.7. ~~White Paper on Local Government~~
- 4.8. ~~City of Cape Town External Policy on Persons with Disability~~
- 4.9. ~~Census Stats 2010~~
- 4.10. ~~SASSA Stats 2015~~
- 4.11. ~~Stellenbosch Municipality: Disability Accessibility Study on Municipal Buildings, Infrastructure and Procedures~~

ANNEXURE 1

LEGISLATIVE FRAMEWORK

The following legislative frameworks guide and inform decisions relating to the Universal Access Policy Framework: in South Africa

The Constitution of the Republic of South Africa (1996)

National Development Plan 2030

Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000)

Employment Equity Act (55 of 1998)

Skills Development Act (97 of 1998)

[National Building Regulations and Building Standards Act \(103 of 1977\)](#)

Basic Conditions of Employment Act (75 of 1997)

Occupational Health and Safety Act (85 of 1993)

The Labour Relations Act (66 of 1995)

Disability Framework for Local Government 2009-2014

Integrated National Disability Strategy

Code of Good practice for disability in the workplace

United Nations Convention on the Rights of Persons with Disabilities

The White Paper on Transforming Service Deliver – Batho Pele (1997)

[The White Paper on the Rights of Persons with Disabilities \(2016\)](#)

[Technical Assistance Guidelines for the employment of persons with Disabilities \(2017\)](#)

ANNEXURE 2

THE FOLLOWING STATISTICS AND INFORMATION INFLUENCED THE DRAFTING OF THE STELLENBOSCH MUNICIPALITY UNIVERSAL ACCESS POLICY FRAMEWORK.

~~South African Social Security Agency: Social Grants to persons with disability in Stellenbosch as at 17 August 2015. A total of 1 563 Disability related grants are paid out to persons within WC024. This does not reflect the total number of persons with disability, but the persons dependant on government support and grants paid per pay point.~~

Care Dependency	146	Disability Grant	1224	Grant in Aid	193
Stellenbosch	47	Stellenbosch	439	Stellenbosch	74
Franschhoek	45	Franschhoek	263	Franschhoek	49
Klapmuts	34	Klapmuts	335	Klapmuts	37
Pniel	7	Pniel	103	Pniel	22
Vlottenburg	6	Vlottenburg	42	Vlottenburg	4
La Motte	4	La Motte	14	La Motte	4
Lynedoch	2	Lynedoch	15	Lynedoch	2
Jamestown	1	Jamestown	13	Jamestown	4

~~Census stats: Although difficult to define what is meant by the description the following statistics were able to be extracted in May 2015 from StatsSA.~~

Category Disability WC024	%
Communication disability	0.4
Hearing disability	0.1
Seeing	0.6
Self-care disability	1.7
Remembering disability	0.4
Walking or Climbing Stairs disability	0.5
Walking stick or frame	2.3
Wheelchair	1.9
TOTAL	7.9

~~Statistics for Stellenbosch Municipal Area on mental health and/or disability was not obtainable. However, from the above statistics it is clear that 7.9% of Stellenbosch citizens according to the 2010 Census information is affected by some form of disability. It is therefore necessary for Stellenbosch Municipality to ensure that the services offered by the municipality to the citizens take cognisance of this fact and ensure that services are rendered in such a way that inclusion of all citizens are ensured.~~

Stellenbosch Disability Network:

~~The first meeting of the Stellenbosch Disability Network was held on 29 October 2014. The membership currently stands on 13, but the meetings are attended by up to 25 different organizations and individuals representing disabled persons in Stellenbosch. The purpose of the forum is to network and share information, but to also approach awareness programmes as a collective to highlight issues affecting persons with disability and to avoid duplication of~~

services and rivalry for funding. This network is then also the forum for consultation on issues of disability.

2015 Network members were the following:

Member Name	Type of Member
Altitude Supported Employment	Private Service Provider
Jeremy Hazell	Consultant
Dorothea School	Education Provider
Franschhoek Hospice	Registered Non-profit
Helderberg Association for Persons with Disabilities	Registered Non-profit
ParaVolley SA	Sport Club
PhysiFun	Private Sector Provider & Educator
Senecio	Registered Non-profit
Stellenbosch Municipality	Local Government
Stellenbosch University: Office for Students with Special Learning Needs	Education Provider
VGK Cloetesville	Religious Institution – family support
Leandi Sadie	Consultant
Western Cape Department of Local Government	Provincial Government

In drafting the policy, the following process was followed:

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

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

Stellenbosch concluded a study on the accessibility of municipal facilities and infrastructure by 30 June 2015. Said report was taken to council and copies made available to all councillors and administrative management. The Department Community Development embarked on the development of an implementation plan for the outcome of the study in the 2015/2016 financial year.

Internal discussion with a focus on the deliverables per directorate was concluded with the director's forum on 21 July 2015 to establish commitment to deliverable guidelines (**ANNEXURE 3**) to be approved as part of the policy and to clarify the roles of the internal line departments.

The draft policy was approved in principle at the 35th Council Meeting on 28 October 2015 and published for public comment in local newspapers.

ANNEXURE 3

UNIVERSAL ACCESS PRINCIPLES

Equitable Use: The design is useful and marketable to people with diverse abilities.

- All potential users could use this product in essentially the same way, regardless of differences in personal capabilities.
- Potential users could use this product without feeling segregated or stigmatized because of differences in personal capabilities.
- Potential users of this product have access to all features of privacy, security, and safety, regardless of personal capabilities
- This product appeals to all potential users.

Flexibility in Use: The design accommodates a wide range of individual preferences and abilities,

- Every potential user can find at least one way to use this product effectively.
- This product can be used with either the right or the left hand alone.
- This product facilitates (or does not require user accuracy and precision.
- This product can be used at whatever pace (quickly or slowly) the user prefers.

Simple and Intuitive: Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.

- This product is as simple and straightforward as it can be
- An untrained person could use this product without instructions
- Any potential user can understand the language used in this product
- The most important features of this product are the most obvious
- This product provides feedback to the user

Perceptible Information: The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.

- This product can be used without hearing
- This product can be used without sight
- The features of this product can be clearly described in words (e.g in instruction manuals or on telephone help lines)
- This product can be used by persons who use assistive devices (e.g eyeglasses, hearing aids, sign language)

Tolerance for Error: This design minimizes hazards and the adverse consequences of accidental or unintended actions.

- Product features are arranged according to their importance
- This product draws the user's attention to errors or hazards
- If the user makes a mistake with this product, it won't cause damage or injure the user
- This product prompts the user to pay attention during critical tasks

Low Physical Effort: The design can be used efficiently and comfortably and with a minimum of fatigue.

- This product can be used comfortably (e.g. without awkward movements or postures)
- This product can be used by someone who is weak or tired
- This product can be used without repeating any motion enough to cause fatigue or pain
- This product can be used without having to rest afterward

Size and Space for Approach and Use: Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture or mobility.

- It is easy for a person of any size to see all important elements of this product from any position (e.g. standing or seated)
- It is easy for a person of any size to reach all the important elements of this product from any position (e.g. standing or seated)
- This product can be used by a person with hands of any size.
- There is enough space to use this product with devices or assistance (e.g. wheelchair, oxygen tank, or service animal)

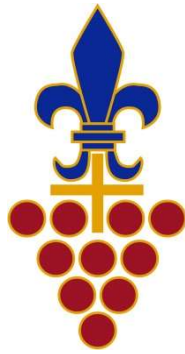
KEY PERFORMANCE INDICATOR GUIDELINES

Structure	Departments within the Directorates	KPI
Executive Mayor and Mayoral Committee		1. Champion projects e.g. Wheelchair Wednesday and Casual Day.
Office of the Municipal Manager	Internal Audit Risk Management	1. Include one KPI addressing the needs of persons with disability per director on top layer performance management. 2. Champion projects e.g. Wheelchair Wednesday and Casual Day.
Directorate: Corporate Services	Human Resources IDP and Performance Management Communication Legal Services Document Management ICT	1. Prioritize and illustrate persons with disability needs in the IDP and performance management process. 2. Increase number of persons with disability employed by Stellenbosch Municipality. 3. All Council decisions accessible to persons with disability. E.g. Braille
Directorate: Financial Services	Budget Income and Expenditure Supply Chain Management	1. Audit all public municipal financial processes to ensure easy accessibility by persons with disability.

		2. Report quarterly on the number of persons with disability on the indigent list and SCM service provider list.
Directorate: Community and Protection Services	Community Services Traffic Services Fire Services Law Enforcement Services	1. Implement changes to make one public park disabled accessible. 2. Map a process together with the disabled network through which emergency staff can deal with persons with disability in time of a disaster.
Directorate: Engineering Services	Water Services Solid Waste Management Development Services and Project Management Transport, Roads and Stormwater Electrical Services	1. To implement five more disabled friendly signals at pedestrian crossings in Stellenbosch. 2. Cost required for alterations of sidewalks along Church, Plein and Andringa Street in order for it to be fully disabled friendly.

<p>Directorate: Planning and Economic Development</p>	<p>Customer Interface and Administration Building Control Land use Management Local Economic Development Community Development Spatial Planning, Heritage and Environment</p>	<p>1. Ensure that 100% of building plans for public facilities submitted for approval comply with SANS regulations for disability access.</p> <p>2. Implement streamlined process for persons with disability to submit building plan applications/enquiries inclusive of payment process. (Develop information leaflet for all forms of disability relating to these processes.)</p>
<p>Directorate: Human Settlements and Property Management</p>	<p>New Housing Housing Administration Property Management Informal Settlements</p>	<p>1. Review municipal policy on accessibility of low income subsidised housing currently provided.</p> <p>2. Allocate and spend x% of building maintenance budget on accessibility projects for municipal buildings.</p>

ANNEXURE B



Stellenbosch Municipality

Universal Access Policy

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EXECUTIVE SUMMARY

The mission of Stellenbosch Municipality is to "deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens". As a means to deliver on this mission, Stellenbosch Municipality is guided by the South African Constitution (1994), United Nations International Convention on the Rights of Persons with Disabilities and Optional Protocol (to which South Africa is a signatory since 2007), the Promotion of Equality and Prevention of Unfair Discrimination Act (2000), Employment Equity Act (2001), the White Paper on Transforming Service Delivery – Batho Pele (1997), along with other legislation listed in the Legislative Framework in **ANNEXURE 1**.

As a commitment to strive for Universal Access (UA), Stellenbosch Municipality supported by their Values: Integrity, Accountability, Transformation and Innovation, supports the creation of accessible communication material, information systems and infrastructure throughout the Municipality. To understand and implement UA, Stellenbosch Municipality is informed and guided by Universal Design (UD), a **process** of embedding **choice** for all **people** in the **things** we design to do.

1. UD is a **process** rather than a final type of product, space or system. In accepting that UD is a process, Stellenbosch Municipality concedes to the fact that it will never be completed, but that we commit to a lifetime of learning and understanding of different users' needs, abilities and desires.
2. **Choice** involves flexibility and multiple alternative means of use and/or interface.
3. **People** include the full range of people regardless of age, ability, sex, economic status, race or religion.
4. **Things** include spaces, products, information systems and any other things that humans manipulate or create.

The need for a UA Policy stems from the Municipality's commitment to ensure equal service to persons with disability and the statistics obtained from SASSA, SA Census 2010, and the establishment of a civil Disability Network within the municipal area, whilst keeping in mind that a large percentage of people do not identify any degree of limitations as a disability. For this reason, the direct beneficiaries of a Universal Access Policy will be approximately 7,9% of the population. However, the secondary beneficiaries including pregnant women, people travelling with small children, children younger than 14 years and elderly people will total to an estimated 65% of the total Municipal population.

The approved White Paper on the Rights of Persons with Disabilities consists of 9 pillars and an implementation matrix (2015-2030) with specific targets for all spheres of government. The role of local government is clearly indicated with a specific reference to achieving universal access. (**ANNEXURE 2**)

List of abbreviations

Abbreviation		Explanation
DPO	Disability Persons' Organizations	Organizations representing and serving persons with disabilities
IDP	Integrated Development Plan	Integrated Development Planning is an approach to planning that involves the entire municipality and its citizens in finding the best solutions to achieve good long-term development. Once the IDP is drawn up all municipal planning and projects should happen in terms of the IDP. The annual council budget should be based on the IDP. Other government departments working in the area should take the IDP into account when making their own plans.
LED	Local Economic Development	To build up the economic capacity of a local area to improve its economic future and the quality of life for all. It is a process by which public, business and nongovernmental sector partners work collectively to create better conditions for economic growth and employment generation. (World Bank)
MAYCO	Mayoral Committee	Committee existing of the Mayor and all portfolio councillors
SASSA	South African Social Security Agency	Agency responsible for the administration of Social Grants
UA	Universal Access	The equal ability of all people to participate in any process irrespective of their diverse needs/requirements
UD	Universal Design	UniversalDesign.com defines Universal Design (UD) as the process of embedding choice for all people in the things we design. Universal Design continues to evolve as both designers and users broaden their understanding and experience of different users' needs, abilities and desires. The more you know about UD, the more you realize that there will always be more to learn. Universal Design is a lifelong learning opportunity, and no one knows it all. We are all students of Universal Design who can learn from each other about how to better design things for all people.
WPRPD	White Paper on the Rights of Persons with Disability	Gazetted March 2016 to provide policy directive for SA on the Rights of Persons with Disabilities

1. INTRODUCTION

The policy intends to create a conducive environment to address issues affecting people with diverse needs/requirements including persons with disabilities within the Stellenbosch Municipal area. It provides guidance on the development and implementation of programmes aimed at promoting the rights and freedoms of people with disabilities as well as other persons with diverse needs/requirements. It advocates for the mainstreaming of issues affecting persons with disability and diverse needs/requirements into municipal departments and directorates. The policy is firmly grounded on the principle that UA should be made integrated into project conceptualization, planning and implementation of IDP programmes in all departments. It also suggests models and mechanisms for coordination of UA implementation, monitoring and evaluation.

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

It is thus important when considering programmes or policies that the approach should make provision for addressing attitudes, processes, knowledge and the environment in which people with diverse needs, including people with disabilities, function.

The White Paper on the Rights of Persons with Disability (WPRPD) does not introduce a policy shift. Nor does it replace any sector specific policies on disability. It reiterates that the primary responsibility for disability equity lies with national, provincial and local government; and other sectors of society but also allocates responsibilities to persons with disabilities and their families. The vision of the WPRPD is the creation of a free and just society inclusive of all persons with disabilities as equal citizens.

In order to achieve the above, universal accessibility should not be viewed as just physical changes to buildings and the like, but inclusion through the acceptance of Universal Design Principles in the development of standards and guidelines. The term “Universal Design” has evolved from the “Barrier Free Design” and “Accessible Design”, design processes that focused specifically on addressing the needs of people with disabilities. Universal Design goes further by recognizing that we all exist somewhere on a wide continuum of human ability. Everyone, even the most able-bodied person, passes through childhood, periods of temporary illness and injury, and old age. By designing for the more limited abilities on the continuum, we can create environments, products, and services that will be easier for all people to use, regardless of their abilities, age or current state of health.

2. STRATEGIC POSITIONING

2.1. VISION

To create accessible communication media, information systems and infrastructure to lead to the full participation and equal access to opportunities for all people, including people with disabilities within the jurisdiction of Stellenbosch Municipality.

2.2. MISSION

This policy aims to ensure the human rights of people with diverse needs/requirements through the alignment of projects and programmes to support universal participation and equalization of opportunities for all people, including persons with disabilities. Stellenbosch Municipality aims to achieve said mission through:

- 2.2.1. Promotion of equal opportunities and full participation or inclusion of people with diverse needs/requirements in the economic, social and political life through the introduction of UA and UD.
- 2.2.2. Prioritization and integration of UA and UD principles into the IDP and subsequent budget of all departments.
- 2.2.3. Inter-departmental approach in the planning and implementation of disability-related services and programmes.
- 2.2.4. The integration of disability issues into line functions of the Municipality's departments as well as a commitment on the part of the Stellenbosch Municipality to address disability issues appropriately.
- 2.2.5. People with diverse needs/requirements are capacitated to enable them to live productive and sustainable lives.
- 2.2.6. Physical, social, economic and other barriers that prohibit or limit access of persons with disability are removed through creation of conducive and accessible environments.
- 2.2.7. Ensure appropriate allocation of funds to designated programmes of different Municipal Departments to give effect to the policy.
- 2.2.8. Monitoring and evaluating the impact of UA programmes as part of our commitment to improve service delivery through UD.

2.3. PRINCIPLES AND UNDERLYING VALUES

In order to ensure all programmes, processes and infrastructure introduced by Stellenbosch Municipality ensures UA, this policy adopts the seven principles of UD (**ANNEXURE 3**) to guide departments on the requirements to achieve UA:

- 2.3.1 Equitable Use
- 2.3.2 Flexibility in Use
- 2.3.3 Simple and Intuitive Design

- 2.3.4 Perceptible Information
- 2.3.5 Tolerance for Error
- 2.3.6 Low Physical Effort
- 2.3.7 Size and Space for Approach and Use

The above principles support the key principles of the White Paper on the Rights of Persons with Disabilities:

- 2.3.8 Respect for inherent human dignity and individual autonomy
- 2.3.9 Non-discrimination
- 2.3.10 Full and effective participation and inclusion in society
- 2.3.11 Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
- 2.3.12 Equalisation of opportunities
- 2.3.13 Accessibility
- 2.3.14 Equality between men and women' and
- 2.3.15 Respect for the evolving capacities of children with disabilities and for their right to preserve their identities

2.4. PRIORITIES

There are effectively no programmes that are a priority over others as Universal Access is a systematic upgrade of all policies, planning, products, services, communication and processes that will allow for all persons with diverse needs/requirements to go about their lives unassisted and without prejudice. This policy purports to ensure said systematic upgrade through the holistic uptake of Universal Access and Universal Design as the basis for all endeavours. The approach should be augmented by integrated and coordinated management of planning, implementation, as well as monitoring and evaluation of programmes by line departments, thus utilising structures as the Director's Forum in order to realise this goal. It is recognized that not all of the priorities are the mandate of local government and in such cases Provincial Government should be lobbied. The Municipality should prioritize programmes that include but are not limited to:

- 2.4.1. All new developments to be aligned to UD
- 2.4.2. Prioritize projects that are linked with Safety and Security
- 2.4.3. Public participation
- 2.4.4. Accessibility
- 2.4.5. Economic Development

2.4.6. Health Care

2.4.7. Inclusive development/education and sport/recreation

2.4.8. Community Development and networking

2.5. OBJECTIVES

To facilitate the development and implementation of municipal services, processes, facilities and projects that is accessible to all persons with diverse needs/requirements including people with disabilities (mainstreaming) through the systematic integration of UA and UD.

Objective	WPRPD Pillar and Policy Directive	KPI/Target		Responsibility
		2020-2025	2026-2030	
That employees with diverse needs/requirement, their families and the community is made aware of existing government policies, programmes and services.	<u>Removing barriers to access and participation.</u> Changing attitudes and behaviour – Develop and implement a Disability Rights Awareness Plan	Plan finalised MOA's signed with 2 strategic partners Minimum 1 community dialogue per annum	Plan reviewed MOA signed with 5 strategic partners Minimum 2 community dialogue per annum	Community Development IDP HR
	<u>Supporting Sustainable integrated Community life:</u> Building socially cohesive communities and Neighbourhoods: Include the rights of persons with disabilities in all social cohesion and human rights promotion programmes and messages.	50% of all social cohesion and human rights promotion programmes and messages highlight the rights of persons with disabilities	100% of all social cohesion and human rights promotion programmes and messages highlight the rights of persons with disabilities	Community Development New Housing Development Informal Settlements
	<u>Removing Barriers to access and Participation:</u> All public and private institutions must ensure equitable access to and participation in programmes and services – This includes the development and publication of reasonable accommodation measures in service charters and standards	Develop Reasonable Accommodation Standards	Publish and implement standards	Engineering Services Corporate Services Community and Protection Services
	<u>Removing Barriers to access and Participation:</u> Enforcing barrier free participation for all persons in line with approved regulatory licencing requirements.	100% enforcement	100% enforcement	Building Control Business Licensing Public Transport
	<u>Supporting Sustainable integrated Community life:</u> Provide information on available service to all parents and care-givers of children	Disability information portal in place and information updated annually	Information available in print format in all three of the official languages of the WC	ICT Community Development
Consulting with stakeholders in a	<u>Supporting Sustainable integrated Community life:</u>	50% of the municipality's	100% of the municipality's	All Directorates

Objective	WPRPD Pillar and Policy Directive	KPI/Target		Responsibility
		2020-2025	2026-2030	
conducive environment for equal participation to ensure a collaborative approach to addressing the needs of persons with disabilities in municipal service delivery.	Address violence against women/girls/boys and the LGBTI community– appropriate measures must be taken to ensure that women, girls and boys are and feel safe living in their communities	programmes provide for the inclusion of women, children, LGBTI community	programmes provide for the inclusion of women, children, LGBTI community	
	<u>Supporting Sustainable integrated Community life:</u> Accessible human settlements/neighbourhoods – Include supported community living plans in all IDP's. The plans and budgets must make provision for coordinated and integrated community living support plans, focussing in particular on access to the built environment, integration of transport nodes and human settlement spatial design	Supported community living plans included in IDP		IDP Planning and Economic Development Engineering Services
	<u>Supporting Sustainable integrated Community life:</u> Protection during situations of risk and disaster – Review all disaster management plans to ensure provision for persons with diverse needs including disabilities in emergencies. Plans must incorporate provisions to map homes and/or institutions in which persons that might require special assistance during emergencies are living. Training of disaster management personnel to prevent injury during evacuations which might result in primary or secondary impairments is required.	100% of disaster management plans reviewed (inclusive of maps for 75% of the area) and universal design access plans developed and implemented.	100% of disaster management plans reviewed (inclusive of maps for 100% of the area) and universal design access plans developed and implemented.	Disaster Management
	<u>Supporting Sustainable integrated Community life:</u> Provide accessible emergency services – Municipal emergency services must put in place reasonable accommodation support systems and trained emergency personnel to ensure equitable and immediate access to services for persons with disabilities	100% of emergency personnel have been trained Reasonable accommodation measures in place in 100% of municipal emergency services, including for deaf and hearing impaired persons		Fire and Disaster Management

Objective	WPRPD Pillar and Policy Directive	KPI/Target		Responsibility
		2020-2025	2026-2030	
Assess, prioritise and adapt the physical structural design of council facilities, infrastructure, processes and communication to ensure constant improvement on the accessibility for people with diverse needs ensuring social integration of all groups with dignity and respect.	<u>Supporting Sustainable integrated Community life:</u> Ensure that all community development programmes and community facilities are accessible to persons with disabilities including social, economic, religious, cultural, sport and leisure and transport facilities and programmes	25% of existing facilities are retrofitted to comply with minimum norms and standards 50% of existing programme comply with accessibility standards	75% of existing facilities retrofitted to comply with minimum norms and standards 100% of exiting programme comply with accessibility standards	Corporate Services Community and Protection Services
	<u>Supporting Sustainable integrated Community life:</u> Provide access to subsidised housing support – Persons with disabilities and single mothers of children with disabilities must have equitable access to the full range of subsidised housing support provided by the state	Development of information explaining and accessing subsidised housing support in all three WC languages completed.		Planning and Economic Development
Systematic review and improvement of HR and Engineering systems, processes and projects to ensure all persons have equal access to employment	<u>Reducing economic vulnerability and releasing human capital:</u> Strengthen and broaden the geographic reach of programmes and projects designed to reduce poverty amongst persons with disability. – Focus placed on: <ul style="list-style-type: none"> • Accessible and affordable transport • Increasing household income through employment and work opportunities • Provision of accessible transport to health care facilities 	Baseline for access to programmes in municipalities established. 25% improvement in access to all programmes	75% improvement in access to all programmes	Corporate Services Engineering Services
Annual monitoring and reporting on implementation of the Universal Access Policy through the scorecards of the Municipal Manager and Directors.	<u>Building a disability equitable state machinery:</u> Develop disability rights and equity commitment statements	100% compliance		Municipal Manager
	<u>Building a disability equitable state machinery:</u> Strengthen Accountability – Include disability outcomes in performance contracts of senior managers across directorates.	Guidelines for disability equity dimensions approved – 100% compliance	100% compliance	Municipal Manager

3. ROLE OF STELLENBOSCH MUNICIPALITY

Although specific roles and responsibilities are outlined with specific attention to the Office of the Municipal Manager and the Department Community Development, all directorates and departments have a responsibility in mainstreaming the rights of persons with disability within their realm of responsibilities. Each directorate has a specific function in service delivery to the community and are responsible for the inclusion of UA and UD in the conceptualization, implementation and reporting of projects.

3.1. KEY INSTITUTIONAL MECHANISMS

- 3.1.1. Utilizing relevant MAYCO member offices (getting buy-in from highest political authority) to support universal access budget and interventions.
- 3.1.2. Encouraging the participation of people with disabilities in the Municipality's processes (e.g. IDP reviews).
- 3.1.3. Consulting with disabled people's organizations (DPO's) through the Stellenbosch Disability Network
- 3.1.4 Disability programming and implementation processes must be handled by managers in different departments of the Municipality and reported to the Department Community Development through a designated disability liaison.
- 3.1.6 Implementation of this policy will be measured through the annual review of the personal SCORECARDS of directors.

3.2. THE ROLE OF THE OFFICE OF THE MUNICIPAL MANAGER

- 3.2.1. Implement agreed performance management targets related to Universal Access on annual basis with all directors.
- 3.2.2. Include target of 2% employment for persons with disabilities in performance agreement of each director.
- 3.2.3. Monitor and evaluate programmes implemented by departments and directorates for UA responsiveness or sensitivity according to agreed performance targets.
- 3.2.4. Ensure the implementation of the Universal Access Policy for the Stellenbosch Municipality and report on said improvements annually to council.

3.3. THE ROLE OF THE DEPARTMENT COMMUNITY DEVELOPMENT

- 3.3.1. Liaise with the Provincial and Local Government Departments on disability issues. Coordinate and mainstream UA policies in municipal strategies and structures.
- 3.3.2. Network and liaise with the Stellenbosch Disability Network.
- 3.3.3. Assist the Performance Management Unit and line departments with the process of developing sector-specific indicators in the Municipality relying on Universal Design Principles.
- 3.3.4. Provide guidance for UA analysis and facilitate inter-departmental collaboration among departments in the mainstreaming of disability into the policies, planning, programmes, IDP and budget.
- 3.3.5. Implement programmes of benefit to people with disabilities in conjunction with civil society organizations for people with disabilities, as per the Community Development Strategy.

4. POLICY REVIEW

This policy will be reviewed in 2023.

ANNEXURE 1

LEGISLATIVE FRAMEWORK

The following legislative frameworks guide and inform decisions relating to the Universal Access Policy Framework: in South Africa

The Constitution of the Republic of South Africa (1996)

National Development Plan 2030

Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000)

Employment Equity Act (55 of 1998)

Skills Development Act (97 of 1998)

National Building Regulations and Building Standards Act (103 of 1977)

Basic Conditions of Employment Act (75 of 1997)

Occupational Health and Safety Act (85 of 1993)

The Labour Relations Act (66 of 1995)

Disability Framework for Local Government 2009-2014

Integrated National Disability Strategy

Code of Good practice for disability in the workplace

United Nations Convention on the Rights of Persons with Disabilities

The White Paper on Transforming Service Deliver – Batho Pele (1997)

The White Paper on the Rights of Persons with Disabilities (2016)

Technical Assistance Guidelines for the employment of persons with Disabilities (2017)

National Veld and Forests Fire Act, 1998 (Act No. 101 of 1998)

National Environmental Management Act No. 107 of 1998

ANNEXURE 3

UNIVERSAL ACCESS PRINCIPLES

Equitable Use: The design is useful and marketable to people with diverse abilities.

- All potential users could use this product in essentially the same way, regardless of differences in personal capabilities.
- Potential users could use this product without feeling segregated or stigmatized because of differences in personal capabilities.
- Potential users of this product have access to all features of privacy, security, and safety, regardless of personal capabilities
- This product appeals to all potential users.

Flexibility in Use: The design accommodates a wide range of individual preferences and abilities,

- Every potential user can find at least one way to use this product effectively.
- This product can be used with either the right or the left hand alone.
- This product facilitates (or does not require user accuracy and precision.
- This product can be used at whatever pace (quickly or slowly) the user prefers.

Simple and Intuitive: Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.

- This product is as simple and straightforward as it can be
- An untrained person could use this product without instructions
- Any potential user can understand the language used in this product
- The most important features of this product are the most obvious
- This product provides feedback to the user

Perceptible Information: The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.

- This product can be used without hearing
- This product can be used without sight
- The features of this product can be clearly described in words (e.g in instruction manuals or on telephone help lines)
- This product can be used by persons who use assistive devices (e.g eyeglasses, hearing aids, sign language)

Tolerance for Error: This design minimizes hazards and the adverse consequences of accidental or unintended actions.

- Product features are arranged according to their importance
- This product draws the user's attention to errors or hazards
- If the user makes a mistake with this product, it won't cause damage or injure the user
- This product prompts the user to pay attention during critical tasks

Low Physical Effort: The design can be used efficiently and comfortably and with a minimum of fatigue.

- This product can be used comfortably (e.g. without awkward movements or postures)
- This product can be used by someone who is weak or tired
- This product can be used without repeating any motion enough to cause fatigue or pain
- This product can be used without having to rest afterward

Size and Space for Approach and Use: Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture or mobility.

- It is easy for a person of any size to see all important elements of this product from any position (e.g. standing or seated)
- It is easy for a person of any size to reach all the important elements of this product from any position (e.g. standing or seated)
- This product can be used by a person with hands of any size.
- There is enough space to use this product with devices or assistance (e.g. wheelchair, oxygen tank, or service animal)

PART 6: STRATEGIC PILLARS FOR REALISING THE RIGHTS OF PERSONS WITH DISABILITIES

6.1 Pillar 1 – Removing Barriers to Access and Participation

"The new South Africa should be accessible and open to everyone. We must see that we remove the obstacles... Only then will the rights of disabled persons to equal opportunities become a reality".

Nelson Rolihlahla Mandela, 1995

The creation of barrier-free environments requires collective and concurrent action by law and policy makers, service providers, regulatory bodies, the private sector as well as organisations of and for persons with disabilities.

Accessibility lies at the heart of the right to human dignity – being able to live as an equal resident in one's community, being accorded respect for your personal space, having the right to equal opportunities and negotiating one's life unhindered by man-made barriers. A number of articles in the UNCRPD requires State Parties to take appropriate measures to ensure that persons with disabilities are able to access, on an equal basis with others, the physical environment, transportation, information and communications as well as other facilities and services open or provided to the public, both in urban and in rural areas. The Table below reflects the specific Articles of the UNCRDP that speak to removing barriers to access and participation.

RELEVANT UNCRDP ARTICLES
<p>Article 9: Accessibility This article emphasises that State Parties have legal obligations to ensure accessibility to persons with disabilities. In this vein, the development and implementation of national laws and policies that advance accessibility must be promoted. Accessibility can also be achieved by ensuring that services and information are tailored to the needs of persons with disabilities; by requiring the participation and inclusion of persons with disabilities; and by drawing attention to the most neglected groups within the spectrum of disability.</p>
<p>Article 11: Situations of risk and humanitarian emergencies This article deals with removing barriers to access in situations of risk and humanitarian emergencies and states that measures should be taken to ensure the protection and safety of persons with disabilities in situations of risk.</p>
<p>Article 20: Personal Mobility This article recognises personal mobility as an important element of access and states that measures must be taken to ensure that persons with disabilities enjoy personal mobility with the greatest possible independence in the manner and at the time of their choice, and at affordable cost.</p>

Article 21: Freedom of Expression and opinion and access to information

This article foregrounds accessibility in terms of expression, opinions and information. It states that appropriate measures should be taken to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice.

Article 30: Participation in cultural life, recreation, leisure and sport

This article speaks to the accessibility in terms of social life. It states that measures must be taken to ensure the right of persons with disabilities to take part on an equal basis with others in cultural life, including enjoying access to cultural materials and access to television programmes, films, theatre and other cultural activities, in accessible formats, as well as taking appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials, and that persons with disabilities are entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and Deaf culture.

Other relevant articles include:

- Article 3: General principles;
- Article 4: General obligations;
- Article 5: Equality and non-discrimination;
- Article 8: Awareness Raising

6.1.1 Focus Areas

The following six dimensions have to be addressed in order to remove barriers to access and participation:

- Changing attitudes and behaviour;
- Access to the built environment;
- Access to transport;
- Access to information and communication;
- Universal design and access; and
- Reasonable accommodation measures.

Addressing all the focus areas in their own right and as a holistic solution requires collective and concurrent action by law and policy makers, service providers, regulatory bodies, the private sector as well as rights holders and/or their representative organisations.

6.1.1.1 Changing Attitudes and Behaviour

Harmful and negative attitudes and stereotypes associated with disability continue to segregate persons with disabilities from mainstream social and economic life.

The INDS, 1997 acknowledges the centrality the changing of attitudes and behaviour plays in the promotion and protection of the rights of persons with disabilities. It states that,

"One of the greatest hurdles disabled people face when trying to access mainstream programmes are negative attitudes. It is these attitudes that lead to the social exclusion and marginalisation of persons with disabilities"; and that,

"The changing of attitudes is not something that happens automatically or spontaneously. Attitude changing is a complex process which involves moving, in a series of stages, from one set of attitudes to another."

DIRECTIVES	DESCRIPTION
Develop and implement a Disability Rights Awareness and Plan	The Plan must be centred on an ongoing campaign across all sectors of society. It must be implemented by all social partners, and multi-dimensional while ensuring integration. Campaigns must be branded and targeted with themes that address the negative attitudes and beliefs about disability that influences people's behaviour in a way that is harmful to persons with disabilities and associates unfounded stigmas with disability. It must also broaden society's understanding and knowledge of perceived or actual impairments, how environmental aspects disable persons with impairments, and how attitudes influence behaviour and vice versa. Public awareness campaigns must also address harmful traditional beliefs associated with disabilities.
Develop and implement new human rights based disability related terminology	The development and implementation of new disability related and sensitive terminology based on human rights must be managed at a national level. The new terminology must be introduced and included in all the official languages of South Africa, as well as South African Sign Language. All government policies and legislation that get amended or revised and any new policies and legislation must incorporate and utilise the new terminology.
Integrate disability awareness into the curriculum of educational	Disability rights awareness training programmes must be integrated into the curricula of all education and training programmes. This must include training in all forms of alternate communication. For example the teaching of South

programmes	African Sign Language and the availability of Braille at schools, post school education and training institutions and at work places.
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6.1.1.2 Access to the Built Environment

The built environment includes all man-made surroundings that provide the setting for human activity, ranging from the large-scale civic surroundings to personal places.

Current legislation regulating the built environment is not fully compliant with either international treaty obligations or constitutional imperatives, as it does not facilitate or enforce the concept of universal design that will enable equitable access to the built environment.

The National Building Regulations and Building Standards Act, 1977, as well as the National Guidelines for Accessibility currently constitute the regulatory framework for accessibility to the built environment. For any building used by the public to conform to the requirements of the National Building Regulations, its facilities must meet the standards and measurements contained in the SANS 10400-S document published in 2011.

The SAHRC recommended in its 2002 *‘Towards a Barrier-free Society Report’*, that “any legislation governing the accessibility of built environments should focus on improving the preconditions for equal participation and human dignity and providing mechanisms for governance, administration and enforcement, and calls for an urgent review of the South African legislative framework for accessibility and the built environment in order to reflect constitutional rights, ensure safe, healthy and convenient use for all and include international standards for universal access”.

DIRECTIVES	DESCRIPTION
Conduct universal design audits of all existing infrastructure to establish the degree of compliance with the SABS minimum norms and standards for the use of people with disabilities.	The disability access of the built environment must include all public and private sector institutions and shared spaces. Quantified and costed plans must be developed to address the outcomes of the audits and the budget must be provided for implementation of the plan.
Develop a financing plan to retrofit	The plan must focus on raising the finances required to retrofit all public and privately owned buildings rendering

existing infrastructure	services to the public. The retrofitting must comply with the SABS minimum norms and standards.
Appoint and train infrastructure accessibility liaison officers	Infrastructure accessibility liaison officers must be provided with appropriate accredited training. These officers must be deployed and/or appointed as part of all infrastructure development project management teams. The trained officers must also advise on, and if necessary, develop built environment regulations and/or amendments to existing legislation to ensure that the concepts of universal design and barrier-free access are adhered to in terms of all built environment infrastructure.
Provide incentives for universally designed barrier-free infrastructure and built-environments	State and private sector provided incentives and reward systems must be initiated and developed towards promoting universally designed and accessible built-environments that meet regulated norms and standards. These incentives must be aimed at transforming the attitude of built-environment professionals towards designing barrier-free spaces and facilities.
Operationalise regulatory framework for accessibility to the built-environment	The regulatory framework for accessibility to the built-environment must be extended and integrated into land use management and town planning schemes and the overall design of landscapes, public open spaces and streets.

6.1.1.3 Access to Transport

Inaccessible public and private systems across the travel value chain are a major barrier to the right to equality for persons with disabilities. Women and learners with disabilities are particularly vulnerable when using inaccessible public transport systems.

Adequate, efficient, safe and accessible transport is required to support productivity and assist South Africans to access basic services, especially in impoverished and rural communities.

The ability to move around the community underpins all aspects of life for persons with disabilities and is essential to achieving all the policy outcomes of the White Paper on the Rights of Persons with Disabilities - from learning and skills, to employment and to the general enjoyment of rights.

The link between the home and transportation, the link from the transportation to the workplace or social services is essentially frequently overlooked. It is important that access to transport be viewed across the entire travel value chain:

- Planning a trip – having relevant information available in accessible format;
- Getting to the pick-up point – being able to negotiate footpaths, cycle paths etc.;
- Getting onto the transport mode of choice – including being able to transfer between different modes of transport;
- Making the journey;
- Getting out of the transport mode of choice;
- Getting to the destination; and
- Providing feedback on the trip – monitoring system.

There is therefore a need for a continuous accessible path of travel for persons with disabilities to connect public transport nodes with local services and accessible housing.

DIRECTIVES	DESCRIPTION
Incorporate the concept of universal design and access in all transport licenses and permits	All transport-related licences and permits for all modes of transport must include universal access and design requirements.
Conduct transport access audits	All public and private transport operators must conduct operational, staff and managerial audits of existing infrastructure, fleet and programmes against legislated minimum norms and standards. A quantified and costed plan must be developed to implement the outcomes of the audit. Implementation of the plan must be budgeted for.

6.1.1.4 Access to Information and Communication

When information and communication platforms and technology are available, affordable and accessible, they significantly improve the inclusion of persons with disabilities in all aspects of society.

Deaf persons use South African Sign Language as their first language, and therefore require that they have access to SASL training, in particular for Deaf children and their parents. They require access to SASL interpreters, as well as note-takers, captioning and sub-texting to facilitate access to information and communication.

Persons who are hearing impaired and/or acquire deafness later in life, might however never utilise SASL as their language of choice. They require access to lip readers, note-takers, loop systems, captioning and sub-texting for access to information and communication.

Persons with severe speech impairments often require alternative and augmentative communication to communicate and access information. This includes non-speaking autistic persons who may also need alternative and augmentative communication (AAC).

Persons with visual and print disabilities often require that text be made available in alternative formats such as Braille, large print, descriptions of graphs and pictures, as well as in audio.

It should furthermore be taking into consideration that literacy levels among persons with disabilities are often low due to exclusion from education in the past, and that information must be made available in accessible official languages.

The importance of ICTs for persons with disabilities lies in the leverage they provide to open up a wide range of services, transform existing services and create greater demand for access to information and knowledge. Web services constitute the access technology with the greatest impact in promoting the inclusion of persons with disabilities. This contribution is closely followed by mobile phones, which, despite being one of the newest technologies from the ICTs assessed, constitute the second-most valued ICT with regard to its contribution for persons with disabilities. In particular, the use of mobile phones is instrumental in allowing the independent living of persons with disabilities. Television is also an important source of information, but requires sub-titling, close captioning and audio-descriptions to ensure equal access.

The cost of assistive technologies (ATs), which is comprised of the cost of the technology as well as the cost of AT assessment, training and support services, detracts from full access to healthcare services, benefitting at all educational levels, being competitive on the labour market and living independently.

At the same time, this WPRPD acknowledges that some persons with disabilities, for example people living with intellectual and/or psychosocial impairments, may not be able to use the technological and IT related devices for meeting their information and

communication needs. These persons with disabilities require human support to meet their needs and require tailored and innovative information and communication interventions and support services such as easy to read materials.

DIRECTIVES	DESCRIPTION
Promote access for persons with disabilities to new information and communications technologies and systems	All public and private institutions must promote access to new information and communications technologies and systems, including the Internet. This can be done through the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become available at minimum cost.
Provide captioning on all television programmes	This must be done by all public and private television channels
Ensure equal access to information and communication platforms	All electronic media, broadcasting and print media platforms of all public and private media institutions and agencies must incorporate universal design principles, meet minimum norms and standards regulatory requirements, and government agencies regulating them must publish annual compliance reports.
Promote South African Sign Language (SASL) and train SASL Interpreters	A costed plan must be developed for promoting SASL through a number of interventions. The strategy and plan must include the training of SASL interpreters. Adequate budget must be provided for implementation of the plan.
Develop and regulate braille standards	A costed plan must be developed for the continuous development, production and regulation of braille standards. Adequate budget must be provided for implementation of the plan.
Provide access to print mediums for persons with print disabilities	All steps must be taken to ensure access to print for persons with print disabilities. One of the steps must be ratification of the <i>Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled</i> .
Provide accessible emergency and disaster management information	All emergency and disaster management and occupational health and safety procedures must include a protocol to ensure that persons with disabilities have access to an equitable degree of information and safety as persons without disabilities using the same service.

6.1.1.5 Universal Access and Design

Universal access is the ability of users to have equal opportunity and access to services, products, systems and environments; regardless of their social and/or economic situation, religious or cultural background, gender or functional limitation. Accessibility can thus be described as “the ability to access” as well as the functionality of some system, environment, product, service or entity.

Universal Design, also referred to as lifespan design, is the most important tool to achieve universal access. It ensures that all residents, irrespective of age, size, ability, gender, etc. benefit from accessible places and products throughout their lives. The fundamental premise of Universal Design is the recognition of human diversity as opposed to the concept of the ‘average man’.

There are two aspects to Universal Access:

- **Direct Access.** This is strongly related to Universal Design and refers to direct adaptations to products, environments, services or system designs that significantly improve their accessibility.
- **Indirect Access.** The use of assistive devices and technology such as wheelchairs, screen readers etc., and refers to product, environment (rural and urban), service or system interfaces that enable an add-on assistive technology to provide the user with full access.

The ‘Universal Accessibility’ approach places the responsibility on society to adjust environments, products and systems to accommodate the individual rather than the individual working around these environments, products and systems i.e. the key lies in the integration of Universal Access into the design and planning process. A universally accessible facility, environment, product, system or service will accommodate a wide variety of groups of society appropriately, safely, and with dignity, as well as optimizing their functionality in the system or environment in which they operate.

Universal design principles for learning should for example include multiple modes of representation, multiple modes of action and expression, and multiple modes of engagement.

DIRECTIVES	DESCRIPTION
Develop universal design standards for the country	<p>The South African Bureau of Standards must accelerate development of universal design access standards for the country across all standards setting that impact on the lives of persons with disabilities. The standards must reflect the key principles of the concept of universal design which are:</p> <ul style="list-style-type: none"> • <i>Equitable use</i> - The design is useful and marketable to people with diverse abilities. • <i>Flexibility in Use</i> - The design accommodates a wide range of individual preferences and abilities. • <i>Simple and intuitive</i> - Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level. • <i>Perceptible information</i> - The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities. • <i>Tolerance for error</i>. The design minimizes hazards and the adverse consequences of accidental or unintended actions. • <i>Low physical effort</i>. The design can be used efficiently, comfortably, and with a minimum of fatigue. • <i>Size and space for approach and use</i>. Appropriate size and space is provided for approach, reach, manipulation, and use regardless of the user's body size, posture, or mobility.
Develop and implement universal design minimum standards and guidelines	<p>This must be done by all public and private sector institutions. The institutions must also monitor implementation of the strategy, compliance with the minimum standards and utilisation of the guidelines. The standards and guidelines must include all facilities and services open or provided to the public, including those rendered by operators/contractors.</p>
Provide education and training	<p>(i) <i>Provide tertiary level education on universal design</i> - All pre-graduate as well as post-graduate training must have compulsory modules on universal design access and disability equity. Pre-graduate and post-graduate training that directly impacts on universal design access and disability equity must design further courses in this regard.</p> <p>(ii) <i>Train decision-makers and implementers on universal</i></p>

design and access - All public and private institutions must provide training for decision-makers and employees on universal design access, including the removal of barriers experienced by persons with disabilities and reasonable accommodation support measures.

(iii) *Develop Accredited Universal Design and Access Training Courses* - These courses must be SAQA accredited. They must allow for differentiated accreditation for access advocates and professional categories. Where Continuing Professional Development (CPD) is required as part of professional training, professionals must be required to undertake at least one universal design access or disability equity course annually.

Ensure service licences require full access

All service licenses issued must require that service providers provide a service which is fully accessible to persons with disabilities.

Ensure service licences require universal design access, in particular for persons with disabilities

All service licenses issued must require that service providers provide a service which incorporates universal design access principles and is fully accessible to persons with disabilities.

6.1.1.6 Reasonable Accommodation Measures

Reasonable accommodation ensures that persons with disabilities enjoy, on an equal basis with others, all human rights and fundamental freedoms. The PEPUA includes 'denial of reasonable accommodation' as a form of unfair discrimination.

Reasonable accommodation support tends to be individual and impairment specific, and includes measures to:

- Make the physical environment accessible;
- Provide persons with disabilities with access to information and communication;
- Redress stress factors in the environment;
- Accommodate specific sensory requirements such as those relating to light, noise and spatial stimuli;
- Improve independence and mobility of persons with disabilities;
- Guarantee participation and supported decision-making by persons with disabilities; and
- Provide access and participation to quality education and work.

Reasonable accommodation measures are therefore inclusive of assistive devices, assistive technology, personal assistance, adaptations of the built environ, signage, captioning, text available in audio, loop systems, FM systems, alerting/alarm systems for evacuation procedures, dedicated sms lines to all emergency service call centres, adaptation of (for example) work arrangements and the implementation of flexibility within the workplace to accommodate persons with disabilities.

DIRECTIVES	DESCRIPTION
Develop minimum norms and standards for reasonable accommodation	National minimum norms and standards for reasonable accommodation support measures aimed at providing equal access and participation must be developed and promulgated.
All public and private institutions must ensure equitable access to and participation in programmes and services	This includes the development and publication of reasonable accommodation measures in service charters and standards across the full spectrum of services.

6.2 Pillar 2 – Protecting the Rights of Persons at risk of Compounded Marginalisation

Persons with disabilities do not constitute a homogeneous group, and as with all other constituencies, experience inequality, discrimination and poverty differently, depending on the contexts.

Girls, boys, men and women with different disabilities, from different age groups, living in different geographical and socio-economic settings, with different sexual orientations, require specific measures to ensure that their rights to life; citizenship; dignity; integrity; equality before the law; access to justice; freedom from torture or cruel, inhumane or degrading treatment or punishment; and freedom from exploitation, violence and abuse, are protected.

Women and girls with disabilities still do not enjoy all human rights and fundamental freedoms on an equal basis with boys and men with disabilities.

Whilst all women with disabilities bear the brunt of inequality, black African women with disabilities are particularly affected by compounded marginalisation caused by the inter-connectedness of race, disability, gender, socio-economic status and class.

Children, young people, as well as older persons with disabilities have very distinct age-dependent situations and needs that must be taken into consideration when programmes are designed.

Section 28 of the Constitution of the Republic of South Africa protects the rights of all children. These rights underlie all decision making with regard to legislation, policies and programmes in South Africa.

Similarly, Article 7 of the UNCRPD requires of States Parties to:

- take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children,
- ensure that the best interests of the child be a primary consideration in all actions concerning children with disabilities,
- ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and
- be provided with disability and age-appropriate assistance to realise that right.

The National Plan of Action for Children (NPAC), 2012-2017, which constitutes the cross-cutting plan for implementation of the Convention on the Rights of the Child, mainstreams the rights of children with disabilities as an integral part of the NPAC.

The National Development Plan 2030 requires the Department of Social Development to systematise guidelines, norms and standards to ensure that they “take into account the needs of children with disabilities in all communities”.

The Children’s Act, 2005 calls, among others, for an enabling environment to respond to the individual needs of children with disabilities, and prohibits the exposure of children with disabilities to “*medical, social, cultural or religious practices that are detrimental to his or her health, well-being or dignity.*”

RELEVANT UNCRPD ARTICLES

Article 1 articulates the purpose of the Convention, focuses on the promotion, protection and realisation of the full and equal enjoyment of *all* human rights and fundamental freedoms by *all* persons with disabilities.

Articles 3, 4 and 5 provide the General Principles, General Obligations and on Equality and Non-discrimination respectively, which are applicable to all persons with disabilities including women, children and older persons.

Articles 3, 6, 16 and 28 specifically recognise that women and girls with disabilities are subject to multiple discrimination. It states that measures must be taken to their full and equal enjoyment of all their human rights and fundamental freedoms; and

to ensure the full development, advancement and empowerment of women to enjoy and exercise these rights.

Articles 3, 4, 6, 7, 8, 16, 18, 23, 24, 25, 28 and 30 specifically recognise the rights of children to full human rights and fundamental freedoms and states that the best interests of the child must be of primary consideration; and that they should have the right to express their views freely on all matters that affect them. Children must be provided with disability and age-appropriate assistance to realize this right.

All the other Articles of the Convention are application to women, children and older persons with disabilities.

Articles which guarantee specific protection include:

- Articles 25, 28: Older persons with disabilities
- Article 10: Right to life;
- Article 12: Equal recognition before the law;
- Article 13: Access to justice;
- Article 14 - Liberty and security of the person;
- Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment;
- Article 16: Freedom from exploitation, violence and abuse;
- Article 17: Protecting the integrity of the person; and
- Article 21: Freedom of expression and opinion, and access to information.

Article 23 of the Convention on the Rights of the Child provides for specific measures to be taken to protect the rights of children with disabilities. The UN Committee on the Rights of the Child, in their 2000 Concluding Observations, expressed concern that the legal protection, facilities, and services for children with disabilities, and particularly mental disabilities, were insufficient.

Article 18 of the African Charter on Human and Peoples' Rights guarantees the right to special measures of protection in keeping with the physical or moral needs of older persons and persons with disabilities.

6.2.1 Focus Areas

The following four (4) focus areas require specific protective measures to ensure that the rights of persons at risk of compounded marginalisation are protected and upheld:

- The right to life,
- Equal recognition before the law,
- Access to justice, and

- Freedom from torture or cruel, inhuman or degrading treatment or punishment, exploitation, violence and abuse.

6.2.1.1 The right to life

Section 11 of the Constitution of the Republic of South Africa guarantees that everyone has the right to life.

Persons with disabilities who are particularly at risk and who requires specific measures to protect this right, include, among others:

- Older persons and children with disabilities who live in particular cultural and/or religious communities where disability is associated with evil, punishment, etc.;
- Children and adults with disabilities who require urgent life-saving resources and medical interventions, but are moved lower on waiting lists as their lives are perceived to have less value;
- Persons with disabilities who are unable to access regular and costly health care due to transport barriers, unaffordability of these interventions, or unavailability of specialised interventions due to geographical location and lack of specialised health personnel;
- Persons with disabilities in emergency and/or disaster situations requiring specific measures to ensure that they have access to timeous and accessible emergency services and evacuation procedures and facilities;
- Persons with disabilities with psychosocial disabilities who do not have access to reliable, timeous and appropriate mental health services and/or may be subject to harmful cultural practices;
- Displaced persons with disabilities, including refugees, asylum-seekers and migrants with disabilities; and
- Persons with disabilities who are homeless.

DIRECTIVES

DESCRIPTION

Strengthen mechanisms to protect the lives of persons with disabilities

All legislation, policies and programmes aimed at protecting life must be reviewed to include specific measures, including putting in place reasonable accommodation measures which will provide equitable protection against loss of life.

Monitor loss of life of persons with disabilities due to insufficient measures having been taken

A monitoring system to track loss of life due to insufficient measures taken to protect the lives of persons with disabilities must be developed.

6.2.1.2 Equal recognition before the law

Equality before the law is a basic general principle of human rights protection and is indispensable for the exercise of other human rights. The Universal Declaration of Human Rights, the ICCPR, and the UNCRPD each specify that the right to equal recognition before the law is operative 'everywhere'; in other words there are no circumstances permissible under international human rights law where a person may be deprived of the right to recognition as a person before the law, or in which this right may be limited. This is reinforced by the terms of Article 4(2) of the ICCPR, which provides that no derogation of this right is permissible even in circumstances of public emergency.

The right to equality before the law is also reflected in other core international and regional human rights treaties. Article 15 of the Convention on the Elimination of Discrimination against Women (CEDAW) also guarantees women equality before the law and requires the recognition of women's legal capacity on an equal basis with men, including the legal capacity to enter contracts, administer property and exercise their rights in the justice system. Article 3 of the African Charter of Human and Peoples Rights (ACHPR) enumerates the right to be equal before the law and enjoy equal protection of the law.

Persons with psychosocial, intellectual and/or neurological disabilities are particularly vulnerable of being denied the right to equal recognition before the law. Historically, they have been denied their right to legal capacity in many areas via substitute decision-making regimes such as guardianship, conservatorship, involuntary admission, etc., often without any clinical and legal determination of their legal capacity, and often as a permanent arrangement.

This is further exacerbated if they live within rural and/or impoverished communities and families, if they are homeless or if they are displaced or refugees, as they are less likely to be able to access information on their rights, as well as supported decision-making services.

Recognition of legal capacity is inextricably linked to the enjoyment of many other human rights contained in the CRPD. Without the recognition of the individual as a person before the law, the ability to assert, exercise, and enforce many of the UNCRPD rights, is significantly compromised.

DIRECTIVES	DESCRIPTION
Review all relevant legislation to ensure equal recognition before the law for access	All legislation detracting from the right to equal recognition before the law for persons with psychosocial and/or intellectual disabilities must be reviewed to prevent indiscriminatory and indefinite denial of legal capacity. This should also include focus on informing and empowering persons with disabilities about their rights and how to access

to persons with disabilities	recourse should these be infringed upon.
Develop supported decision-making legislation	The development of supported decision-making legislation, in particular for persons with intellectual, psychosocial and neurological disabilities, must coincide with the review of substitute decision-making regimes.

6.2.1.3 Access to justice

'Access to justice' is inclusive of people's effective access to the systems, procedures, information, and locations used in the administration of justice. The ability to access justice is of critical importance in the enjoyment of all other human rights. The enjoyment of other human rights can positively or negatively impact the ability of people with disabilities to enjoy access to justice.

To be fully included in society, people with disabilities need access to justice. As long as they face barriers to their participation in the justice system, they will be unable to assume their full responsibilities as members of society or experience their rights and to enjoy the equal opportunity to perform their duties as witnesses, jurors, lawyers, judges, arbitrators, and other participants in the administration of justice.

The concept of access to justice must however also include a variety of other means of doing justice, including alternative dispute resolution, participation in social movement politics, democratic representation, and civic education for the respect of rights. The empowerment of persons with disabilities and their families require that;

- they understand what their rights and entitlements are, know what recourse mechanisms are available should they experience discrimination or exclusion, and know how to access these recourse mechanisms; and
- recourse mechanisms are affordable and easily accessible, even in rural communities.

Barriers hindering persons with disabilities from either using the justice system when they feel wronged or mistreated, or limiting their contributions to the administration of justice, include:

- Poverty;
- Geographic location of adjudication institutions;
- Physical inaccessibility of adjudication institutions;
- Lack of knowledge of legal rights, whereby individuals do not realise that their problem has a legal element and potential remedy;
- Inappropriate dispute resolution institutions and mechanisms (e.g. costs related to accessing the High Courts);

- Procedural hurdles; and
- Delays in the resolution of disputes.

Persons with sensory, intellectual, neurological and/or psychosocial disabilities often experience additional barriers, including;

- Difficulties with organisation, which may make it difficult to prioritise their legal problem and keep appointments with legal service providers;
- Being overwhelmed, and therefore too frightened, or lack the motivation, to seek legal assistance;
- Being mistrustful or frightened of divulging personal information to legal service providers;
- Communication challenges, which can hinder a solicitor in assisting their client effectively;
- The formality of the court room and the stress of initiating or continuing with legal proceedings can be overwhelming and prohibitive;
- Police personnel often lack the skills to serve persons with disabilities and are not comfortable with opening cases of sexual abuse or assault where the complainants have visual, psychosocial and/or intellectual disabilities; and
- The high instance of undiagnosed intellectual, neurological and psychosocial disabilities in impoverished and rural communities.

Further compounding the lack of access to justice across the value chain of the justice system is the communication barrier between appointed South African Sign Language interpreters and Deaf persons who do not have sufficient proficiency in South African Sign Language.

Justice system failures often result in infringement of the right to liberty and security of the person when persons with disabilities are arbitrarily detained due to communication barriers or a lack of distinction between intellectual disability and criminal capacity.

Children with disabilities as well as adults with intellectual, neurological and/or psychosocial disabilities require procedural and age-appropriate accommodations across the justice value chain.

DIRECTIVES

DESCRIPTION

Strengthen recourse mechanisms

- Recourse mechanisms include
- strengthening enforcement of existing legislation;
 - improving access to courts;
 - improving equitable access to service delivery and consumer complaint mechanisms and institutions;
 - strengthening the capacity of Chapter 9 institutions

such as the SAHRC, CGE, Commission for Promotion and Protection of Rights of Cultural, Religious and Linguistic Communities to respond to disability related issues and complaints; and

- strengthening the capacity of NGOs, CBOs and FBOs, and in particular DPOs, to support persons with disabilities in accessing justice.

This must include making available the full spectrum of reasonable accommodation support measures, access to the built environment, as well as procedural and age-appropriate accommodations within the police services, legal aid services and court procedures.

Strengthen monitoring systems to track access to the justice system for people with disabilities

A system to ensure barrier free access to justice must be put in place. Specific attention is required to other barriers faced by persons with intellectual and psychosocial disabilities and their resulting discrimination due to decision-making or legal capacity, lack of assessments and other relevant issues.

Develop a national action plan to inform and empower persons with disabilities and their families of their rights

This should include what the judicial rights are, as well as how to access recourse should these be infringed upon.

6.2.1.4. Freedom from torture or cruel, inhuman or degrading treatment or punishment, exploitation, violence and abuse

The enjoyment of the right of persons with disabilities to be free from torture and other forms of violence is also related to the enjoyment of other human rights.

Torture is one of the most serious violations of human rights. The right to be free from torture and other forms of physical and mental ill-treatment is absolute, and may not be suspended or restricted under any circumstances.

Persons with disabilities are particularly at risk for exposure to torture and other forms of cruel, inhuman, or degrading treatment or punishment.

Torture is furthermore a frequent cause of disability, and when torture is inflicted on a person with a disability, it may lead to secondary disabilities or the onset of a serious medical condition. In addition, the failure of an interrogator to recognise a person's disability could be mistaken for non-cooperation.

Contexts which contribute to the vulnerability of persons with disabilities to torture, cruel, inhuman or degrading treatment and punishment, and which regards specific measures to safeguard persons with disabilities, include;

- Persons with disabilities are often segregated from society in institutions, including prisons, social care centres, orphanages and mental health institutions. They are deprived of their liberty for long periods of time including what may amount to a lifelong experience, either against their will or without their free and informed consent. Inside these institutions, persons with disabilities are frequently subjected to indignities, neglect, poor living conditions (including inadequate food, water, medical care and clothing), severe forms of restraint and seclusion, as well as physical, mental and sexual violence. The lack of reasonable accommodation and the phenomena associated with segregation/isolation in detention facilities may increase the risk of exposure to neglect, violence, abuse, torture and ill-treatment;
- Persons with disabilities are exposed to medical experimentation and intrusive and irreversible medical treatments without their consent (e.g. sterilisation, abortion and interventions aiming to correct or alleviate a disability);
- The belief that persons with disabilities should conform their thinking and/or behaviour to what is considered by others as “in their best interests” can lead to persons with disabilities being forced or coerced into using medications or undergoing “treatments” that may amount to torture and or/and ill-treatment;
- Persons with disabilities, and girls and women with disabilities in particular, are especially vulnerable to violence and abuse, including sexual abuse and torture, inside the home, at the hands of family members, caregivers, health professionals and members of the community;
- Perceived or actual impairments associated with harmful traditional beliefs, such as albinism, are often associated with hate speech, ostracisation and even human trafficking and murder; and
- Such practices, in many instances, remain invisible or are being justified, and are not recognised as torture or other cruel, inhuman or degrading treatment or punishment.

Sexual exploitation and abuse is a widespread phenomenon among persons with disabilities, particularly women and girls, although men and boys with disabilities also experience sexual violence, exploitation, and abuse. Most instances of abuse go unreported and, therefore, remain unaddressed. Persons with intellectual and psychosocial disabilities are in particular at risk of not accessing justice when reporting incidents of sexual exploitation and abuse.

Sexual violence, exploitation and abuse have long-lasting harmful effects on persons with disabilities. Where such abuses occur in isolated settings, the chances of accessing the assistance needed for recovery may be slim. Moreover, such

traumatic experiences may increase disability-related functional limitations or create secondary disabilities. Programs and services that do address sexual violence and abuse in the community, particularly those targeting women and girls, very often do not reach out to persons with disabilities.

Children with intellectual and communication disabilities in particular are vulnerable to exploitation by criminals to participate in criminal activities, as it is generally believed that their testimony will not be acceptable in a court of law.

The Convention against Torture places an obligation on the state to criminalise acts of torture, prosecute perpetrators, impose penalties appropriate to the gravity of the offence and provide reparation to victims. By recognising and reframing violence and abuse perpetrated against persons with disabilities as torture or other cruel, inhuman or degrading treatment or punishment, victims and advocates can be afforded stronger legal protection and redress for violations of human rights. For an act against or an omission with respect to persons with disabilities to constitute torture, the four elements of the Convention definition — severe pain or suffering, intent, purpose and state involvement — need to be present. Acts falling short of this definition may constitute cruel, inhuman or degrading treatment or punishment under article 16 of the Convention against Torture.

Article 17 (Protecting the Integrity of the Person) and Article 22 (Respect for privacy) requires that specific measures be taken to protect the rights of persons with disabilities who require personal assistance. Personal assistants often have easy access to a wide variety of personal information such as identification numbers and financial information, and often work in close physical contact with persons with disabilities they are assisting.

Among the many causes of violations of the rights to respect for privacy and personal integrity are the attitudes and beliefs of other people, especially with regard to persons with intellectual or psychosocial disabilities. The belief by some that such persons with disabilities are “not capable” of taking care of their own private information may lead to people withholding that information or giving it to people with whom the person with disabilities would not choose to share that information. Additionally some people believe that it is permissible to violate the privacy or the physical or mental integrity of a person with a disability if they are not aware that it is happening.

DIRECTIVES

DESCRIPTION

Develop and implement quality assurance programmes and strengthen monitoring systems for all types of institutions and facilities for persons with disabilities

These programmes must be benchmarked against international best practice

Develop measures to protect the mental health of persons with disabilities	The measures must include pro-active steps to promote, protect and ensure that persons with disabilities are not exposed to inhumane, degrading and cruel treatment by people, services and systems due to the persistent attitudinal, physical and communication barriers existing in society.
Strengthen human rights monitoring mechanisms for older persons and others at risk	Measures must be put in place to strengthen human rights monitoring mechanisms for older persons with disabilities who have been institutionalised/reside in group residential care facilities.
Develop integrated multi-focus areas strategies and plans for other categories at risk	The strategy and plan must protect refugees, displaced persons with disabilities, homeless persons with disabilities and prisoners with disabilities from inhumane, degrading and cruel treatment and have access to disability-related services and benefits. This means reasonable accommodation measures must be put in place to ensure that these groups have equal access and participation to all programmes offered to the general population.

6.3 Pillar 3 – Supporting Sustainable Integrated Community Life

Independent Living does not mean that we want to do everything by ourselves, do not need anybody or like to live in. Independent Living means that we demand the same choices and control in our every-day lives that our non-disabled brothers and sisters, neighbours and friends take for granted.

We want to grow up in our families, go to the neighbourhood school, use the same bus as our neighbours, and work in jobs that are in line with our education and interests, and raise families of our own. We are profoundly ordinary people sharing the same need to feel included, recognized and loved

Dr. Adolf Ratzka (Adapted)

Persons with disabilities have an equal right to live in the community, with choices equal to others. This requires that government, across all three spheres, take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community.

Women and girls tend to carry the responsibility of caring and providing for children with disabilities and adults with severe disabilities where personal assistance and accessible child-care facilities are not available, making them less likely to develop careers, find partners and access training and educational opportunities.

Older persons with disabilities, and in particular with dementia, are vulnerable to exploitation, neglect, abuse and homelessness. Facilities catering for older persons are often not accessible to older persons with disabilities, and residential care facilities for persons with disabilities often do not have frail care facilities for those requiring these. This leaves older persons with disabilities requiring frail care support with little or no access to safe shelter. This constitutes a violation of the rights to dignity and security of the person, as per SAHRC report. The rights of older persons with disabilities are protected through, among others, The Older Persons Act, 2006. The Act regulates community-based programmes, home-based care programmes and residential facilities for frail older persons.

RELEVANT UNCRDP ARTICLES

Article 8 deals with Awareness Raising and states that effective and appropriate measures that will raise awareness throughout society that will foster respect for the rights and dignity of persons with disabilities, and that will combat stereotypes, prejudices and harmful practices relating to persons with disabilities must be adopted immediately.

Article 11 which deals with Situations of risk and humanitarian emergencies states that government must ensure protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.

Article 19 on Living independently and being included in the community requires that State Parties to recognise the right of persons with disabilities to live in the community, with choices equal to others, and therefore to take measures that will realise this right. Such measures should include:

- Ensuring that persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- Ensuring that persons with disabilities should have access to a range of in-, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community; and
- Ensuring that community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

Article 20 advocates for personal mobility, with the greatest possible independence for persons with disabilities be ensured, including by facilitating the

personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost.

Article 23 deals with Respect for the family and states that effective and appropriate measures are taken to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others. This includes:

- protecting the right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses is recognized;
- the right of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognised, and the means necessary to enable them to exercise these rights are provided; and
- the right of persons with disabilities to retain their fertility on an equal basis with others.

Article 30 which deals with Participation in cultural life, recreation, leisure and sport states that measures to ensure the right of persons with disabilities to take part on an equal basis with others in cultural life, should include, among others, enjoying access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoying access to monuments and sites of national cultural importance. It also states that State Parties to enable persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities.

6.3.1 Focus Areas

The following focus areas require focused intervention to improve community living outcomes for persons with disabilities and their families:

- Building socially cohesive communities and neighbourhoods;
- Building and supporting families;
- Accessible human settlements/neighbourhoods;
- Access to community-based services supporting independent living; and
- Protection during situations of risk and disaster.

6.3.1.1 Building socially cohesive communities and neighbourhoods

Building social cohesion where persons with disabilities are recognised as equal citizens with the right to play, develop, work and learn in their own communities, is a

national priority. Thus improving access to integrated community, sport and leisure facilities and opportunities for persons with disabilities is an important pillar in building social cohesion.

The existence of multiple disabilities may increase the risk of marginalisation for the person where services are structured according to single impairment-specific interventions.

Displaced persons with disabilities, including refugees, asylum-seekers and migrants with disabilities form an integral part of communities. In the building of socially cohesive communities, it is important that their presence be acknowledged and that they are included in neighbourhood structures.

This requires that society rejects the manifestations of discrimination, exclusion and marginalisation of persons with disabilities experience, and inclusively navigate the changes needed that enhance the rights and freedom of all persons with disabilities.

Particular attention must be paid to ensure that these dimensions are integrated in all programmes and messages focusing on, among others, reducing inequality, building a united South Africa, moral regeneration, social cohesion and universal access.

Improving access to integrated community, sport and leisure facilities and opportunities is another important element in building social cohesion.

DIRECTIVES	DESCRIPTION
Include the rights of persons with disabilities in all social cohesion and human rights promotion programmes and messages	The rights of persons with disabilities must be integrated into all programmes and messages focusing on, among others, reducing inequality, building a united South Africa, moral regeneration, social cohesion and universal access to services
Ensure that all community development programmes and community facilities are accessible to persons with disabilities	This includes all social, economic, religious, cultural, sport and leisure facilities and programmes
Ensure access to residential facilities, day care and other programmes to older persons with disabilities	Residential facilities, day care and other programmes targeting older persons in general, must be made accessible to older persons with disabilities.
Provide subsidies for sport and leisure development for persons	Subsidies and sponsorships for all sport and leisure development must include a disability mainstreaming

with disabilities

component.

Address violence against women/girls/boys and the LGBTI community with disabilities

Appropriate measures must be taken to ensure that women, girls and boys with disabilities are and feel safe living in their communities.

6.3.1.2 Building and Supporting Families

"It is within the family environment that an individual's physical, emotional and psychological development should occur. It is from our family that we may learn unconditional love, we understand right from wrong, and we gain empathy, respect and self-regulation. These qualities enable us to engage positively at school, at work and in society in general"

Centre for Social Justice (2010), *Green Paper on the Family*

Persons with disabilities in general, and children with disabilities in particular, are often deprived of family life due to the lack of community-based support services and educational opportunities available to them and their families, and due to persistent stereotypical thinking that they are better off in segregated facilities.

Being removed from the family on either a temporary or permanent basis often deprives them from the physical resources such as food, clothing and shelter, as well as love, support and encouragement of family members.

Disability does not only affect individuals, but also impacts on family members. Parents and primary care-givers in particular are often required to take life-changing decisions on what would constitute 'the best interest' of their children with disabilities, and can do this only when they are provided with timeous, relevant and accessible information on the full range of options available, and if they have access to peer and parent support and empowerment programmes. Disability service organisations as well as parents' organisations currently carry almost sole responsibility for the provisioning of family support and empowerment programmes, often without any state support.

Women carry the brunt of care responsibilities in families, and caring for children and dependent adults with disabilities, even if only intermittently, where community-based personal assistance support services are not available or insufficient, often detract from their empowerment as women. This requires that they have access to empowerment services which enable them to develop alternative sustainable livelihood streams.

Family function	Ways each function benefits to	
	Individual family members	Society
Membership & family formation	<ul style="list-style-type: none"> • Provides a sense of belonging • Provides personal and social identity • Provides meaning and direction in life 	<ul style="list-style-type: none"> • Controls reproductive function • Assures continuation of the species
Economic support	<ul style="list-style-type: none"> • Provides for basic needs of food, shelter, and clothing and other resources to enhance human development 	<ul style="list-style-type: none"> • Contributes to healthy development of members who contribute to society (and who need fewer public resources)
Nurturance, support and socialisation	<ul style="list-style-type: none"> • Provides for the physical, psychological, social and spiritual development of children and adults • Instils social values and norms 	<ul style="list-style-type: none"> • Prepares and socialises children for productive adult roles. • Supports adults in being productive members of society • Controls antisocial behaviour and protects society from harm
Protection of vulnerable members	<ul style="list-style-type: none"> • Provides care and support for young, ill, disabled or otherwise vulnerable members 	<ul style="list-style-type: none"> • Minimizes public responsibility for care of vulnerable, dependent individuals

Source: Adapted from Patterson, J.M. (2002). Understanding family resilience, *Journal of Clinical Psychology*, Vol. 58 (3): 233-246

The White Paper on Families (2012) therefore recommends that economic and non-economic measures, such as personal income tax relief, care subsidies, and affordable and accessible child, community care and afterschool school care services to mitigate families' responsibilities of caring for, among others, persons with disabilities, be provided.

DIRECTIVES

DESCRIPTION

Develop a plan for mitigating family responsibilities in terms of caring and support for persons with disabilities

The plan must be integrated and multi-sectoral. The Plan must contain both economic and non-economic support measures at household and community level. These services must be standardised, expanded and fully subsidised if provided by NGOs, CBOs and FBOs.

Provide information on available services

Parents and/or care-givers of children with disabilities must have access to integrated disability information,

to all parents and care-givers of children with disabilities

including information on parental counselling and peer-support services, respite care services, therapeutic, educational and economic programmes, as well as the establishment of a disability service and information portal that provides access to the information.

6.3.1.3 Accessible Human Settlements/Neighbourhoods

Accessible and well-designed housing and neighbourhoods contribute significantly to improving the living status of persons with disabilities, as it provides persons with disabilities and their families with choice about living arrangements and moving about the community.

This requires that universal design principles are applied across the human settlement planning and design value chain.

The built environment, transport systems and information systems must be fully accessible for use by persons with disabilities.

The impact of inadequate living conditions is particularly negative for children with disabilities. Children with disabilities living in impoverished homes and communities, especially the former homelands as well as informal settlements, experience multiple deprivations. According to Stats SA's Community Survey 2007, children with disabilities are less likely to have access to adequate housing, water and sanitation than their non-disabled peers. Children with disabilities are more likely to live in traditional dwellings and informal settlements than their non-disabled counterparts. Overcrowded living conditions and outside toilets place enormous stresses on children with disabilities and their families.

DIRECTIVES	DESCRIPTION
Include supported community living plans in all Integrated Developments Plans (IDPs)	The plans and budgets must make provision for coordinated and integrated community living support plans, focusing in particular on access to the built environment, integration of transport nodes and human settlement spatial design.
Ensure all modes of transport are accessible to persons with disabilities	Public and private transport systems must be designed and retrofitted to enable persons with disabilities to utilise the entire transport value chain without barriers.
Provide access to subsidised housing support	Persons with disabilities and single mothers of children with disabilities must have equitable access to the full range of subsidised housing support provided by the state.

Incorporate the concept of universal design in infrastructure grants and tax rebate programmes

All infrastructure and neighbourhood development grants and tax rebate programmes must incorporate a universal design requirement. Small site-specific and ad hoc improvement of urban and rural dwellings, facilities, services and open spaces must be prioritised for dwellings inhabited by persons with disabilities.

6.3.1.4 Access to community-based services supporting independent living

Persons with disabilities must be able to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement.

Persons with disabilities must have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community.

Persons with disabilities living in rural and impoverished settlements, and on farms and traditional communities in particular, are less likely to access basic and social services, including early identification of disability, health, rehabilitation and habilitation and access to justice services, as well as education and training

Community services and facilities for the general population must be accessible on an equal basis to persons with disabilities and must be responsive to their needs.

DIRECTIVES

DESCRIPTION

Develop a sustainable community-based system for personal assistance to support independent living within the community for persons with disabilities

The system must be:

- person-centred and self-directed;
- maximise opportunities for independence and participation in the economic, social and cultural life of the community;
- be responsive to the particular needs and circumstances of persons with complex and high needs for support;
- provide persons with disabilities requiring personal assistance with choice of where they live and with whom they live, and
- provide access to relevant integrated community and home-based support services for persons requiring independent living. The system must be subsidised.

6.3.1.5 Protection during situations of risk and disaster

Persons with disabilities, when compared to the general population, face higher risks in emergency situations and are disproportionately affected by natural and other disasters.

Humans are emotional beings; their mental health and psychosocial well-being play key roles in resilience, recovery and reconstruction. Integration of mental health and psychosocial well-being makes disaster risk reduction more effective, resilient and robust. Persons with psychosocial disabilities may require additional support services.

Persons with disabilities and their families requiring assistance during situations of risk and disaster must be prioritised for evaluation and disaster management procedures. This requires that all emergency and disaster management services be staffed with personnel who have immediate access to the required reasonable accommodation support systems and who have been trained in assisting persons with disabilities.

Persons with disabilities and their families are a unique resource of knowledge and experience, which is often overlooked, and should therefore be included in actions aimed at reducing the risk of disasters, building resilient communities and finding solutions during situations of disasters and emergencies.

DIRECTIVES	DESCRIPTION
Review Disaster Management Plans	The plans must ensure that persons with disabilities requiring assistance during evacuation and disaster warning systems have prioritised access to disaster management services.
Provide accessible disaster relief services	National and provincial disaster management centres must ensure that psychosocial support service personnel that have the capacity to assist persons with disabilities, are available for deployment during disasters and that evacuation centres are accessible.
Provide accessible emergency services	Municipal emergency services must put in place reasonable accommodation support systems and trained emergency personnel to ensure equitable and immediate access to these services for persons with disabilities.

6.4 Pillar 4 – Promoting and Supporting Empowerment of Persons with Disabilities

"The failure by commission or omission to presume all individuals to be capable and willing to learn and assert themselves in the world restricts adversely their ability to participate equitably within their societies".

Douglas Biklen, Interview, 2012

The human rights based approach to development aims both at strengthening the capacity of duty-bearers and at supporting the empowerment of rights-holders. Participation is a key component of a rights-based approach to development and a key component to achieve people's empowerment.

The normal life cycle of persons with disabilities is often interrupted due to, among others,

- Barriers which exclude them from accessing socio-economic opportunities created in the various stages of their life cycle;
- Lack of effective articulation and alignment between different services offered by different departments targeting the same target group;
- Lack of access to appropriate and timeous information and support;
- Lack of access to essential disability and other support services in particular in more rural contexts;
- Poor enforcement of existing enabling legislation; and
- The high cost associated with disability which deprives persons with disabilities and their families from taking up opportunity.

Factors which contribute to dependency and disempowerment among persons with disabilities include:

- *Social isolation* – For most of the people with disabilities, their social isolation began early in life. It is experienced at home, at school, at work and in the community. Escaping social isolation is therefore a major step on the road to empowerment.
- *Unresponsive services and systems* – barriers to access to opportunities and services available to the general population, inappropriate or unavailable disability-specific interventions, combined with the additional cost of accessing services, contribute to disempowerment of persons with disabilities and keep them in a state of prolonged dependency.
- *Poverty* – dependency on others for survival contributes to high disempowerment levels among persons with disabilities
- *Abuse* – Persons with disabilities – and children and women in particular – experience high levels of vulnerability to abuse.

Successful implementation of the UNCRPD is premised on the meaningful participation and empowerment of persons with disabilities as rights-holders.

Supporting the empowerment of persons with disabilities for purposes of the WPRPD is defined as processes whereby individuals achieve increasing control of various aspects of their lives and participate in the community with dignity.

RELEVANT UNCRDP ARTICLES

Article 24 requires that States Parties to ensure that children with disabilities are able to access an inclusive, quality and free primary and compulsory education and secondary education on an equal basis with others in the communities in which they live; and that persons with disabilities are not excluded from the general education.

Article 25 states that Persons with disabilities have the right to the highest attainable standard of health, and requires that measures are taken to ensure accessibility and affordability of health care services, including the provisioning of reasonable accommodation measures.

Article 26 deals with Habilitation and Rehabilitation services and recognises the rights of persons with disabilities to access rehabilitation services aimed at improving their independence and social integration.

Article 23 on Children with Disabilities requires that State Parties to recognise the rights of children with disabilities to specific assistance to ensure their effective access to health care services and rehabilitation services directed towards social inclusion and individual development.

Article 4 on General Obligations, states amongst others that accessible information must be provided to persons with disabilities about assistive devices and technologies, as well as other forms of assistance, support services and facilities.

Article 13 requires that persons with disabilities are provided with access to justice on an equal basis with others. It also requires the provision of procedural and age-appropriate accommodations in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

Young people make up the largest and fastest growing proportion of Africa's general population. The African Union's Youth Charter, released in 2006, prioritises non-discrimination, development, participation, policy and education and skills development as strategies to counteract historical influences. Most importantly Article 14 recognises the right of young people to a standard of living adequate to

their holistic development. Young persons with disabilities are particularly vulnerable of 'early retirement' due to articulation challenges between school, higher and further education and work.

6.4.1 Focus Areas

The following six (6) focus areas aim to strengthen access to economic independence and a life of dignity for persons with disabilities through empowerment support:

- Early childhood development;
- Lifelong education and training;
- Social integration support;
- Access to lifestyle support;
- Supported decision-making; and
- Strengthening recourse mechanisms.

6.4.1.1 Early Childhood Development

Early childhood development services and programmes provide ideal opportunities for the prevention, early identification and timely provision of assistance and support for children with disabilities. Access to relevant information, early identification and community-based intervention services across government departments and spheres of government, and inclusive early childhood development opportunities, is required to unlock the potential of children with disabilities.

There are a number of reasons that support inclusion of children with disabilities at ECD level:

- Inclusion provides a platform for learning opportunities that do not exist in settings where there are only children with disabilities;
- There are opportunities for observational learning and interactions with peers without disabilities;
- Children with disabilities tend to engage in higher levels of play when they are with children without disabilities;
- Inclusion at preschool level has been found to increase social contact between children with and without disabilities and has the potential to impact on the attitudes of children without disabilities towards their peers with disabilities. The experience of being together provides the opportunity to learn important life skills, including dealing with difference and recognition that in different respects we are all dependent on one another; and
- Early identification and appropriate referral and access to intervention enhances optimal development.

DIRECTIVES	DESCRIPTION
Children with disabilities must have equitable access to all ECD Programmes and Facilities	This requires that mainstream ECD programmes and facilities are made accessible for children with disabilities, i.e. that infrastructure; attitudes, equipment and activities do not hinder the participation of children with disabilities. Thus building plans, playgrounds, equipment, toys and ECD practitioner training comply with universal design norms and standards.
Develop disability specific intervention and support services	The services must focus on individual developmental programmes, language and communication development, assistive devices and technology and therapy to improve independence and social integration, as well as parent empowerment and support programmes.
Develop a national integrated referral and tracking system	<p>The seamless system must:</p> <ul style="list-style-type: none"> • Identify children at high risk of, or with developmental delays and/or disabilities through Road-to-Health health screening programmes and refer them to relevant accessible services; • Register all children between the ages of 0-18 years on a centralised database; • Ensure that children with disabilities on the database are assessed and have access to an individualised developmental support and treatment programme and social assistance benefits; • To ensure that children with disabilities remain on this programme until the age of 18 years; • Ensure that all children with disabilities are enrolled in appropriate ECD and compulsory education programmes; and • Ensure that parents receive timeous, appropriate and accessible information to enable them to take decisions in the best interest of their children.

6.4.1.2 Life-long Education and Training

"The education system will play a greater role in building an inclusive society, providing equal opportunities and helping all South Africans to realise their full potential, in particular those previously disadvantaged by apartheid policies, namely black people, women and people with disabilities. It furthermore advocates the provision of inclusive education that enables everyone to participate effectively in a free society. Education provides knowledge and skills that people with disabilities can

use to exercise a range of other human rights, such as the right to political participation, the right to work, the right to live independently and contribute to the community, the right to participate in cultural life, and the right to raise a family. Ensuring that all children with disabilities have access to quality education will help South Africa meet its employment equity goals in the long run”

NDP, Chapter 9

Exclusion from education reflects a complex, progressive and sustained social process of ‘being excluded’. Children who are excluded from education, are often also excluded from development benefits in general:

- Some children already experience exclusion within their family and communities in which they live;
- Some children are excluded at the school level where schools do not have inclusive policies, cultures and practices that make everyone feel welcome with the assurance that they will be able to develop to their full potential; and
- The last link in the web of exclusion can be national education policies.

Statistics show that children and adults with disabilities tend to have less access to education at any level compared to their peers without disabilities. The correlations for both children and adults between low educational outcomes and having a disability is often stronger than the correlations between low educational outcome and other characteristics such as gender, rural residence, and low economic status. For many years, disability remained one of the key reasons for the exclusion of learners from receiving an education in ordinary schools. Children with disabilities were sent to special schools, often far away from their homes, and often in environments which were not safe, and did not necessarily provide access to the curriculum or quality education.

Persons with disabilities must have access to inclusive learning opportunities throughout their lives where they learn with peers without disabilities in barrier-free settings. Specific focus areas to realise this must include:

- Provision of reasonable accommodation of the individual's requirements;
- Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- Effective individualised support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion; and
- Enabling persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community.

Specific measures that must be taken include:

- Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
- Facilitating the learning of South African Sign Language and the promotion of the linguistic identity of the Deaf community;
- Ensuring that the education of persons, and in particular children, who are blind, deaf, hearing impaired, non-speaking autistic or deaf-blind is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development;
- Employing teachers, including teachers with disabilities, who are qualified in South African Sign Language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities; and
- Ensuring that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others by, among others ensuring that reasonable accommodation is provided to persons with disabilities.

DIRECTIVES**DESCRIPTION****Provide accessible education facilities**

This applies to all existing and future developed public and private education institutions and campuses.

Provide educational support and reasonable accommodation at all institutions of learning

This involves the timeous availability of adequate support and reasonable accommodation measures across the value chain at all public and private education and training facilities and programmes to persons with disabilities. It includes providing students with disabilities group sport, recreation and peer support opportunities within the education institutions where they are enrolled.

Enforce enrolment of children with disabilities of compulsory school-going age

This includes the abolishment of all waiting lists at schools and immediate reporting of all children with disabilities who have been refused access to schools to the SAHRC. It also includes access to schooling, education and stimulation programmes for children with severe to profound intellectual disabilities.

Integrate disability rights

Disability rights awareness training programmes

awareness discourse into the curriculum of educational programmes must be integrated into the curricula of all education and training programmes.

6.4.1.3 Social Integration Support

Whilst all persons with disabilities are at risk of compounded marginalisation, it should be noted that there are groups which currently experience increased risk due to their actual or perceived impairment.

Communication difficulties, which compound the opportunities for persons to speak out, provide testimony; represent themselves effectively and in general, to be heard and to engage. Persons with communication difficulties require assistive technology and/or intermediaries to facilitate communication, which is often not available.

Persons with disabilities require, in addition to enabling environments and access to services available to the general population, a range of disability specific services to attain and maintain maximum independence, full physical, mental, social and vocational ability, and therefore full inclusion and participation in all aspects of life. These services include;

- Screening, early identification and assessment services to determine individualised support programmes;
- Specialised and community-based rehabilitation, habilitation and psychosocial support services;
- Assistive device and technology support services; and
- Peer and family counselling and empowerment support services.

The lack of rehabilitation services beyond hospital level during the initial phases of onset and/or diagnosis of disability (and for only a limited range of impairments) focusing on prevention of primary and secondary disabilities, is a major contributory factor to the slow uptake of affirmative action opportunities for adults with disabilities in economic empowerment and employment programmes.

Very few rehabilitation and habilitation services and programmes are available to facilitate effective social integration into community life, work and education after onset of disability, and families living in smaller towns and rural areas have virtually no access to these services, which are available mainly in metropolitan and larger secondary cities. Access to affordable and relevant rehabilitation services remains a challenge for persons with disabilities in particular in rural areas. Poverty is a major barrier for persons with disabilities and their families in accessing rehabilitation services, even where these are available at community level, and in particular to specialised services are available only in major centres, due to the high cost and inaccessibility of public transport, lack of accessible information on what services are available and where, and poor referral services within the health sector, but also

between the health sector, the social security system, social development services, the education system and employment and skills-development programmes.

Access to community-based peer and parent counselling and support programmes is central to the empowerment process of children, young persons and adults with disabilities. These programmes, preferably managed and provided by organisations of persons with disabilities and parents of children with disabilities, contribute significantly to reducing a culture of dependency and promoting true empowerment and active citizenship.

Adequate resource allocation for the establishment of psychosocial rehabilitation and habilitation services at community level and resource allocation for the improvement of quality of existing services, in all provinces, is required to facilitate the empowering of persons with psychosocial disability.

Community-based residential and stimulation programmes for persons with intellectual disability form an important function for participation within the community and allow the development and obtainment of various skills, for participation in income-generation projects.

Access to appropriate and affordable assistive devices and technologies for persons across the impairment spectrum ensures increased independence, participation and improved health, and should be available for use at home, at school, at work and during leisure activities.

NGOs, CBOs, FBOs, and in particular DSOs, provide a significant portion of social integration support services, often without sufficient state subsidisation, which detracts from both the quality and expansion of these services.

DIRECTIVES	DESCRIPTION
Establish integrated, multi-sectoral provincial rehabilitation and habilitation centres	These must provide and prioritise multi-sectoral screening, early identification and assessment services to determine individualised support programmes and social assistance requirements; a range of specialised independent living and social integration services to all persons with disabilities, irrespective of impairment; an assistive device and technology service, as well as coordination service for community-based personal assistance, peer and parent/family counselling, psychosocial and vocational rehabilitation habilitation and rehabilitation habilitation support services.
Subsidise peer and parent empowerment support	Peer support empowerment programs for children, youth and adults with disabilities, as well as parents of children with disabilities, must be subsidised and available at community level to strengthen their right to self-representation and advocacy. These programmes must preferably be managed

programmes	by parents' organisations and representative organisations of persons with disabilities.
Subsidise disability-specific services	Subsidisation of any disability-specific services rendered on behalf of government must be congruent with the actual cost of services. Representative organisations of persons with disabilities must be contracted as a central component of trainers.

6.4.1.4 Access to Healthcare and Lifestyle Support

Health as a human rights issue is framed in terms of the "highest attainable standard of health." In other words, persons have a right to the conditions and resources that promote and facilitate a healthy life.

Access to healthcare for persons with disabilities extends well beyond physical access. Persons with disabilities often experience further disadvantage due to the impact of social determinants of health. Health and social services must be accessible, affordable and relevant to persons with disabilities across all impairment and environmental dimensions.

It is important to enhance the capacity of persons with disabilities to access the healthcare system, to ensure that information on available services is easily accessible and affordable, that healthcare workers treat persons with disabilities and their families with dignity and respect, and that the system is able to respond in an appropriate and timely manner to the needs of persons with disabilities.

Affordability of healthcare (including the cost of transport, rehabilitation and assistive devices, consumables and maintenance of devices) is a major deterrent for persons with disabilities receiving social assistance to seek employment.

Persons with disabilities as victims and/or survivors of disability-related and gender-based violence and crime, often struggle to gain access to victim empowerment support services and the broader justice system for victims due to attitudinal, physical, communication and information barriers. This requires that these barriers to mainstream services be removed, and reasonable accommodation support measures be provided where these are required.

Persons with disabilities are often at more risk of contracting HIV due to access barriers to prevention and treatment programmes. Persons with disabilities who have contracted HIV often experience double-discrimination on the basis of disability and their HIV status. Likewise persons with disabilities who are lesbian, gay, bisexual, transgender and intersex (LGBTI) face additional discrimination, persecution and violence simply for expressing who they are, and who they choose to love.

Similarly, access to community sport and recreation facilities and programmes, as discussed in the previous pillar, will contribute significantly to the general health status of persons with disabilities.

DIRECTIVES	DESCRIPTION
Provide access to affordable healthcare services	Integrated and holistic basket of accessible and affordable healthcare services at a district and community level, as well as access to higher levels of care, must be provided to all persons with disabilities.
Provide access to victim empowerment and recourse programmes	All persons with disabilities, and in particular women and girls with disabilities as well as older persons with disabilities, who are victims and/or survivors of disability-related and gender-based violence and crime, must have access to affordable victim empowerment and recourse programmes.
Ensure all HIV and AIDS prevention and treatment programmes are accessible to persons with disabilities	This must include family planning, sexuality/sex education programmes. If it is not possible to remove all access and participation barriers, then accessible disability-specific services must be provided.
Develop and Implement a National Disability Services Quality Framework with a National Quality Assurance system, as well as legislation.	These must determine and provide determined minimum norms and standards for disability services.

6.4.1.5 Supported Decision-Making

Choice and control are key defining aspects of human dignity. This is also relevant for persons with psychosocial, neurological and intellectual disabilities, who are often denied the right to control decisions over aspects of their lives.

Legislation and policies must recognise and enable the right of persons with psychosocial, neurological and intellectual disabilities to equal recognition before the law. Equality before the law is a basic general principle of human rights protection and is indispensable for the exercise of other human rights. The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights specifically guarantee the right to equality before the law.

Persons with disabilities remain the group whose legal capacity is most commonly denied in legal systems worldwide. The right to equal recognition before the law implies that legal capacity is a universal attribute inherent in all persons by virtue of their humanity and must be upheld for persons with disabilities on an equal basis with others. Legal capacity is indispensable for the exercise of economic, social and cultural rights. It acquires a special significance for persons with disabilities in making fundamental decisions regarding their health, education and work.

Legal capacity should always be assumed unless evidence, which must include a range of principled and practical checks and balances, proves the contrary. In such cases, safeguards should be proportionate to the person's circumstances, and to how far the measures affect the person's rights and interests. Additionally, such measures should apply for the shortest time possible, and should be subject to regular review by an independent or judicial body.

Supported decision-making regimes comprise various support options which give primacy to a person's will and preferences and respect human rights norms. It must provide protection for all rights, including those related to autonomy (right to legal capacity, right to equal recognition before the law, right to choose where to live, etc.) and rights related to freedom from abuse and ill-treatment (right to life, right to physical and mental integrity, etc.).

The development of supported decision-making legislation and services, in particular for persons with intellectual, psychosocial, neurological and severe communication disabilities, must coincide with the review of substitute decision-making regimes.

DIRECTIVES	DESCRIPTION
Develop supported decision-making services	<p>The development of supported decision-making support services, in particular for persons with intellectual, psychosocial and neurological disabilities, must coincide with the review of substitute decision-making regimes.</p> <p>This must include the development of mechanisms to protect persons with disabilities from undue influence, coercion, exploitation and/or neglect in situations where their decisions, choices and preferences are substituted with those of others.</p>

6.4.1.6 Strengthening recourse mechanisms

The empowerment of persons with disabilities and their families require that:

- they understand what their rights and entitlements are, know what recourse mechanisms are available should they experience discrimination or exclusion, and know how to access these recourse mechanisms; and

- recourse mechanisms are affordable and easily accessible, even in rural communities.

Recourse mechanisms include strengthening enforcement of existing legislation, development of new disability-specific legislation, service delivery and consumer complaint mechanisms and institutions, Chapter 9 institutions such as the SAHRC, CGE, Commission for Promotion and Protection of Rights of Cultural, Religious and Linguistic Communities, NGOs, CBOs, FBOs and the courts.

DIRECTIVES	DESCRIPTION
Develop a national action plan to inform and empower persons with disabilities of their rights	A national plan should include what the rights of persons with disabilities are, as well as how to access recourse should these be infringed upon.

6.5 Pillar 5 – Reducing Economic Vulnerability and Releasing Human Capital

Poverty is a multi-dimensional concept determined by, among other things, a household's access to health, education and employment. Barriers that prevent persons with disabilities from improving their livelihoods are related to limited access to services such as health and education, negative attitudes from staff and community members, lack of reasonable accommodation and resources as well as increased costs related to health care, transportation, assistive devices and personal assistance. A lack of or insufficient education is often highlighted as a key element and cause of poverty in persons with disabilities. Poverty and disability are related in adulthood and this is associated with a lack of access to education during childhood – if children with disabilities have access to education (schooling) it reduces the likelihood that they will live in poverty as adults.

Reduced earning capacity is often associated with functional limitations, often-substantial costs of accommodating these limitations, high susceptibility to certain financial shocks, lack of financial reserves and extremely limited earning potential, result in them living below or near the poverty line.

However, such vulnerability also has profound implications for persons with disabilities who are financially more secure, but whose resources are limited and whose expenses are extraordinary. Failure to maintain financial stability may therefore trigger a downward spiral resulting in, among others, bankruptcy, diminished physical and mental health, financial dependence on family and friends, and even homelessness or institutionalisation if insufficient family support and resources are available.

The International Labour Organisation (ILO) estimated in 2009 that South Africa loses about 7% of its annual GDP due to exclusion of persons with disabilities from the workplace and the subsequent productivity loss.

Economic security and social protection for persons with disabilities requires a complex web of inter-related interventions. Persons with disabilities must have access to adequate financial resources to cover the additional cost of living associated with disability.

Reducing inequality in economic security by persons with disabilities and their families will require a concerted and coordinated effort by all government departments, municipalities, employers, labour unions, financial institutions, statistical bodies, education and research institutions, organisations of and for persons with disabilities, skills development agencies, regulatory bodies, institutions promoting democracy, as well as international development agencies to synergise legislation, policies, systems, programmes, services, and monitoring and regulatory mechanisms aimed at the creation of decent work, employment schemes, skills development, social protection, environmental accessibility and the reduction of inequality.

Persons with disabilities living in rural and impoverished settlements, and on farms and traditional communities are less likely to access employment opportunities due to (i) the lack of accessible and affordable public transport; and (ii) lack of accessible and affordable specialised services and opportunities in these areas. Traditional communities are also more likely to associate disability with traditional beliefs and practices.

RELEVANT UNCRDP ARTICLES

Article 27: Work and Employment

The right of persons with disabilities to work, on an equal basis with others, inclusive of the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. To achieve this, specific measures must be taken, including:

- The prohibition of discrimination on the basis of disability across the employment value chain;
- Protecting the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work;
- Enabling persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
- Promoting employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;

- Promoting opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
- Employing persons with disabilities in the public sector;
- Promoting the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
- Ensuring that reasonable accommodation is provided to persons with disabilities in the workplace;
- Promoting the acquisition by persons with disabilities of work experience in the open labour market; and
- Promoting vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

Article 28: Adequate standard of living and social protection

- Access to social protection programmes and poverty reduction programmes are guaranteed through assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance; access to public housing programmes.

6.5.1 Focus Areas

The following four (4) focus areas aim to accelerate reducing the economic vulnerability of persons with disabilities and their families and fostering economic self-reliance:

- Disability, poverty, development and human rights;
- Access to decent work and work opportunities;
- Persons with disabilities as owners of the economy; and
- Reducing the cost of disability for persons with disabilities and their families.

6.5.1.1 Disability, Poverty, Development and Human Rights

While the Millennium Development Goals (MDGs) represented a concerted effort to address global poverty, the MDGs did not address the interface between poverty and disability, and persons with disabilities found themselves invisible in goal-oriented programmes. As a result, persons with disabilities remain excluded from equitable access to resources such as education, employment, healthcare and social and legal support systems, and consequently experience disproportionately high rates of poverty.

This omission is currently receiving attention as the world moves towards finalisation of the Post-2015 Development Agenda, and Catalina Devandas Aguilar, UN Special

Rapporteur on the Rights of Persons with Disabilities, is on record stating that “*The inclusion of persons with disabilities in the Sustainable Development Goals is fundamental if we are to achieve sustainable development that is genuinely rights-based*”.

The National Development Plan acknowledges that “*disability and poverty operate in a vicious circle. Disability often leads to poverty and poverty, in turn, often results in disability*”.

As the whole family is affected by the direct and the indirect cost caused by participation restrictions, the proportion of people affected is much higher than disability prevalence figure indicates.

A pilot study conducted in 2014 on *Elements of the Financial and Economic Costs of Disability to Households in South Africa* highlighted that some households, such as those of women with disabilities, persons with severe disabilities and those of children with disabilities are still disproportionately economically disadvantaged and vulnerable. The study identifies seven key areas for intervention to reduce economic vulnerability of households of persons with disabilities.

The White Paper for Social Welfare, 1996 provides that social security covers a wide variety of public and private measures that provide cash or in kind benefits or both. The provision of these measures takes place, first, in the event of an individual's earning power permanently ceasing, being interrupted, never developing or being exercised only at unacceptable cost and such person being unable to avoid poverty. The White Paper further defines social security as policies which ensure that all people have adequate economic and social protection during unemployment, ill health, maternity, child - rearing, widowhood, disability and old age, by means of contributory and non-contributory schemes for providing for their basic needs.

While uptake of social assistance grants has increased significantly over the past 15 years, medium and long-term emphasis has been on providing social grant beneficiaries with alternative income sources through gainful work and training, among others, through public employment programmes.

Workers are protected through unemployment insurance benefits as well as compensation for injury on duty.

Significant challenges exist in the private insurance industry with placement of benefit limitations and/or total exclusion of persons with disabilities from insurance benefits. A shift is required to reflect the social model paradigm, where insurance aims to enable a person acquiring a disability to maintain lifestyle and employment, rather than the current practice of compensating them for loss of income due to loss of employment.

DIRECTIVES	DESCRIPTION
Align social assistance with cost of disability	Social assistance must be aligned with the actual cost of disability, and must be structured in a way that encourages social assistance beneficiaries with disabilities to transition to sustainable livelihoods and decent work.
Review all insurance benefits to include equitable access to persons with disabilities	Insurance benefits must be reviewed to remove all discriminatory practices on the basis of disability, and to expand benefits for persons with disabilities and their families.
Develop and/or strengthen and broaden the geographic reach of programmes and projects designed to reduce poverty amongst persons with disabilities	<p>The programmes and projects must focus on the following 7 areas:</p> <ul style="list-style-type: none"> • Access to education; • Support for caregivers of children with disabilities and those for adults with severe disabilities; • Accessible and affordable transport; • Increasing household income through employment and work opportunities; • Provision of accessible transport to health care facilities; • Affordable assistive devices and support, including accessibility of information and communication technology; and • The inclusion of persons with disabilities in the design of key developmental areas such as housing and transport.

6.5.1.2 Access to decent work and employment opportunities

Persons with disabilities must be treated as an asset rather than an expense item, and every effort should be taken, whether formally or informally, to develop skills and abilities and to provide opportunities for people to maximise their contribution.

Work is essential to an individual's economic security and is important to achieving social inclusion. Employment contributes to physical and mental health, personal wellbeing and a sense of identity. Income from employment increases financial independence and raises living standards.

Persons with disabilities are disadvantaged compared to their peers without disabilities as far as their access to decent work opportunities is concerned. This is partly attributed to limited formal education and skills. Persons with disabilities as a result tend to have worse labour market outcomes - unemployment, partial employment or full employment at lower wages than persons without disabilities. The Employment Equity Act, 1997 has not resulted in a significant improvement in

the employment status of persons with disabilities, with very minimal year-on-year improvements reported by the Commission on Employment Equity. Equity targets have been set well below the national disability prevalence by both the public and private sector, and those benefiting from this affirmative action legislation tend to be white and male and often do not require significant reasonable accommodation support measures.

Invisible disabilities (psychosocial, neurological, hearing and intellectual disabilities) often lead to persons with these disabilities not having access to affirmative action, social security and assistance benefits as they are not easily identifiable. These persons are therefore required to present additional proof of impairment.

Women with disabilities are affirmed through a range of targeted programmes and events by a number of government departments, although it recognised that improved co-ordination and targeting of these efforts will significantly strengthen impact.

The following range of supported/subsidised employment placement and support options are currently available in predominantly urban centres, largely due to the high general unemployment rate in South Africa:

- Sheltered work - People working in sheltered settings retain their social welfare benefits, typically a disability grant and usually receive a small discretionary additional weekly payment from the work provider. A weakness in the subsidised supported employment environment has been the lack of financial support for organisations of persons with disabilities who offer income-generating opportunities to their members;
- Integrative enterprises - sheltered workshops paying normal wages;
- Supported employment - a system of support for persons with disabilities in respect of on-going employment in integrated settings, including job coaching; and
- The open labour market.

A higher rate of investment must create employment opportunities for persons with disabilities, and a labour market that is more responsive to economic opportunity should take into account the need to ensure that persons with disabilities are included without discrimination on the basis of disability, race, geographical location or gender. Labour market strategies should embed disability at each level of the value chain, particularly with regards to ensuring that persons with disabilities benefit from reviewed regulations and standards for small and medium enterprises by addressing public sector labour relations; strengthening the application of minimum standards on the employment of persons with disabilities among employers ensuring that innovative recruitment processes target persons with disabilities; strengthening compliance with disability components of active labour market policies.

DIRECTIVES	DESCRIPTION
Determine disability related economic affirmative action targets that are cognisant of disability population demographics	The targets must take into consideration disability population demographics as well as redress requirements to facilitate equality of outcome by 2030.
Provide affordable vocational rehabilitation and related programmes	Employees with disabilities must have access to affordable vocational rehabilitation, skills development, job retention and return-to-work programmes after onset of disability.
Integrate socio-economic development programmes provided to persons with disabilities on the national employment services database	These programmes include social assistance, rehabilitation and habilitation, skills development, entrepreneurial and employment support programmes (e.g. mentorship for start-up business owners, job coaching and placement support). The aim is utilise the national employment support services database for job-seekers to link persons with disabilities to job opportunities.

6.5.1.3 Persons with disabilities as owners of the economy

Persons with disabilities can and should be active players in building the economy, and must therefore be enabled to access opportunities aimed at ownership of the economy. Measures should include:

- Ensuring that persons with disabilities are actively participating in key NDP economic sectors such as mining, construction, mid-skill manufacturing, agriculture and agro-processing, higher education, tourism and business services;
- Persons with disabilities benefit from infrastructure projects that contribute to growth and job creation. There is a need to ensure inclusive planning that guarantees equal business opportunities and access to key services such as commercial transport, energy, telecommunications and water, while ensuring their long-term affordability and sustainability;
- Persons with disabilities must be part of all strategies to reduce the cost of living for low-income and working-class households. Such strategies should take into account the diversified needs of different segments within the population of persons with disabilities;
- Reduced cost of regulatory compliance should be extended to businesses that are owned and managed by persons with disabilities and their families;

- A larger, more effective innovation system should ensure that skills development and businesses owned by persons with disabilities are included and supported;
- Support for small businesses that are owned and managed by persons with disabilities, must be strengthened;
- An expanded skills base that achieves the current target of 4% set in the National Skills Development Strategy, and progressively increase this to 15% by 2030 in line with the increasing number of persons with disabilities, must be supported;
- Strengthened financial services to bring down cost and improve access for small- and medium-sized businesses must be available to persons with disabilities and their business enterprises on an equitable basis;
- The commitment to public and private procurement that fosters the growth of disability empowered business and those owned/managed by persons with disabilities, must be translated into practice and reported on;
- Enhanced commercial diplomatic services should position disability as an integral component of investment and foreign policy; and
- The public procurement system is an important transformation tool, and must include a minimum requirement that all goods and services procured through the public purse, comply with the principles of universal design and disability equity.

DIRECTIVES**DESCRIPTION**

Adopt and implement a target of 7% procurement and economic opportunities for emerging SMEs owned by persons with disabilities

Steps must be taken to ensure that at least 7% of all public and private procurement for bids under R30 000 are allocated to business entities owned by persons with disabilities.

At least 7% of all opportunities in the various economic sectors must be allocated to business entities owned by persons with disabilities. This should include interventions so that farmers with disabilities access, own and cultivate land.

Strengthen access to, and participation in, SME support programmes

This must include strengthening all support programmes for entry level SMEs owned by persons with disabilities by implementing affirmative action targets and ensuring that reasonable accommodation support is available across the SME support services value chain.

Ensure that BBBEE benefits persons with disabilities

BBBEE creates access and equal opportunities for the economic empowerment of persons with disabilities by eliminating discrimination of all forms. As an example it facilitates access to the labour market by mandating and

rewarding organisations to hire and upskill persons with disabilities. Persons with disabilities must be included in all the BBEE legislation and related regulatory framework mandates. Specific directives include the following:

- Persons with disabilities to have representation in all Sector Charters.
- Amendments of BBEE codes to allocate specific targets for all elements of the codes to benefit persons with disabilities, in negotiation with the disability sector.

Set affirmative action targets for women with disabilities

Proposed targets are:

- 50% of all affirmative action opportunities targeting persons with disabilities.
- 7% of affirmative action opportunities targeting women empowerment.

6.5.1.4 Reducing the cost of disability for persons with disabilities and their families

The extra-ordinary costs of living associated with the high cost of personal assistance services (sign language interpreters, attendant care, reader and note-taking services), assistive devices and technology and transport for some groups, as well as healthcare-related expenses, significantly detract from equality of outcomes despite the availability of affirmative action programmes.

In addition to the direct disability-related expenses noted above, persons with disabilities and their families might need to incur additional costs.

According to data from Stats SA's Community Survey 2007, children with disabilities are more likely to be orphaned than their peers without disabilities. One in four children with disabilities nationwide has lost one or both parents, compared to one in five among children without disabilities.

Taxpayers with disabilities or with disabled dependants, enjoy a significant range of tax rebates for all medical scheme contributions and out-of-pocket medical expenses. These include, among others:

- attendant-care expenses (home, school and work);
- travel and other related expenses (including transport costs specifically incurred in respect of a learner with a disability who attends a specialised school);
- acquisition, insurance and maintenance of assistive devices, artificial limbs and technology required to enable persons with disabilities to perform daily activities

(including computer or other electronic equipment required in order to convert printed material or image files into text, braille, speech or any other accessible format, including peripheral equipment such as scanners, braille printers, speakers and headphones for the personal use by or for a person with a disability); and

- service animals, alterations or modifications to assets acquired or to be acquired.

The challenge with the current taxation system in South Africa is that it is linked to the tax bracket of the individual, rather than on an equitable rebate for the actual expense of the disability-related cost incurred.

DIRECTIVES	DESCRIPTION
Review disability related tax benefits	Disability-related tax benefits must be reviewed to ensure equity in the recovery of disability-related costs.
Measures must be put in place to mediate the disability-related costs to SMMEs owned by persons with disabilities	Adjudication of bids must exclude the disability-related costs associated with reasonable accommodation measures required to run the business to ensure equitable adjudication on price.

6.6 Pillar 6 – Strengthening the Representative Voice of Persons with Disabilities

Being able to take decisions that affect one's standard of living – where you go to school, where you live, with whom you live, who you form relationships with, where you work and what work you do – is an unknown concept for many persons with disabilities. The principle of self-representation is therefore paramount in ensuring an adequate standard of living, and goes hand in hand with the concepts of empowerment, participation and independent living.

The first level of self-representation, at individual level, has been covered under the Pillar on Supporting Empowerment of Persons with Disabilities. This Pillar focuses on strengthening the collective representative voice of persons with disabilities.

RELEVANT UNCRPD ARTICLES
<p>Article 4: General obligations</p> <p>Consultation and active involvement of persons with disabilities, including children with disabilities, through their representative organisations in the development and implementation of legislation and policies to implement the present Convention and</p>

in other decision-making processes concerning issues relating to persons with disabilities.

Article 29: Participation in political and public life

Measures to actively promote an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including forming and joining organisations of persons with disabilities to represent persons with disabilities at national, regional and local levels.

Article 33: National implementation and monitoring

Civil society, in particular persons with disabilities and their representative organisations, be engaged and participate fully in monitoring processes.

6.6.1 Focus Areas

The following five (5) focus areas require attention in order to strengthen the representative voice of persons with disabilities:

- Strengthening access and participation through self-representation;
- Recognition of representative organisations of persons with disabilities (inclusive of parents organisations);
- Strengthening the diversity and capacity of DPOs and self-advocacy programmes
- Public participation and consultation; and
- Self-representation in public life.

6.6.1.1 Strengthening Access and Participation through Self-Representation

Organisations of persons with disabilities, popularly known as disabled people's organisations or DPOs, are controlled by persons with disabilities themselves. This means that persons with disabilities constitute a majority of the overall staff and board, and are well-represented in all levels of the organisation, and this right is protected in the constitution of the organisation. It includes organisations of parents of children with disabilities where a primary aim of these organisations is empowerment and the growth of self-advocacy of persons with disabilities.

Self-advocacy groups, which often constitute important programmes of disability service organisations, are constituted by persons with disabilities who, as a result of their impairments, might find it difficult to run and manage their own organisations independently. They should however enjoy guarantees of having an independent voice when it comes to advocacy matters; in other words, have the right to express

themselves as a group without interference. These under-represented groups require specific measures to ensure that their voices are heard during advocacy and monitoring processes.

Beneficiaries and participants of disability specific programmes must enjoy self-representation rights on the management committees and governance structures of organisations and/or institutions delivering services to them.

DIRECTIVES	DESCRIPTION
Include persons with disabilities in all design, planning, implementation and monitoring of policies and programmes	Government institutions at all levels and contexts of governance must consult relevant representative organisations of persons with disabilities (inclusive of parents organisations) in the design, budgeting, implementation and monitoring of legislation, programmes and services to the public in general, as well as services and programmes designed specifically for persons with disabilities.
Ensure private entities provide accessible services	Private entities providing services to the public must be encouraged to involve representative organisations of persons with disabilities in developing and assessing the accessibility of their services.

6.6.1.2 Recognition of Representative Organisations of persons with disabilities (inclusive of parents' organisations)

Representing others requires a process of obtaining mandates from the constituency whose viewpoints are being expressed. The right to represent others, to be recognised as a *representative voice*, therefore comes with responsibilities. It requires of representative organisations to put in place, among others,

- Membership management systems, which enables the organisation to account for the constituency it represents (also in terms of race, gender, age, geographical location, sexual orientation, impairment group etc.);
- Empowerment programmes for members;
- Advocacy and monitoring programmes; and
- Internal consultation and accountability mechanisms which enables them to obtain mandates from their membership.

Recognition of representative organisations furthermore requires of duty-bearers to put in place systems that regulates self-representation for purposes of consultation during policy and programme development, implementation and M&E processes in order to ensure the collective representative voice of persons with disabilities.

DIRECTIVES	DESCRIPTION
Develop minimum norms and standards for consultation of persons with disabilities	Minimum norms and standards for consultation with representative organisations of persons with disabilities at all levels of governance must be developed and regulated.
DPOs must register with their respective co-ordinating bodies at national, provincial and local level	Representative organisations of persons with disabilities must register with the designated national, provincial, district and local disability rights coordinating mechanisms for purposes of participation in policy development, implementation support, monitoring and evaluation processes.

6.6.1.3 Strengthening the Diversity and Capacity of DPOs and Self-advocacy Programmes

The UNCRPD requires of states parties to contribute towards the strengthening of the representative voice of persons with disabilities. This requires that state funding is made available to support disability organisations in establishing and maintaining self-advocacy and participatory monitoring activities at all levels of governance.

Particular attention is required for funding of self-advocacy programmes that will strengthen the collective voice of under-represented groups, as discussed in the pillar on persons experiencing compounded marginalisation.

DIRECTIVES	DESCRIPTION
Provide funding to DPOs and self-advocacy groups for rights-based advocacy and research programmes	<p>DPOs and self-advocacy groups must be empowered through legislation and financial support to:</p> <ul style="list-style-type: none"> • Do rights-based advocacy and research for the promotion of the rights of persons with disabilities at national, provincial and local level; • Participate in the monitoring of the implementation of the White Paper on the Rights of Persons with Disabilities, sector policies and programmes as well as the domestication of international treaties; and • Monitor the rights of persons with disabilities through the independent monitoring mechanism.
Provide accessible	Persons with disabilities who experience barriers in

consultative platforms and support for self-representation	representing themselves or organising themselves into representative organisations, must be provided with consultative platforms and support to represent themselves.
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6.6.1.4 Public Participation and Consultation

It is important to distinguish between participation and consultation when it comes to the provision of platforms for self-representation.

Public participation constitutes access and full participation by persons with disabilities in community meetings and processes. This requires that reasonable accommodation measures are put in place to ensure that persons with disabilities know about the platforms, are able to get to these meetings, are able to get into and move around in the buildings where the meetings are held, have their specific sensory requirements taken into account (e.g. lighting, noise levels etc.), have accessible ablution facilities, have access to the full range of interpreter services and other assistive technology which provides access to information and communication, and are able to present their viewpoints.

Consultation constitutes a more structured process of self-representation whereby persons with disabilities are provided with access to policy and programme development processes and can participate in M&E processes on issues affecting their lives. This requires that representative organisations/structures of persons with disabilities who are affected by a specific area of focus, apply for recognition with the relevant institutions for purposes of consultation, and that the outcomes of such consultations are shared with management and governance structures.

It is furthermore important that a distinction is made between advocacy (advice on what is required) and expertise (how this should be done) when consulting disability organisations. All participation-related expenditure incurred by disability organisations in state-initiated advocacy and monitoring activities must be covered by the relevant institution, and not by organisations. Expertise should not be provided free of charge, but should be procured through normal supply chain management processes.

DIRECTIVES	DESCRIPTION
All public participation programmes must be fully accessible to persons with disabilities	This will include making use only of venues that are fully accessible, and ensuring that reasonable accommodation measures are taken to ensure access to information and communication.

6.6.1.5 Self-representation in public life

It is important that persons with disabilities enjoy direct representation in legislative bodies as well as governance structures of public institutions whose mandates impact on the lives of persons with disabilities.

This includes, among others, that persons with disabilities are enabled to stand for election as public representatives at all levels of governance, that all legislatures have a public representation of persons with disabilities congruent with the disability prevalence percentage, and that their right to self-representation in public institutions is secured through legislation.

DIRECTIVES	DESCRIPTION
Legislate the rights of persons to be represented on legislative bodies	<p>Legislation must be developed to secure the right of persons with disabilities to represent themselves in legislative bodies as well as governance structures of public institutions.</p> <p>Persons with disabilities must be represented on all legislative bodies as well as governing bodies of national, provincial, district and community institutions impacting on the lives of persons with disabilities through nomination by relevant representative organisations of persons with disabilities (inclusive of parents organisations). This will require review of legislation and policies governing the composition of governing structures and eligibility of political party lists for elections.</p> <p>Children with disabilities must be enabled to represent themselves. This can take the form of providing support and platforms to enable them to represent themselves.</p>

6.7 Pillar 7 – Building a Disability Equitable State Machinery

“Disability must be integrated into all facets of planning, recognising that there is no one-size-fits-all approach”.

National Development Plan, 2012

Efficient, effective and development-oriented state machinery that delivers services in an equitable manner is an essential element of a capable and developmental state that pursues a ‘substantive’ rather than ‘formal’ approach to equality, in other words,

that the circumstances of people are taken into account and focus is on ensuring equality of outcomes.

The state machinery includes the legislative, executive across all three spheres of government.

RELEVANT UNCRDP ARTICLES

Article 4: General obligations

- Appropriate legislative, administrative and other measures are taken to ensure implementation of the rights.
- The promotion of training of professionals and staff working with persons with disabilities to enable them to give effect to the rights. The need for training is amplified throughout the articles.

Article 31: Statistics and data collection

- States Parties to collect relevant information, which should include statistical and research data, for the formulation and implementation of policies that will give effect to the Convention.
- The process of collecting and maintaining information collected comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities,
- Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics. Appropriate disaggregation is required to assess progress being made with implementation of States Parties' obligations, as well as to identify and address barriers faced by persons with disabilities in exercising their rights.
- States Parties to take responsibility for the dissemination of these statistics and ensure their accessibility to the general public, and persons with disabilities in particular.

Article 33: National Implementation and Monitoring

- The maintenance, strengthening, designation or establishment of a framework, to promote, protect and monitor implementation of the UNCRPD, in accordance with the government's legal and administrative systems. This framework might include one or more independent mechanisms, as appropriate.
- The participation of civil society, in particular persons with disabilities and their representative organisations, to be involved and participate fully in the monitoring process.

Article 35: Reports by States Parties

- Governments which have ratified the UNCRPD to submit periodic reports on progress made with implementation of the obligations contained in the UNCRPD.

Other Relevant Articles include:

Article 9 (Accessibility)

Article 13 (Access to Justice)

Article 20 (Personal Mobility)

Article 24 (Education)

Article 25 (Health)

Article 26 (Rehabilitation)

6.7.1 Focus Areas

Disability must be mainstreamed across the following five focus areas:

- Disability equitable planning, budgeting and service delivery;
- Disability equitable evidence informing policy and programme development (Monitoring, evaluation, reporting, research, data and statistics);
- Public procurement and regulation;
- Capacity building and training; and
- Strengthening accountability.

6.7.1.1 Disability Equitable Planning, Budgeting and Service Delivery

An efficient, effective and development oriented public service that delivers services in an equitable manner is an essential element of a capable and developmental state. Disability equitable planning and budgeting is about ensuring that government plans and budgets mainstream disability considerations so that persons with disabilities have equal access to services and opportunities compared to their peers without disabilities.

This requires that disability considerations be mainstreamed in all planning processes, with a particular focus on (i) equality of outcomes; (ii) universal design; (iii) the removal of barriers; (iv) reasonable accommodation measures and (v) redress, and that a M&E system be put in place which provides an assessment of the impact of the implementation of policies, programmes, services and public sector spend on the lives of persons with disabilities.

Principles informing coordination of services, budgeting and resource allocation include:

- Persons with disabilities have a right to participate equally with others in any activity and service intended for the general public;

- Principles of universal design and reasonable accommodation provisioning must inform all new and existing legislation, standards, policies, strategies, plans and budgets;
- Targeted programmes and services aimed at redressing and/or to ensure that the diverse needs of persons with disabilities are adequately met must be underpinned by effective planning, adequate allocation of human resources and sufficient financial investment;
- Persons with disabilities must be consulted on selecting appropriate reasonable accommodation measures, assistive technology and personal support; and
- Representative organisations of persons with disabilities (inclusive of parents' organisations) must be consulted throughout the design-planning-implementation-monitoring-evaluation-regulation value chain.

The development of Universal Design Access Plans at institutional level will ensure that:

- Persons with disabilities have equality of opportunity as other people to access the services, programmes and any events organised by such an institution aligned with the requirements of the UNCRPD and PEPUDA;
- Persons with disabilities have equality of opportunity as other people to access the buildings and other facilities of the institution;
- Persons with disabilities receive information in a format or means that will enable them to access the information as readily as other people are able to access it;
- Persons with disabilities receive equitable levels and quality of service from the staff of the institution as other people receive from the staff of that institution;
- Persons with disabilities have equality of opportunity as other people to make complaints to the institution; and
- Persons with disabilities have equality of opportunity as other people to participate in any public consultation by the institution.

Disability equitable budgeting includes the re-prioritisation of existing budgets to accommodate reasonable accommodation support required to facilitate equality of outcome for persons with disabilities, as well as budgeting for disability-specific services required by persons with disabilities to promote human dignity, empowerment and self-reliance. It also requires that all conditional grants in the division of revenue include a requirement that all infrastructure, technology and programme development complies with the principles of universal design.

DIRECTIVES	DESCRIPTION
Develop disability rights and equity commitment statements	All public institutions must include a commitment statement on disability equity, highlighting the relevant UNCRPD obligations to the respective institution, in their strategic plans.
Implement a disability equitable budgeting model	A disability equitable budgeting model must be developed to ensure that state budgets and expenditure take into account the equality of outcome as it pertains to persons with disabilities.
Develop and implement funded Universal Design Access Plans	All public institutions must include a funded Universal Design Access Plan as an integral component of their annual performance plans and/or Integrated Development Plans. This requires that public institutions are able to illustrate how universal design principles are transforming planning and designing, and what reasonable accommodation support measures are funded.
Incorporate universal design principles in procurement of goods, services and construction of infrastructure	All state grant funding must incorporate a minimum requirement that universal design principles are included in the procurement of goods and services and construction of infrastructure. All service level agreements with state owned enterprises must include a disability dimension that contributes towards equitable outcomes for persons with disabilities.
Review all programmes targeting children for access to children with disabilities	The review must be conducted on all public and private sector programmes. It must include all child-centred services and must focus on the elements of equal access and participation.
Provide top-up budgets for service delivery in deep rural and isolated communities	Subsidies for services delivered in deep rural communities must take into account the additional cost of delivering qualitative services in these communities. There must be specific programmes and micro-scale projects, prioritised for portions of rural areas where persons with disabilities reside, aimed at providing immediate basic services, infrastructure and enabling environments.

6.7.1.2 Disability Equitable Evidence informing Policy and Programme

Development

Evidence that informs, among others, disability equitable policy and programme development on the one hand, and strengthening accountability on the other, is derived through effective monitoring and improvement processes, research and statistics and data management as described below:

- *Monitoring and Evaluation:* All M&E processes must incorporate the disability dimension, and disability organisations and persons with disabilities must be part of all citizen-based monitoring programmes;
- *Evaluation Feedback and Improvement:* Mechanisms for interpreting and extrapolating feedback gathered from evaluations must be in place. These mechanisms should be aimed at making use of the feedback to ensure on-going improvement of policies and programmes. *Research:* Policy review and design of programmes and services often lack evidence-based research on the exclusion and/or successful inclusion of persons with disabilities, as disability-related research is currently in the main not directed to inform the national disability rights agenda, but is to a large extent still conducted within the medical model approach (impairment-deficit focus), and lack a system of informing government planning. Improved coordination of disability rights-based research that articulates national priorities, and which provides sound evidence for future policy and practice decisions, will ultimately lead to improved outcomes for South Africans with disabilities; and
- *Disability Data and Statistics Management:* Reliable disability statistics play a crucial role in the development of policies and legislation aimed at improving the lives of persons with disabilities, as well as in monitoring progress and evaluating programmes addressing the needs of persons with disabilities.

Participation in monitoring and evaluation processes, as required by the UNCRPD, must be approached, among others, within the context of the Framework for Strengthening Citizen-Government Partnerships for Monitoring Frontline Service Delivery (2013), which emphasises the active participation of citizenry in order to provide key perspectives on service delivery that is vital to responsiveness of government.

Monitoring and evaluation of the rights of persons with disabilities is done within the broader context of the Government-Wide M&E System (GWMES), which encompasses the Policy Framework on the GWMES; National Treasury's Framework for Managing Programme Performance Information (FMPPi); Statistics South Africa's South African Statistical Quality Assessment Framework (SASQAF); and the 2011 National Evaluation Policy Framework (NEPF) produced by DPME.

Measurement of disability is complex, and varies according to the purpose and application of the data, the conceptualisation of disability, the aspects of disability (impairment, barriers or the interaction between these two aspects) being examined, definitions, question design and data collection methods, among others. A primary goal of collecting population data on persons with disabilities must be to identify strategies to improve their well-being and to track trends in changes over time.

The World Report on Disability acknowledges that *“impairment data are not an adequate proxy for disability information”,* and that *“broad ‘groupings’ of different ‘types of disability’ have become part of the language of disability’.* So, *“often, ‘types of disability’ are defined using only one aspect of disability, such as impairments – sensory, physical, mental, intellectual – and at other times they conflate health conditions with disability”.*

Whilst South Africa might need information on impairments for purposes of designing specific services, it is important to acknowledge that the usefulness of such data is limited, as the resulting prevalence rates are (i) not indicative of the entire extent of disability and (ii) diverse health, social, rehabilitation and habilitation, education and support responses might be required depending on the age, gender, geographical location, culture etc. of the individuals in question. Persons with similar impairments can experience very different degrees and types of restrictions and barriers to participation depending on the context.

Persons with disabilities are increasingly constructing their self-identity not by their impairments, but rather independent of it, whereby they accept impairment as a reality that they live with without losing a sense of self.

Disaggregation of categories of disability/impairments data further by for example gender, age, income, occupation, is therefore important to uncover patterns, trends, and other information about ‘sub-groups’ of persons with disabilities. There are three types of disability-related data:

- Impairment data – collection of information about the prevalence of physiological or psychological functions.
- Activity limitation data – collection of information about the capacity of a population to perform daily activities such as mobility, communication, self-care, and interpersonal relations.
- Participation restriction data – collection of information about what members of a population actually are able to do in their lives, and, in particular, what features of their physical, built, interpersonal, or social environment help or hinder them.

Impairment information alone, though obviously relevant to disability statistics, is inadequate for three main reasons:

- Impairment information is only a partial picture of disability - the effects of health conditions on people's lives can differ radically depending on the kinds of

impairments, the effect of these impairments on a person's capacity to act, and most importantly, personal factors particular to the individual and the overall environmental context including social expectations about 'normality';

- Impairment data are inadequate proxies for disability - At the population level, though a few severe impairments can serve as proxies for a fairly large proportion of the overall prevalence of disability, without information about how these impairments play out in people's lives, policy makers would have no idea about the relative seriousness, or cost, of the disability associated with these impairments; and
- Impairments are not predictors of the lived experience of disability - Persons with similar impairments experience different kinds and degrees of incapacity and vastly different restrictions on what actually happens in their lives. Disability is the complete lived experience of non-fatal health outcomes, not merely body level decrements in functioning.

Measuring child disability is inherently much more difficult than measuring disability in adults. While adults have relatively stable characteristics, children go through a natural development process as they grow, learning how to talk, walk, read and write. Their evolving characteristics complicate the task of assessing function and distinguishing significant limitations from variations in normal developmental processes.

DPOs must be an integral part of statistical and data analysis and all disability-related data and statistics must be fully accessible to persons with disabilities.

The set of disability questions developed by the Washington Group (WG), currently utilised by Statistics South Africa for purposes of surveys and census, is generally regarded as a new and improved approach of measuring disability-based on activity limitations and restrictions in social participation. This data collection method is aimed at producing prevalence measures that are internationally comparable even though it is, still inadequate to measure impairment and participation across the entire spectrum.

The World Health Organization's (WHO) International Classification of Functioning (ICF), Disability, and Health is both a classification system and a model of the complete experience of disability. As a classification system, the ICF provides a common language, which guarantees the comparability of disability data between sectors within a country, and between countries. As a model of disability, the ICF offers a conceptual framework for structuring disability data.

DIRECTIVES

DESCRIPTION

Standardise disability data and statistics

All public and private institutions must review their data and statistics management systems with the view of incorporating disability disaggregation where relevant. The disability dimension must be included

	in all national census, household, labour and other socio-economic surveys. All research focusing on the general population within the focus areas covered in this WPRPD, must be disability disaggregated.
Develop and implement a national research agenda	A national disability research agenda for purposes of policy and programme development and tracking the reduction of inequality, must be developed at five year intervals to coincide with the MTSF.
Strengthen reporting systems to include disability related reports	Systems must be strengthened to ensure that all periodic reporting on ratified international treaties of the United Nations, African Union and SADC include with the disability-related obligations and dimensions of the UNCRPD.
Disaggregate disability data to reflect gender statistics	All disability-disaggregated data and statistics must be disaggregated according to gender; and all gender-related data and statistics must be disaggregated according to disability.

6.7.1.3 Public Procurement and Regulation

The public procurement system is an important transformation tool, and must include a minimum requirement that all goods and services procured through the public purse, comply with the principles of universal design and disability equity.

The regulatory environment for licensing mining rights, telecommunications, etc. must furthermore ensure that persons with disabilities benefit equally from the social investment requirements attached to such licenses.

INTERVENTIONS	DESCRIPTION
All public procurement and tender documents and processes must comply with the concept of universal design	Public procurement policies must include dispositions requiring that when public agents purchase products and services with public funds, the agent must purchase the product that best meets accessibility requirements as defined by international standards.
Persons with disabilities must benefit equitably from the social investment requirements attached to the licensing regulatory	Licensing regulations must ensure that social investment requirements prioritise the provisions for persons with disabilities and develop means to ensure persons with disabilities attain sustainable benefits.

environment

State enterprises to include a disability dimension All service level agreements with state owned enterprises must include a disability dimension that contributes towards equitable outcomes for persons with disabilities.

6.7.1.4 Capacity Building and Training

The UNCRPD places a high premium on the investment that should be made in building the capacity of the state machinery to implement the obligations of the UNCRPD.

Equitable service delivery requires well-run and effectively coordinated state institutions with skilled and accountable public servants, as well as functional institutional mechanisms to facilitate effective and efficient cooperative governance. Public institutions therefore need to ensure that they develop in-house capacity to mainstream disability considerations effectively across all programmes and services. This requires that they develop strategies to ensure that the institutions have an in-depth understanding, knowledge and experience of, among others:

- mainstreaming of disability considerations, including infusing universal design principles across the planning-implementation-monitoring value chain of all programmes, and putting in place reasonable accommodation measures aimed at removing barriers to participation of persons with disabilities;
- obligations contained in the Convention on the Rights of Persons with Disabilities and other international and regional rights instruments; and
- working with organs of civil society.

The above must be achieved through a coordinated programme for accredited and non-accredited training across all levels and components of the state machinery. Disability rights mainstreaming must be integrated into all aspects of pre-graduate training, orientation and training offered to personnel of the state machinery, accreditation of disability rights mainstreaming courses must be strengthened, and persons with disabilities must be empowered to participate as trainers.

Whilst employers are responsible for ensuring that they capacitate employees to deliver disability equitable services, it is also the responsibility of every employee to ensure that they equip themselves with the required knowledge and skills to serve all customers equitably.

DIRECTIVES	DESCRIPTION
Train personnel on providing services to persons with	All public and private institutions must ensure that personnel responsible for frontline service delivery, design and planning, budgeting, service delivery, administration of

disabilities	justice and M&E undergo on-going training on strategies and measures to ensure equality of outcome for persons with disabilities in their programmes. Additionally, disability equity and service delivery improvement training must be included in the annual continuous development programmes of all professional staff that render services to persons with disabilities.
Include modules on disability in all education materials and courses	All education materials across the learning spectrum must include modules on inclusion and disability equity. All disability equity training courses must include persons with disabilities (inclusive of parents) as part of the trainer component.

6.7.1.5 Strengthening Accountability

The onus of ensuring that disability-equitable planning, budgeting, service delivery and M&E becomes the norm in South Africa, rests with the state, and not rights-holders. Duty-bearers must therefore be regarded as having intentionally discriminated on the basis of disability if they cannot illustrate that they:

- Have acknowledged that persons with disabilities experience marginalisation and exclusion (attitude);
- Have identified the barriers/sources of exclusion and marginalisation (baseline);
- Have identified the enablers to remove the barriers (intent);
- Have budgeted to remove the barriers (commitment);
- Can report on results/impact of implementation (accountability); and
- Can demonstrate by taking actions that they are improving (responsibility).

Enforcing compliance with the obligations contained in the UNCRPD as well as Constitution of the Republic of South Africa by both the public and private sector, requires strengthening of disability rights mainstreaming in existing legislation, as well as the development of new disability-specific legislation, with particular attention paid to enforcement mechanisms that are accessible to rights-holders.

DIRECTIVES	DESCRIPTION
Include disability outcomes in performance contracts of senior managers across the state machinery	All performance contracts of state machinery senior managers must articulate appropriate disability equity requirements.
Develop and implement new disability specific	New disability specific legislation to strengthen implementation of the WPRPD must be developed

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PART 2 OF 2



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legislation	following finalisation of a gap analysis.
Review existing legislation	Existing legislation must be reviewed to ensure compliance with UNCRPD obligations.

6.8 Pillar 8 – Promoting International Co-operation

South Africa has acceded to, or ratified, most of the African regional and international human rights instruments in the area of economic, social, cultural, civil and political rights.

The African Union's adoption of the Declaration of the African Decade for Persons with Disabilities in 2000 places responsibilities on African states to implement Decade programme activities. South Africa supports and participates in the African Decade for Persons with Disabilities (2010-2019).

RELEVANT UNCRDP ARTICLES
<p>Article 32: International Cooperation States Parties, in recognition of the importance of international cooperation and its promotion, and in support of national efforts for the realisation of the purpose and objectives of the present Convention, will undertake appropriate and effective measures to promote international cooperation.</p>
<p>Article 40: Conference of States Parties States Parties to participate in the annual Conference of States Parties to the UNCRPD to share good practice and monitor implementation of the UNCRPD at country level.</p>

South Africa is a member of, among others the WHO, the ILO, WIPO and continues to share technical expertise through these channels.

Most national organisations of and for persons with disabilities participate actively in the leadership and programmes of their international and regional counterparts.

South Africa is obliged through a number of ratified treaties to ensure that the rights of asylum-seekers, refugees and displaced persons with disabilities are protected whilst they are in South Africa, and during repatriation processes.

DIRECTIVES	DESCRIPTION
Include disability in all international engagements and agreements	All multi-lateral, bilateral and national engagements, agreements and other bilateral-multi-lateral funding instruments must include a disability dimension and implement their disability inclusive policies in South Africa. Persons with disabilities from South Africa trained and

<p>Support disability mainstreaming and strengthening participation in the Pan African Parliament, AU, SADC and other such organisations</p>	<p>recruited to play a significant role in international diplomacy, government-to-government relations and in social/economic bodies.</p> <p>Disability mainstreamed in South Africa's international development cooperation, trade and other agreements.</p> <p>SA must support disability rights mainstreaming and strengthening participation in the Pan African Parliament, the African Union and its organs, the Southern African Development Commission (SADC) and other international/intergovernmental bodies based in and outside South Africa.</p> <p>South African policies harmonised with international policy instruments.</p> <p>South Africa is to play a role globally and through the civil society sector in revitalising the civil society sector by exchanging information through international organisations.</p> <p>South Africa is to exchange information bilaterally through partnership agreements with countries on the African Continent.</p>
<p>Develop and implement a national disability agenda on international cooperation</p>	<p>A national disability agenda for purposes of international cooperation and knowledge exchange must be determined at five year intervals to enhance MTSF planning and implementation.</p>

6.9 Pillar 9 – Monitoring and Evaluation

The monitoring process involves collecting, analysing, and reporting data on inputs, activities, outputs, outcomes and impacts as well as external factors, in a way that supports effective management of implementation of the WPRPD.

Evaluations will assess relevance, efficiency, effectiveness, impact and sustainability, and thereby provide credible and useful information to answer specific questions to guide decision making by staff, managers and policy makers on accelerating the implementation of the WPRPD.

Impact evaluations will examine whether underlying theories and assumptions were valid, what worked, what did not and why.

Government performance information will triangulate with the tracking of statistical and financial information and citizen's voices.

6.9.1 Data terrains and the Disability Inequality Index

6.9.1.1 Data terrains

Monitoring implementation of this WPRPD will draw from three (3) data terrains as explained in the table below.

Tracking Statistical Trends	This involves the tracking of trends (current and evolving features and issues over time) in relation to the rights of persons with disabilities. This data stream shall comprise statistical data on the status of persons with disabilities and their related rights issues. Data will be obtained primarily from the existing data sets; data produced by other government departments and parastatals such as StatsSA, CSIR and the HSRC; and data gleaned from academic research institutes e.g. The National Income Dynamic Study (NIDS) conducted by University of Cape Town.
Programmatic Performance	Performance focuses on the interventions that ensure that outcomes are being met in an effective and efficient manner. This data stream will ensure there is evidence that persons with disabilities are considered and integrated into government programmes and policies. This stream will encompass a largely quantitative evidence base. The data for this stream will be primarily sourced from government's existing performance monitoring frameworks.
Stakeholder Feedback	This participatory data stream and approach is important for the qualitative monitoring and evaluation of human rights, and empowerment of marginalised people, whose voices are often not included in high level documents. It will facilitate the incorporation of qualitative data and evaluation ensuring that stakeholder groups are involved in the system.

6.9.1.2 Disability Inequality Index (DII)

In order to realise the outcomes of the National Development Plan Vision 2030 and beyond, it is important that inequalities between persons with disabilities and persons without disabilities be reduced. Policy improvement cannot bear fruit without systematic and consistent measurement of the inequality gap.

The DII is an index for measurement of inequality between persons with disabilities and persons without disabilities with a gender dimension. The index provides a high level quick scan of the level of inequality with the explicit purpose of managing

government performance more inclusively. This index will be calculated and reviewed annually.

The DII is not a substitute for the disability rights monitoring and evaluation framework that will be embedded in the government-wide monitoring and evaluation system.

Although the DII is new, it operates within the context of the Human Development Index, the Gender Inequality Index and the Development Indicators. The domains include access and participation; the labour market and empowerment.

6.9.2 Key Principles

M & E of disability rights will be underpinned by the following key principles:

- *Disability-disaggregation* of all monitoring and evaluation information where it can be used to inform responsive planning, budgeting, implementation and reporting. The aim is to report on meaningful inclusion of persons with disabilities in all government policies and programmes;
- *Involvement of rights-holders* – ensuring the full participation of persons with in the conceptualisation, planning, development, implementation and monitoring of all government policies and programmes that directly or indirectly impact on their lives; and
- *Comparability* requires comparisons to be made between levels of implementation over time. Such comparisons can be made only if monitoring is carried out on an on-going basis. In order to achieve this longitudinal comparison it is necessary to establish baseline measurements of the current situation. Effective monitoring of equality will require comparisons to be drawn between the service delivery to persons with disabilities and persons without disabilities. This is to ensure that persons with disabilities are able to enjoy their human rights on an equal basis with others. Such comparative information can best be obtained through the use of mainstream or generic data collection directed at the general population (i.e. where persons with disabilities are identified by relevant variables in the survey design).

As a point of departure, it is important to reflect on mainstreaming the Medium Term Strategic Framework (MTSF) outcomes in line with the disability-disaggregated National Development Plan.

The existing indicators that are already in the M&E system must be disaggregated to build a baseline for disability-disaggregation data, for example, where data is being collected on children and women.

6.9.3 Stakeholder coordination

M & E requires a significant measure of independent and impartial views, and is therefore best managed and conducted by a multi-disciplinary and multi-stakeholder team of people that account and report to the national disability rights coordinating mechanism on the processes engaged in, and the findings of the process. However, the national disability rights coordinating mechanism remains responsible for leading and ensuring that monitoring and evaluation is implemented.

Collaboration and co-operative M & E by all three spheres of government, the private sector and disabled peoples organisations will be facilitated by the national disability rights coordinating mechanism. The provincial and local spheres of government will be supported to set up M & E systems that are aligned and feed into the national system.

The national disability rights coordinating mechanism will establish the necessary co-ordination structures, mechanisms, processes and systems to fulfill its M&E responsibility.

The national disability rights coordinating mechanism and the Department of Planning, Monitoring and Evaluation will ensure alignment between their M&E systems, and that all information gathered through monitoring the implementation of the WPRPD informs government-wide planning and service delivery.

6.9.4 Reporting

The designated national disability rights coordinating mechanism will publish an annual report on progress being made in the implementation of the WPRPD, against the targets set in the Implementation Matrix.

South Africa is obliged, as a signatory to international human rights treaties, to submit periodic reports to the UN and AU respectively. Article 35 of the UNCRPD requires States Parties to submit reports at four yearly intervals.

A participatory impact assessment on implementation of the WPRPD will be conducted at four year intervals to inform national MTSF planning and international treaty reporting.

6.9.5 Enforcement mechanisms

Persons with disabilities whose rights have been violated currently have access to recourse through a number of existing mechanisms, including:

- The SAHRC, which can, among others, investigate, report and secure appropriate redress where human rights have been violated;

- The Public Protector, which can, among others, investigate complaints on the conduct of a government official which interferes with the enjoyment of economic and social rights;
- The Public Service Commission, which can, among others, investigate complaints against public administration practices;
- The Courts, which play a very important role in the interpretation and enforcement of economic and social rights; and
- Other mechanisms such as the National Consumer Commission.

South Africa also ratified the Optional Protocol to the UNCRPD without reservation in 2007. This provides persons with disabilities with direct access to the UN Committee on the Rights of Persons with Disabilities if persons with disabilities believe that persons with disabilities are victims of a violation of the provisions of the UNCRPD, and where persons with disabilities have exhausted all available domestic remedies such as the Constitutional, Labour and/or Equality Courts.

6.9.6 Outcomes and Long term indicators

The outcome indicators contained in the WPRPD represent high level measurement of the impact of each of the 8 WPRPD pillars on the lives of persons with disabilities. The maintenance of the output, input and process indicator matrix, aligned to the UNCRPD obligations, and which feeds into these high level indicators will be coordinated by the national disability rights coordinating mechanism in government in partnership with all relevant role-players.

The following outcome statements correlate with the focus of pillars in order to streamline the disability rights monitoring and evaluation framework.

The following table reflects some of the high level broad measures that will be used to track outcome improvements for persons with disabilities.

Outcomes	High Level Indicators
<p>Persons with disabilities are accorded and enjoy their full political, human, social and economic rights on par with all other people in South Africa.</p>	<ul style="list-style-type: none"> • Compliance with international treaty obligations. • Percentage of public and private facilities with institutionalised social cohesion and disability sensitivity programmes. • Percentage of post school education and training courses which have a mandatory module on universal design. • Percentage of public and private transport systems complying with universal design principles. • Percentage of newly constructed public and private sector building fully compliant with built environment

Outcomes	High Level Indicators
	<p>accessibility legislation.</p> <ul style="list-style-type: none"> • Percentage of existing public and private sector building retrofitted to in compliance to the built-environment accessibility norms and standards. • Percentage of websites of public and private sector which complies with universal design principles. • Percentage of television programmes which provide closed captioning and sign language interpretation.
<p>All persons with disabilities; irrespective of their age, gender, type of disability, race and economic status; are participating fully and equally in mainstream social and economic life</p>	<ul style="list-style-type: none"> • Compliance with international treaty obligations. • Percentage of emergency services with accessible call centres for persons with hearing disabilities in particular. • Percentage of provincial and disaster management centres with operational plans for evacuation of persons with disabilities requiring assistance during such procedures. • Number of persons with disabilities denied their right to equality before the law. • Number of cases lodged by persons with disabilities and their families to access recourse following violation of their rights. • Percentage of police stations and courts with the full reasonable accommodation support spectrum available when required. • Percentage of victim empowerment services and facilities with the full reasonable accommodation support spectrum available when required. • Number of persons with disabilities subjected to arbitrary detention and wrongful criminal convictions due to lack of reasonable accommodation support available at any point in the justice value chain. • Number of persons with disabilities subjected to torture or cruel, inhuman or degrading treatment or punishment, exploitation, violence and abuse.
<p>The rights of all persons with disabilities to live and work in safe and accessible environments, free from discrimination,</p>	<ul style="list-style-type: none"> • Compliance with international treaty obligations. • Percentage of persons with disabilities having timeous access to assistive devices and technology and personal assistance. • Number of persons on waiting lists for assistive devices and technology and personal assistance.

ANNEXURE C

Michelle Aalbers

From: Stuart Grobbelaar
Sent: Tuesday, 06 October 2020 13:07
To: Michelle Aalbers
Subject: RE: [EX] Universal Access Policy

Good day,

I have reviewed digitalydone.com and have taken note of the measures proposed by this company.

We are currently in the final stages of redesigning our municipal website to improve navigation and user-experience.

Kind regards,



Stuart Grobbelaar
Manager: Communications
Department: Governance
Office of the Municipal Manager

T: +27 21 808 8172 | C: +27 840361395
Plein Street, Stellenbosch, 7600
Private Bag X17, Stellenbosch, 7599
www.stellenbosch.gov.za



From: Michelle Aalbers
Sent: Friday, 25 September 2020 11:00
To: 'Mike van Rensburg'
Cc: Stuart Grobbelaar
Subject: RE: [EX] Universal Access Policy

Morning Mike

Thank you for your comments. It is much appreciated. I am including Stuart Grobbelaar in this mail and will communicate with him on the matter as he is responsible for our website. Your comment is noted and will be included in the feedback to council.

Kind regards,
Michelle Aalbers
Manager: Community Development
Community and Protection Services



T: +27 21 808 8408 | C: +27 83 560 5935
58 Andringa Street, Stellenbosch, 7600
www.stellenbosch.gov.za



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From: Mike van Rensburg <mike@digitalydone.com>
Sent: Friday, 25 September 2020 10:34
To: Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>
Subject: [EX] Universal Access Policy

Dear Michelle

Congratulations on the draft of the Universal Access Policy for Stellenbosch Municipality.

I would like to submit that you also adjust your municipal website to be accessible to disabled people. As far as I know you will be the first municipality to do so in South Africa.

Digitaly Done has taken the liberty and performed an audit on your website which highlights the shortcomings as measured against the WCAG 2.1 document.

*(Web Content **Accessibility** Guidelines (**WCAG**) 2.1 defines how to make Web content more accessible to people with disabilities. **Accessibility** involves a wide range of disabilities, including visual, auditory, physical, speech, cognitive, language, learning, and neurological disabilities.)*

Please have a look at our website, digitalydone.com. An icon on the left hand side midway down the page opens up the disabled options. Feel free to test the different options. In no way does the changes impact on your website to the every day user. It merely makes it accessible to disabled people.

We would love to be involved in implementing the changes.

Will be great to hear from you Michelle

Have a great day

Mike van Rensburg

ANNEXURE D

23 OCTOBER 2020

Reference: Notice 54/2020

Manager: Community Development

Michelle Aalbers

Email: michelle.aalbers@stellenbosch.gov.za

Dear Ms. Aalbers

COMMENTS ON THE REVIEW OF THE UNIVERSAL ACCESS POLICY

INTRODUCTION

We would like to commend your department for the leading role it has taken to formulate the initial UA Policy in April 2016 and also for its thorough review of the policy in December 2019. We thank Stellenbosch Municipality for their efforts towards engaging with the disability sector, but also remind the municipality of its responsibility to be responsive and take deliberate action to increase accessibility for people with disabilities to all environments and opportunities.

BACKGROUND

Stellenbosch Municipality adopted a Universal Access Policy in April 2016 which states that it is a municipal mission to promote “equal opportunities and full participation or inclusion of people with diverse needs/requirements in the economic, social and political life through the introduction of UA and Universal Design (UD).” This includes the prioritisation and integration of UA and UD principles into the Integrated Development Plan and subsequent budgets of all departments. It further states that any physical, social, economic and other barriers that prohibit or limit access of people with disability should be removed through the creation of conducive and accessible environments.

Unfortunately, four years later, no real progress has been made toward the implementation of your universal access policy. There has also been no formal response to any of the Stellenbosch Disability Network’s memorandums, handed over at the annual Walk with Disability in November, in the past three years. We have raised our concerns and made reasonable suggestions in each of these memorandums, but am still awaiting any response. This while our communities, schools, towns and places of work remain largely inaccessible and out of reach for most people with disabilities. And central to the exclusion of people with disabilities in and around Stellenbosch remains the lack of accessible public transport.

THE REVIEWED POLICY

In Oct 2019, representatives from the Stellenbosch Disability Network met with Michelle Aalbers & Portia Jansen and made the following suggestion for improving the 2016 UA policy:

- The importance of setting clear and achievable objectives within the policy;
- Using these objectives to set priorities and targets for municipal employees and representatives;
- Including the new White Paper on the Rights of Persons with Disabilities in the policy throughout.

Upon reading the December 2019 Reviewed Policy, we feel that this policy largely addressed the above suggestions and is generally a good guiding document for the municipality.

We do, however, have the following concerns:

- There is no mention of appointing more people with disabilities within the municipal team;
- There is no suggestion of appointing a dedicated UA officer of disability desk to monitor and enforce the policy;
- Your objectives listed are not necessarily comprehensive and specific enough.

As such, we suggest adding the following specific objectives:

- Performing a comprehensive transport needs assessment and updating of the Transport Register of the CIP with regards to the utilisation of public transport, the status of transport facilities and the utilisation of the various modes of transport as applied to people with limited mobility (i.e people with disabilities, the elderly, parents with infants etc.).
- Establishing a centralised database/system for reporting inaccessible transport services, sidewalks, infrastructure and systems, as well as up-to-date data and maps on where accessible routes are.
- Acquiring/Contracting universally accessible vehicles for transporting people with mobility impairments. These vehicles can be used to transport people to special municipal events (e.g. IDP meetings) as well as within and between communities.
- Mandating sensitisation training as part of any supplier/tender appointment (including transport and taxi licencing) process to ensure that all suppliers that will impact public access and services are sensitised to universal access and that they provide adequate and reasonable accommodation as required.
- Prioritising the provision, accessibility and safety of non-motorised pedestrian routes in communities, especially around service centres such as day clinics, halls and police stations. Also ensuring that sidewalks in the CBD of Stellenbosch and surrounding towns of the municipality are physically accessible and free of obstructions (including safe alternative routes during construction and maintenance of sidewalks).
- Urgently, and in collaboration with the Stellenbosch Mobility Forum, start engaging and planning for the establishment of an integrated and universally accessible public transport system for Stellenbosch.

Yours sincerely,

Dr. Cindy Wiggett-Barnard

Chairperson of the SDN

Contact details: cindy@changeability.org.za; 021 882 8852

ANNEXURE E

Michelle Aalbers

From: Van Deventer, Kirchner [kvd@sun.ac.za] <kvd@sun.ac.za>
Sent: Tuesday, 10 November 2020 12:13
To: Stuart Grobbelaar; Michelle Aalbers
Subject: [EX] Re: Universal access policy document

Thank you for attending to this so quickly, much appreciated!

Kirchner van Deventer
Head: Carnegie Research Commons | Hoof: Carnegie Navorsingsruimte
Library and Information Service | Biblioteek- en Inligtingsdiens
Stellenbosch University | Universiteit Stellenbosch
e: kvd@sun.ac.za | t: +27 21 808 2623

From: Stuart Grobbelaar <Stuart.Grobbelaar@stellenbosch.gov.za>
Sent: Tuesday, November 10, 2020 12:04:07 PM
To: Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>; Van Deventer, Kirchner [kvd@sun.ac.za] <kvd@sun.ac.za>
Subject: RE: Universal access policy document

CAUTION: This email originated from outside the Stellenbosch University network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day,

Here is the notice: <https://www.stellenbosch.gov.za/news/notices/notices-community-development/10149-notice-call-for-public-comments-on-the-universal-access-policy-review/file>

Here is the draft policy: <https://www.stellenbosch.gov.za/documents/municipal-policy/10147-universal-access-policy-draft-review-for-public-comments/file>

The policy was automatically removed from the website as it was set to the initial closing date of 26 October 2020. We have now edited the publishing date to stop publishing after 13 November 2020, as requested by the relevant department.

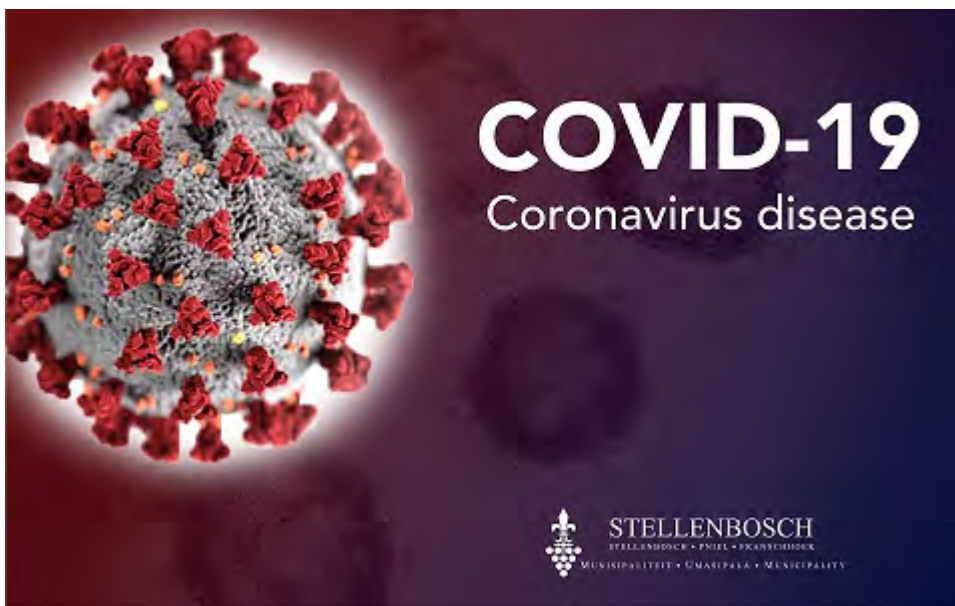
Kind regards,



Stuart Grobbelaar
Manager: Communications
Department: Governance
Office of the Municipal Manager

T: +27 21 808 8172 | C: +27 840361395
Plein Street, Stellenbosch, 7600
Private Bag X17, Stellenbosch, 7599
www.stellenbosch.gov.za





Visit the dedicated COVID-19 page on our municipal website for information on this disease:
<https://www.stellenbosch.gov.za/documents/general>

For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

Stay alert, stay updated and stay safe.



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About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

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From: Michelle Aalbers

Sent: Tuesday, 10 November 2020 11:37

To: 'Van Deventer, Kirchner [kvd@sun.ac.za]'; Stuart Grobbelaar

Subject: RE: Universal access policy document

Dear Stuart

Please assist with the problem as indicated below.

Kind regards,

Michelle Aalbers

Manager: Community Development



Community and Protection Services

T: +27 21 808 8408 | C: +27 83 560 5935
58 Andringa Street, Stellenbosch, 7600
www.stellenbosch.gov.za



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From: Van Deventer, Kirchner [kvd@sun.ac.za] <kvd@sun.ac.za>
Sent: Tuesday, 10 November 2020 11:35
To: Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>
Subject: [EX] RE: Universal access policy document

I just got this message when I tried to follow the link:

404 - Not Found

You may not be able to visit this page because of:

1. an out-of-date bookmark/favourite
2. a search engine that has an out-of-date listing for this site
3. a mistyped address
4. you have no access to this page
5. The requested resource was not found
6. An error has occurred while processing your request

Please try one of the following pages: [Home Page](#)

If difficulties persist, please contact the System Administrator of this site and report the error below.

NOT Found

Also, I can't find it on the Municipality website. This is problematic, since if I, an able bodied person and a librarian have trouble finding it, how would someone who is blind or otherwise impaired be able to find the document and submit reviews prior to the 13th?

Regards

Kirchner van Deventer

Head: Carnegie Research Commons | Hoof: Carnegie Navorsingsruimte

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Stellenbosch University | Universiteit Stellenbosch

e: kvd@sun.ac.za | t: +27 21 808 2623 | f: +27 21 808 3723



From: Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>

Sent: Tuesday, 10 November 2020 11:32

To: Van Deventer, Kirchner [kvd@sun.ac.za] <kvd@sun.ac.za>

Subject: RE: Universal access policy document

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The Stellenbosch Municipality has reviewed our Universal Access Policy. The reviewed document is available for public comment on the municipal website. The document can be viewed at this link: bit.ly/3hYoPIN

All comments can be submitted to the Manager: Community Development. The closing date for public comments has been extended to 13 November 2020.

Contact Person: Michelle Aalbers

Email: michelle.aalbers@stellenbosch.gov.za

Kind regards,

Michelle Aalbers

Manager: Community Development

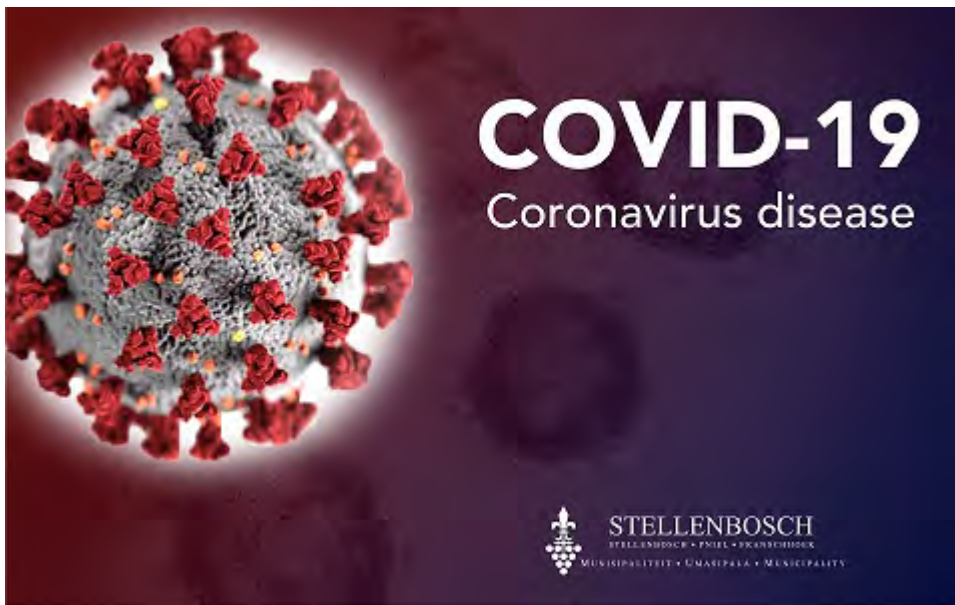
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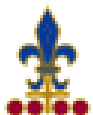


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From: Van Deventer, Kirchner [kvd@sun.ac.za] <kvd@sun.ac.za>
Sent: Tuesday, 10 November 2020 11:08

To: Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>

Subject: [EX] Universal access policy document

Good day

May I please request a copy of the above mentioned document. Also, where may comments on the document be directed?

Kind regards

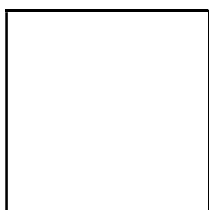
Kirchner van Deventer

Head: Carnegie Research Commons | Hoof: Carnegie Navorsingsruimte

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ANNEXURE F

Michelle Aalbers

From: Lilley Berrington <lilleyberrington@gmail.com>
Sent: Thursday, 12 November 2020 15:53
To: Michelle Aalbers
Subject: Re: [EX] Feedback on Universal Access Policy

Hi Michelle.

I understand. We appreciate that the municipality is trying to learn and improve. We would be more than happy to help.

I don't think we would need that long. Perhaps only until COB on Monday, if we can get the Word doc tomorrow.

Kind regards,

Lilley

On Wed, Nov 11, 2020 at 1:48 PM Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za> wrote:

Please find the word format as requested attached. Annexure 2 is the White Paper on the Rights of Persons with Disabilities. I only have a pdf that I down loaded from the internet.



Kind regards,

Michelle Aalbers

Manager: Community Development

Community and Protection Services

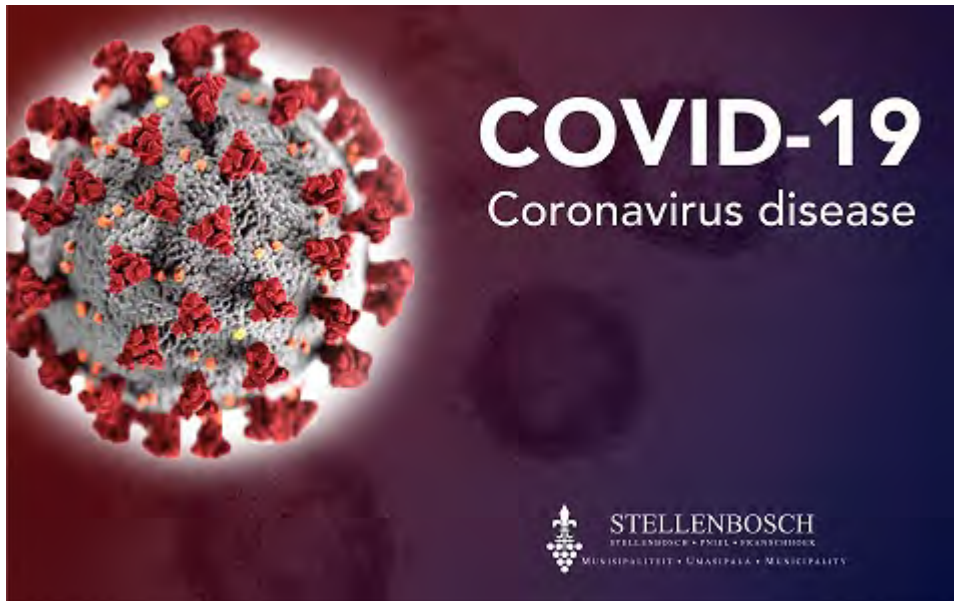
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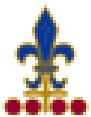


Visit the dedicated COVID-19 page on our municipal website for information on this disease:
<https://www.stellenbosch.gov.za/documents/general>

For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

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From: Lilley Berrington <lilleyberrington@gmail.com>
Sent: Wednesday, 11 November 2020 12:55
To: Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>
Subject: [EX] Feedback on Universal Access Policy

Good day.

I hope this mail finds you well.

I am a person with a visual impairment, and some of my other friends with disabilities and I attempted to review

the municipality's universal access policy.

Please note that the PDF document is very inaccessible. Can we please request a Word or HTML version, as well as an extension for feedback?

One of my friends, Rynhardt Kruger, commented:

"The table with the projects is unreadable. It is ironic that they have "accessible education material" as part of the policy, and yet the policy itself is in an untagged PDF. We will need the original Word version from which the pdf was produced (with print to pdf no less). Had they used the export function, it would at least have been tagged."

From what we could read, we also didn't see anything on how people with disabilities can lodge complaints about access issues. However, perhaps it is in the document, but we just couldn't access it.

Please advise.

Kind regards,

Lilley Berrington

ANNEXURE G

Michelle Aalbers

From: Lilley Berrington <lilleyberrington@gmail.com>
Sent: Monday, 16 November 2020 16:50
To: Michelle Aalbers
Subject: Re: [EX] Feedback on Universal Access Policy

Hi Michelle.

I hope you had a great weekend!

Please see our commentary on the UA below:

2.5 Table of Objectives:

Location:

Supporting Sustainable integrated Community life:

Provide information on available service to all parents and care-givers of children

Information available in print format in all three of the official languages of the WC

Comment:

Suggest adding that information should also be provided as accessible electronic documents. The word print here is ambiguous and might lead to inaccessible material.

General Comment on Table of Objectives:

I strongly suggest that accessible digital platforms and information should be added as an objective. All websites, mobile apps, and other platforms should be designed to be compliant with digital accessibility standards, otherwise they will be unusable for print disabled users, users with motor impairments, and others. Digital platforms should be designed in line with the World Wide Web Consortium (W3C) guidelines on accessible web design. I specifically refer to the W3C's Web Content Accessibility Guidelines (WCAG), and the Web Accessibility Initiative's guidelines on Accessible Rich Internet Applications (WAI-ARIA). I realise that the table of objectives includes a general target for accessible products and services. However, in my experience digital platforms are most often overlooked in this context, perhaps because they are not as visible to the general public as the built environment. Accessible platforms also need to interact with assistive technologies like screen readers (for print disabled users) and devices for providing switch access (for motor impaired users), which requires conventions which the general public is not usually aware of.

General Comment on the Policy with Regards to Engagement with DisabledPeople:

The policy emphasises the role of disabled peoples organisations and the Stellenbosch Disability Network with regards to monitoring implementation of UA practices and gaining feedback. However, it should be born in mind that a large number of disabled people are not affiliated with DPO's. I suggest that a strategy should be developed for engaging with individual disabled citizens as well. Perhaps social media and other digital channels could be utilised for this endeavour.

Further comment on engagement: The document doesn't mention where people with disabilities can report inaccessible infrastructure. Is there such a platform, and where might people find out about it?

Final general comment: I would like to suggest that you approach me before the next review of the policy. A group of people with disabilities that I know (including myself) are willing to act as consultants.

Have a great evening!

Kind regards,

Lilley

On Fri, Nov 13, 2020 at 9:46 AM Lilley Berrington <lilleyberrington@gmail.com> wrote:
Hi Michelle.

Thanks very much. Attachment received.

Sorry, I overlooked the attachment yesterday. We will give feedback on Monday.

Have a great weekend!!

Kind regards,

Lilley

On Fri, Nov 13, 2020 at 7:29 AM Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za> wrote:

Morning

Monday should be fine. Please find the word document attached. Please confirm receipt as I though that I did attach it to the previous mail.



Kind regards,

Michelle Aalbers

Manager: Community Development

Community and Protection Services

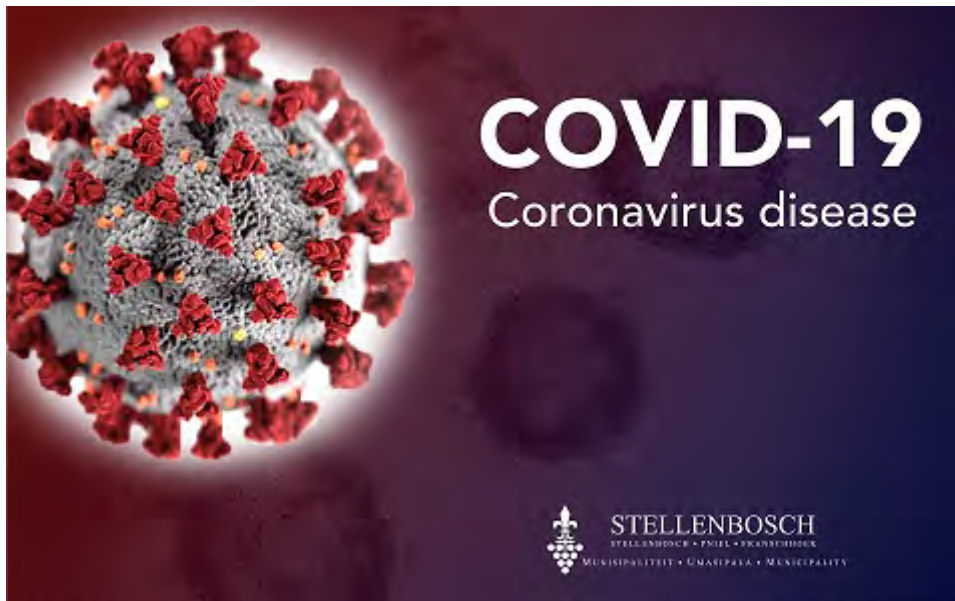
T: +27 21 808 8408 | C: +27 83 560 5935

58 Andringa Street, Stellenbosch, 7600

www.stellenbosch.gov.za



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From: Lilley Berrington <lilleyberrington@gmail.com>
Sent: Thursday, 12 November 2020 15:53
To: Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>
Subject: Re: [EX] Feedback on Universal Access Policy

Hi Michelle.

I understand. We appreciate that the municipality is trying to learn and improve. We would be more than happy to help.

I don't think we would need that long. Perhaps only until COB on Monday, if we can get the Word doc tomorrow.

Kind regards,

Lilley

On Wed, Nov 11, 2020 at 1:48 PM Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za> wrote:

Please find the word format as requested attached. Annexure 2 is the White Paper on the Rights of Persons with Disabilities. I only have a pdf that I down loaded from the internet.



Kind regards,

Michelle Aalbers

Manager: Community Development

Community and Protection Services

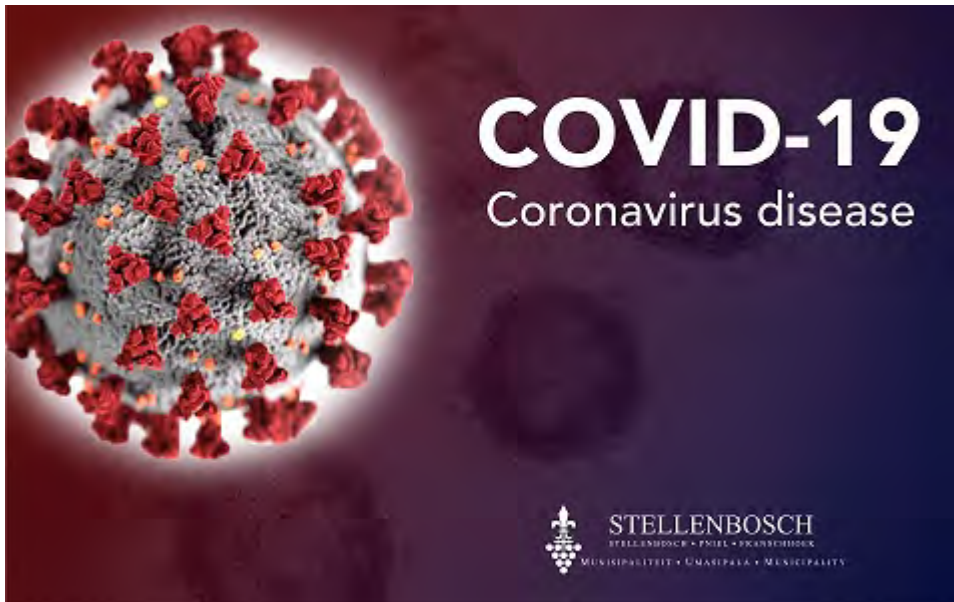
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Kind regards,

Lilley Berrington

11.10	MUNICIPAL MANAGER
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11.10.1	ADOPTION OF THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2020/21 FINANCIAL YEAR WITH RISK APPETITE
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Collaborator No: 700491
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 20 January 2021 and 27 January 2021

1. SUBJECT: ADOPTION OF THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2020/21 FINANCIAL YEAR WITH RISK APPETITE

2. PURPOSE

To submit the Strategic and Operational Risk Register for the 2020/21 financial year for Council approval.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Municipal Governance best practice as well the Municipal Finance Management Act (MFMA), Act 56 of 2003, requires municipalities to have an effective risk management mechanism to stay abreast of prevalent risks and to determine the risk appetite. To ensure effectiveness, a municipality must focus its attention and resources on the areas of most significant risk and concern to stakeholders. To this end, Stellenbosch Municipality has undertaken the practice of adopting a Strategic Risk Register which identifies strategic and operational risk at a corporate level to ensure that risks which could hamper service delivery and the strategic objectives are identified and linked to appropriate actions to mitigate the risks.

Due to the changing dynamics in the external environment with impact municipal services, amendments to the Strategic Risk Register were necessitated to ensure that the municipalities remain appropriately responsive to the risk environment.

The Stellenbosch Municipality is committed to effective risk management in order to achieve the municipality's vision, service delivery, and strategic objectives and to ensure appropriate outcomes for the community.

5. RECOMMENDATION

that Council adopts the Strategic and Operational Risk Register for the 2020/21 financial year.

6. DISCUSSION

Municipal Governance best practice as well the Municipal Finance Management Act (MFMA), Act 56 of 2003, requires municipalities to have an effective risk management mechanism to stay abreast of prevalent risks and to determine the risk appetite. To ensure effectiveness, a municipality must focus its attention and resources on the areas of most significant risk and concern to stakeholders. To this end, Stellenbosch Municipality has undertaken the practice of adopting a Strategic Risk Register which identifies strategic and operational risk at a corporate level to ensure that risks which could hamper service delivery and the strategic objectives are identified and linked to appropriate actions to mitigate the risks.

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The Stellenbosch Municipality is committed to effective risk management in order to achieve the municipality's vision, service delivery, and strategic objectives and to ensure appropriate outcomes for the community.

6.1. **Background**

In terms of Section 60 of the MFMA the Municipal Manager must take reasonable steps to ensure that the municipality maintain effective financial and risk management as well as internal controls.

The principal aim of the risk assessments process is to:

- Identify the risks threatening the achievement of the IDP's objectives of each directorate;
- Assess the key risks facing each directorate; and
- Identify the processes / functions / directorates / persons the municipality and top management relies upon to manage the identified risks.
- Align the mentioned risk management process with processes as established by provincial and national government (as communicated to the municipality).

6.2. **Discussion**

During late November 2020 a steady increase was reported with regards to COVID-19 infections reaching a new peak as part of the second wave of infections. This continued through December 2020 and January 2021. At the end of December 2020 the President introduced alert level 3 from alert level 1 with higher restrictions which is likely to have further impact on municipal service delivery. On 10 January 2020 level 3 was extended to 15 February 2020. Further to this increased infections in and around Stellenbosch Municipality will have a negative impact on the risk exposure to the municipality which necessitated adjustments to the Strategic and Operation Risk Register of the Municipality. In light of this, the rating of COVID-19 on the Strategic and Operational Register required adjustment to reflect the current status and impact of the virus.

Risk likelihood and impact of COVID-19 in Stellenbosch Municipality has been impacted (see annexed Risk Register). Further to this, COVID-19 as a risk, has a knock-on effect to other risks for the municipality. In addition to the second COVID-19 wave, loadshedding has also re-emerged, necessitating adjustments to the risk exposure to the availability electricity and costs of electricity.

Certain risks has also been revised to ensure that the municipality can appropriately respond to the impact of these risks to municipal service delivery taking into account he changing external and internal factors. These risks include (see annexed Risk Register for detail):

Strategic Risks:

- Increased risk of land invasion – moved up to highest strategic risk;
- Availability and cost of electricity – moved up to 2nd highest strategic risk;
- Corona-19 Pandemic – moved up to 3rd highest strategic risk;
- Increase in community unrest due to the fact that growth in demand for housing exceeds the resources available for development – moved to 5th highest strategic risk.

Operational Risks:

- Insufficient burial space in the greater Stellenbosch – amended to take into account increased COVID-19 burials; remain the highest operational risk.

6.3. Financial Implications

The financial impact will be quantified as part of the 2020/21 Adjustment Budget.

6.4. Legal Implications**Section 62 of the MFMA****General Financial Management Functions**

(1) The accounting officer of a municipality is responsible for the managing of financial administration of the municipality, and must for this purpose take all reasonable steps to ensure –

(a) That the resources of the municipality are used effectively, efficient and economically;

(b) That full and proper records of the financial affairs of the municipality are kept in accordance with any prescribed norms and standards;

(c) that the municipality has and maintains effective, efficient and transparent systems–

(i) of financial and **risk management** and internal control.

6.5 Staff Implications

None.

6.6 Risk Implications

As indicated in the annexed Strategic and Operational Risk Register.

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

Supported.

6.7.2 Director: Planning and Economic Development

Supported.

6.7.3 Director: Community and Protection Services:

Supported.

6.7.4 Director: Corporate Services:

Supported.

6.7.5 Director: Planning and Economic development

Supported.

6.7.6 Chief Financial Officer:

Supported.

6.7.7 Municipal Manager:

The format and lay-out of the Strategic and Operational Risk Register will be adjusted and certain changes will be made to reflect a wider range of criteria to ensure that all risks as identified reflect current and future scenarios. This will not only assist in the identification of strategic risks but how to mitigate and manage these.

The above-mentioned changes will take into account recommendations in the Quality Assurance Review and will undergo consultation as part of the Risk Policy Review over the coming months.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 7.10.1

that Council adopts the Strategic and Operational Risk Register for the 2020/21 financial year.

ANNEXURES

Annexure A: Strategic and Operational Risk Register for the 2020/21 financial year.

FOR FURTHER DETAILS CONTACT:

NAME	SHIREEN DE VISSER
POSITION	SENIOR MANAGER: GOVERNANCE
DIRECTORATE	OFFICE OF THE MUNICIPAL MANAGER
CONTACT NUMBERS	X8035
E-MAIL ADDRESS	shireen.devisser@stellenbosch.gov.za
REPORT DATE	13 JANUARY 2021

ANNEXURE A



STELLENBOSCH MUNICIPALITY (WC 024)

Assessment Strategic and Operational Risk Register 2021 - 13 January 2021

Revised Strategic Register										
Risk Item	Risk Description	Risk Background	Strategic Objectives	Impact Rating (1-5)	Likelihood Ratings (1-5)	Residual Risk Exposure (1-25) Risk Appetite	Directorate	Action Plans/Mitigation	Risk Champion	Comments
1	Increased risk of land invasion.	Political environment leading up to the election. Legal precedents set under disaster management declaration limiting municipal scope to evict. Illegal invasions and landgrabs. Compromising housing development and housing opportunities	Dignified Living, Safe Valley, Financial Sustainability, Good Governance and Compliance	5	5	25	Transversal	Legal panel in place to respond to legal matters; Security tender in place; Arms tender currently advertised; housing development continuing in response to housing demand; close relationships with SAPS and other law enforcement agencies, combined control room; utilisation of municipal drones to monitor areas of potential land invasion.	Geraldine Mettler All Directors	New risks. Anticipation that election will result in increased land invasion and utilised as a political tool.
2	Availability and cost of electricity.	Continuous and persistent loadshedding; sustainability of the national power supplier	Green and Sustainable Valley, Dignified Living	4	5	20	Infrastructure Services	Self generation, back-up generators for essential services	Deon Louw	Dependency on national supplier Eskom, encouraging alternative electricity supply methods. Tariffs will be reconsidered after evaluating COVID-19 impact.
3	Corona-19 Pandemic	Manage the Corona-19 pandemic within the context of the prescribed regulations, taking the second wave and intensity of new infections into account.	Safe Valley, Dignified Living	5	4	20	Transversal	Response and preventative plan on corona i.t.o. of the Disaster Management Regulations; PPE in place; screened installed; information distribution; daily screening and sanitising. Revise Risk Adjusted Strategy. Names of essential workers for vaccine submitted to the province.	Geraldine Mettler All Directors	Working with the University, WC Health Department, transversal JOC team in place. Cases currently under control across WC024 area; COVID-19 protocols remain in place for the duration of the pandemic.
4	Scarcity of landfill space.	Unavailability of suitable land; costs of SLA's and alternative waste disposal; legislative requirements i.e EIA applications and approvals etc.	Green and Sustainable Valley	5	4	20	Infrastructure Services	Waste management strategy, finalisation of the agreement with Eskom to move electricity poles for opening space. Mitigation action put in place.	Deon Louw	Constant monitoring of situation; seeking alternatives; cooperation with neighbouring municipalities for solutions and assistance.
5	Increase in community unrest due to the fact that growth in demand for housing exceeds the resources available for development.	Lack of bulk infrastructure; lack of identified and suitable land, unrealistic eviction judgements, housing backlogs, migration.	Dignified Living, Safe Valley	4	5	20	Planning and Economic Development	Housing pipeline, emergency policy, TRA identification, increased monitoring for illegal occupants.	Geraldine Mettler, Acting Director Planning and Economic Development, Gary Boshoff	Idas Valley housing project (mixed housing); ATC and the implementation thereof to establish new housing sites.
6	Financial Sustainability.	Debt management; cashflow; changes patterns in revenue (more off the grid connections w.r.t water and electricity). Financial sustainability exacerbated due to COVID-19.	Good governance and Compliance, Green and Sustainable Valley	5	4	20	Financial Services	Legal framework to lock in customer regarding off grid connections and fix cost charges. Revenue enhancement strategy.	CFO	Constant monitoring of debt management and income ratio; establish and monitor changing patterns in the usage of water & electricity. Influence reasonable standards taking population growth and economic constraints into account.
7	Economic downturn due to civil unrest and crime	Increase in criminal activities, civil unrest, reputational risk due to perceived increase in the said activities.	Safe Valley, Dignified Living	5	4	20	Community and Protection Services	Combined SSI, close relationships with SAPS and other law enforcement agencies, combined control room, strategic camera placings, etc.	Gary Boshoff	Due to the perceived increase in crime, unrest etc, how the Stellenbosch area are perceived has also changed in the media as well as the public. Thus the reference to this being a reputational risk which can have an impact on future developments and investments.
8	Loss off credibility and reputation due to perceived fraud and corruption.	Abuse of legislation; reputational risk and credibility; media statements and role of social media in reports etc.	Good Governance and Compliance	4	4	16	All Directorates	Hotline, fraud prevention policy, SALGA to address unintended consequence of regulations .	Geraldine Mettler All Directors	Council, Municipal Manager as well as Senior Managers actively involved in addressing fraud and corruption; Staff members kept informed via various platforms, active role of labour relations in the disciplinary process and advising on possible cases.
9	Material misstatements in the AFS that constitutes non-compliance with Section 122 of the MFMA.	System errors, transactions and events not recognised as they occur and accordingly nor recorded in the financial period it occurred.	Good Governance and Compliance	4	3	12	Financial Services	8 month AFS, systems upgrade and alignment. Audit readiness is essential with a need for an external audit prior to the formal audit from AGSA. Actions to be reflected in detail in Audit Action Plan.	CFO	Audit action plan developed and monitored by CFO, MM and A&PC; appointment of service provider to manage the quality of the AFS; reporting to MM and A&PC by submitting interim statements; proactive management. The changes in the rating is based on the Auditor-General Report of the 2018/19 financial year.
10	Cyber attacks	Cyber attacks and cyber safety /security has become essential in municipalities. Investigate security gaps. Users opening unsafe/infected attachments	Good Governance and Compliance	4	3	12	Corporate Services	IT to do a gap analysis on security requirements/ gaps to prevent cyber attacks. Staff awareness to not open suspicious email attachments. New electronic system monitoring potential cyber threats.	A De Beer (supported by all Directors)	A new server room has been completed, service provider appointed to assist in streamlining and optimising ICT in the municipality; optimise security; shorter downtimes; disaster recovery centre up and running. Since new back-up has been put in place no further cyber attacks has been observed.
11	Urbanisation and growth.	Comprehensive understanding of the developmental needs in the greater Stellenbosch area; rapid and continued urbanisation; changes in the needs of the community; masterplans; housing pipeline; IDP and SDF alignment.	Valley of Possibility	3	3	9	Infrastructure Services	Approved SDF, approved housing pipeline, DBSA funding will be utilised for updating new CEF with spatial demand quantification.	Deon Louw & Director Planning and Economic Development.	Approval and implementation of the ATC. New consultancy tender in process to assist the municipality with development needs.
Residual Risk Exposure						17.64	A score of 9 to 15 is considered moderate, whereas a score of 16 to 19 is considered high. The risk exposure for Stellenbosch for 2021 has been revised to 17.64 which is considered as high. An action plan is required for some of the strategic risks identified to ensure that the risk exposure is reduced. It should be noted that the risk exposure on some of the strategic risks has worsened and concerted effort is required to bring the risk exposure back into reasonable levels.			

Discuss ratings. Changed from 2 and 4 to 5 and 4

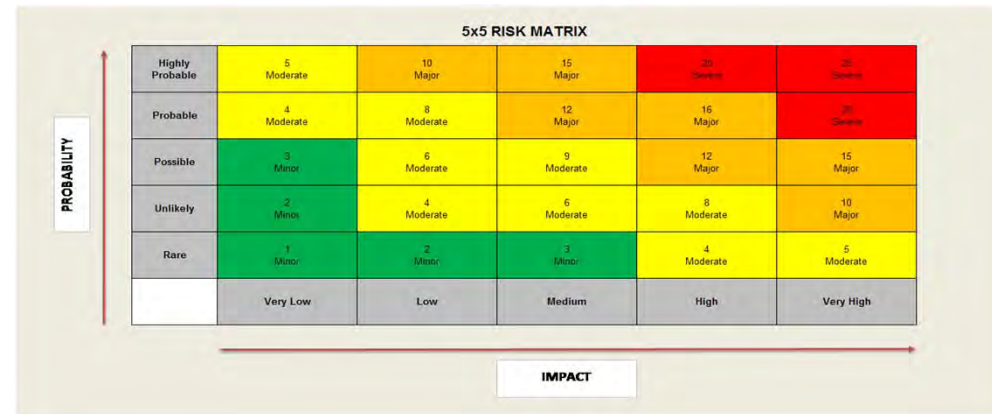
Assessment of the Operational Risk Register 2019/20 - 11 February 2020										
Risk Item	Risk Description	Risk Background	Strategic Objectives	Impact Rating (1-5)	Likelihood Ratings (1-5)	Residual Risk Exposure (1-25) Risk Appetite	Directorate	Action Plans/Mitigation	Risk Champion	Comments
1	Insufficient burial space in the greater Stellenbosch	Planning and funding; land availability. Insufficient funding. Compliance and impact of COVID-19 burials during the 2nd wave.	Dignified Living	4	4	16	Community and Protection Services	Part of approved SDF, feasibility and impact study on suitability for grave yards, discussion and future planning on alternative burial methods, engagements with church groups to establish memorail walls; waiting for clear indication of full costs estimates. COVID Burials??	Gary Boshoff	Remedial plans put into action to adress the risk; continous process to identify possible burial space; Approved SDF.
2	Business Continuity	Disasters, electricity outages; hacking of systems.	Good Governance and Compliance	4	2	8	Corporate Services	Disaster Management Plan for overall service delivery, operational disaster recovery site, JOC, Integrated ERP; off site data center; ICT employee usage tools implemented.	Annelene de Beer	Will require more thought processes and continuity in future, NT and PT already starting with implementation of more formal structures as well as guidelines ito the relevant legislation.
3	Climate Change	Changing weather paterns, unpredictable rainfall/flash floods, drought natural disasters, fires (seasonal and other).	Green and Sustainable Valley; Safe Valley	4	2	12	Office of the Municipal Manager	Drought management plan in place; water warriors; water demand meters; boreholes completed to mitigate drought.	Geraldine Mettler	Successful drought management plan during the 2017/18 financial year; renewable energy sources that is currently under discussion; conversation with public and private sector to partner in managing this risk going forward, drought no longer of concern at this point; etc.
4	Timeous Capital Spending	Steady increase in budget allocation; growing population and demand for services; demand management.	Good Governance and Compliance	5	2	10	Transversal	Demand Management Plan and Committee; Capex SDBIP indicators developed and monitored.	MM, CFO and All Directors	Implementation and monthly management of the capital monitoring tool; process review iro SCM to streamline appointment of service providers; constant monitoring and planning by senior managers, MM and Council.
5	Water Security	Limited sustainable water sources; Growing population with increase in demand; pollution of sources.	Dignified Living; Valley of possibility; Green & Sustainable Valley	3	2	6	Infrastructure services	Drought management plan in place; water warriors; water demand meters; boreholes.	Deon Louw	Discussion with farmers to exchange water quotas from Theewaters Dam supply. Constant monitoring and planning; average and above rainfall during 2019 and 2020.
6	High Vacancy Rate	A skilled and capable workforce is necessary to support growth objectives, quality and timeous service delivery needs to be provided by all departments.	Good Governance and Compliance	4	2	8	Corporate Services	Filling of posts in the recruitment and selection department to create capacity, communication between the user departments and human resources more stream lined and effective, organsational and operational structure aligned and approved; Fully staffed Recruitment and Selection unit.	A De Beer and All Directors	All departments need to perform optimally to ensure service delivery in terms of growth and IDP opbjectives, recruitment drive for funded posts; Revision of employment costs; discussion regarding the revisions to organisation micro structure, management of the critical vacancy list.
7	Lack of integrated Information and Communication Technology	Disparite systems	Good Governance and Compliance	3	2	6	All Directorates	Position paper on integration; role of ICT SteerCom in managing acquisition of new system and integration, New server room completed.	All Directors	A separate risk register in draft with regards to ICT management. Final meeting regarding the integration to complete position paper for submission to Council beginning of 2021.
8	Losing the historic status of Stellenbosch w.r.t environment (trees, biodiversity, buildings, rivers, etc.)	Keeping the balance - development and the historic status; occurrence of natural disasters.	Dignified Living; Valley of possibility; Green & Sustainable Valley	3	2	6	All Directorates	Heritage asset register completed; adherence to heritage planning legislation for developmental applications, declared heritage zones; maintenance heritage assets; A tree management policy has been approved and implemented..	Director Planning and Economic Development(Primary) Deon Louw, Gary Boshoff (Secondary)	Approval and implementation of the ATC; completion and approval of the SDF.
Residual Risk Exposure						9.0	<p>A score of 9 to 15 is considered moderate. The revised operational risk exposure for Stellenbosch for 2021 has been revised to 9.0. This means that the operational risks identified, though important is sufficiently in control. Mitigating factors remains necessary to ensure that these risks are appropriately dealt with. Overall the operation remains similar to the previous financial year, with the addition of "high vacancy rate" and "business continuity".</p> <p>COVID-19 Burials requires attention due to an increase in COVID-19 related deaths Business Continuity is a new area receiving focussed attention from national treasury which will be formally required from municipalities in the next 2 years. Stellenbosch does pay attention to business continuity already, however the requirements from national treasury will be more stringent. Eskom electricity interruptions, ICT attacks and the water constraints are some examples of areas that could negatively affect business continuity.</p>			

Critical 20-25	act immediately
High 16-19	action plan
Moderate 9-15	monitor/transfer
Low 1-8	no action required

Revision Date:	
Final Strategic Risk Register 2018/19	Jul-18
Final Strategic Risk Register 2019/20	Aug-19
Final Strategic Risk Register 2019/20 - Revised	Feb-20
Draft Strategic Risk Register 2021	Jan-21

IMPACT AND LIKELIHOOD RATING		
Likelihood Grading		
5	Highly probable	Will undoubtedly happen/recur with high degree of certainty
4	Likely/Probable	Very high likelihood of occurrence/recurrence but not persisting issue
3	Possible	Might occur/recur occasionally
2	Unlikely	Occurrence not expected with a small possibility that it will happen
1	Rare	May occur but only in exceptional circumstances
Impact Grading		

5	Very high	Very high impact with catastrophic and/or irreversable consequences
4	High	Impact is severe with clear and direct consequences on functionality or performance
3	Medium	Significant impact and requires action to minimise exposure
2	Low	Low impact on functionality, performance or delivery
1	Very Low	Very Low impact on functionality, performance or delivery



11.10.2	MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 January 2021 and 27 January 2021

1. SUBJECT: MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS

2. PURPOSE

To confirm the appointment of the two (2) Councillors and two (2) officials to represent Council in the partnership for Human Rights with Jönköping Municipality (JM) and to submit same as entries into the Inception Application to ICLD.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality (SM) has been approached by the Swedish International Centre for Local Democracy (ICLD) to explore the possibility of entering into a partnership with a Swedish Municipality selected by ICLD on the topic of Human Rights.

At the Council meeting of 25 November 2020 Council resolved that SM may enter into a partnership agreement (**APPENDIX 1**). This information was passed onto ICLD who identified Jönköping Municipality in the south of Sweden as the preferred municipality to enter into this partnership with SM.

Jönköping Municipality has recently won a prestigious European Union (EU) award which as a by-product unlocks funding and sponsorship from vast array of sources within the European Union (EU) who are interested in human rights and this kind of partnerships. This partnership potentially opens the doors to this funding and could potentially allow SM access to funding sources for human rights projects that were not previously available or accessible.

A Letter of Intent, outlining the broad partnership relations has been concluded and signed by both municipalities subsequent to the Council resolution, **APPENDIX 2**.

In accordance with this letter, as well as subsequent correspondence between the two municipalities the broad terms for the collaboration would be the area of human rights and specific emphasis will be given to the area of social sustainability, with further emphasis on particular issues such as amongst others gender inequality. The collaboration is therefore shaped within ICLD's core areas framework, i.e. equity and inclusion, citizen participation, transparency and the possibility of accountability.

Given the above, it is now required of the two municipalities to submit a joint Inception Application to ICLD. This application must be submitted to ICLD by January 2021.

In order to submit the application there are certain requirements that both municipalities must meet, i.e.

- i. That the application must be submitted in Swedish
- ii. That the suitable participants be confirmed and their details be submitted as part of the Application
- iii. SM's initial understanding of the partnership for Human Rights.

It must be noted that as a result of the Covid-19 pandemic, there are currently and most probably for the foreseeable future, international travel restrictions in place. This situation might result in using alternative methods of communication other than local visits by the representatives the respective municipalities.

5. RECOMMENDATIONS

- (a) that Council takes note of the requirement to identify and confirm the appointment of two (2) suitable Councillors to represent the Municipality in this partnership;
- (b) that Council takes note of the requirement to identify and confirm the appointment of two (2) suitable Officials to represent the Municipality in this partnership;
- (c) that Council takes note that the traveling and accommodations requirements for the four (4) staff members will be covered by ICLD;
- (d) that Council takes note of the fact that there currently are international travel restrictions in place as a result of the ongoing Covid 19 pandemic;
- (e) that Council confirms the appointment of two (2) suitable Councillors to represent the Municipality in this partnership, whose particulars will be recorded in the Inception Application; and
- (f) that Council confirms the appointment of two (2) suitable Officials to represent the Municipality in this partnership, whose particulars will be recorded in the Inception Application.

6. DISCUSSION / CONTENTS

6.1 Background

Stellenbosch Municipality has been approached by the Swedish International Centre for Local Democracy (ICLD) to explore the possibility of entering into a partnership with a Swedish Municipality selected by ICLD on the topic of Human Rights.

At the Council meeting of 25 November 2020 Council resolved that SM may enter into a partnership agreement. This information was passed onto ICLD who identified Jönköping Municipality in the south of Sweden as the preferred municipality to enter into this partnership with SM.

A Letter of Intent, outlining the broad partnership relations has been concluded and signed by both municipalities subsequent to the Council resolution.

In accordance with this letter, as well as subsequent correspondence between the two municipalities the broad terms for the collaboration would be the area of human rights and specific emphasis will be given to social sustainability and in particular issues such as amongst other gender inequality. The framework for this partnership is concentrated around ICLD's core areas of collaboration, i.e. equity and inclusion, citizen participation, transparency and the possibility of accountability.

It is now required of the two municipalities to submit a joint Inception Application to ICLD. This application must be submitted to ICLD by January 2021.

In order to submit the application there are certain requirements that both municipalities must meet, i.e.

- i That the application must be submitted in Swedish
- ii That the suitable participants be confirmed and their details be submitted as part of the Application
- iii SM's initial understanding of the partnership for Human Rights.

a) Participants

The requirements for participants are extracted from an e-mail from the Jönköping Municipal representative (See extract 1, hereunder). The full e-mail is attached as **APPENDIX 3**.

Extract 1: Participants

“... The inception application will need to be finalised in January as Rikard pointed out. The application is done in Swedish, but I will need your inputs on a number of questions which I include below.

Participants:

2 politicians elected from the council.

2 public officers, one who preferably may be the one main contact for the project...”

Therefore in order to give effect to Resolution (c) as well as the requirements in terms of the Inception Application the suitable participants must be identified and confirmed prior to the close of the period for submission of Inception Applications.

b) SM’s initial understanding of the partnership for Human Rights

SM was also required to give its input on the following questions

Extract 2:

Questions: (brief)

6. *a) Describe the problems and challenges (potential areas of cooperation for the partnership Human rights, accessibility, gender equality, inclusion) within the partners’ organisations that could be solved within the partnership. (We do have an interest from the perspective of accessibility as it is very broad, however, we are also open to your suggestions as well as we are interested in all areas of social sustainability).*
7. *d) Describe how the proposed problems and challenges could relate to one (or if relevant, some) of the initially explained core areas:*
 - *Equity/inclusion*
 - *Citizen participation*
 - *Transparency*
 - *Possibility to demand accountability*

The response to the questions is attached as **APPENDIX 4**.

6.2 Discussion

Council must identify and confirm the suitable Councillors and the Municipal Manager in terms Resolution (c) of the Council resolution must identify and confirm the suitable officials to represent Stellenbosch Municipality in this partnership.

It must be noted that as a result of the Covid-19 pandemic, there are currently and most probably for the foreseeable future, international travel restrictions in place. This situation might result in using alternative methods of communication other than local visits by the representatives the respective municipalities.

6.3 Financial Implications

ICLD is funding the project.

6.4 Legal Implications

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

6.5 Staff Implications

No staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

Item 11.10.1 of the 39th Council meeting of 25 November 2020.

6.7 Risk Implications

None.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 7.10.2

- (a) that Council takes note of the requirement to identify and confirm the appointment of two (2) suitable Councillors to represent the Municipality in this partnership;
- (b) that Council takes note of the requirement to identify and confirm the appointment of two (2) suitable Officials to represent the Municipality in this partnership;
- (c) that Council takes note that the traveling and accommodations requirements for the four (4) staff members will be covered by ICLD;
- (d) that Council takes note of the fact that there currently are international travel restrictions in place as a result of the ongoing Covid 19 pandemic;
- (e) that Council confirms the appointment of two (2) suitable Councillors to represent the Municipality in this partnership, whose particulars will be recorded in the Inception Application; and
- (f) that Council confirms the appointment of the Municipal Manager, Ms Geraldine Mettler and the Manager: Housing Administration, Ms Rotanda Nona Swartbooi, as the two (2) suitable Officials to represent the Municipality in this partnership.

ANNEXURES

Appendix 1: Minutes of Item 11.10.1 of the 39th Council meeting of 25 November 2020

Appendix 2: E-mail by Jönköping Municipality

Appendix 3: SM's Response to e-mail by Jönköping Municipality

FOR FURTHER DETAILS, CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@stellenbosch.gov.za
REPORT DATE	9 January 2021

APPENDIX 1

11.10.1 MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

17 November 2020

1. SUBJECT: MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS**2. PURPOSE**

To obtain Council's approval for entering into a partnership with a Swedish Municipality on the topic of Human Rights. The detail of this project will be discussed and negotiated during the inception phase. This partnership will be undertaken in accordance with the 2030 Agenda for Sustainable Development and its Global Goals.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality (SM) has been approached by the Swedish International Centre for Local Democracy (ICLD) to explore the possibility of entering into a partnership with a Swedish Municipality selected by ICLD on the topic of Human Rights. The Human Rights topic that the Municipality wants to work on with SM will be finalised during the Inception Phase.

SM has over the years developed various programmes premised on enhancing and protecting the Human Rights of its citizens. These programmes allow explicitly for the inclusion of minorities, such as the disabled, the frail and infirm and provide this traditionally marginalised group full access to its attempts at local government. Governmentality refers to the relationship in this case between the local government and its local community. It also refers to inclusivity and an attempt by mostly the local government at moving away from top-down relations and the community having its voice heard on many issues. A good example of governmentality is the Integrated Development Plan's public participation processes. The recent iteration of the IDP saw new innovations being introduced to secure an inclusive process and therewith ensuring that local government meets the community.

In essence, SM has an exportable product which has attracted the attention of in this instance international institutions. It is therefore, incumbent upon us to strengthen our understanding of governmentality by sharing our learnt experiences and learning from an ages old democracy.

The programme consists of various phases and under normal circumstances runs over a four (4) year period. The first phase is the Inception Phase which runs for one (1) year. During this phase the exact collaboration project is finalised for implementation in the 3 outer years.

The project is funded by ICLD and will according to their programme commence in January 2021.

MINUTES

39TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2020-11-25

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.10.1**RESOLVED** (majority vote with abstentions)

- (a) that Council notes the invitation by ICLD annexed hereto as "APPENDIX 1";
- (b) that Council approves that Stellenbosch Municipality enters into a partnership with a Swedish Municipality on the topic of Human Rights;
- (c) that the Municipal Manager be authorized to negotiate the terms of the partnership agreement with the identified Swedish Municipality as per the requirements of the Inception Phase of the partnership; and
- (d) that the Municipal Manager submits a report to Council subsequent to the conclusion of the Inception Phase, i.e. after one (1) year or as soon as practically possible thereafter.

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

FOR FURTHER DETAILS, CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@stellenbosch.gov.za
REPORT DATE	9 November 2020

APPENDIX 2



STELLENBOSCH
STELLENBOSCH • 7161 • 7161 • 7161
MUNICIPALITY • CHAPALA • MUNICIPALITY

LETTER OF INTENT

BETWEEN

MUNICIPALITY OF JÖNKÖPING, SWEDEN

AND

MUNICIPALITY OF STELLENBOSCH, SOUTH AFRICA

The municipality of Jönköping in Sweden and the municipality of Stellenbosch in South Africa have the Intent to develop a cooperation agreement within the municipality partnership program which is sponsored by Swedish International Center for Local Democracy (ICLD) and supported by the Town Councils of both municipalities.

The municipality partnership programme consists of several phases and the first phase or the Inception phase is an exploratory phase undertaken by both municipalities in order to culminate in a cooperation agreement between the municipalities which would outline the projects and programmes that the municipalities would undertake during the subsequent phases.

During the Inception phase the partners will be conducting a site visit in each of the countries respectively, in order to learn more about the partner's organisation, discuss the grounds for the cooperation and develop the basis for a three-year (3) project. A cooperation agreement should be signed during the Inception Phase by both parties. All expenses related to the Inception phase such as travel, accommodation and meetings will be covered by ICLD.

With this "Letter of Intent" I/We give my/our consent to proceed with the compiling and submitting of an application for a one-year (1) Inception Phase (preparatory project) in terms of the municipal partnership programme by sponsored by ICLD, as a first step to establish the basis for the cooperation within the area of human rights.

For Jönköping Municipality

For Stellenbosch Municipality


Johan Fritz
Executive Director


Geraldine Mettler
Municipal Manager

Signed at: Jönköping, Sweden

Signed at: Stellenbosch, South Africa

Date: 2020/12/16

Date: 17/12/2020

APPENDIX 3

Johru Robyn

From: Chantal Coté <chantal.cote@jonkoping.se>
Sent: Friday, 11 December 2020 17:05
To: Johru Robyn
Cc: Rikard Eduards; Ellen Broqvist
Subject: [EX] Inceptive application - Stellenbosch-Jönköping
Attachments: Presentation-kortversion - Stellenbosch 201209.pptx; Letter of intent-JKPG-Stellenbosch-draft.docx

Dear Johru,

It was a pleasure to be introduced to you earlier this week. This is only the first step towards the development of our future cooperation which we really look forward to. I am including as an attachment a brief presentation of Jönköping with some facts so you can understand our organisation a bit better. I also include a draft for the letter of intent for the inception application (preparatory project). You are most welcome to give me your feedbacks as well as send me your logotype and the name of the signatory so I can include it in the letter head. Once it is approved, we can go ahead and have it signed.

The inception application will need to be finalised in January as Rikard pointed out. The application is done in Swedish, but I will need your inputs on a number of questions which I include below.

Participants:

- 2 politicians elected from the council.
- 2 public officers, one who preferably may be the one main contact for the project.
- Changes may occur in the future and if necessary due to elections, change of responsibilities etc.)

The funding within the project will cover for 4 participants on each side (2 politicians 2 public officers) who will participate in the study visits (one in South Africa and one in Sweden). Nevertheless, municipalities may see the value to involve more participants at the time of the visits. The expenses for travels of extra participants will have to be covered by each municipality in that case.

Questions: (brief)

6. A) Describe the problems and challenges (potential areas of cooperation for the partnership Human rights, accessibility, gender equality, inclusion) within the partners' organisations that could be solved within the partnership.
(We do have an interest from the perspective of accessibility as it is very broad, however, we are also open to your suggestions as well as we are interested in all areas of social sustainability).
6. d) Describe how the proposed problems and challenges could relate to one (or if relevant, some) of the initially explained core areas:
 - Equity/inclusion
 - Citizen participation
 - Transparency
 - Possibility to demand accountability

The inception application is broad and it will be the base for the discussions that will take place in order to develop the long term area of interest.

It would be great if you could get back to me in the end of next week or before the holidays with some of the details so I can continue to work on it until the new year.

Sincerely Yours,

Chantal Coté

International strategist

Jönköping Municipality
City Hall, Rådhusparken 1
551 89 Jönköping, Sweden

APPENDIX 4

Johru Robyn

From: Geraldine Mettler <Geraldine.Mettler@stellenbosch.gov.za>
Sent: Monday, 21 December 2020 11:30
To: chantal.cote@jonkoping.se; Raydine Wenn; Nomie Tshefu; Johru Robyn
Subject: Municipal Partnership on Human Rights

Good morning Chantal,

Pursuant to your email, please find below brief synopsis to your questions raised.

Participants

2 politicians elected from the council –

Council resolved that for the purposes of the Inception Application that the details of the politicians would be confirmed at the next Council meeting which is in the last week in January 2021. Should the Inception application be submitted before the Council data, then the Mayor and her assignee will be representing SM until such time that the approved names and details of the politicians can be provided.

2 public officers, one who preferably may be the one main contact for the project.

The Municipal Manager resolved that for the purposes of the Inception Application that the details of the officials would be confirmed at the next Council meeting which is in the last week in January 2021. Should the Inception application be submitted before the Council meeting, then the Municipal Manager and her assignee will be representing SM until such time that the approved names and details of the officials can be provided.

Questions

6. A) Describe the problems and challenges (potential areas of cooperation for the partnership Human rights, accessibility, gender equality, inclusion) within the partners' organisations that could be solved within the partnership.

(We do have an interest from the perspective of accessibility as it is very broad, however, we are also open to your suggestions as well as we are interested in all areas of social sustainability).

6. d) Describe how the proposed problems and challenges could relate to one (or if relevant, some) of the initially explained core areas:

- *Equity/inclusion*
- *Citizen participation*
- *Transparency*
- *Possibility to demand accountability*

Problem Statement 1

Stellenbosch Municipality (SM) has for long been an ardent supporter and implementer of the “Triple Bottom Line (3BL)” principles, i.e. Environmental sustainability (e.g. protection of environmentally sensitive areas), economic integrity/sustainability (e.g. Audited income statements) and social sustainability. To this effect SM has implemented strong policies in accordance with international, national and provincial legislation for most notably environmental sustainability and economic sustainability. However, social sustainability is a much harder metric to measure and therefore to date only aspects of social sustainability has been succinctly addressed by our current policies and this is therefore the area that we would like to explore with our Swedish partner municipality, Jonkoping Municipality (JM).

In recognising this SM acknowledges that it has done significant work with respect to hard physical accessibility with respect to the disabled, however the softer, unseen, not-so transparent accessibility in a human rights context extends beyond the disabled and physically infirm, but includes other marginalised groups such as the persistent gender inequality access to municipal services. It is therefore our intention to explore these human rights issues

The Bill of Rights (Chapter 2 of the South African Constitution, Act 108 of 1996) provides the canvas against which the human rights agenda for this partnership must be painted.

Table 1 -

Challenge	SM Response	
Equity/inclusion	Disempowerment creates a disingenuous environment which is contradictory to equity and inclusion. SM therefore wants to create policies that empowers.	
Citizen participation	Citizen participation is of utmost importance to SM and SM is always looking at ways and means to include the marginalised and disenfranchised. The COVID 19 pandemic has seen SM develop innovative ways of providing inclusivity to its inhabitants.	
Transparency	SM (as every other municipality in SA) is audited every year and the results of same	

	are available, unobscured for public scrutiny.	
- Possibility to demand accountability	Accountability and Responsibility is important to SM to the effect that most of our policies requires that these to functions are adhered to at all times.	

Kind regards,

Geraldine Mettler
Municipal Manager
Stellenbosch Municipality
Office of the Municipal Manager

T: +27 21 808 8025 | C: +27 82 312 3063
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za

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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

Sent from [Mail](#) for Windows 10

11.10.3	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 OCTOBER 2020 UNTIL 31 DECEMBER 2020
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 January 2021 and 27 January 2021

1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 OCTOBER 2020 UNTIL 31 DECEMBER 2020

2. PURPOSE OF REPORT

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period 01 October 2020 until 31 December 2020, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

In view of the legislative stipulations, attached is a summary as **ANNEXURE 1** of decisions taken by each Directorate. The report is for noting purposes.

Please note that these delegations only indicate the delegations exercised as delegated by Council to the various Senior Managers.

5. RECOMMENDATION

that Council takes note of the decisions taken, for the period 01 October 2020 until 31 December 2020, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (01 October 2020 – 31 December 2020).
- Chief Financial Officer – Mr K Carolus (01 October 2020 – 31 December 2020).
- Director Community and Protection Services Mr G Boshoff (01 October 2020 – 31 December 2020).
- Director Corporate Services – Ms A de Beer (01 October 2020 – 31 December 2020).
- Director Infrastructure Services – Mr D Louw (01 October 2020 – 31 December 2020).
- Director Planning and Economic Development – Mr A Barnes (01 October 2020 – 31 December 2020).

6. DISCUSSION / CONTENTS

6.1 Background

Section 63 of the Local Government Municipal Systems Act 32 of 2000 reads as follows:
"A political structure, political office bearer, Councillor or staff member of a municipality to whom a delegating authority has delegated or sub-delegated a power or duty, must report to the delegating authority at such intervals as the delegating authority may require, on decisions taken in terms of that delegated or sub-delegated power or duty since the last report."

6.2 Discussion

The report outlines the delegations exercised as delegated by Council to the various Senior Managers

6.3. Financial Implications

As per approved budget

6.4 Legal Implications

Council's System of Delegation and all applicable legislation

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-01-20: ITEM 7.10.3

that Council takes note of the decisions taken, for the period 01 October 2020 until 31 December 2020, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (01 October 2020 – 31 December 2020).
- Chief Financial Officer – Mr K Carolus (01 October 2020 – 31 December 2020).
- Director Community and Protection Services Mr G Boshoff (01 October 2020 – 31 December 2020).
- Director Corporate Services – Ms A de Beer (01 October 2020 – 31 December 2020).
- Director Infrastructure Services – Mr D Louw (01 October 2020 – 31 December 2020).
- Director Planning and Economic Development – Mr A Barnes (01 October 2020 – 31 December 2020).

ANNEXURES:**Annexure 1: Delegations exercised by Directorates 01 October 2020 – 31 December 2020**

POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@ Stellenbosch.gov.za
REPORT DATE	14 January 2021

ANNEXURE 1

DELEGATIONS EXERCISED FOR PERIOD OCTOBER 2020

OFFICE OF THE MUNICIPAL MANAGER: G METTLER

Date	Delegation	Category	Report subject and Recommendations	Date Received	Date Resolved	Resolution and Comments
06/10/2020	SB8	Streets By-Law (2010) S2	Outcome of appeal against refusal of an encroachment – Erf 654 Pniel	06/10/2020	06/10/2020	Dismissed
07/10/2020		ICT	Appeal removal of restrictive title deed Erf 1197 Stellenbosch	07/10/2020	07/10/2020	Approved
07/10/2020	LUP93	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013	Temporary departure and deletion portion 16 of farm Bellegam No 1012 Paarl	07/10/2020	07/10/2020	Approved
07/10/2020	MM84	Section 66, MFMA	Approval of Cellphone allowance: Roads & Strom water	07/10/2020	07/10/2020	Approved
08/10/2020	BC2	Sections 4, 7(a) and (b), NHRBSA	Erf 6301 Stellenbosch: Approval of building plan	08/10/2020	08/10/2020	Approved
08/10/2020	MM24	Section 66(1)(d), Systems Act	PAC outcomes: Communications Department	08/10/2020	08/10/2020	Approved
08/10/2020	HR2	Conditions of Service (SALGBC)	Leave approval: Director Community and Protection Services	08/10/2020	08/10/2020	Approved
08/10/2020	MM18	Section 62(4)(a), Systems Act	Response to grievance – Ref 4/5/5/1	08/10/2020	08/10/2020	Approved
08/10/2020	LEG	General	Offer to lease – Eikestad Mall	08/10/2020	08/10/2020	Approved
08/10/2020	SB8	Streets By-Law (2010) S2	Approval of cession of encroachment permit Hamman Street Trust	08/10/2020	08/10/2020	Approved
09/10/2020	MM64	Section 62(1)(f)(iv), MFMA	Cancellation of Tender BSM 13/20 – Maintenance and operation of public ablution facilities at Franschoek and Klappmuts informal settlement – Awarded to Primaj	09/10/2020	09/10/2020	Approved

			Construction Works			
09/10/2020		MFMA	Pre award Letter – Discretionary Grant Allocation for 2020/2021	09/10/2020	09/10/2020	Approved
09/10/2020		MFMA	ABSA – Release of investment	09/10/2020	09/10/2020	Approved
09/10/2020	MM9	Section 55(1)(e), Systems Act	Appointment of administrators with joint general authority	09/10/2020	09/10/2020	Approved
09/10/2020	PRA	Property Rates Act 6 of 2004	Municipal Property Rates Act 6 of 2004 - Reporting	09/10/2020	09/10/2020	Approved
09/10/2020		SCM	Demand Management Plan 2020/2021 Financial year Quarter 1	09/10/2020	09/10/2020	Approved
12/10/2020	MM64	Section 62(1)(f)(iv), MFMA	BSM 74/20: Annual electrical labour tender for a contract ending 30/06/2023	12/10/2020	12/10/2020	Approved: Award made by SCM will be final and not subject to any appeal periods. Please ensure fair spread of projects allocation to successful bidders
13/10/2020	TR2	Skills development Act	LGSETA funding Agreement: Adult Education and Training programme	13/10/2020	13/10/2020	Approved
13/10/2020	AD3	General	Approval of advertisement – Governance – Knowledge and information officer	13/10/2020	13/10/2020	Approved
13/10/2020	HR2	Conditions of Service (SALGBC)	Leave approval - Governance	13/10/2020	13/10/2020	Approved
14/10/2020	LEG	General	MOU – Stellenbosch Mun and Valerida Beleggings	14/10/2020	14/10/2020	Signed. It is confirmed that the agreement was vetted by Legal services and the pty is available to the municipality at no charge
14/10/2020		MFMA	NT – Financial Management Grant – September 2020	14/10/2020	14/10/2020	Approved
14/10/2020		MFMA	Response to AG – AG finding SC Adams	14/10/2020	14/10/2020	Approved
15/10/2020	MM84	Section 66, MFMA	MOA – Transport allowance - Governance	15/10/2020	15/10/2020	Approved
15/10/2020	MM84	Section 66, MFMA	MOA – Transport allowance – Communications department	15/10/2020	15/10/2020	Approved
15/10/2020	LEG6	General	Payment of compensation ito arbitration award – L Moses/Stellenbosch Municipality	15/10/2020	15/10/2020	Approved
15/10/2020	MM64	Section 62(1)(f)(iv), MFMA	BSM 91/18 – Supply, installation and management of STS complaint prepayment electricity vending	15/10/2020	15/10/2020	Approved

15/10/2020	LUP63	Stellenbosch Municipality: Land Use Planning By-Law Section 79	Appeal ito Section 79 LU 9724	15/10/2020	15/10/2020	Approved
15/10/2020	MM43	Section 12(4), MFMA	Request to transfer funds from current account to investment portfolio	15/10/2020	15/10/2020	Approved
15/10/2020	APP3	Section 62 MSA	Section 62 Appeal – BSM 68/20 – Appointment of SP for the provision of powder activated carbon	15/10/2020	15/10/2020	Approved
15/10/2020		MFMA	Quarterly Report Irregular expenditure 1 st quarter	15/10/2020	15/10/2020	Approved
16/10/2020	C50	Section 14(2) of the MFMA (read with section 90, MFMA)	Agreement Erf 320 Pniel	16/10/2020	16/10/2020	Approved
19/10/2020	SC13	17(C)	Deviation: Schuilplaats Road – Safe disposal of Hazardous waste	19/10/2020	19/10/2020	Approved
19/10/2020	MM82	Section 65(2)(c), MFMA	Invoice: ETG Group – August 2020	19/10/2020	19/10/2020	Approved
19/10/2020	MM31	Schedule 2, Systems Act	Declaration for benefit and interest Internal Audit	19/10/2020	19/10/2020	Approved
19/10/2020		MFMA	Confirmation of cashflow transfer report Nov 2020	19/10/2020	19/10/2020	Approved
19/10/2020		ICT	Request for ICT equipment - IDP	19/10/2020	19/10/2020	Approved
20/10/2020	TR2	Skills development Act	LGSETA 2020/2021 – Declaration of intent – Letter of acceptance	20/10/2020	20/10/2020	Approved
21/10/2020	LUP63	Stellenbosch Municipality: Land Use Planning By-Law Section 79	Appeal ito Section 79 Erven 139, 140, 141-165, 143-170 & 185 Stellenbosch	21/10/2020	21/10/2020	Approved
22/10/2020	LUP63	Stellenbosch Municipality: Land Use Planning By-Law Section 79	Land use appeal and development appeal assessment report – Farm 85 and Erf 14425 Stellenbosch	22/10/2020	22/10/2020	Approved
22/10/2020	MM18	Section 62(4)(a), Systems Act	Response to grievance: SCM	22/10/2020	22/10/2020	Approved
23/10/2020	SB4	Streets By-Law (2010) S 4	Poster application – Kersmark Familie kerk	23/10/2020	23/10/2020	Approved

23/10/2020	SB4	Streets By-Law (2010) S 4	Poster application – Huis Horison Kermis	23/10/2020	23/10/2020	Approved
23/10/2020	APP3	Section 62 MSA	Appeal ito 62 MSA – BSM 26/20 – Appointment of SP of off grid electricity to Enkanini informal settlement	23/10/2020	23/10/2020	Approved
23/10/2020	SB4	Streets By-Law (2010) S 4	Poster application Franschhoek uncorked	23/10/2020	23/10/2020	Approved
23/10/2020	SB4	Streets By-Law (2010) S 4	Poster application – Kamers Makers	23/10/2020	23/10/2020	Approved
23/10/2020	LPC3	GATHERINGS ACT 205 OF 1993 EVENTS BY-LAW PN7564 DATED 12/02/2016	Record of strike, lock-out or protest action ito LRA 1995	23/10/2020	23/10/2020	Approved
23/10/2020	MM71	Section 64(2)(c), MFMA	Approval of water leakage rebate: Hassie Property Pty Ltd	23/10/2020	23/10/2020	Approved
23/10/2020	C50	Section 14(2) of the MFMA (read with section 90, MFMA)	Deed of Sale	23/10/2020	23/10/2020	Approved
23/10/2020	HR2	Conditions of Service (SALGBC)	Approval of Flexi hours – PED	23/10/2020	23/10/2020	Approved
23/10/2020	MM71	Section 64(2)(c), MFMA	Approval of water leakage rebate: Account no 10842641	23/10/2020	23/10/2020	Approved
23/10/2020	MM64	Section 62(1)(f)(iv), MFMA	BSM 52/20 – Klapmuts bulk water supply and associated works	23/10/2020	23/10/2020	Approved
26/10/2020	CL10	Section 59(1) of MSA	Opposing affidavit - Application of condonation submitted by a Mogolegeng	23/10/2020	23/10/2020	Approved
26/10/2020	HR2	Conditions of Service (SALGBC)	Approval of flexi-hours - PED	26/10/2020	26/10/2020	Approved
29/10/2020	MM82	Section 65(2)(c), MFMA	Invoice: Keep the Dream 285	29/10/2020	29/10/2020	Approved
29/10/2020	MM24	Section 66(1)(d), Systems Act	Task outcomes: Office of the Municipal Manager	29/10/2020	29/10/2020	Approved. For implementation as discussed with HR Manager
29/10/2020	MM24	Section 66(1)(d), Systems Act	Task outcomes: ICT	29/10/2020	29/10/2020	Approved. For implementation as discussed with HR Manager
30/10/2020	LEG9	General	Power of attorney – 9 beneficiaries -	30/10/2020	30/10/2020	Approved

			Kayamandi				
ACTING MUNICIPAL MANAGER: G BOSHOFF							
02/10/2020		MFMA	Financial Management capacity building grant	02/10/2020	02/10/2020	Approved	
	C70	Section 34(1), MFMA	Transfer payment agreement to review our update the integrated transport plans for the 2020/2021 financial year	02/10/2020	02/10/2020	Approved	
02/10/2020	LEG9	General	Power of Attorney	02/10/2020	02/10/2020	Approved	
Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Approved	Resolution and Comments (if any)
02/10/2020			2020/2021 Financial Development Report September 2020 Enkanini & EPWP projects	02/10/2020	02/10/2020	Approved	
02/10/2020	MM84	Section 66, MFMA	Approval of Cellphone allowance – Water Treatment	02/10/2020	02/10/2020	Approved	
02/10/2020	VPR2	Paragraph 6f	Virementation: Governance	02/10/2020	02/10/2020	Approved	
02/10/2020	LUP63	Stellenbosch Municipality: Land Use Planning By-Law Section 79	Memorandum: Appeal application for the removal of restrictive title deed conditions Erven 141/2, 163-165 Stellenbosch	02/10/2020	02/10/2020	Approved	

DELEGATIONS EXERCISED FOR PERIOD NOVEMBER 2020

OFFICE OF THE MUNICIPAL MANAGER: G METTLER

02/11/2020	MM24	Section 66(1)(d), Systems Act	PAC Outcome SCM Staff	02/11/2020	02/11/2020	Approved, 1, 2, 3, 4, 6 need further details on 5
02/11/2020	MM24	Section 66(1)(d), Systems Act	PAC outcome – Environmental Education Officer	02/11/2020	02/11/2020	Approved
02/11/2020	EL14	Section 3(1)	Electrification programme monthly report – October 2020	02/11/2020	02/11/2020	Approved
02/11/2020	MM10	Section 55(1)(f)- (h), Systems Act	Implementation of Disciplinary action – Infrastructure Services	02/11/2020	02/11/2020	Approved
02/11/2020	MM9	Section 55(1)(e), Systems Act	Appointment of Senior Heritage Officer	02/11/2020	02/11/2020	Approved. Candidate from under representative group withdrew. Approved candidate Indian female is the highest scoring candidate as well
02/11/2020	MM18	Section 62(4)(a), Systems Act	Response to grievance: Land use management	02/11/2020	02/11/2020	Approved
02/11/2020	MM18	Section 62(4)(a), Systems Act	Response to grievance: Infrastructure Services	02/11/2020	02/11/2020	Approved
02/11/2020		DoRA	IUDG Report – October 2020	02/11/2020	02/11/2020	Approved
04/11/2020	LUP63	Stellenbosch Municipality: Land Use Planning By-Law Section 79	Remove validity Appeal ito Section 79(2) of the Stellenbosch Municipal Planning By-law – Erf 6685, Cloetesville Stellenbosch	04/11/2020	04/11/2020	Approved
04/11/2020			Application ito Section 16 of the Act 47 of 1937 – Pniel 851	04/11/2020	04/11/2020	Approved
04/11/2020		Regulations on Cost containment	Request for catering services – Housing Administration	04/11/2020	04/11/2020	Approved. Please adhere to COVID-19 protocols and the cost containment policy approved by Council
05/11/2020	MM109	Section 79(1)(b), MFMA	Monthly Delegations October – Infrastructure Services	05/11/2020	05/11/2020	Approved
05/11/2020	SB4	Streets By-Law (2010)	Poster application – Stellenbosch University COVID-19 awareness campaign	05/11/2020	05/11/2020	Approved

		S 4				
05/11/2020	LUP63	Stellenbosch Municipality: Land Use Planning By-Law Section 79	Appeal ito Section 79(2) LU9002	05/11/2020	05/11/2020	Approved
06/11/2020	SC6	5 (2)(a)	Regulation 5 Reporting – October 2020	06/11/2020	06/11/2020	Approved
06/11/2020	MM64	Section 62(1)(f)(iv), MFMA	BSM99/20: Supply and delivery of electrical equipment and material until 30/06/2022	06/11/2020	06/11/2020	Approved
06/11/2020	HR2	Conditions of Service (SALGBC)	Appointment of Senior Spatial Planner	06/11/2020	06/11/2020	Approved
06/11/2020	HO1	Housing Act, 1997	Response – Longlands Phase 3 – Subsidised housing development Project funding	06/11/2020	06/11/2020	Approved
09/11/2020	MM10	Section 55(1)(f)-(h), Systems Act	Approval of disciplinary action – Roads and Storm water Department	09/11/2020	09/11/2020	Approved
09/11/2020	MM84	Section 66, MFMA	Approval of cellphone allowance – Water Services X2	09/11/2020	09/11/2020	Approved
09/11/2020	MM84	Section 66, MFMA	Approval of cellphone allowance - Metering	09/11/2020	09/11/2020	Approved
09/11/2020	MM18	Section 62(4)(a), Systems Act	Response to grievance: Creditors Department	09/11/2020	09/11/2020	Approved
09/11/2020	MM10	Section 55(1)(f)-(h), Systems Act	Review of disciplinary hearing I Nkunkumana	09/11/2020	09/11/2020	Approved
10/11/2020	LEG3	Schedule 2, Systems Act	Appointment of a SP to institute legal action against all parties cybersquatting on the Technopark website	10/11/2020	10/11/2020	Approved
10/11/2020	MM10	Section 55(1)(f)-(h), Systems Act	Institution of disciplinary action against Snr Manager Water Services	10/11/2020	10/11/2020	Approved
10/11/2020	LEG6	General	Mediation Agreement - Aurecon	10/11/2020	10/11/2020	Approved
	HR2	Conditions of Service	Special leave - SCM			Approved

		(SALGBC)				
11/11/2020	LUP63	Stellenbosch Municipality: Land Use Planning By-Law Section 79	Land use and development Appeal assessment Report ito Section 79(2) Erf 1197 Stellenbosch	11/11/2020	11/11/2020	Approved
11/11/2020	HO5	Housing Act 107 of 1997	Application for additional funding – Title restoration project	11/11/2020	11/11/2020	Approved
12/11/2020	H02		Allocation of rental units to Ms L Claassen	12/11/2020	12/11/2020	Approved
13/11/2020		MFMA	Quality certificate: Monthly Budget Monitoring Report – Oct 2020	13/11/2020	13/11/2020	Approved
13/11/2020	LEG12	General	Request for access to security footage – CL 13323	13/11/2020	13/11/2020	Approved. Full investigation to be done.
13/11/2020		Regulations on Cost containment	Request for approval for catering services – Governance	13/11/2020	13/11/2020	Approved
13/11/2020	MM82	Section 65(2)(c), MFMA	Invoice – Stellenbosch Travel	13/11/2020	13/11/2020	Approved
16/11/2020	NEMA5	Chapter 7 of NEMA	Appeal form ito of National Appeal Regulation – Form No 2019 – Appeal against the administrative fine ito Section 24G of the NEMA 19998, (Act 107 of 1988)	16/11/2020	16/11/2020	Approved
16/11/2020	MM31	Schedule 2, Systems Act	Declaration of confidentiality by selection panel members, observers & secretariat – Langeberg Municipality	16/11/2020	16/11/2020	Approved
16/11/2020	SB4	Streets By-Law (2010) S 4	Poster application – Anton Smit Solo Exhibition – The gallery at Grande Provence	16/11/2020	16/11/2020	Approved appointment Y Snyders agree with Director Corporate
16/11/2020	MM9	Section 55(1)(e), Systems Act	Appointment of Traffic Officers X3	16/11/2020	16/11/2020	Approved
16/11/2020		Regulations on Cost containment	Request for approval of catering services – MPT - PED	16/11/2020	16/11/2020	Approved. In future pleas include the relevant provisions in the Cost Containment policy approved by Council
17/11/2020	MM84	Section 66, MFMA	Travel allowance – Library Services	17/11/2020	17/11/2020	Approved

17/11/2020	HR2	Conditions of Service (SALGBC)	Termination of services; Elizabeth Williams – Section 189	17/11/2020	17/11/2020	Approved
19/11/2020	MM84	Section 66, MFMA	Transport allowance – Office of the Municipal Manager	19/11/2020	19/11/2020	Approved
23/11/2020	PRA2	Section 23, PRA	Rates clearance Stellenbosch Holdings Erven 7620, 11330, 7269	23/11/2020	23/11/2020	Approved
23/11/2020	MM18	Section 62(4)(a), Systems Act	Response to grievance – Support staff Ward Administrators	23/11/2020	23/11/2020	Approved
23/11/2020	LEG9	General	Power of attorneys - Stellenbosch	23/11/2020	23/11/2020	Approved
23/11/2020	MM24	Section 66(1)(d), Systems Act	PAC outcomes – SCM Staff	23/11/2020	23/11/2020	Approved for implementation
23/11/2020	DM3	(Section 55 (2a) of the Disaster act)	Request for release of available property in Stellenbosch for restitution purpose (Brand family claim)	23/11/2020	23/11/2020	Approved
24/11/2020		(Section 55 (2a) of the Disaster act)	Constellation campfire gatherings	24/11/2020	24/11/2020	Approved
24/11/2020	MM10	Section 55(1)(f)-(h), Systems Act	Plea Agreement – SALGB Disciplinary procedure and Collective agreement – Stellenbosch municipality and G Manuel	24/11/2020	24/11/2020	Approved
24/11/2020	MM84	Section 66, MFMA	Suspension ito Clause 16 of DPCA – Roads and Storm water Department	24/11/2020	24/11/2020	Approved
24/11/2020	MM84	Section 66, MFMA	Approval of cellphone allowance - PMU	24/11/2020	24/11/2020	Approved
24/11/2020	EL14	Section 3(1)	2020/2021 Electrification programme monthly report – Nov 2020	24/11/2020	24/11/2020	Approved
24/11/2020	MM84	Section 66, MFMA	Approval of cellphone allowance - IDP	24/11/2020	24/11/2020	Approved
25/11/2020	LUP63	Stellenbosch Municipality: Land Use Planning By-Law Section 79	Appeal ito Section 79(2) Erf 614 Franschoek	25/11/2020	25/11/2020	Approved
25/11/2020	MM9	Section 55(1)(e), Systems Act	Appointment of Operator Collections	25/11/2020	25/11/2020	Approved with amended recommendation. Rule is

						that when both candidates come from over representative group, best candidate must be appointed. Furthermore, the group between the 2 scores is high (more than 20%). Candidate first to be appointed if he declines, Mr January to be appointed
25/11/2020	HO2		Housing consumer Education Grant progress report	25/11/2020	25/11/2020	Approved
27/11/2020	LEG	General	EPWP Protocol Agreement – Phase 4 of the EPWP programme 2019/20 – 2023/24	27/11/2020	27/11/2020	Approved
27/11/2020	CL10	Section 59(1) of MSA	Application for donation – Franschoek Valley Funeral	27/11/2020	27/11/2020	Recommended for approval
27/11/2020	HR2	(Section 55 (2a) of the Disaster act)	Proposed amendment to Clerk Reconciliations	27/11/2020	27/11/2020	Approved
27/11/2020	MM43	Section 12(4), MFMA	Request for transfer of funds from the current account to investment portfolio	27/11/2020	27/11/2020	Approved
30/11/2020	MM9	Section 55(1)(e), Systems Act	Appointment of Traffic Chief	30/11/2020	30/11/2020	Approved as per recommendation
ACTING MUNICIPAL MANAGER – A DE BEER						
20/11/2020	MM64	Section 62(1)(f)(iv), MFMA	BSM 85/20 Pipe replacement using conventional and trenchless methods until June 2023	20/11/2020	20/11/2020	Approved. Explained that all contractors' prices are populated into work project. Limited to top 3 scores for doing the work
20/11/2020	CL6	Section 59(1) of MSA	Application for permission to host a memorial service – Community and Protection Services	20/11/2020	20/11/2020	Approved

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
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DELEGATIONS EXERCISED FOR PERIOD DECEMBER 2020

OFFICE OF THE MUNICIPAL MANAGER: G METTLER

01/12/2020	MM24	Section 66(1)(d), Systems Act	PAC outcomes: Financial Services	01/12/2020	01/12/2020	Approved
01/12/2020	LEG	General	Master Service Agreement between Gijima Holding (Pty) Ltd and Stellenbosch Municipality	01/12/2020	01/12/2020	Approved
01/12/2020	HR2	Conditions of Service (SALGBC)	Standby allowance – ICT 01/12/2020	01/12/2020	01/12/2020	Approved
01/12/2020	LEG	General	MOA of Transfer – Portion of portion 15 of Farm 292 Stellenbosch – Rhenish School	01/12/2020	01/12/2020	Approved
03/12/2020	LEG	General	Agreement of termination of employment: Ref No 4/1/4/ Section 189	03/12/2020	03/12/2020	Approved
04/12/2020	MM18	Section 62(4)(a), Systems Act	Response to grievance: Alternative Offer - Ref no 4/1/4	04/12/2020	04/12/2020	Approved
07/12/2020	MM10	Section 55(1)(f)- (h), Systems Act	Appointment of Presiding Officer and Initiator	07/12/2020	07/12/2020	Approved
10/12/2020	TR1	Skills Development Act /MSA	Open day 30 January 2021 – IMM Graduate School	10/12/2020	10/12/2020	Approved
10/12/2020	MM64	Section 62(1)(f)(iv), MFMA	BSM 79/20 Electrification and subsequent LV maintenance of informal houses in the Enkanini informal settlement of Stellenbosch for the period ending 30/06/2023	10/12/2020	10/12/2020	Approved

10/12/2020	HO2		Appointment – Capacity Building Clerk for Housing Consumer Education Programme	10/12/2020	10/12/2020	Approved
11/12/2020	CL10	Section 59(1) of MSA	Application for donation Dare to Care	11/12/2020	11/12/2020	Not recommended for approval
12/11/2020		MFMA	NT Monthly Report FMG – Nov 2020	12/11/2020	12/11/2020	Approved
12/11/2020		MFMA	Monthly Budget Monitoring Report – Nov 2020	12/11/2020	12/11/2020	Approved
12/11/2020	HR2	Conditions of Service (SALGBC)	Application for annual leave – Office of the Municipal Manager	12/11/2020	12/11/2020	Approved
15/12/2020	RS1	MSA	Acting appointment and acceptance of acting mandate: Director Infrastructure Services	15/12/2020	15/12/2020	Approved
15/12/2020	HR2	Conditions of Service (SALGBC)	Overtime, Standby and Scarcity allowance – Infrastructure Services	15/12/2020	15/12/2020	Approved
15/12/2020	MM84	Section 66, MFMA	Approval of Cellphone allowance – Infrastructure Services	15/12/2020	15/12/2020	Approved
15/12/2020	SB4	Streets By-Law (2010) S 4	Poster application – K&A Marketing	15/12/2020	15/12/2020	Approved
15/12/2020	MM84	Section 66, MFMA	Approval of Cellphone allowance – Building Development Management	15/12/2020	15/12/2020	Approved

15/12/2020	MM84	Section 66, MFMA	Essential Motor Vehicle Scheme Application – Solid Waste	15/12/2020	15/12/2020	Approved
15/12/2020	RS1	Section 7(2), Roads Ordinance (19/1976)	Report NMT facilities constructed between July and November 2020.	15/12/2020	15/12/2020	Approved
15/12/2020	HR2	Conditions of Service (SALGBC)	Motivation for scarcity allowances – Infrastructure Services	15/12/2020	15/12/2020	Approved. Adequate notice to management on scarcity allowances, scarcity to provide in line with LGSETA scares skills analysis. Scarcity policy to be reviewed.
15/12/2020	MM84	Section 66, MFMA	MOA – Transport allowance – Building Development Management	15/12/2020	15/12/2020	Approved
15/12/2020		MFMA	Cape Winelands unspent grant allocation R2 030 541	15/12/2020	15/12/2020	Approved
15/12/2020	EL14	Section 3(1)	INEP grant allocation 2020/21: Stellenbosch Municipality: Request for permission to use own funds to bridge finance connections	15/12/2020	15/12/2020	Approved
17/12/2020	HR2	Conditions of Service (SALGBC)	Resignation – Library Services	17/12/2020	17/12/2020	Approved
17/12/2020	CL1	Section 59 (1) of MSA and section 56 (4) of Structures Act	Letter of intent Stellenbosch Municipality with Jonkoping, Sweden Municipality	17/12/2020	17/12/2020	Approved
17/12/2020	MM84	Section 66, MFMA	Approval of cellphone allowance – Infrastructure Services	17/12/2020	17/12/2020	Approved

18/12/2020	SB4	Streets By-Law (2010) S 4	Poster application – New Ad Media	18/12/2020	18/12/2020	Approved
18/12/2020	MM82	Section 65(2)(c), MFMA	Invoice Stellenbosch University #363220	18/12/2020	18/12/2020	Approved
18/12/2020	VPR2	Paragraph 6f	Virementation – Operating leases machinery and equipment	18/12/2020	18/12/2020	Approved
21/12/2020	HR2	Conditions of Service (SALGBC)	Fixed Term Agreement – Local Economic Development Manager	21/12/2020	21/12/2020	Approved. Position should be expedited for filling. HR to do shortlisting and interviews asap. Following conditions apply strictly 3 months with T16 – manager level
21/12/2020	MM100	Section 72(1)(a), MFMA	Annual 2019/20 and Mid-year 2020/21 Performance Assessment	21/12/2020	21/12/2020	Approved
21/12/2020	MM84	Section 66, MFMA	Approval of Cellphone allowance – Community and Protection Services	21/12/2020	21/12/2020	Approved
21/12/2020			SOP – Booking out of electrical cables from Stores	21/12/2020	21/12/2020	Approved
22/12/2020		Regulations on Cost containment	Request for catering services – Strategic Session Office of the Municipal Manager	22/12/2020	22/12/2020	Approved
23/12/2020	SC13	17(C)	Deviation: Provision of traffic law enforcement equipment, back office system and related services	23/12/2020	23/12/2020	Approved. Appeal was late. Negotiation team to be appointed asap.

23/12/2020	SC13	17(C)	Deviation: Provision of banking services	23/12/2020	23/12/2020	Approved, month -to-month and not exceeding 12 months
23/12/2020	HR2	Conditions of Service (SALGBC)	Motivation Standby allowance – Community Development January 2021	23/12/2020	23/12/2020	Approved
23/12/2020	HR2	Conditions of Service (SALGBC)	Motivation Standby allowance – Community Services – January 2021	23/12/2020	23/12/2020	Approved
23/12/2020	HR2	Conditions of Service (SALGBC)	Motivation Standby Protection Services – Dec 2020 and Jan 2021	23/12/2020	23/12/2020	Approval only granted for Dec 2020 and Jan 2021. Management to discuss the way forward
ACTING MUNICIPAL MANAGER: K CAROLUS						
08/12/2020	HO1	Housing Act, 1997	Human settlements Development Grant 2021/22 Business Plan project readiness matrix			Approved

DELEGATION EXERCISED FOR PERIOD OCTOBER 2020

DIRECTORATE: FINANCIAL SERVICES

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
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02/10/2020	VPR2	Paragraph 6f	Capital Virementations – All Directorates	02/10/2020	02/10/2020	Approved
06/10/2020	HR2	Conditions of Service (SALGBC)	Standby / Overtime for SCM, Stores	06/10/2020	06/10/2020	Approved
16/10/2020	MM122	Section 115(1)(a), MFMA	B/SM 74/20 Annual Electrical Labour Tender for a Contract Period ending 30 June 2023	16/10/2020	16/10/2020	Approved
16/10/2020	MM122	Section 115(1)(a), MFMA	B/SM 86/20 Supply and Delivery of Temporary Structure Kits, Covering Materials and Photoelectric Smoke Alarms/Detectors for a Contract Period Ending 30 June 2023	16/10/2020	16/10/2020	Approved
16/10/2020	VPR2	Paragraph 6f	Capital Virementations – All Directorates	16/10/2020	16/10/2020	Approved
16/10/2020	M122	Section 115(1)(a), MFMA	B/SM 04/20 Provisions of Traffic Law Enforcement Equipment, Back Office Systems and Related Services for the Stellenbosch Municipality Including NRTA and All Municipal By-Law Infringements Contraventions for a Period Ending 30 June 2023	16/10/2020	16/10/2020	Approved
16/10/2020	MM122	Section 115(1)(a), MFMA	B/SM 90/20 Upgrading Klapmuts Taxi Rank	16/10/2020	16/10/2020	Approved
19/10/2020	CM3	General provisions	SCM letters approved Tenderers	19/10/2020	19/10/2020	Approved
20/10/2020	VAL 1	Section 23 MPRA	General Valuation Roll	20/10/2020	20/10/2020	Approved
22/10/2020	REV 1	Irrecoverable Debts Policy, Section 3	Write off Accounts 700762826 & 10796897 R36 763, 56	22/10/2020	22/10/2020	Approved
22/10/2020	MM71	Section 64(2)(c), MFMA	Water leakage rebate Account 10763746	22/10/2020	22/10/2020	Approved
23/10/2020	MM125	Section 116(2)(b), MFMA	B/SM 52/20 Klapmuts Bulk Water Supply and Associated Works	23/10/2020	23/10/2020	Approved
26/10/2020	CM3	General provisions	SCM letters approved Tenderers	26/10/2020	26/10/2020	Approved
28/10/2020	HR2	Conditions of Service (SALGBC)	Overtime preapproval – November Salaries & Creditors	28/10/2020	28/10/2020	Approved
28/10/2020	AD3	General	Advert approval tender above R10million	28/10/2020	28/10/2020	Approved
30/10/2020	M122	Section	B/SM 97/20 Supply and Delivery of Festival	30/10/2020	30/10/2020	Approved

		115(1)(a), MFMA	Lights Until 30 June 2023			
30/10/2020	MM122	Section 115(1)(a), MFMA	B/SM 77/20 Supply and Delivery of Refuse Bags for a Period Ending 30 June 2023	30/10/2020	30/10/2020	Approved
30/10/2020	MM125	Section 116(2)(b), MFMA	B/SM 09/21 "Appointment of Suitably, Qualified and Experienced Supplier for the Provision, Service and Maintenance of Chemical Toilets within the Stellenbosch Jurisdiction for a Period Up To 30 June 2023	30/10/2020	30/10/2020	Approved
30/10/2020	M122	Section 115(1)(a), MFMA	B/SM 92/20 Provision of a Hazardous Waste Classification, Collection, Transport and Disposal Service for Hazardous Waste as well as Fluorescent Tubes and Compact Fluorescent Lamps from the Stellenbosch Landfill and Hazardous Chemicals from the Stellenbosch Laboratory from Date of Award to 30 June 2023	30/10/2020	30/10/2020	Approved
30/10/2020	MM122	Section 115(1)(a), MFMA	B/SM 07/21 Supply and Installation of a Digital Management Platform with Training, Maintenance and Support for a Period Ending 30 June 2023	30/10/2020	30/10/2020	Approved
30/10/2020	MM125	Section 116(2)(b), MFMA	B/SM 14/20 Maintenance Contract of Electrical, Telemetry, Chlorine and Hvac Equipment for Water and Sanitation Infrastructure at Stellenbosch Municipality for Period Ending 30 June 2022	30/10/2020	30/10/2020	Approved
30/10/2020	CM3	General provisions	SCM letters approved Tenderers	30/10/2020	30/10/2020	Approved
31/10/2020	MM136	Section 122(1)/ Section 126(1)(a), MFMA	Submission of Annual Financial Statements 19/20	31/10/2020	31/10/2020	Approved
31/10/2020	HR2	Conditions of Service (SALGBC)	Acting instruction J van der Heyde – Manager Financial Statements and Reporting	31/10/2020	31/10/2020	Approved
31/10/2020	HR2	Conditions of Service (SALGBC)	Acting Instruction Ilhaam Pillay – Manager Budget and Costing	31/10/2020	31/10/2020	Approved
31/10/2020	HR2	Conditions of Service	Acting Instruction Jamie Lee Bruce – SCM	31/10/2020	31/10/2020	Approved

(SALGBC)

DELEGATION EXERCISED FOR PERIOD NOVEMBER 2020**DIRECTORATE: FINANCIAL SERVICES**

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
02/11/2020	VPR2	Paragraph 6f	Capital Virementations – All Directorates	02/11/2020	30/11/2020	Approved
06/11/2020	HR2	Conditions of Service (SALGBC)	Standby / Overtime for SCM, Stores	02/11/2020	06/11/2020	Approved
06/11/2020	MM122	Section 115(1)(a), MFMA	B/SM 99/20 Supply and Delivery of Electrical Equipment and Material Until 30 June 2022	06/11/2020	06/11/2020	Approved
06/11/2020	MM122	Section 115(1)(a), MFMA	B/SM 98/20 Laundry Services for Stellenbosch Municipality until 30 June 2021.	06/11/2020	06/11/2020	Approved
09/11/2020	CM3	General provisions	SCM letters approved Tenderers	09/11/2020	09/11/2020	Approved
17/11/2020	VPR2	Paragraph 6f	Capital Virementations – All Directorates	17/11/2020	17/11/2020	Approved
17/11/2020	M122	Section 115(1)(a), MFMA	B/SM 01/21 Provision of Professional Services for The Compilation of The Draft Adam Tas Corridor Local Spatial Development Framework	17/11/2020	17/11/2020	Approved
20/11/2020	MM122	Section 115(1)(a), MFMA	B/SM 101/20 .Design, Manufacture, Testing, Supply, Delivery And Offloading Of 2 20mva 66/11 KV Transformers For Jan Marais Substation.	20/11/2020	20/11/2020	Approved
20/11/2020			B/SM 11/21 Supply, Delivery and Off-Loading of Cleaning Materials and Personal Protection Related Items Until 30 June 2022	20/11/2020	20/11/2020	Approved
27/11/2020	MM122	Section 115(1)(a), MFMA	B/SM 23/21 Appointment of A Service Provider or Employee Grouplife Scheme for A Period Until June 2023	27/11/2020	27/11/2020	Approved
27/11/2020	MM122	Section 115(1)(a), MFMA	B/SM 24/21 Cloetesville Library Upgrade.	27/11/2020	27/11/2020	Approved
27/11/2020	CM3	General provisions	SCM letters approved Tenderers	27/11/2020	27/11/2020	Approved

31/11/2020	HR2	Conditions of Service (SALGBC)	Acting instruction J van der Heyde – Manager Financial Statements and Reporting	30/11/2020	30/11/2020	Approved
31/11/2020	HR2	Conditions of Service (SALGBC)	Acting Instruction Ilhaam Pillay – Manager Budget and Costing	30/11/2020	30/11/2020	Approved
31/11/2020	HR2	Conditions of Service (SALGBC)	Acting Instruction Jamie Lee Bruce – SCM	30/11/2020	30/11/2020	Approved

DELEGATION EXERCISED FOR PERIOD DECEMBER 2020

DIRECTORATE: FINANCIAL SERVICES

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
15/12/2020	VPR2	Paragraph 6f	Capital Virements – All Directorates	16/12/2020	18/12/2020	Approved
06/12/2020	HR2	Conditions of Service (SALGBC)	Standby / Overtime for SCM, Stores	01/12/2020	04/12/2020	Approved
06/12/2020	MM122	Section 115(1)(a), MFMA	B/SM 03/21 "Appointment of An Electrical Engineer to Undertake The Design And Construction Monitoring Of Internal Electrical Services For The Development Of Approximately +/- 258 Temporary Relocation Housing Units On Erf 3229, Mooiwater."	04/12/2020	04/12/2020	Approved
09/12/2020	CM3	General provisions	SCM letters approved Tenderers	04/12/2020	04/12/2020	Approved
06/12/2020	MM122	Section 115(1)(a), MFMA	B/SM 82/20 "Purchasing of Small Plant Equipment for A Period of Three Years Until 30 June 2023"	06/12/2020	06/12/2020	Approved
06/12/2020	CM3	General provisions	SCM letters approved Tenderers	04/12/2020	04/12/2020	Approved
04/12/2020	VPR2	Paragraph 6f	Capital Virements – All Directorates	04/12/2020	04/12/2020	Approved
10/12/2020	M122	Section 115(1)(a), MFMA	B/SM 34/21 Supply, Delivery and Installation of Clear Safety Protective Screens On an As and When Basis, Until 30 June 2021	10/12/2020	10/12/2020	Approved
10/12/2020	MM122	Section 115(1)(a), MFMA	B/SM 79/20 Electrification and Subsequent LV Maintenance of Informal Houses In The Enkanini Informal Settlement Of Stellenbosch	10/12/2020	10/12/2020	Approved

			For The Period Ending 30 June 2023			
10/12/2020	CM3	General provisions	SCM letters approved Tenderers	10/12/2020	10/12/2020	Approved
15/12/2020	MM122	Section 115(1)(a), MFMA	B/SM 21/21 Supply Delivery and Fit of Furniture for Stellenbosch Municipality (Wco24), For A Contract Period Ending 30 June 2023	15/12/2020	15/12/2020	Approved
23/12/2020	CM3	General provisions	SCM letters approved Tenderers	15/12/2020	15/12/2020	Approved
23/12/2020	MM122	Section 115(1)(a), MFMA	B/SM 12/21 Recyclable Waste Collection and Processing of The Recyclable Material at A Licensed Mrf Up Until 30 June 2023.	23/12/2020	23/12/2020	Approved
23/12/2020	CM3	General provisions	SCM letters approved Tenderers	23/12/2020	23/12/2020	Approved

DELEGATIONS EXERCISED FOR PERIOD: OCTOBER 2020

DIRECTORATE: COMMUNITY AND PROTECTION SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
30/09/2020	SC3	4(1)	Questionnaire: Provide private armed security tender for a period of 3 financial years ending 30 June 2023	30/09/2020	01/10/2020	Approved

30/09/2020			Hand out of equipment	30/09/2020	01/10/2020	Approved
30/09/2020	RM2	Risk Management Policy, 2018	Revised Departmental Risk Register: Fire and Disaster	30/09/2020	01/10/2020	Approved
30/09/2020	SC3	4(1)	Questionnaire: Access Control	30/09/2020	01/10/2020	Approved
30/09/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed term contract: K Smith	30/09/2020	01/10/2020	Approved
30/09/2020			Form 7: Permit to travel to perform a service – Regulation 66 (Traffic Services)	01/10/2020	01/10/2020	Approved
01/10/2020	RM2	Risk Management Policy, 2018	Revised Departmental Risk Register: Law Enforcement	01/10/2020	01/10/2020	Approved
01/10/2020			SOP: Flow chart for purchasing forestry / wood permits: Revenue Management	01/10/2020	01/10/2020	Approved
29/09/2020	HR2	Conditions of Service (SALGBC)	Memo: Standby approval – D Leibrandt (September 2020)	01/10/2020	01/10/2020	Approved
30/09/2020	LEG	General	Illegal tuckshop 83 Davy Street, Idas Valley	01/10/2020	01/10/2020	Approved
01/10/2020	SC3	4(1)	Questionnaire: Supply and deliver of growing medium and decorative stone	01/10/2020	01/10/2020	Approved
01/10/2020	SC3	4(1)	Questionnaire: Uniforms and PPE for Traffic, Law Enforcement, Fire and Rescue and Disaster Management	01/10/2020	01/10/2020	Approved
06/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Pre-approval of standby (Traffic Services)- October 2020	06/10/2020	07/10/2020	Approved
23/09/2020	HR2	Conditions of Service (SALGBC)	Memo: Overtime Pre-approvals (Traffic Services) – October 2020	06/10/2020	07/10/2020	Approved
06/10/2020	LEG	General	Memo: Refreshments mini workshop – Shared Services Agreement between municipalities	06/10/2020	07/10/2020	Approved
06/10/2020	MM22	Section 66(1)(b), Systems Act	Job Descriptions – Security Officer, General Worker Snr Inspector Law Enf Pound, Principal Inspector Pound	06/10/2020	07/10/2020	Approved
05/10/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting allowance: A Royi (11-31 August 2020)	06/10/2020	07/10/2020	Approved
30/09/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting allowance and acceptance: M Chettiar (5-31 October 2020)	06/10/2020	07/10/2020	Approved
30/09/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting allowance and acceptance: A George (1-31 October 2020)	06/10/2020	07/10/2020	Approved
25/09/2020	HR2	Conditions of Service (SALGBC)	Memo: Overtime and standby – Sport and Facilities (October 2020)	06/10/2020	07/10/2020	Approved
		Conditions of Service	Memo: Approval of overtime and standby – Halls (October 2020)			

25/09/2020	HR2	(SALGBC)		06/10/2020	07/10/2020	Approved
03/10/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting appointment and acceptance – G Africa (1-30 September 2020)	06/10/2020	07/10/2020	Approved
06/10/2020	HR2	Conditions of Service (SALGBC)	Attendance Register – K Alkaster (September 2020)	06/10/2020	07/10/2020	Approved
06/10/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed terms contract worker – K Smith	06/10/2020	07/10/2020	Approved
06/10/2020	TR1	Skills Development Act /MSA	Memorandum of agreements: R Matthyse, Stefan van Zyl, T Pietersen, R Jacobs, D Roman, J Tyatyeka, M Williams, T Malgas, C Arendse, S Jagers, T Nomeva, C Telemachus, L Williams, S Abrahams, M Okkers, C Williams	06/10/2020	07/10/2020	Approved
01/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Exceeding the allotted 40 hours overtime per month (Community Development0	06/10/2020	07/10/2020	Approved
06/10/2020	HR2	Conditions of Service (SALGBC)	Attendance Register: M Aalbers (September 2020)	06/10/2020	07/10/2020	Approved
06/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Form 7: Permit to travel to perform a service – A de Mink, L Wilson	06/10/2020	07/10/2020	Approved
30/09/2020		DoRA	Letter: Integrated Urban Development Grant Monthly Progress Report	06/10/2020	07/10/2020	Approved
06/10/2020		Finance	RSEP/VPUU Programme: Allocation of transfer funds 2020/21	06/10/2020	07/10/2020	Approved
06/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Questionnaire: Supply, delivery and installation play equipment across Stellenbosch	07/10/2020	08/10/2020	Approved
05/10/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting appointment and acceptance – A Royi (1-30 September 2020)	07/10/2020	08/10/2020	Approved
09/10/2020	HR	General	Resignation of EPWP worker – Shannon Groenewald	07/10/2020	08/10/2020	Approved
07/10/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting allowance: E Beukes (1-30 September 2020)	07/10/2020	08/10/2020	Approved
07/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Form7: Permit to travel to perform a service: Hermien Swanepoel	07/10/2020	08/10/2020	Approved
06/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Exceeding 40-hour overtime threshold	07/10/2020	08/10/2020	Approved
07/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Memo + Specifications- Deviation: Emergency Work: Pine in Plantations	07/10/2020	08/10/2020	Approved
07/10/2020	HR2	Conditions of Service (SALGBC)	Attendance Register: L Pedro (September 2020)	07/10/2020	08/10/2020	Approved
			MBD 7.2 Contact for – rendering of services – BSM 39/18 The			

07/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Establishment of a Roster for Professional Engineering services	09/10/2020	13/10/2020	Approved
08/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Standby motivation – Fire and Disaster (November 2020)	09/10/2020	13/10/2020	Approved
08/10/2020		Finance	Financial Management Capacity Building Grant – Supplementary form	09/10/2020	13/10/2020	Approved
08/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Questionnaire: FQ: Broadleaf spray for various sport grounds	09/10/2020	13/10/2020	Approved
08/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Questionnaire: FQ: Repair container van der Stel sport grounds	09/10/2020	13/10/2020	Approved
26/09/2020	HR	General	Memo: Encashment of leave (Library personnel)	12/10/2020	13/10/2020	Approved
12/10/2020	VRP2	Paragraph 6f	Veriment: Specialised Equipment (R350 000)	12/10/2020	13/10/2020	Approved
02/10/2020	C70	Section 34(1), MFMA	Transfer payment agreement: to review or update the integrated transport plans for the 2020/21 financial year	12/10/2020	13/10/2020	Approved
09/10/2020	MM22	Section 66(1)(b), Systems Act	Job Description: Operator (Parks & Cemeteries)	12/10/2020	13/10/2020	Approved
13/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Questionnaire: Tender Description – Building of skateboard park in Cloetesville	13/10/2020	14/10/2020	Approved
06/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Exceeding of 40-hour overtime threshold	13/10/2020	14/10/2020	Approved
14/10/2020	MM22	Section 66(1)(b), Systems Act	Job Description: General Worker – Ornamental Horticulture - Nursery	13/10/2020	14/10/2020	Approved
14/10/2020		ICT	Request for ICT Resources – Ndamase Wisemen	15/10/2020	15/10/2020	Approved
07/10/2020	VRP2	Paragraph 6f	Veriment: Horticulture, Furniture, Tools & Equipment (R200 000)	15/10/2020	15/10/2020	Approved
15/10/2020	MM82	Section 62(2) (c), MFMA	Tax invoice: Toyota (R394 277.50)	15/10/2020	15/10/2020	Approved
15/10/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed term – M Claasen, N Nkunkumana, Z Qongo	15/10/2020	15/10/2020	Approved
15/10/2020	MPF9	Section 59 of MSA	Agreement for the use of the Groendal Community Hall – Spirit World Revival Ministries	15/10/2020	15/10/2020	Approved
15/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Contract form: Sale of goods/works	15/10/2020	15/10/2020	Approved
15/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Memo: Technical Evaluation – Sale of timber	15/10/2020	15/10/2020	Approved
15/10/2020	VRP2	Paragraph 6f	Creation of Ukey: Sale of Goods and rendering of services	15/10/2020	15/10/2020	Approved
		Skills Development	Memorandum of Agreement: Cecil Abrahams, Glynis Manuel	15/10/2020	15/10/2020	Approved

15/10/2020	TR1	Act/MSA				
15/10/2020	VRP2	Paragraph 6f	Veriment: Licenses - Motor Vehicle Registrations (R1500)	15/10/2020	15/10/2020	Approved
14/10/2020			Memo: Opening of 16 days of activism summit and festive season safety launch: 25 November 2020	15/10/2020	15/10/2020	Approved
26/10/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed term contract	26/10/2020	27/10/2020	Approved
22/10/2020	VRP2	Paragraph 6f	Veriment: Vehicle Fleet Fire Services (R316 000)	26/10/2020	27/10/2020	Approved
26/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Approval of final tender invitation document – Building of a skateboard park at Cloetesville	26/10/2020	27/10/2020	Approved
22/10/2020	HR2	Conditions of Service (SALGBC)	Extension of existing EPWP contract – Petros Mambhubulu, Zayne Rhode, Masibulele Goloza, Chanel Olivier, Chester Schuder, Lucas Masiza	26/10/2020	27/10/2020	Approved
26/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Approval of final tender invitation document: Appointment of private arms security service	26/10/2020	27/10/2020	Approved
26/10/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting appointment – Angelique George (1-30 November 2020)	26/10/2020	27/10/2020	Approved
26/10/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting appointment – Maindren Chettiar (2-20 November 2020)	26/10/2020	27/10/2020	Approved
26/10/2020	HR2	Conditions of Service (SALGBC)	Leave in lieu of overtime – A van der Merwe	26/10/2020	27/10/2020	Approved
26/10/2020	HR2	Conditions of Service (SALGBC)	Approval of overtime and standby – November 2020 (Workshop)	26/10/2020	27/10/2020	Approved
26/10/2020	HR2	Conditions of Service (SALGBC)	Approval of overtime and standby – November 2020 (Urban Forestry)	26/10/2020	27/10/2020	Approved
26/10/2020	HR2	Conditions of Service (SALGBC)	Approval of overtime and standby – November 2020 (Environmental Management)	26/10/2020	27/10/2020	Approved
26/10/2020	HR2	Conditions of Service (SALGBC)	Approval of overtime and standby – November 2020 (Nature Conservation)	26/10/2020	27/10/2020	Approved
26/10/2020	HR2	Conditions of Service (SALGBC)	Approval of overtime and standby – November 2020 (Ornamental Horticulture)	26/10/2020	27/10/2020	Approved
26/10/2020	MM9	Section 55(1)(e), Systems Act	Shortlisting: Control Room Operator	26/10/2020	27/10/2020	Approved
26/10/2020	MM9	Section 55(1)(e), Systems Act	Shortlisting: Examiner of Vehicles	26/10/2020	27/10/2020	Approved
26/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Questionnaire: Supply of uniform (Environmental Implementation)	29/10/2020	29/10/2020	Approved

21/10/2020	VRP2	Paragraph 6f	Veriment: Motor vehicle licence and registration (R3000)	29/10/2020	29/10/2020	Approved
21/10/2020	VRP2	Paragraph 6f	Veriment: Motor vehicle licence and registration (R1000)	29/10/2020	29/10/2020	Approved
20/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Approval of overtime and standby – Cemeteries (November 2020)	29/10/2020	29/10/2020	Approved
26/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Approval of overtime and standby – Halls (November 2020)	29/10/2020	29/10/2020	Approved
27/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Approval of overtime and standby – Parks Franschoek (November 2020)	28/10/2020	29/10/2020	Approved
28/10/2020	MPF7	Section 59 of MSA	Memorandum of Understandingx3: SASSA	28/10/2020	29/10/2020	Approved
28/10/2020	MFP10	MFMA	Hall deposit refund: Women on farms	28/10/2020	29/10/2020	Approved
28/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Questionnaire: Law Enforcement Uniforms	28/10/2020	29/10/2020	Approved
28/10/2020	MM64	Section 62(1)(f)(iv) MFMA	Questionnaire: Supply and install intrusion detection alar systems	28/10/2020	29/10/2020	Approved
26/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Overtime pre-approvals – Traffic (November 2020)	29/10/2020	29/10/2020	Approved
28/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Overtime pre-approvals – Fire and Disaster (November 2020)	29/10/2020	29/10/2020	Approved
29/10/2020	TR1	Skills Development Act/MSA	Memorandum of Agreement – O Jumat	29/10/2020	29/10/2020	Approved
28/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Overtime and Standby Pre-approvals – Parks (November 2020)	29/10/2020	29/10/2020	Approved
28/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Overtime and Standby Pre-approvals – Sport and Facilities	29/10/2020	29/10/2020	Approved
29/10/2020	MM9	Section 55(1)(e), Systems Act	Confirmation of appointment Certificate: Roger Benn	29/10/2020	29/10/2020	Approved
29/10/2020	HR2	Conditions of Service (SALGBC)	Memo: Overtime Pre-approvals – Traffic (November 2020)	29/10/2020	29/10/2020	Approved
26/10/2020	VRP2	Paragraph 6f	Veriment: Operating Leases: Machinery and Equipment (R230 000)	29/10/2020	29/10/2020	Supported
30/10/2020	HR2	Conditions of Service (SALGBC)	Attendance Register: L Pedro (October 2020)	29/10/2020	29/10/2020	Approved
30/10/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed terms contract worker	30/10/2020	30/10/2020	Approved

DELEGATIONS EXERCISED FOR PERIOD: NOVEMBER 2020

DIRECTORATE: COMMUNITY AND PROTECTION SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
02/11/2020	HR2	Conditions of Service (SALGBC)	Attendance Register & Standby: C Kitching (October 2020)	02/11/2020	02/11/2020	Approved
03/11/2020	SC3	4(1)	Questionnaire: FQ: Supply, delivery and installation of play equipment in various parks across Stellenbosch	03/11/2020	04/11/2020	Approved
03/11/2020	SC3	4(1)	Questionnaire: FQ: Repairs to Doornbos Borehole Pump	03/11/2020	04/11/2020	Approved
03/11/2020	SC3	4(1)	Questionnaire: FQ: Supply and install cobblestone	03/11/2020	04/11/2020	Approved
03/11/2020	SC3	4(1)	Questionnaire: FQ: Supply and delivery artificial plants, flowers and decorations	03/11/2020	04/11/2020	Approved
03/11/2020	HR2	Conditions of Service (SALGBC)	Attendance Register: A van der Merwe (October 2020)	03/11/2020	04/11/2020	Approved
03/11/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting allowance – A Royi (1-31 October 2020)	04/11/2020	05/11/2020	Approved
03/11/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting allowance – E Beukes (1-31 October 2020)	04/11/2020	05/11/2020	Approved
04/11/2020	MPF9	Section 59 of MSA	Agreement: For the use Kylemore Community Hall (Church of Christ)	04/11/2020	05/11/2020	Approved
04/11/2020	SC3	4(1)	Questionnaire: FQ: Repair container van der Stel Sport grounds	04/11/2020	05/11/2020	Approved
04/11/2020	SC3	4(1)	Questionnaire: FQ: Supply and deliver rugby and soccer combination poles	04/11/2020	05/11/2020	Approved
04/11/2020	MM64	Section 62(1)(f)(iv) MFMA	Contract BSM 86/20: Supply and delivery of temporary structures	04/11/2020	05/11/2020	Approved
04/11/2020			Notice to SSRA wrt training at sport facilities	06/11/2020	06/11/2020	Approved
28/10/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed term contract worker – B Janathan, H Hofman, B King	06/11/2020	06/11/2020	Approved
03/11/2020	VRP2	Paragraph 6f	Creation of Ukey: Cleaning Services	06/11/2020	06/11/2020	Approved
03/11/2020	VRP2	Paragraph 6f	Veriment: Cleaning Services (R2 000)	06/11/2020	06/11/2020	Approved
03/11/2020	VRP2	Paragraph 6f	Creation of Ukey: Gardening Services	06/11/2020	06/11/2020	Approved
03/11/2020	VRP2	Paragraph 6f	Veriment: Gardening Services (R2 000)	06/11/2020	06/11/2020	Approved

05/11/2020	HR2	Conditions of Service (SALGBC)	Extension of EPWP contact: S Mafunuka	06/11/2020	06/11/2020	Approved
09/11/2020	MM82	Section 62(2) (c), MFMA	Tax invoice – Toyota (R394 277.50)	09/11/2020	09/11/2020	Approved
09/11/2020			Ignite access: E Nontyi	09/11/2020	09/11/2020	Approved
05/11/2020	VRP2	Paragraph 6f	Veriment: Uniform and Protective Clothing (R30 026)	09/11/2020	10/11/2020	Supported
05/11/2020	VRP2	Paragraph 6f	Veriment: Uniform and Protective Clothing (R3600)	09/11/2020	10/11/2020	Supported
05/11/2020	VRP2	Paragraph 6f	Veriment: Uniform and Protective Clothing (R10 500)	09/11/2020	10/11/2020	Supported
10/11/2020	MM9	Section 55(1)(e), Systems Act	Approval of appointment: Traffic Officers	09/11/2020	10/11/2020	Approved
10/11/2020	MM9	Section 55(1)(e), Systems Act	Shortlisting: Chief Traffic Services	09/11/2020	10/11/2020	Approved
09/11/2020	VRP2	Paragraph 6f	Veriment: Street Treesx3: Forestry (R108 000)	11/11/2020	11/11/2020	Supported
11/11/2020			Memo: Request to access security footage	11/11/2020	12/11/2020	Approved
11/11/2020	AD3	General	Approval of advertisement: Principal Inspectorsx2; Law Enforcement Officer	11/11/2020	12/11/2020	Approved
09/11/2020	HR2	Conditions of Service (SALGBC)	Memo: Pre-approval of overtime (Examiner of driving licenses – December 2020)	11/11/2020	12/11/2020	Approved
10/11/2020	HR	General	Memo: Request for assistance – extra heavy-duty learners and licences (Fire Services)	11/11/2020	12/11/2020	Approved
10/11/2020	HR2	Conditions of Service (SALGBC)	Memo: Standby January to March 2021 (Protection Services)	11/11/2020	12/11/2020	Approved
12/11/2020			Signing off of the Stellenbosch Management Plan (RSEP) November 2020	11/11/2020	12/11/2020	Approved
05/11/2020	MM82	Section 62(2) (c), MFMA	Tax Invoice: Bidvest Waltons – Order nr 362328 (R334.97)	11/11/2020	12/11/2020	Approved
09/11/2020	MM82	Section 62(2) (c), MFMA	Tax Invoice: Bidvest Waltons – Order nr 361053 (R1227.92)	11/11/2020	12/11/2020	Approved
12/11/2020	VRP2	Paragraph 6f	Creation of Ukey: Covid Related Projects	11/11/2020	12/11/2020	Supported
12/11/2020	VRP2	Paragraph 6f	Veriment: Ward Projects (Covid) Consumables Standard Rated (R321 245.00)	11/11/2020	12/11/2020	Supported
12/11/2020	MPF9	Section 59 of MSA	Agreement for the use of the Pniel Banquet Hall: Pniel Baptist Church	11/11/2020	12/11/2020	Approved
12/11/2020	TR1	Skills Development Act /MSA	Memorandum of Agreement: P Bailey, S Abrahams, S Neels, O Jumat, R Banies, S van Zyl, C Peteni, T Nomeva, G Botes, M Williams, L Williams	12/11/2020	13/11/2020	Approved

11/11/2020	MM9	Section 55(1)(e), Systems Act	Termination of existing EPWP contracts: L Williams, A Muller, S Mvulo, P Msutwana, J Maimela, M Skeyi, C Paulse, D Fortuin, M Wanza, M Dina, A van Rooyen, M Lokwe, W Adams, J Paulse, N Florist, Z Kalimashe, J Lewis, C Esau	13/11/2020	16/11/2020	Approved
11/11/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed term contract: M Claasen	13/11/2020	16/11/2020	Approved
16/11/2020	HR2	Conditions of Service (SALGBC)	Memo: Standby Law Enforcement (December 2020)	16/11/2020	17/11/2020	Approved
13/11/2020	MM82	Section 62(2) (c), MFMA	Tax invoice: Flowers in the Foyer (R500)	16/11/2020	17/11/2020	Approved
17/11/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed term contract workers	18/11/2020	19/11/2020	Approved
17/11/2020	TR1	Skills Development Act /MSA	Memorandum of Agreement: S Paulse, R Lindoor, S Weerdenburg, R Stokwe, B Mangele, G De Mink	18/11/2020	19/11/2020	Approved
11/11/2020	VRP2	Paragraph 6f	Veriment: Gardening Services (R4000)	18/11/2020	19/11/2020	Supported
16/11/2020	MFP10	MFMA	Hall deposit refund: Rocklands High School	18/11/2020	19/11/2020	Approved
16/11/2020		Finance	Impoundment: Towing and Storage Fees	18/11/2020	19/11/2020	Approved
16/11/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed terms contract worker – R America	18/11/2020	19/11/2020	Approved
17/11/2020	HR2	Conditions of Service (SALGBC)	Memo: Overtime approvals – Fire and Disaster (December 2020)	18/11/2020	19/11/2020	Approved
18/11/2020	RM2	Risk Management Policy, 2018	Departmental Risk Register: Law Enforcement (November 2020)	18/11/2020	19/11/2020	Approved
19/11/2020		EPWP	Registration of Project: EPWP (Traffic Services – General gardening and maintenance)	19/11/2020	20/11/2020	Approved
19/11/2020	HR	General	Updating/Changing of payday reporting lines – Traffic Services	19/11/2020	20/11/2020	Approved
19/11/2020	VRP2	Paragraph 6f	Veriment: Contractors: Gardening Services (R9000)	19/11/2020	20/11/2020	Supported

DELEGATIONS EXERCISED FOR PERIOD: DECEMBER 2020

DIRECTORATE: COMMUNITY AND PROTECTION SERVICES

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if
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						any)
04/12/2020	RM2	Risk Management Policy, 2018	Risk Register: Fire and Disaster	11/12/2020	11/12/2020	Approved
04/12/2020	MM64	Section 62(1)(f)(iv) MFMA	Questionnaire: Tree Purchase Tender	11/12/2020	11/12/2020	Approved
30/11/2020	MM23	Section 6(1)(c), Systems Act	Memo: Acting appointment: Angelique George (1-31 January 2021)	11/12/2020	11/12/2020	Approved
30/11/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting appointment: Angelique George (1-31 December 2020)	11/12/2020	11/12/2020	Approved
30/11/2020	VRP2	Paragraph 6f	Veriment: Material and Supplies (R1500)	11/12/2020	11/12/2020	Supported
11/12/2020	MM9	Section 55(1)(e), Systems Act	Appointment letters: OHS First Aiders	11/12/2020	11/12/2020	Approved
10/12/2020	MM23	Section 66(1)(c), Systems Act	Memo: Acting appointment – D Leibrandt (14-31 December 2020)	11/12/2020	11/12/2020	Approved
01/12/2020	HR	General	Resignation letter: JI Young	14/12/2020	15/12/2020	Approved
01/12/2020	Section 67(5.2)	Section 67(5.2)	Conditional Grant Draft Business Plan 2021/22	14/12/2020	15/12/2020	Approved
10/12/2020	MM82	Section 62(2) (c), MFMA	Tax invoice: Bidvest Waltons (R166.75)	14/12/2020	15/12/2020	Approved
14/12/2020	MM82	Section 62(2) (c), MFMA	Tax invoice: Safran and CO (R240.00)	14/12/2020	15/12/2020	Approved
30/11/2020	MM82	Section 62(2) (c), MFMA	Tax invoice: Coffee MM (R3600.00)	14/12/2020	15/12/2020	Approved
14/12/2020		Finance	Memo: Write off of Dhelmini account (Fire Services)	14/12/2020	15/12/2020	Approved
14/12/2020	MM9	Section 55(1)(e), Systems Act	Letter of appointment: EPWP fixed term contract worker:	14/12/2020	15/12/2020	Approved
14/12/2020	VRP2	Paragraph 6f	Veriment: Plants, Flowers & Decorations (R350 000)	15/12/2020	15/12/2020	Supported
15/12/2020	LPC3	Gatherings Act 205 of 1993 Events bylaw pn 7564 dated 12/02/2016	Letter: Protest March and gathering – Stellies Movement – 16 December 2020	15/12/2020	15/12/2020	Approved
14/12/2020	VRP2	Paragraph 6f	Veriment: Pathways on Parks & Gardens (R20 000)	15/12/2020	15/12/2020	Supported

DELEGATIONS EXERCISED FOR PERIOD: OCTOBER 2020

DIRECTORATE: COPRORATE SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
01/10/2020	MM82	Section 65(2)(c), MFMA	Memorandum - Payment for Ward Committee Members	01/10/2020	01/10/2020	Approved
01/10/2020	MM82	Section 65(2)(c), MFMA	Invoice: Windeed refer to order 360832 for the amount of R242.82. Windeed database and deeds office property searches.	01/10/2020	01/10/2020	Approved
01/10/2020	MM82	Section 65(2)(c), MFMA	Invoice: Polorama refer to order 361723 for the amount of R479.94. - filter coffee - java: packaging (25 x 80g)	01/10/2020	01/10/2020	Approved

01/10/2020	MM82	Section 65(2)(c), MFMA	Invoice: Madge computers refer to order 361460 for the amount of R28 217.55. Mecer xtreme mini Jupiter coffee lake pc.	01/10/2020	01/10/2020	Approved
01/10/2020	MM82	Section 65(2)(c), MFMA	Invoice: Innovo Network refer to order 360960 for the amount of R626 070.81. Internal access points.	01/10/2020	01/10/2020	Approved
01/10/2020	MM82	Section 65(2)(c), MFMA	Invoice: Premier attraction refer to order 361205 for the amount of R829 918.75. BSM 90/18: upgrading of Cloetesville flats, erf 67.	01/10/2020	01/10/2020	Approved
01/10/2020	MM9	Section 55(1)(e), Systems Act	Memorandum – Approval of appointment traffic officer x 2	01/10/2020	01/10/2020	Approved
02/10/2020	MM9	Section 55(1)(e), Systems Act	Offer of employment for Technician Metering and loss control	02/10/2020	02/10/2020	Approved
02/10/2020	MM9	Section 55(1)(e), Systems Act	Offer of employment for Public participation officer	02/10/2020	02/10/2020	Approved
02/10/2020	MM9	Section 55(1)(e), Systems Act	Offer of employment for IDP Officer	02/10/2020	02/10/2020	Approved
02/10/2020	AD3	GENERAL	Advertisement – Senior Clerk Electrical Services	02/10/2020	02/10/2020	Approved
	AD3	GENERAL	Advertisement – Forman Pump station and tanker services			
02/10/2020	HR2	Conditions of Service (SALGBC)	Attendance register Alexander Kannemeyer	02/10/2020	02/10/2020	Approved
02/10/2020	MM82	Section 65(2)(c), MFMA	Requisition for Drakenstein Municipality (R7622.01) SAMWU union contributions.	02/10/2020	02/10/2020	Approved
02/10/2020	HR2	Conditions of Service (SALGBC)	Standby pre-approvals for Facility Management team	02/10/2020	02/10/2020	Approved
05/10/2020	HR2	Conditions of Service (SALGBC)	Addendums for Financial services (D Jansen, M Booyesen and L Nteta)	05/10/2020	05/10/2020	Approved
05/10/2020	MM82	Section 65(2)(c), MFMA	Invoice bidvest waltons refer to purchase order 361721 for the amount of R106.26	05/10/2020	05/10/2020	Approved
05/10/2020			FQ: Supply and deliver (Off-loading) of Vinyl tiles at Beltana Depot.	05/10/2020	05/10/2020	Approved
05/10/2020			Memorandum – Computes requirements for the division Integrated Human Settlements.	05/10/2020	05/10/2020	Approved
05/10/2020	MM82	Section 65(2)(c), MFMA	Invoice for Avalon Group refer to order 360651 for the amount of R159390.00. (SLA agreement – Wireless network and Corporate IT network.	05/10/2020	05/10/2020	Approved
05/10/2020	MM82	Section 65(2)(c),	Invoice for XON Systems PTY (Ltd) refer to purchase	05/10/2020	05/10/2020	Approved

		MFMA	order 361540 ICT equipment.			
05/10/2020	MM82	Section 65(2)(c), MFMA	Invoice for liquid telecom for the amount of R11 963.98	05/10/2020	05/10/2020	Approved
06/10/2020	MM82	Section 65(2)(c), MFMA	LJA construction refer to order 361758 for the amount of R1 811 025.60 (Lamotte Club House)	06/10/2020	06/10/2020	Approved
06/10/202	MM82	Section 65(2)(c), MFMA	Bidvest Execuflorea purchase order 360796 for R3790.40 for Pot and Plant Rental.	06/10/202	06/10/202	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Witzenburg Municipality purchase order 355754 SAMWU Union contributions – R3637.50	07/10/2020	07/10/202	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Pro Meetse & Environmental Services refer to order 360887 (Training: Water Sampling for 29 & 30 Sept as well as 1 & 2 Oct 2020) R58 200.00	07/10/2020	07/10/202	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Pro Meetse & Environmental (Training: Water sampling 21 & 25 Sep 2020) R48 500.00	07/10/2020	07/10/202	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Coalition Training purchase order 360759 for R13310.00 (Brush cutter operator training) 21 – 23 Sept 2020	07/10/2020	07/10/202	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Coalition Training purchase order 360759 for R9982.50. (Brush cutter operator training)	07/10/2020	07/10/202	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Media 24 (Die burger) for advertising of vacancies in the amount of R13 965.00	07/10/2020	07/10/202	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Leibrandt training purchase order 360830 (Novice training on 31 August – 2 September) for R8625.00	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Leibrandt training purchase order 360830 (Cherry picker training) R 6900.00	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Tjek training purchase order 360799 for R17 269.58 tractor training.	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	ACS training purchase order 360780 for R9584.00 (Health and Safety rep training).	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Telkom usage services for the month of September 2020	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Vodacom usage services in the amount of R2590.90	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Avalon purchase order 361018 for R859.99 (ICT equipment/gadgets)	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Avalon purchase order 360651 for the amount of R159 390.00 (SLA agreement)	07/10/2020	07/10/2020	Approved

07/10/2020	MM82	Section 65(2)(c), MFMA	First technology purchase order 360645 for R22 489.95 (WAN and Internet)	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Vox telecom purchase order 361191 for R2584.63 site labour (business hours).	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Blueline industries purchase 361302 for R165.00 coffee cup set of 6	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Media24 purchase order 361773 advert: Supply and deliver of office furniture for R8694.00	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Bfect refer to order 361699 for R600.00 – Paper filter coffee	07/10/2020	07/10/2020	Approved
07/10/2020	MM82	Section 65(2)(c), MFMA	Red landscape purchase order 361029 for R5626.63	07/10/2020	07/10/2020	Approved
07/10/2020			Resignation of Mr V Zwelendaba	07/10/2020	07/10/2020	Approved
07/10/2020	MM9	Section 55(1)(e), Systems Act	Senior clerk – Senior Protection Services	07/10/2020	07/10/2020	Approved
08/10/2020	MM82	Section 65(2)(c), MFMA	Media 24 refer to order 361773 for R8694.00 (Supply and deliver of office furniture)	08/10/2020	08/10/2020	Approved
08/10/2020	MM82	Section 65(2)(c), MFMA	ACS training purchase order 360780 for R11 980.00 (OHS Rep).	08/10/2020	08/10/2020	Approved
08/10/2020	HR2	Conditions of Service (SALGBC)	Standby pre-approval for ICT technicians	08/10/2020	08/10/2020	Approved
08/10/2020	HR2	Conditions of Service (SALGBC)	Award letter discretionary Grant allocation for 2020/2021	08/10/2020	08/10/2020	Approved
09/10/2020	MM82	Section 65(2)(c), MFMA	Payday Software systems (SLA consultations as per SLA contract) purchase order 350735 for R7590.00	09/10/2020	09/10/2020	Approved
09/10/2020	HR2	Conditions of Service (SALGBC)	Timesheets for Council support staff	09/10/2020	09/10/2020	Approved
09/10/2020	HR2	Conditions of Service (SALGBC)	Standby approval for M Hendricks	09/10/2020	09/10/2020	Approved
09/10/2020	MM82	Section 65(2)(c), MFMA	Bidvest Walton's (Office stationery) purchase order 361721 for R106.26	09/10/2020	09/10/2020	Approved
09/10/2020	MM82	Section 65(2)(c), MFMA	Bidvest Walton's (Office stationery) purchase order 361653 for R483.83	09/10/2020	09/10/2020	Approved
12/10/2020	MM82	Section 65(2)(c), MFMA	Business engineering purchase order 361994 for the monthly usage (July, August and September 2020) R55 731.99 Collaborator support agreement	12/10/2020	12/10/2020	Approved
12/10/2020	HR2	Conditions of Service	Time and attendance registers forward administrators	12/10/2020	12/10/2020	Approved

		(SALGBC)	and office cleaners for October 2020.			
12/10/2020	HR2	Conditions of Service (SALGBC)	Mandate for payment of death benefit T Nyangiwe (9009070836087)	12/10/2020	12/10/2020	Approved
12/10/2020	MM82	Section 65(2)(c), MFMA	Vodacom refer to order 361628 for the amount of R226 720.88	12/10/2020	12/10/2020	Approved
13/10/2020	HR2	Conditions of Service (SALGBC)	LGSETA funding agreement – Adult Education and training programme.	13/10/2020	13/10/2020	Approved
14/10/2020	HR2	Conditions of Service (SALGBC)	Timesheets for Municipal court	14/10/2020	14/10/2020	Approved
14/10/2020	MM82	Section 65(2)(c), MFMA	Evolution technology invoices for Corporate Services for the month of August 2020.	14/10/2020	14/10/2020	Approved
14/10/2020	MM82	Section 65(2)(c), MFMA	Vodacom refer to purchase order 361628 for the amount of R226 720.88	14/10/2020	14/10/2020	Approved
14/10/2020	MM82	Section 65(2)(c), MFMA	Pro Meetse and Environmental services Africa purchase order 360830 for the amount of R58 200.00 (Water Sampling training 6 – 9 October 2020).	14/10/2020	14/10/2020	Approved
14/10/2020	MM82	Section 65(2)(c), MFMA	Masikila Training purchase order 360917 for R36 430.20 (Maintain turf cricket pitches and outfields).	14/10/2020	14/10/2020	Approved
14/10/2020	MM82	Section 65(2)(c), MFMA	ACs Training purchase order 360780 for R10 782 (Workplace OHS inspection).	14/10/2020	14/10/2020	Approved
14/10/2020	MM82	Section 65(2)(c), MFMA	Leibrandt Training purchase order 360830 for R6900.00 (Novice training – 5 – 7 October 2020).	14/10/2020	14/10/2020	Approved
14/10/2020	MM82	Section 65(2)(c), MFMA	Dr Meyer purchase order 355756 for R1748.836 (direct payment, ophthalmic surgeon)	14/10/2020	14/10/2020	Approved
16/10/2020	MM82	Section 65(2)(c), MFMA	Bidvest Waltons purchase order 360798 for R7580.80 (Stationery)	16/10/2020	16/10/2020	Approved
16/10/2020	MM82	Section 65(2)(c), MFMA	Dynamic toner purchase 361881 for R195.96	16/10/2020	16/10/2020	Approved
16/10/2020	MM82	Section 65(2)(c), MFMA	Western Cape Stationers purchase order 361885 for R156.35 (Stationery)	16/10/2020	16/10/2020	Approved
21/10/2020	HR2	Conditions of Service (SALGBC)	LGSETA 2020/2021 declaration of intent letter of acceptance	21/10/2020	21/10/2020	Approved
21/10/2020	MM82	Section 65(2)(c), MFMA	Staff Training purchase order 361987 for R26 098.49 (Customer care training)	21/10/2020	21/10/2020	Approved
21/10/2020	MM82	Section 65(2)(c), MFMA	Masikila training solutions purchase order 360919 for R15 999.40 (Invasive plant identification)	21/10/2020	21/10/2020	Approved

21/10/2020	MM82	Section 65(2)(c), MFMA	Mahanyela construction purchase order 361586 for R20 000.00	21/10/2020	21/10/2020	Approved
21/10/2020	MM82	Section 65(2)(c), MFMA	Mr Moosa purchase order 361899 for R190.92 (BSM 61/18)	21/10/2020	21/10/2020	Approved
21/10/2020	MM82	Section 65(2)(c), MFMA	Telkom usage payment for R938.90 (October 2020)	21/10/2020	21/10/2020	Approved
21/10/2020	MM82	Section 65(2)(c), MFMA	Telkom usage payment for R13 502.35 (September 2020)	21/10/2020	21/10/2020	Approved
21/10/2020	MM82	Section 65(2)(c), MFMA	Indumiso cleaning purchase order 361993 for R21 400.00	21/10/2020	21/10/2020	Approved
22/10/2020	MM82	Section 65(2)(c), MFMA	Madge computers refer to order 361945 for R6274.40 Dell Latitude	22/10/2020	22/10/2020	Approved
22/10/2020	MM82	Section 65(2)(c), MFMA	Izwe bridge communications purchase order 361937 for R34040.00	22/10/2020	22/10/2020	Approved
22/10/2020	MM82	Section 65(2)(c), MFMA	TQ&S Holdings purchase order 360998 for R18 000.00 (motor gate at the toy museum)	22/10/2020	22/10/2020	Approved
22/10/2020	MM82	Section 65(2)(c), MFMA	PHK trading purchase order 361585 for R19 00.00 (repairs and maintenance of teen die Bult).	22/10/2020	22/10/2020	Approved
22/10/2020	HR2	Conditions of Service (SALGBC)	Addendums for Engineering services	22/10/2020	22/10/2020	Approved
22/10/2020	HR2	Conditions of Service (SALGBC)	Addendums for Financial Services	22/10/2020	22/10/2020	Approved
22/10/2020	HR2	Conditions of Service (SALGBC)	Addendums for Corporate services	22/10/2020	22/10/2020	Approved
23/10/2020	MM82	Section 65(2)(c), MFMA	Staff training purchase order 361987 for R23725.94 (Customer care training).	23/10/2020	23/10/2020	Approved
23/10/2020	MM82	Section 65(2)(c), MFMA	Masikila training solutions purchase order 360919 for R15 999.40 (Invasive plan identification).	23/10/2020	23/10/2020	Approved
23/10/2020	MM82	Section 65(2)(c), MFMA	Pro Meetse purchase order 360887 for R67900 (Training water sampling).	23/10/2020	23/10/2020	Approved
23/10/2020	MM82	Section 65(2)(c), MFMA	Leibrandt training purchase order 360830 for R8625 (Novice training).	23/10/2020	23/10/2020	Approved
23/11/2020	MM82	Section 65(2)(c), MFMA	Park Avenue stationers purchase order 362884 for the amount R690.58 (Stationary for Property Management)	23/10/202	23/10/202	Approved
23/11/2020	MM82	Section 65(2)(c), MFMA	Skye Elevators purchase order 361884 (Elevator repairs)	23/10/2020	23/10/2020	Approved

23/11/2020	MM82	Section 65(2)(c), MFMA	Octofin (Rent of offices) November 2020 for R677 688.85	23/10/2020	23/10/2020	Approved
23/10/2020	MM82	Section 65(2)(c), MFMA	Attacq (direct payment) for R302 647.93 (August 2020) office accommodation, water and electricity consumed.	23/10/2020	23/10/2020	Approved
23/11/2020	SB4	Streets By-Law (2010) S 4	Approval of posters- Kamer Makers an amount of R1200 to be paid.	23/10/2020	23/10/2020	Approved
23/11/2020	SB4	Streets By-Law (2010) S 4	Approval of posters (Kersmark, Franschhoek uncorked and Huis Horison Kermis)	23/10/2020	23/10/2020	Approved
27/10/2020	MM82	Section 65(2)(c), MFMA	Evolution technology (invoices) for Corporate directorate (September 2020) for the usage and Rental of Office printers.	27/10/2020	27/10/2020	Approved
27/10/2020	MM82	Section 65(2)(c), MFMA	Theresa van Rooyen (Individual trauma counselling/debriefing)	27/10/2020	27/10/2020	Approved
28/10/2020	MM82	Section 65(2)(c), MFMA	BEAP Group purchase order 362017 for an amount of R378196.82	28/10/2020	28/10/2020	Approved
28/10/2020	MM82	Section 65(2)(c), MFMA	Avalon Technology purchase order 360651 for an amount of R9390.00	29/10/202	29/10/2020	Approved
29/10/2020	HR2	Conditions of Service (SALGBC)	Time off request For SAMWU shop stewards to attend regional executive council meeting on 30 October 2020 in Worcester.	29/10/2020	29/10/2020	Approved
30/10/2020	HR2	Conditions of Service (SALGBC)	Memo for trauma counselling sessions	30/10/2020	30/10/2020	Approved
30/10/2020	MM82	Section 65(2)(c), MFMA	Staff training purchase order 361987 for R18 980.75	30/10/2020	30/10/2020	Approved
30/10/2020	MM82	Section 65(2)(c), MFMA	Pro meetse & Environmental purchase order 360887 for R58 200.00	30/10/2020	30/10/2020	Approved

DELEGATIONS EXERCISED FOR PERIOD: NOVEMBER 2020

DIRECTORATE: CORPORATE SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
02/11/2020	MM82	Section 65(2)(c), MFMA	Memorandum for Ex gratia payments	02/11/2020	02/11/2020	Approved

03/11/2020	MM82	Section 65(2)(c), MFMA	Invoice: Ismail Davids (INV721) 361634 for R1110 and R206.00 – upgrading Eikestad Hall Cloetesville	03/11/2020	03/11/2020	Approved
03/11/2020	HR2	Conditions of Service (SALBC)	Attendance register Snr Manager Human Resource Management	03/11/2020	03/11/2020	Approved
03/11/2020	MM82	Section 65(2)(c), MFMA	Invoice: Pro Meetse (360887) R58 200.00 (B/SM 29/20: conduct sampling for w & WW treatment processes training)	03/11/2020	03/11/2020	Approved
03/11/2020	MM82	Section 65(2)(c), MFMA	Invoice: Northlink college (361985) R15 860. Artisan training: bricklayer & plumbing - organ of state-Northlink college	03/11/2020	03/11/2020	Approved
03/11/2020	MM82	Section 65(2)(c), MFMA	Invoice: Leibrandt Training: APF training for the amount of R6900.00	03/11/2020	03/11/2020	Approved
03/11/2020	MM82	Section 65(2)(c), MFMA	Invoice: Staff training: Customer Care for an amount of R21 353.35	03/11/2020	03/11/2020	Approved
03/11/2020	MM82	Section 65(2)(c), MFMA	Stores refer to order 369894 for refreshments for the amount of R27 731.30	03/11/2020	03/11/2020	Approved
03/11/2020	MM82	Section 65(2)(c), MFMA	Zenith Consulting refer to order 362178 for an amount of R33 000.00. FQ 193/19 land surveyor: sub-division of various properties.	03/11/2020	03/11/2020	Approved
03/11/2020	MM82	Section 65(2)(c), MFMA	Media 24 refer to order 361785 for an amount of R8694.00. Advert: Stellenbosch flying club	03/11/2020	03/11/2020	Approved
04/11/2020	SB4	Streets By-Law (2010) S 4	Approval of posters – Stellenbosch University for Covid-19 awareness campaign.	04/11/2020	04/11/2020	Approved
04/11/2020	MM82	Section 65(2)(c), MFMA	Contempt of court October 2020 for R22 500.00	04/11/2020	04/11/2020	Approved
04/11/2020	MM82	Section 65(2)(c), MFMA	Mr Moosa refer to order 362193 for R8.97 (Giant paper clips)	04/11/2020	04/11/2020	Approved
04/11/2020	MM82	Section 65(2)(c), MFMA	Bidvest office refer to order 362194 for R313.28 whiteboard markers	04/11/2020	04/11/2020	Approved
04/11/2020	MM82	Section 65(2)(c), MFMA	Bidvest office refer to order 362173 for R181.11 and R132.76 (Office stationery)	04/11/2020	04/11/2020	Approved
04/11/2020	HR2	Conditions of Service (SALBC)	Standby pre-approval for ICT team	04/11/2020	04/11/2020	Approved
05/11/2020	MM82	Section 65(2)(c), MFMA	First technology refer to order 360645 for R122 489.95. WAN and Internet	05/11/2020	05/11/2020	Approved

05/11/2020	MM82	Section 65(2)(c), MFMA	Altron bytes refer to order (362266 for R106 183.33. SLA service level agreements	05/11/2020	05/11/2020	Approved
05/11/2020	MM82	Section 65(2)(c), MFMA	Cape seating manufacturers refer to order (360060) for an amount of R943.00	05/11/2020	05/11/2020	Approved
05/11/2020	MM82	Section 65(2)(c), MFMA	Media 24 refer to order 361787 for R7824.60. Advert for Tender For Procurement Of Goods For Ward Projects - Covid Related.	05/11/2020	05/11/2020	Approved
05/11/2020	MM82	Section 65(2)(c), MFMA	Evolution technology refer to order 361787 for R55 999.66 (printer usage and rent)	05/11/2020	05/11/2020	Approved
05/11/2020	MM82	Section 65(2)(c), MFMA	Contempt of court October 2020 for R22 500.00	05/11/2020	05/11/2020	Approved
05/11/2020	HR2	Conditions of Service (SALBC)	Addendum for specifications for training period ending June 2023	05/11/2020	05/11/2020	Approved
06/11/202	HR2	Conditions of Service (SALBC)	Memorandum for offer of employment for Manager: building Management	06/11/202	06/11/202	Approved
06/11/2020	HR2	Conditions of Service (SALBC)	Memorandum for offer of employment - Senior Professional officer: Water and wastewater	06/11/2020	06/11/202	Approved
06/11/2020	HR2	Conditions of Service (SALBC)	Senior clerk payroll – Revenue and expenditure	06/11/2020	06/11/202	Approved
06/11/2020	MM82	Section 65(2)(c), MFMA	Invoice: Windeed refer to order 360688 for the amount of R663.99	06/11/2020	06/11/202	Approved
07/11/2020	MM82	Section 65(2)(c), MFMA	Invoice: Sanitec refer to order 360798 for an amount of R79 649.00. BSM81/20: Year 1 - Hygienic Services for Stellenbosch Municipality	07/11/2020	07/11/202	Approved
09/11/2020	HR2	Conditions of Service (SALBC)	Senior Clerk (payroll, Revenue and Expenditure) confirmation//acceptance of employment	09/11/2020	09/11/202	Approved
09/11/2020	HR2	Conditions of Service (SALBC)	Senior Heritage Planner (Offer of employment)	09/11/2020	09/11/202	Approved
09/11/2020	HR2	Conditions of Service (SALBC)	Project Manager (Infrastructure Services) final offer of employment	09/11/2020	09/11/2020	Approved
09/11/2020	HR2	Conditions of Service	Manager: Building development Management – final offer of employment	09/11/2020	09/11/2020	Approved

		(SALBC)				
09/11/2020	HR2	Conditions of Service (SALBC)	Time and attendance sheets for Council Support staff	09/11/2020	09/11/2020	Approved
09/11/2020	HR2	Conditions of Service (SALBC)	Time and attendance sheets for Municipal Court staff	09/11/2020	09/11/2020	Approved
09/11/2020			Aurecon south Africa / Stellenbosch Municipality (Mediation Agreement)	09/11/2020	09/11/2020	Approved
09/11/2020	MM82	Section 65(2)(c), MFMA	Invoice for Eskom (La Motte offices) energy consumed for an amount of R5 917.68	09/11/2020	09/11/2020	Approved
09/11/2020	HR2	Conditions of Service (SALBC)	Memorandum: Stellenbosch Municipality Adriaan Kurtz institution/disciplinary action	09/11/2020	09/11/2020	Approved
09/11/2020			Memorandum – Appointment of a service provider to institute legal action against all parties on the Technopark website	09/11/2020	09/11/2020	Approved
09/11/2020			Memorandum – Nomzi Renee Mlenze and Stellenbosch Municipality.	09/11/2020	09/11/2020	Approved
11/11/2020	MM82	Section 65(2)(c), MFMA	Invoice – TVR Consulting refer to order 362260 for an amount of R668.00 – Psychological debriefing.	11/11/2020	11/11/2020	Approved
12/11/2020	SC13	17(C)	Memorandum – Deviation appointment of a professional architect and team specialist – Klein Libertas	12/11/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	Timber City refer to order 362084 for an amount of R25 569.44	12/11/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	Invoice for Green outdoor Gyms for an amount of R56 374.33	12/11/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	Ace Consulting refer to order 362456 for an amount of R86 880.00. Refer to Order 357652: FQ 47/20 Qs: Rebuild Kleine Libertas	12/11/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	Element Consulting refer to order 361246 for an amount of R14 950.00. BSM 44/20 Appointment Of Structural Engineers For Various Projects: Raithby.	12/11/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	Credo business college refer to order 362142 for an amount of R210600.00. B/SM 29/20: Local Government Accounting Certificate (LGAC).	12/11/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	DM Turnkey refer to order 359787 for an amount of R36 455.00	12/11/2020	12/11/2020	Approved

12/11/2020	MM82	Section 65(2)(c), MFMA	DBI Consulting refer to order 361338 for an amount of R40 969.56. BSM 44/20 Appointment Of Structural Engineers For Various Projects: Jamestown.	12/11/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	Ismail Davids & Associated refer to order 360723 for an amount of R357 763.97	12/11/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	Masikila training (Cricket pitches) refer to order 360917 for an amount of R36 430.20	12/11/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	Masikila training (Cricket pitches) R36 430.20.	01211/2020	12/11/2020	Approved
12/11/2020	MM82	Section 65(2)(c), MFMA	Masikila training refer to order 360918 (safe handling pesticides) for an amount of R29 904.60	12/11/2020	12/11/2020	Approved
12/11/2020			Parking (Acceptance of the conditions stipulated in the parking policy) Corporate Services employees	12/11/2020	12/11/2020	Approved
13/11/2020	HR2	Conditions of Service (SALBC)	Fixed term contract addendum for D Jansen (financial Services)	13/11/2020	13/11/2020	Approved
13/11/2020	MM82	Section 65(2)(c), MFMA	Innovo Network refer to order 362310 for an amount of R 54 613.60	13/11/2020	13/11/2020	Approved
13/11/2020	MM82	Section 65(2)(c), MFMA	Telkom October 2020 payments	13/11/2020	13/11/2020	Approved
13/11/2020	HR2	Conditions of Service (SALBC)	Addendums for Infrastructure Services	13/11/2020	13/11/2020	Approved
13/11/2020	HR2	Conditions of Service (SALBC)	Standby for R Hendricks Facility Management	13/11/2020	13/11/2020	Approved
13/11/2020	HR2	Conditions of Service (SALBC)	Memorandum: offer of employment for Traffic officers x 3	13/11/2020	13/11/2020	Approved
13/11/2020	MM82	Section 65(2)(c), MFMA	Media 24 refer to order 362054 for an amount R5216.40	13/11/2020	13/11/2020	Approved
16/11/2020	SB4	Streets By-Law (2010) S 4	Approval of posters for Solo exhibitions – Anton Smit	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	Telkom monthly payment (October 2020) R947.15	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	Madge computers refer to order 361945 for an amount of R4326.59. ICT equipment.	16/11/2020	16/11/2020	Approved

16/11/2020	MM82	Section 65(2)(c), MFMA	Madge computers refer to order 361005 for an amount of R422914.55. ICT equipment.	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	Altron (SAMRAS) for an amount of R2080 973.81	16/11/2020	16/11/2020	Approved
16/11/202	MM82	Section 65(2)(c), MFMA	ESRI group south Africa refer to order 360684 for an amount of R575 494.50	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	Business Engineering refer to order 360685 for an amount of R93 150.00. Collaborator services.	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	TVR consulting refer to order (362314) R1318 (counselling debriefing).	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	Premier attraction refer to order 361205 for R549 986.42. BSM 90/18: Upgrading Of Cloetesville Flats, Erf 67, Stellenbosch, and Year 3.	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	Premier attraction for an amount of R133 571.48. Upgrading Of Cloetesville Flats, Erf 67, Stellenbosch, and Year 3.	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	MMPA refer to order 360963 for an amount of R16393.25. Refer To Order 356720 BSM 15/18 Appointment Of Quantity Surveyor: Upgrade Of Cloetesville Flats.	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	MMPA refer to order 362241 for an amount of R14 116.28. Refer To Order 356720 BSM 15/18 Appointment Of Quantity Surveyor: Upgrade Of Cloetesville Flats.	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	Brikclad CC refer to order 361704 for an amount of R19 550.00. Repairs Nd Fixing Of Roller Shutter Doors.	16/11/2020	16/11/2020	Approved
16/11/2020	MM82	Section 65(2)(c), MFMA	TQ & Holding refer to order 361667 for an amount of R8910.00. Supply And Installation Of 300mm X 300mm Ceramic Tiles At Waterworks Reception Office.	16/11/2020	16/11/2020	Approved
17/11/2020	HR2	Conditions of Service (SALBC)	Memorandum – Funding for injured employee Mr G Belem	17/11/2020	17/11/2020	Approved
17/11/2020	MM82	Section 65(2)(c), MFMA	ACS training refer to order 361232 for an amount of R10 426	17/11/2020	17/11/2020	Approved
17/11/2020	CM3	General provisions	FQ: Appointment of contractor: upgrading of Brandweer huis	17/11/2020	17/11/2020	Approved
17/11/2020	MM82	Section 65(2)(c), MFMA	Skye Elevators refer to order 361624 for an amount of R1450.00. BSM 73/20 KMPC Lift Year 1: Schedule A Monthly Inspection & Lubrication Service - 30 June 2021.	17/11/2020	17/11/2020	Approved
17/11/2020	MM82	Section 65(2)(c), MFMA	Cape seating manufacturers refer to order 362067 for an amount of R24 207.50	17/11/2020	17/11/2020	Approved

17/11/2020	CM3	General provisions	The appointment of a service provider to institute legal action against all parties cyber squalling on the Technopark	17/11/2020	17/11/2020	Approved
18/11/2020	MM82	Section 65(2)(c), MFMA	Dynamic toner solutions for an amount of R19.60	18/11/2020	18/11/2020	Approved
18/11/2020	MM82	Section 65(2)(c), MFMA	Park Avenue stationers for an amount of R86.38	18/11/2020	18/11/2020	Approved
18/11/2020	MM82	Section 65(2)(c), MFMA	Coalition training refer to order 360759 for an amount of R16 637.50	18/11/2020	18/11/2020	Approved
18/11/2020	MM82	Section 65(2)(c), MFMA	Coalition training refer to order 360759 for an amount of R16 637.50	18/11/2020	18/11/2020	Approved
18/11/2020	MM82	Section 65(2)(c), MFMA	Gene Louw traffic refer to order 361206 for an amount of R11 988.83	18/11/2020	18/11/2020	Approved
18/11/2020	MM82	Section 65(2)(c), MFMA	Gene Louw Traffic refer to order 361206 for R12 807.87	18/11/2020	18/11/2020	Approved
18/11/2020	MM82	Section 65(2)(c), MFMA	Siyazama & Sons refer to order 362273 for an amount of R10 307.00	18/11/2020	18/11/2020	Approved
20/11/2020	HR2	Conditions of Service (SALBC)	Offer of employment for traffic officer x 3	20/11/2020	20/11/2020	Approved
20/11/2020			Internal memorandum – request for approval for accommodation: Cllr Nyaniso	20/11/2020	20/11/2020	Approved
20/11/2020	MM82	Section 65(2)(c), MFMA	Direct payment for Eskom for an amount of R8809.45	20/11/2020	20/11/2020	Approved
20/11/2020			Lease agreement for Bergzicht training Centre.	20/11/202	20/11/202	Approved
23/11/2020	HR2	Conditions of Service (SALBC)	Memorandum – CBD safety project – recruitment shortlisting	23/11/2020	23/11/2020	Approved
23/11/2020	MM64	Section 62(1)(f)(iv), MFMA	Memorandum: design, manufacture, testing, supply delivery & offloading of 2 20mva 66/11 kw transformers for Jan Marais substation BSM 101/20	23/11/2020	23/11/2020	Approved
23/11/2020	AD3	GENERAL	Advertisement approvals for: Knowledge and information officer, performance Management officer: Admin officer, Governance: IDP officer, Capacity Building clerk and Senior ED Informal trading officer,	23/11/2020	23/11/2020	Approved
23/11/2020	MM82	Section 65(2)(c), MFMA	Bidvest Waltons refer to order 362394 for an amount of R510.44	23/11/2020	23/11/2020	Approved
23/11/2020	MM82	Section 65(2)(c),	Graylink media refer to order 362088 for an amount of R5023.00	23/11/2020	23/11/2020	Approved

		MFMA	(Toner HP Black)			
23/11/2020			Master service level agreement between Stellenbosch Municipality and Gijima Holdings	23/11/2020	23/11/2020	Approved
23/11/2020	HR2	Conditions of Service (SALGBC)	Senior Inspector – operation unit A law enforcement	23/11/2020	23/11/2020	Approved
23/11/2020	MM82	Section 65(2)(c), MFMA	JC refrigeration refer to order 362443 for invoices (11105,11106, 11107, 11108, 11109, 11110 and 11111, 11112, 11113, 11114, 11115, 11116, 11117)	23/11/2020	23/11/2020	Approved
23/11/2020	MM82	Section 65(2)(c), MFMA	IKG refer to order 362397 for invoice numbers (756, CN 770, INV 769)	23/11/2020	23/11/2020	Approved
24/11/2020	MM82	Section 65(2)(c), MFMA	ACS training refer to order 361232 for an amount of R8822.00	24/11/2020	24/11/2020	Approved
24/11/2020	MM82	Section 65(2)(c), MFMA	Masikila training solutions refer to order 362275 for an amount of R29 904.60	24/11/2020	24/11/2020	Approved
24/11/2020	HR2	Conditions of Service (SALGBC)	Employment offer of Senior Spatial Planner	24/11/2020	24/11/2020	Approved
24/11/2020	HR2	Conditions of Service (SALGBC)	Employment offer of Clerk: Revenue and expenditure reconciliations	24/11/2020	24/11/2020	Approved
25/11/2020	HR2	Conditions of Service (SALGBC)	Memorandum – Request for approval for time off for SAMWU shop stewards	25/11/2020	25/11/2020	Approved
25/11/2020	MM82	Section 65(2)(c), MFMA	Invoice for Broll for the amount of R23 806	25/11/2020	25/11/2020	Approved
25/11/2020	MM82	Section 65(2)(c), MFMA	Invoice for Attacq for the amount of R326 752.30 – hire of office space.	25/11/2020	25/11/2020	Approved
26/11/2020	HR2	Conditions of Service (SALGBC)	Alternative offer for R van Niekerk	26/11/2020	26/11/2020	Approved
26/11/2020	MM82	Section 65(2)(c), MFMA	Vodacom monthly payment for the amount of R65 385.30	26/11/2020	26/11/2020	Approved
27/11/2020	MM82	Section 65(2)(c), MFMA	Coalition training skills refer to order 360759 for R13 310.00	27/11/2020	27/11/2020	Approved
27/11/2020	MM82	Section 65(2)(c), MFMA	Masikila training refer to order number 360917 for an amount of R30 358.50	27/11/2020	27/11/2020	Approved

27/11/2020	MM82	Section 65(2)(c), MFMA	Pro Meetse & Environmental services refer to order 362535 for an amount of R67 900.00	27/11/2020	27/11/2020	Approved
30/11/2020	HR2	Conditions of Service (SALGBC)	Offer of employment – Clerk Reconciliation	30/11/2020	30/11/2020	Approved
30/11/2020	HR2	Conditions of Service (SALGBC)	Offer of employment – Senior heritage planner	30/11/2020	30/11/2020	Approved
30/11/2020	MM82	Section 65(2)(c), MFMA	Coalition training and skills development for R19965.00	30/11/2020	30/11/2020	Approved
30/11/2020	MM82	Section 65(2)(c), MFMA	Sanitec refer to order 360708 for R80 626.50	30/11/2020	30/11/2020	Approved
30/11/2020	MM82	Section 65(2)(c), MFMA	Windeed refer to order 60832 for R331.08	30/11/2020	30/11/2020	Approved
30/11/2020	HR2	Conditions of Service (SALGBC)	Addendums for: Infrastructure services	30/11/2020	30/11/2020	Approved
30/11/2020	HR2	Conditions of Service (SALGBC)	Addendum for S Adams and N Kati	30/11/2020	30/11/2020	Approved
30/11/2020	MM82	Section 65(2)(c), MFMA	First technology western cape refer to order 360645 for R122 489.95. (ICT equipment)	30/11/2020	30/11/2020	Approved
30/11/2020	MM82	Section 65(2)(c), MFMA	Izwe bridge communications refer to order 361937 for R34040.00	30/11/2020	30/11/2020	Approved
30/11/2020	MM82	Section 65(2)(c), MFMA	Avalon Technology group refer to order 360651 for R159 390.00	30/11/2020	30/11/2020	Approved

DELEGATIONS EXERCISED FOR PERIOD: DECEMBER 2020

DIRECTORATE: CORPORATE SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
2/12/2020	HR2	Conditions of Service	Fixed term contract – Shannon Groeneveld	2/12/2020	2/12/2020	Approved

		(SALBC)				
2/12/2020	HR2	Conditions of Service (SALBC)	Fixed term contract – Land Use Management	2/12/2020	2/12/2020	Approved
2/12/2020	HR2	Conditions of Service (SALBC)	Attendance register of Snr Manager HR	2/12/2020	2/12/2020	Approved
2/12/2020	HR2	Conditions of Service (SALBC)	Standby for Facility and maintenance team	2/12/2020	2/12/2020	Approved
2/12/2020	MM82	Section 65(2)(c), MFMA	Invoice for Avalon technology group in the amount of R29 184.93	2/12/2020	2/12/2020	Approved
2/12/2020			Master agreement for Gajima holdings	2/12/2020	2/12/2020	Approved
2/12/2020	MM82	Section 65(2)(c), MFMA	Invoices: <ul style="list-style-type: none"> • Post office refer to order 362612 for R2330.00 • Post office refer to order 362614 for R2330.00 • Post office refer to order 362621 for R585.00 • Hasler refer to order 362657 for R7667.00 • Hasler refer to order 362657 for R6027.41 • Sasfin refer to order 362666 for R949.97 • Sasfin refer to order 362624 for R2949.97 			Approved
3/12/2020	HR2	Conditions of Service (SALBC)	Fixed term contract – M Jacobs	3/12/2020	3/12/2020	Approved
3/12/2020	MM82	Section 65(2)(c), MFMA	Crayon Hardware refer to order 362356 for R7674.83	3/12/2020	3/12/2020	Approved
4/12/2020	MM82	Section 65(2)(c), MFMA	Premier attraction refer to order 361205 (Certificate 14)	4/12/2020	4/12/2020	Approved
7/12/2020	MM82	Section 65(2)(c), MFMA	Invoices: <ul style="list-style-type: none"> • Ismail davids and associates (upgrading of Eikestad hall and Cloetesville) R981 381.73 • MMPA for R24 753.75 (Upgrading of Cloetesville flats) • MMPA for R16 393.25 (Upgrading of Cloetesville flats) 	7/12/2020	7/12/2020	Approved
7/12/2020	MM82	Section 65(2)(c),	Contempt of Court – November 2020 for R36 000.00	7/12/2020	7/12/2020	Approved

		MFMA				
7/12/2020	HR2	Conditions of Service (SALBC)	Timesheets for Municipal court staff	7/12/2020	7/12/2020	Approved
7/12/2020	MM82	Section 65(2)(c), MFMA	Invoices: <ul style="list-style-type: none"> Media 24 refer to order 362810 (Advertisements) for R12 751.20 Payday software (SLA consultations) for R7590.00 Payday software (Payroll Oct 2020) R7590.00 Payday software (Payroll Dec 2020) R7590.00 	7/12/2020	7/12/2020	Approved
7/12/2020	HR2	Conditions of Service (SALBC)	Timesheets for Ward administrators and office cleaners for December 2020.	7/12/2020	7/12/2020	Approved
7/12/2020	MM82	Section 65(2)(c), MFMA	Auditor General – R147 845.38	7/12/2020	7/12/2020	Approved
7/12/2020	MM82	Section 65(2)(c), MFMA	Invoices: <ul style="list-style-type: none"> Dick crane architect refer to order 360876 for R8256.00 Carry on hardware refer to order 362356 for R7674.85 Carry on hardware refer to order 361222 for R11275.00 LJA construction refer to order 360693 for R1 165 226.92 Skye elevators refer to order 361624 for R1450.00 (multi-purpose centre Klapmuts) 	7/12/2020	7/12/2020	Approved
7/12/2020	MM82	Section 65(2)(c), MFMA	Flowers in the foyer – R1300 refer to order 362934.	7/12/2020	7/12/2020	Approved
7/12/2020	HR2	Conditions of Service (SALBC)	Timesheets for Council support	7/12/2020	7/12/2020	Approved
8/12/2020	MM82	Section 65(2)(c), MFMA	Invoices: <ul style="list-style-type: none"> Liquid Telecom refer to order 362760 for R11 903.98 Dala Tegra refer to order 361810 for R3040.76 Microsoft Ireland operation refer to order 363011 	8/12/2020	8/12/2020	Approved

9/12/2020	CM3	General provisions	Addendum – Tender B/SM 13/21 the establishment of roster for professional engineering services.	9/12/2020	9/12/2020	Approved
9/12/2020	MM82	Section 65(2)(c), MFMA	Auditor general – R147 845.38	9/12/2020	9/12/2020	Approved
9/12/2020	HR2	Conditions of Service (SALBC)	Certificate of participation for group life solutions for local authority to the Stellenbosch municipality	9/12/2020	9/12/2020	Approved
9/12/2020	HR2	Conditions of Service (SALBC)	OHS Representative certificate training for K Woodman, P Snell and T Gwintsa	9/12/2020	9/12/2020	Approved
9/12/2020	HR2	Conditions of Service (SALBC)	Counter performance agreement for W van Kerwel and P Snell	9/12/2020	9/12/2020	Approved
9/12/2020	MM82	Section 65(2)(c), MFMA	Zongala connect refer to order 362312 for R88 961.08	9/12/2020	9/12/2020	Approved
9/12/2020	MM82	Section 65(2)(c), MFMA	Business engineering for R55 731.99 (Dec 2020)	9/12/2020	9/12/2020	Approved
10/12/2020	MM82	Section 65(2)(c), MFMA	Blueline industries refer to order 361901 for R218.00 (flash drive)	10/12/2020	10/12/2020	Approved
10/12/2020	SB4	Streets By-Law (2010) S 4	Poster application – Open day 30 January 2021 for IMM Graduate School. Poster application – Registration day 27 Feb 2021 for IMM Graduate School.	10/12/2020	10/12/2020	Approved
11/12/2020	MM82	Section 65(2)(c), MFMA	Direct payment Hessequa Municipality for R806.00	11/12/2020	11/12/2020	Approved
14/12/2020	MM82	Section 65(2)(c), MFMA	Invoices: <ul style="list-style-type: none">Pro Meetse and Environmental services refer to order 362535 for R67 900 (training Water and sampling)Coalition training refer to order 362272 for R16 637.56 (brush cutter operator training).	14/12/2020	14/12/2020	Approved
15/12/2020	HR2	Conditions of Service (SALBC)	Counter Performance agreement – Z Arnolds for HRM diploma	15/12/2020	15/12/2020	Approved
15/12/2020	MM82	Section 65(2)(c), MFMA	Direct payment – Spec savers for employee G Belem: R1850.00	15/12/2020	15/12/2020	Approved
15/12/2020	HR2	Conditions of Service	Addendums for J Julius, D Macotoza, S Hlwayi, M Makapa and P Novella	15/12/2020	15/12/2020	Approved

		(SALBC)				
15/12/2020	HR2	Conditions of Service (SALBC)	Standby for ICT staff	15/12/2020	15/12/2020	Approved
15/12/2020	HR2	Conditions of Service (SALBC)	Memorandum – ICT standby allowances for 2020/2021	15/12/2020	15/12/2020	Approved
15/12/2020	HR2	Conditions of Service (SALBC)	Addendums for L Lakay, E Linders and W Taphu	15/12/2020	15/12/2020	Approved
15/12/2020	HR2	Conditions of Service (SALBC)	Addendum for TH de Koker	15/12/2020	15/12/2020	Approved
15/12/2020	HR2	Conditions of Service (SALBC)	Fixed term contract MJ Jacobs	15/12/2020	15/12/2020	Approved
17/12/2020	MM82	Section 65(2)(c), MFMA	Invoices: <ul style="list-style-type: none"> • Octofin refer to order 350408 for R681 695.47 (Rent of Ecclesia for Jan 2021). • Attacq refer to order 356267 for R301 238.94 (Rental of offices) • Eskom direct payment for R505.90 energy consumed 	17/12/2020	17/12/2020	Approved
17/12/2020	SB4	Streets By-Law (2010) S 4	Poster application for WCBS donate blood, Stellenbosch North Dr Church. Poster application for WCBS donate blood, Stellenbosch Eikestad mall	17/12/2020	17/12/2020	Approved
18/12/2020	MM82	Section 65(2)(c), MFMA	Payment of ward committee members for R100 450.00	18/12/2020	18/12/2020	Approved

DELEGATIONS EXERCISED FOR PERIOD: OCTOBER 2020

DIRECTORATE: INFRASTRUCTURE SERVICES

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
09/10/2020 – 01/10/2020	To authorize a staff member, co to gain access to any property for the purpose of	EL18 Section 10	MUNICIPAL NOTICE: Supply of electricity disconnected on 14 October 2020 Area affected: Johannesdal and nearby Farms		09/10/2020	Approved

	any property for the purpose of conducting inspection, tests or maintenance works		<p>December 2020 Area affected: Johannesdal and Lumley Streets</p> <p>Supply of electricity disconnected on 03 December 2020 Area affected: Parts of Tydemanhof, Starking, Lindida, Packham and Le Clerc Street</p> <p>Supply of electricity disconnected on 30 November 2020 Area affected: Stellenbosch Golf Course</p> <p>Supply of electricity disconnected on 30 November 2020 Area affected: Fairways Street, Die Boord</p> <p>Supply of electricity disconnected on 02 December 2020 Area affected: Tassenwyk Complex</p>	<p>24/11/2020</p> <p>24/11/2020</p> <p>24/11/2020</p> <p>24/11/2020</p>	<p>24/11/2020</p> <p>24/11/2020</p> <p>24/11/2020</p> <p>24/11/2020</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
09/11/2020 – 13/11/2020	To exercise all powers conferred upon the Municipality by applicable legislation relating to the supply of water and matters incidental thereto	<p>WS1</p> <p>Section 11, WSA</p>	<p>Water restrictions exemption:</p> <p>0 - applications approved</p> <p>0 - application not approved</p> <p>0 - applications pending</p> <p>Water restrictions transgressions:</p> <p>0 - reported and notices served by Law Enforcement</p> <p>Borehole registrations:</p>	<p>09/11/2020</p>	<p>10/11/2020</p>	<p>Approved</p> <p>Not approved</p> <p>Pending</p> <p>Approved</p> <p>Approved</p>

			<p>1 - Application to drill 0 - Residential Applications 0 - Commercial Applications 0 - Public Buildings Applications 0 - Grey water Applications</p> <p>Notice 66/2020</p> <p>Interruption in water supply Banhoekweg, Stellenbosch on 19/11/2020</p> <p>Notice 65/2020</p> <p>Water restrictions and tariffs notice</p>		<p>17/11/2020</p> <p>13/11/2020</p>	<p>Approved Approved Approved Approved</p> <p>Approved</p> <p>Approved</p>
12/11/2020 – 30/11/2020	To authorise the connection of any electrical installation or part thereof to the supply mains or to a service connection	571	<p>SMALL-SCALE EMBEDDED GENERATION (SSEG) APPROVAL</p> <p>Connect a 60 KVA installation – Vuurberg, Erf 1217/1, Helshoogte way</p> <p>Connect a 990 W peak installation – Erf 2420, 163A, Banghoek Street</p>		<p>19/11/2020</p> <p>12/11/2020</p>	<p>Approved</p> <p>Approved</p>
	To allocate resources to ensure compliance with license conditions re electricity metering	<p>EL7</p> <p>Code of Practice for Electricity Metering NRS 057</p>	<p>CRITICAL NOTICE AFFECTING ALL STS ELECTRICITY PRE-PAID METERS</p> <p>NOTICE 74/2020</p>		<p>30/11/2020</p>	<p>Approved</p>

DELEGATIONS EXERCISED FOR PERIOD DECEMBER 2020

DIRECTORATE: INFRASTRUCTURE SERVICES

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
03/12/2020 – 09/12/2020	To authorize a staff member, co to gain access to any property for the purpose of conducting inspection, tests or maintenance works	EL18 Section 10	MUNICIPAL NOTICE: Supply of electricity disconnected on 10 December 2020 Area affected: Parts of Merton, Lindida Drive, Wavern, Van Dyk, Davy & Langeveldt Street Supply of electricity disconnected on 22 December 2020 Area affected: ABSA Plein Street, NPK Building	03/12/2020 09/12/2020	03/12/2020 09/12/2020	Approved Approved
07/12/2020 – 14/12/2020	To exercise all powers conferred upon the Municipality by applicable legislation relating to the supply of water and matters incidental thereto	WS1 Section 11, WSA	Water restrictions exemption: Municipal Notice 78/2020 - Water supply interrupted on 10/12/2020 from 09:00 – 16:00. Municipal Notice 79/2020 – Irrigation water timetable: 15 December 2020 – 15 April 2021 Municipal Notice 82/2020 – Interruption in water supply on 17/12/2020 at Paul Kruger Street, Stellenbosch	07/12/2020 08/12/2020 14/12/2020	10/12/2020 09/12/2020 14/12/2020	Approved Approved Approved
	To monitor industrial effluent discharges and industrial effluent quality for compliance and	566	Tanker discharge permit Permit no: Immex Tanker Permit 01 – Permission for the discharge of effluent to the municipal waste water treatment works	02/12/2020	04/12/2020	Approved

	the minimisation of water pollution arising from commercial and industrial activity					
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DELEGATIONS EXERCISED FOR PERIOD: OCTOBER 2020

DIRECTORATE: PLANNING AND ECONOMIC DEVELOPMENT

Date	Delegation	Authorised official	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
APPLICATION LETTER APPROVAL							
	Consideration in terms of Section 60 of the Stellenbosch Land Use Planning By-Law for land use	Director: PED	Category 2 applications for the consent of the municipality for any land use	To consider and administer applications and approve applications for an alteration of the land use restrictions applicable to a particular zone in terms of the Stellenbosch Planning By-law, October 2015			

02/10/2020	applications submitted in terms of section 15(2)(a)-(f) and 15(2)(n and o) where no objection have been received		purpose or departure or deviation in terms of a land use scheme or existing scheme which does not constitute a land development application	Application for temporary departure & delegation, Farm Bellegam, 1012	02/10/2020	02/10/2020	Approved
02/10/2020				Application for the removal title deed, special development & departure, Erf 1197	02/10/2020	02/10/2020	Approved
08/10/2020				Transfer / Rightsizing of Tenancy	08/10/2020	08/10/2020	Approved
09/10/2020				Application for removal of restrictive title deed, Erf 1692	09/10/2020	09/10/2020	Approved
09/10/2020				Application for removal of restrictive title deed, Erf 6685	09/10/2020	09/10/2020	Approved
14/10/2020				Application for rezoning Agriculture to Local authority for the establishment of a cemetery & memorial park on a 70HA, Farm 502	14/10/2020	14/10/2020	Supported
16/10/2020				Application for temporary departure, Erf 155	16/10/2020	16/10/2020	Supported
16/10/2020				Application for rezoning agricultural zone, Farm 29	16/10/2020	16/10/2020	Supported
20/10/2020							Application for technical approval & removal, Erf 2206
21/10/2020	Application for rezoning, Farm 85 & Erf 14425	21/10/2020	21/10/2020				Supported
23/10/2020	Application for removal & departures, Erven, 2151, 2152, 2153, & 11191	23/10/2020	28/10/2020				Supported
26/10/2020	Application for subdivision, Farm 1460/1	26/10/2020	26/10/2020				Supported
26/10/2020	Application for amendment of two rivers, Farm 1646	26/10/2020	26/10/2020				Supported
27/10/2020	Application for temporary departure, Farm 334/5	27/10/2020	27/10/2020				Supported
27/10/2020	Application for consent use & amendment, Erf 16523	27/10/2020	27/10/2020				Approved
27/10/2020	Erf 445	27/10/2020	27/10/2020				Approved
28/10/2020	Application for site development plan & landscaping plan, Farm 1310	28/10/2020	28/10/2020				Approved
28/10/2020	Application for approval of allocation of rental units as listed below to tenants (transfers/rightsizing) as well as applicants on the waiting list	28/10/2020	28/10/2020				Approved

30/10/2020				Application for removal & permanent departure, Erf 6685	30/10/2020	30/10/2020	Approved
01/10/2020	VRP 2	Paragraph 6f	Virementation of operational funds within a vote	Budget Virementation from vote: 20200706013379 to 20200707993200 R155000.00	01/10/2020	01/10/2020	Supported
01/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	IT request Form <ul style="list-style-type: none"> Senior LED Officer 	01/10/2020	01/10/2020	Approved
02/10/2020		Director: PED	Covid-19 Regulations	Workplace Readiness & Work Plan 24-24 September 2020 for the PED Directorate	01/10/2020	01/10/2020	Signed
02/10/2020	MM109	Director: PED	Section 79(1)(b), MFMA	PED: Delegations September 2020	02/10/2020	02/10/2020	Signed
02/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Overtime pre-approval + Standby – October 2020 (a) To approve all types of leave applications (PED Personnel) (b) To approve all types of leave applications: Housing Administration	02/10/2020	02/10/2020	Approved
02/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Termination of EPWP fixed term contracts	02/10/2020	02/10/2020	Resolved
05/10/2020		Director: PED		Memo: Remuneration of the MPT	05/10/2020	05/10/2020	Supported
05/10/2020	VRP 2	Director: PED	Paragraph 6f	Budget Virementation: <ul style="list-style-type: none"> R1500 from Uniforms and protective clothing (20180711011046) to Uniform and protective clothing Covid 19 expenditure (20200824061932) 	05/10/2020	05/10/2020	Supported
05/10/2020		Director: PED	COVID 19 Regulations	Workplace Readiness & Work September 2020 for the PED Directorate	05/10/2020	05/10/2020	Signed
06/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Resignation Letter: Vusumzi Zwelendaba	06/10/2020	06/10/2020	Approved

07/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Overtime pre-approval + Standby – October 2020 (c) To approve all types of leave applications (PED Personnel) (d) To approve all types of leave applications: Housing Administration	07/10/2020	07/07/2020	Approved
07/10/2020	AD3	Director: PED	General	Shortlisting <ul style="list-style-type: none"> Senior Spatial Planner Senior Heritage Planner 	09/09/2020	09/09/2020	Supported
09/10/2020	VRP 2	Director: PED	Paragraph 6f	Budget Virementation: <ul style="list-style-type: none"> R106 000 from 20200817071810 to 202007817071801 R196 813 from 20200817071807 to 20200817071801 R8000 from 20200706012909 to 20200706012906 	09/10/2020	09/10/2020	Supported
13/10/2020	MM22	Director: PED	Section 66(1)(b), Sections Act	Job description: Technical Officer (Housing Admin)	13/10/2020	13/10/2020	Signed
13/10/2020	MM82	Director: PED	Section 62(1)(f)(iv), MFMA	Invoice: <ul style="list-style-type: none"> August Windeed payment R855.86 	13/10/2020	13/10/2020	Approved
13/10/2020	MM84	Director: PED	Section 66, MFMA	Acting Allowance: Planning and Economic Development as acting Manager: Development Management (Rodney Adams) September 2020	13/10/2020	13/10/2020	Supported
13/10/2020	VRP 2	Director: PED	Paragraph 6f	Budget Virementation: R100 000.00 from Clearing & Grass Cutting (20200706013370) to (20200706013327)	13/10/2020	13/10/2020	Supported
14/10/2020	MM82	Director: PED	Section 62(1)(f)(iv), MFMA	Invoice: CHM Vuwani Computer Solutions R 9982.00	14/10/2020	14/10/2020	Approved
15/10/2020	MM163	Director: PED	Sections 37 – 44, RTA	Official request for driver competency test: <ul style="list-style-type: none"> Local Economic Development 	15/10/2020	15/10/2020	Approved
20/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Leave transfer: R Swartbooi	20/10/2020	20/10/2020	Supported

20/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Early retirement: P Matyatya	20/10/2020	20/10/2020	Approved
20/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Overtime pre-approval + Standby – October 2020 (e) To approve all types of leave applications (PED Personnel) (f) To approve all types of leave applications: Housing Administration <ul style="list-style-type: none"> • C Moses 	20/10/2020	20/10/2020	Approved
20/10/2020	C50	Director: PED	Section 14(2) of the MFMA (read with section 90, MFMA)	8 deed of sale Kayamandi 14 deed of sale Pniel	20/10/2020	20/10/2020	Supported
22/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Application of Flexi hours (Land Use Management)	22/10/2020	22/10/2020	Supported
22/10/2020	LEG	Director: PED	General	Submission of lease agreement: Franschoek arts & crafts market	22/10/2020	22/10/2020	Supported
22/10/2020	C50	Director: PED	Section 14(2) of the MFMA (read with section 90, MFMA)	12x deed of sale (Kayamandi)	22/10/2020	22/10/2020	Supported
22/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Overtime pre-approval + Standby – October 2020 (g) To approve all types of leave applications (PED Personnel) (h) To approve all types of leave applications: Housing Administration <ul style="list-style-type: none"> • H Arnolds • C Johnson 	22/10/2020	22/10/2020	Approved
23/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Cellphone Allowance Application: <ul style="list-style-type: none"> • Informal Settlements 	23/10/2020	23/10/2020	Supported

23/10/2020	MM82	Director: PED	Section 62(1)(f)(iv), MFMA	Invoice: • ETG Invoices September 2020 – June 2021	23/10/2020	23/10/2020	Approved
27/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Termination of EPWP fixed term contracts (Area cleaning)	27/10/2020	27/10/2020	Resolved
28/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Termination of EPWP fixed term contracts	28/10/2020	28/10/2020	Resolved
28/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Payday ESS Reporting Lines (Housing Administration)	28/10/2020	28/10/2020	Resolved
28/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Overtime pre-approval + Standby – October 2020 (i) To approve all types of leave applications (PED Personnel) (j) To approve all types of leave applications: Housing Administration	28/10/2020	28/10/2020	Approved
28/10/2020	MM64	Director: PED	Section 62(1)(f)(iv), MFMA	B/SM 27/20 call for proposal, ERF 7001	28/10/2020	28/10/2020	Supported
29/10/2020	LEG9	Acting MM	General	9 x Power of attorney	29/10/2020	29/10/2020	Supported
29/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Overtime pre-approval + Standby – December 2020 (k) To approve all types of leave applications (PED Personnel) (l) To approve all types of leave applications: Housing Administration	29/10/2020	29/10/2020	Approved
30/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Overtime pre-approval + Standby – November 2020 (m) To approve all types of leave applications (PED Personnel) (n) To approve all types of leave applications: Housing Administration	30/10/2020	30/10/2020	Approved
30/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Overtime time-off – November 2020 (o) To approve all types of leave applications (PED Personnel) (p) To approve all types of leave applications: Housing	30/10/2020	30/10/2020	Approved

				Administration			
30/10/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Extension of existing of EPWP fixed term contracts (Urban forestry WC024)	30/10/2020	30/10/2020	Resolved
30/10/2020	AD3	Director: PED	General	Shortlisting <ul style="list-style-type: none"> Senior Heritage Planner 	30/10/2020	30/10/2020	Supported

DELEGATION EXERCISED FOR PERIOD NOVEMBER 2020

DIRECTORATE: PLANNING AND ECONOMIC DEVELOPMENT

Date	Delegation	Authorised official	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
APPLICATION LETTER APPROVAL							
	Consideration in terms of Section 60 of the Stellenbosch Land Use Planning By-Law for land use applications submitted in terms of section	Director: PED	Category 2 applications for the consent of the municipality for any land use purpose or departure or	To consider and administer applications and approve applications for an alteration of the land use restrictions applicable to a particular zone in terms of the Stellenbosch Planning By-law, October 2015			
03/11/2020				Application in terms of section 16 of Act 47 of 1937, Erf 851, Pniel	03/11/2020	03/11/2020	Approved

04/11/2020	15(2)(a)-(f) and 15(2)(n and o) where no objection have been received		deviation in terms of a land use scheme or existing scheme which does not constitute a land development application	Application for rezoning & departure, Erf 5794	04/11/2020	04/11/2020	Approved			
10/11/2020				Application for special development and various departure, Erf 1197, Stellenbosch	10/11/2020	10/11/2020	Approved			
10/11/2020				Approval, amendment of the sub divisional and site development plan, Farm 1307/2&3, Stellenbosch division	10/11/2020	10/11/2020	Approved			
10/11/2020				Approval for arrangement for public participation land use development application over the festive period	10/11/2020	10/11/2020	Approved			
10/11/2020				Application for subdivision, Erf 7269	10/11/2020	10/11/2020	Approved			
10/11/2020				Application for special development & various departure, Erf 1197	10/11/2020	10/11/2020	Approved			
10/11/2020				Amendment of subdivision and site development, Farm 1307/28	10/11/2020	10/11/2020	Approved			
11/11/2020				Exemption certificate, Farm 1609 portion 23	10/11/2020	10/11/2020	Approved			
12/11/2020				Application for amendment of winelands village, Erf 151	12/11/2020	12/11/2020	Approved			
24/11/2020				Approval of advertisement of vacant portion of land	24/11/2020	24/11/2020	Approved			
24/11/2020				Application for title deed rezoning & departure, Erf 614	24/11/2020	24/11/2020	Approved			
02/11/2020				MM84	Director: PED	Section 66, MFMA	Acting Allowance: Planning and Economic Development as acting Manager: Development Management (Rodney Adams) September 2020	02/11/2020	02/11/2020	Approved
02/11/2020				HR2	Director: PED	Conditions of Service (SALGBC)	Overtime pre-approval – October 2020 (q) To approve all types of leave applications: Housing Administration	03/11/2020	03/11/2020	Approved
03/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Extension of EPWP fixed term contracts	03/11/2020	03/11/2020	Approved			
03/11/2020	MM109	Director: PED	Section 79(1)(b), MFMA	PED: Delegations October 2020	03/11/2020	03/11/2020	Signed			
03/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Termination of EPWP fixed term contracts	03/11/2020	03/11/2020	Resolved			

03/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Standby approval – October 2020 (r) To approve all types of leave applications: Housing Administration	03/11/2020	03/11/2020	Approved
04/11/2020	MM21	Director: PED	Section 66(1)(b), Systems Act	Confirmation of Appointment Certificates:	04/11/2020	04/11/2020	Approved
04/11/2020	AD3	Director: PED	General	Motivation Letter: Vacancies: BDM (Vacancies) <ul style="list-style-type: none"> Senior Administrative Officer 	04/11/2020	04/11/2020	Supported
04/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Reporting lines: S Bezuidenhout (Office Assistant)	04/11/2020	04/11/2020	Resolved
05/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Amendment early retirement: P Matyatya	05/11/2020	05/11/2020	Approved
06/11/2020	VRP 2	Director: PED	Paragraph 6f	Budget Virementation: <ul style="list-style-type: none"> R15000 from Advertising, Publicity & Marketing Corporate (LED) 20190703006319 to R15000 Uniform and protective clothing 2020082061940 	06/11/2020	06/11/2020	Supported
06/11/2020	MM82	Director: PED	Section 62(1)(f)(iv), MFMA	Invoice: <ul style="list-style-type: none"> Grant in Aid payment: Stellenbosch Night Shelter October 2020. R 89484.34: 20200707993200 non-profit institutions: Sport Councils 	06/11/2020	06/11/2020	Approved
09/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Termination of EPWP fixed term contracts	09/11/2020	09/11/2020	Approved
09/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Extension of EPWP fixed term contracts: General Worker	09/11/2020	09/11/2020	Approved
10/11/2020		Director: PED	COVID 19 Regulations	Workplace Readiness & Work Plan October 2020 for Housing Administration	10/11/2020	10/11/2020	Approved
11/11/2020	SC13	Director: PED	17(C)	Deviation: Allocation of rental unit to Ms L Classen	11/11/2020	11/11/2020	Supported

12/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Payday ESS Reporting Lines (Housing Administration)	12/11/2020	12/11/2020	Resolved
19/11/2020	TR1	Director: PED	Skills Development Act /MSA	Training: Xhosa training nominees <ul style="list-style-type: none"> • Thys • Couvaras • Lindoor • Adonis • Poole • Ghalpie • Manuel • M MoseS 	19/11/2020	19/11/2020	Approved
19/11/2020	TR1	Director: PED	Skills Development Act /MSA	Training: Customer service training	19/11/2020	19/11/2020	Approved
19/11/2020	MM82	Director: PED	Section 62(1)(f)(iv), MFMA	Invoice: <ul style="list-style-type: none"> • WC Stationers WCD405OB (362323) • B/SM 41/19 – The construction of Klappmuts Informal Trading Site 	19/11/2020	19/11/2020	Approved
19/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Termination of EPWP fixed term contracts	19/11/2020	19/11/2020	Approved
20/11/2020	HO2	Director: PED		Housing consumer education grant report	20/11/2020	20/11/2020	Approved
20/11/2020	LEG9	Director: PED	General	19 x Powers of attorney 1 x Section 16 application	20/11/2020	20/11/2020	Supported
23/11/2020	MM64	Director: PED	Section 62(1)(f)(iv), MFMA	Contract: Service level agreement: B/SM 16\16, Appointment of a project management consultant for township approval and implementation for the zone O housing project.	23/11/2020	23/11/2020	Approved
23/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Termination of EPWP fixed term contracts (Area cleaning)	23/11/2020	23/11/2020	Resolved

24/11/2020	AD3	Director: PED	General	Shortlisting <ul style="list-style-type: none"> Artian Plumber 	24/11/2020	24/11/2020	Supported
24/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Termination of service clearance form (retired): P Matyatya Termination of service: ref no 4/3/4/5 VD De Villiers	24/11/2020	24/11/2020	Approved
26/11/2020	HR2	Director: PED	Conditions of Service (SALGBC)	Termination of EPWP fixed term contracts	26/11/2020	26/11/2020	Resolved
26/11/2020	MM82	Director: PED	Section 62(1)(f)(iv), MFMA	Invoice: <ul style="list-style-type: none"> Fine cut solutions R305082.24 (362303) 	26/11/2020	26/11/2020	Approved
27/11/2020	C50	Director: PED	Section 14(2) of the MFMA (read with section 90, MFMA)	40 deed of sale <ul style="list-style-type: none"> Idas Valley Klapmuts Priel Cloetesville 	26/11/2020	26/11/2020	Supported
30/11/2020	MM84	Director: PED	Section 66, MFMA	Acting Allowance: Planning and Economic Development as acting Manager: Development Management (Marco Fouche) 10 – 30 November 2020	30/11/2020	30/11/2020	Supported
30/11/2020	MM82	Director: PED	Section 62(1)(f)(iv), MFMA	Invoice: <ul style="list-style-type: none"> Bidvest Waltons R 536.33 (362326) 	30/11/2020	30/11/2020	Approved

12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
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12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
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NONE

13.	REPORTS BY THE MUNICIPAL MANAGER
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13.1	ALLOCATION OF FUNDS TO ORGANISATIONS PROVIDING FOOD TO THE HOMELESS DURING THE COVID-19 LOCKDOWN PERIOD
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Collaborator No:

IDP KPA Ref No:

A Dignified Living

Good Governance and Compliance

Meeting Date:

27 January 2021

1. SUBJECT: ALLOCATION OF FUNDS TO ORGANISATIONS PROVIDING FOOD TO THE HOMELESS DURING THE COVID-19 LOCKDOWN PERIOD

2. PURPOSE

To consider a further donation to the Stellenbosch Unite Initiative to procure and distribute food packages to the homeless and vulnerable people of the municipal area during the COVID-19 lockdown period.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

On 20 April 2020, the Executive Mayor under the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, approved the recommendations from the Special Grants Committee to donate funding to the Stellenbosch Unite Initiative to provide food parcels and soup to the vulnerable community groups during the COVID-19 lockdown period.

On 11 September 2020, Council approved a further donation to the Stellenbosch Unite Initiative as per the recommendations of the Special Grants Committee to provide soup to the vulnerable community groups during the COVID-19 lockdown period, with the decision *“that Council notes that no further ad-hoc financial donations will be entertained, as any further donations of this nature must be discussed through the IDP and Budget processes.”*

The above decision was based on the fact that the Grants Committee noted that our country lowered the COVID-19 Regulations to Level 2, which resulted in a number of businesses being allowed to trade, and that more job opportunities may have been created, however this situation has changed during December 2020 due a surge of COVID-19 infections, which emanated into the “second wave” COVID-19 infections, and

the President announced that the country be placed at Level 3 Lockdown, with the prohibition of sale and distribution of alcohol in all its forms, as well as the announcement of curfew. This had a major impact on especially, the tourism businesses of Stellenbosch Municipality. This resulted in a number of donors not being in the position to financially assist with feeding scheme for the most vulnerable communities, which have increased as the number of hospitality businesses have lost patrons, which resulted in staff being retrenched and /or businesses closing. The need for assistance has thus exponentially increased and may even increase over the next months, with the uncertainty of the availability of the COVID-vaccine and the traditional winter months looming, which may result in a further rise of infections. Essentially funding is needed to continue with the various soup kitchens serving the vulnerable communities in WC024, and also that although Council made the decision that no further ad-hoc contributions will be made, could not have predicted the announcement of a further level 3 lockdown with such restrictive regulations accompanying it, which may have resulted in an already dire economy situation to our country.

5. RECOMMENDATIONS

- (a) that Council rescinds its decision taken at the Special Council Meeting dated 11 September 2020 that *“Council notes that no further ad-hoc financial donations will be entertained, as any further donations of this nature must be discussed through the IDP and Budget processes”*;
- (b) that Council approves the further donation of R300 000.00 in total to the Stellenbosch Unite Initiative, to keep the soup kitchens operational until the end of the financial year, ending June 2021; and
- (c) that the above donation be exempted from the following Clauses within the Grants-in-Aid Policy (2020 / 2021):
 - Clauses 4 (Restrictions)
 - 6.1.4 (vi) *“Where expenses have already been incurred,...”*.
 - 6.1.4(vii) *“Where applications were received after the due date and time for submissions.”*

6. DISCUSSION / CONTENT

Stellenbosch Unite has mobilised various restaurants in Stellenbosch and Franschhoek to produce soup for distribution to vulnerable communities, since the earliest start of the COVID-19 lockdown, and have through partnership with restaurant owners and donors supplied food from soup kitchens to a number of vulnerable communities. Currently, donor fatigue and the current resurgence of the COVID-19 pandemic has resulted in a number of businesses not being able to provide donations to the initiative due to the severe regulations and the restrictions, and have rather opted to save funds in keeping their doors open, which are also dwindling amidst the restrictions.

The soup kitchens funds are thus exhausted and in order to keep this service to our vulnerable communities operational, Stellenbosch Unite has pleaded with Council to make a further contribution of R150 000.00 per month to the initiative. Although, Council did take a decision at the aforementioned Special Council Meeting, to not make any further donations available, Council could not have foreseen the resurgence and the institution of Level 3 Regulations again, which had a significant impact on the already dwindling economy and the resultant major increase in job losses.

It is the recommendation that the donation of R300 000.00 be made available to Stellenbosch Unite to operate the soup kitchen. These funds will be used to procure ingredients and to prepare the soup.

6.1 Financial Implications

That R300 000.00 may be transferred to the Stellenbosch Unite Initiative which must be used to keep the soup kitchens operational until the end of the financial year, ending June 2021. The funds will be viremented from savings identified through the mid-year adjustments consultation process from the operational budget of the Directorate: Planning & Economic Development.

6.2 Legal Implications

That the recommendations comply with municipal policies and all relevant and applicable government legislations, and where such recommendations deviate from Council policies, that such permission to deviate are included in the recommendations to Council for consideration.

6.3 Staff Implications

There are no staff implications.

6.4 Previous / Relevant Council Resolutions

- 6.4.1. Council approved funding of R300 000.00 to Stellenbosch Unite as part of the Humanitarian Relief project that was implemented in partnership with various local NGOs and civil society organisations.
- 6.4.2. Council also approved the transfer of R900 000.00 (received from the Department of Local Government for humanitarian relief) to Stellenbosch Unite to be distributed in WC024 in the form of E- Vouchers that can be redeemed at local retailers for food.
- 6.4.3 Council approved R155 000.00 to Stellenbosch Unite to keep the soup kitchens for vulnerable communities operational until 30 September 2020.

6.5 Risk Implications

Council has identified operational budget savings as part of the mid-year adjustment budget, and sufficient savings or funds which will not be spent by end June 2021 have been identified and earmarked, these funds relating to conferences, air transport, catering, etc. and such funds may be allocated to fund the proposed donation.

ANNEXURES:

Annexure 1: Request for assistance from Stellenbosch Unite

Annexure 2: Minutes of the Grants Committee Meeting dated 19 January 2021

FOR FURTHER DETAILS, CONTACT:

NAME	Craig Alexander
POSITION	Senior Manager: Development Planning
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8196
E-MAIL ADDRESS	Craig.alexander@stellenbosch.gov.za
REPORT DATE	20 January 2021

Comments of the Grants Committee:

The recommendations are supported by the Grants Committee based on the following reasons:

- The current unforeseen COVID-19 Level 3 Lockdown regulations have resulted in a number of businesses not being able to donate to the initiative due to the uncertain economic times.
- That a number of communities have been left destitute amidst the resurgence of the COVID-19 pandemic through the instituted Level 3 Lockdown Regulations and stringent curfew, limiting business hours for the hospitality industry.
- Although, Council's budget is under extreme pressure due to businesses closing and citizens not being able to pay their municipal accounts, as a result of job losses, savings have been identified within the Operational Budget of the Directorate: Planning & Economic Development to fund the donation, these funds must be viremented to the applicable UKey, as the mid-year adjustment have been delayed until the February 2021 Council Meeting.
- The members of the Grants Committee unanimously supported the recommendations as listed below.

Based the above recommendations the Grants Committee recommends the following:

- (a) That Stellenbosch Municipality, as a partner in the Stellenbosch Unite Initiative, the Grants Committee support that Council rescind its decision taken at the Special Council Meeting dated 11 September 2020 that *"Council notes that no further ad-hoc financial donations will be entertained, as any further donations of this nature must be discussed through the IDP and Budget processes."*;
- (b) That the Grants Committee recommends the further donation of R300 000.00 to the Stellenbosch Unite Initiative, until the end of the financial year, ending June 2021, to keep soup kitchens in vulnerable communities; and
- (c) That the above donation be exempted from the following Clauses within the Grants-in-Aid Policy (2020/2021):
 - Clauses 4 (Restrictions)
 - 6.1.4 (vi) *"Where expenses have already been incurred,.."*
 - 6.1.4(vii) *"Where applications were received after the due date and time for submissions."*

ANNEXURE 1

Craig Alexander

From: Jeanneret Momberg <give@stellenboschunite.org>
Sent: Sunday, 17 January 2021 22:40
To: Geraldine Mettler; Raydine Wenn
Cc: Craig Alexander
Subject: [EX] Stellenbosch Unite funding request

Dear Ms Mettler

Stellenbosch Unite has terminated our limited food aid provision that was operational in some communities over the past months at the end of December 2020.

Due to the once again devastating economic effects that the current extended Stage 3 lockdown has on our town and it's people, Stellenbosch Unite will have to re-instate a limited food relief initiative. Such an effort will cost at least R150 000 per month.

I want to make an urgent appeal to the Stellenbosch Municipality to please contribute towards such an effort.

Your earlier contributions made a significant positive impact on the Stellenbosch Unite Food relief effort and is much appreciated.

Kind regards

JEANNERET MOMBERG
082 944 3868



SCAN



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STELLENBOSCH



Ranyelen

ANNEXURE 2

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.

2021-01-20

**GRANTS COMMITTEE MEETING:
MONDAY, 2021-01-19 AT 15:30**

TO

Municipal Manager (Chairperson)

Director: Planning and Economic Development

Director: Community and Protection Services

Chief Financial Officer

Senior Manager: Development Planning

MUNICIPAL MANAGER

CHAIRPERSON

MINUTES
GRANTS COMMITTEE MEETING
2021-01-19

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3.	ITEMS FOR CONSIDERATION
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3.1	ALLOCATION OF FUNDS TO ORGANISATIONS PROVIDING FOOD TO THE HOMELESS DURING THE COVID-19 LOCKDOWN PERIOD
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

19 January 2021

1. SUBJECT:

~~**ALLOCATION OF FUNDS TO ORGANISATIONS PROVIDING FOOD TO THE HOMELESS DURING THE COVID-19 LOCKDOWN PERIOD**~~

2. PURPOSE OF REPORT

To consider a further donation to the Stellenbosch Unite Initiative to procure and distribute food packages to the homeless and vulnerable

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

On 20 April 2020, the Executive Mayor under the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, approved the recommendations from the Special Grants Committee to donate funding to the Stellenbosch Unite Initiative to provide food parcels and soup to the vulnerable community groups during the COVID-19 lockdown period.

On 11 September 2020, Council approved a further donation to the Stellenbosch Unite Initiative as per the recommendations of the Special Grants Committee to provide soup to the vulnerable community groups during the COVID-19 lockdown period, with the decision *“that Council notes that no further ad-hoc financial donations will be entertained, as any further donations of this nature must be discussed through the IDP and Budget processes.”*

The above decision was based on the fact that the Grants Committee noted that our country lowered the COVID-19 Regulations to Level 2, which resulted in a number of businesses being allowed to trade, and that more job opportunities may have been created, however this situation has changed during December 2020 due a surge of COVID-19 infections, which emanated into the “second wave” COVID-19 infections, and the President announced that the country be placed at Level 3 Lockdown, with the prohibition of sale and distribution of alcohol in all its forms, as well as the announcement of curfew. This had a major impact on especially, the tourism businesses of Stellenbosch Municipality. This resulted in a number of donors not being in the position to financially assist with feeding scheme for the most vulnerable communities, which have increased as the number of hospitality businesses have lost patrons, which resulted in staff being retrenched and /or businesses closing. The need

for assistance has thus exponentially increased and may even increase over the next months, with the uncertainty of the availability of the COVID-vaccine and the traditional winter months looming, which may result in a further rise of infections. Essentially funding is needed to continue with the various soup kitchens serving the vulnerable communities in WC024, and also that although Council made the decision that no further ad-hoc contributions will be made, could not have predicted the announcement of a further level 3 lockdown with such restrictive regulations accompanying it, which may have resulted in an already dire economy situation to our country.

5. RECOMMENDATIONS

- 5.1 That the Grants Committee support that Council rescind its decision taken at the Special Council Meeting dated 11 September 2020 that "*Council notes that no further ad-hoc financial donations will be entertained, as any further donations of this nature must be discussed through the IDP and Budget processes.*"
- 5.2 That the Grants Committee recommends the further donation of R300 000.00 to the Stellenbosch Unite Initiative, until the end of the financial year, ending June 2021, to keep soup kitchens in vulnerable communities; and
- 5.3 That the above donation be exempted from the following Clauses within the Grants-in-Aid Policy (2020 / 2021):
 - Clauses 4 (Restrictions)
 - 6.1.4(vi) "*Where expenses have already been incurred,...*"
 - 6.1.4(vii) "*Where applications were received after the due date and time for submissions.*"

6. DISCUSSION

Stellenbosch Unite has mobilised various restaurants in Stellenbosch and Franschhoek to produce soup for distribution to vulnerable communities, since the earliest start of the COVID-19 lockdown, and have through partnership with restaurant owners and donors supplied food from soup kitchens to a number of vulnerable communities. Currently, donor fatigue and the current resurgence of the COVID-19 pandemic has resulted in a number of businesses not being able to provide donations to the initiative due to the severe regulations and the restrictions, and have rather opted to save funds in keeping their doors open, which are also dwindling amidst the restrictions.

The soup kitchens funds are thus exhausted and in order to keep this service to our vulnerable communities operational, Stellenbosch Unite has pleaded with Council to make a further contribution of R150 000.00 per month to the initiative. Although, Council did take a decision at the aforementioned Special Council Meeting, to not make any further donations available, Council could not have foreseen the resurgence and the institution of Level 3 Regulations again, which had a significant impact on the already dwindling economy and the resultant major increase in job losses.

It is this the recommendation that the donation of at R300 000.00 be made available to Stellenbosch Unite to operate the soup kitchen. These funds will be used to procure ingredients and to prepare the soup.

6.1 Financial Implications

That R300 000.00 may be transferred to Stellenbosch Unite in terms of the recommendations which must be used for soup kitchens. These funds is to provide soup kitchens until the end June 2021.

6.2 Legal Implications

That the recommendations comply with municipal policies and all relevant and applicable government legislations, and where such recommendations deviates from Council policies, that such permission to deviate are included in the recommendations to Council for consideration.

6.3 Previous / Relevant Council Resolutions

6.3.1 Council approved funding of R300 000.00 to Stellenbosch Unite as part of the Humanitarian Relief project that was implemented in partnership with various local NGOs and civil society organisations.

6.3.2 Council also approved the transfer of R900 000.00 (received from the Department of Local Government for humanitarian relief) to Stellenbosch Unite to be distributed in WC024 in the form of E- Vouchers that can be redeemed at local retailers for food.

6.3.3 Council approved R155 000.00 to Stellenbosch Unite to keep the soup kitchens for vulnerable communities, operational until 30 September 2020.

6.4 Risk Implications

Council has identified operational budget savings as part of the mid-year adjustment budget, and sufficient savings or funds which will not be spent by end June 2021 have been identified and earmarked, these funds relating to conferences, air transport, catering, etc. and such funds may be allocated to the fund the proposed donation.

ANNEXURES**Appendix 1: Request for assistance email from Stellenbosch Unite**

FOR FURTHER DETAILS CONTACT:

NAME	Craig Alexander
POSITION	Senior Manager: Development Planning
DIRECTORATE	PLANNING AND ECONOMIC DEVELOPMENT
CONTACT NUMBERS	021 808 8196
E-MAIL ADDRESS	Craig.alexander@ Stellenbosch.gov.za
REPORT DATE	18 January 2021

Comments of the Grants Committee:

The recommendations are supported by the Grants Committee based on the following reasons:

- The current unforeseen COVID-19 Level 3 Lockdown regulations have resulted in a number of businesses not being able to donate to the initiative due to the uncertain economic times.
- That a number of communities have been left destitute amidst the resurgence of the COVID-19 pandemic through the instituted Level 3 Lockdown Regulations and stringent curfew, limiting business hours for the hospitality industry.
- Although, Council's budget is under extreme pressure due to businesses closing and citizens not being able to pay their municipal accounts, as a result of job losses, savings have been identified within the Operational Budget of the Directorate: Planning & Economic Development to fund the donation, these funds must be verimented to the applicable ukey, as the mid-year adjustment have been delayed until the February 2021 Council Meeting.
- The members of the Grants Committee unanimously supported the recommendations as listed below.

Based the above recommendations the Grants Committee recommends the following:

- (a) That Stellenbosch Municipality, as a partner in the Stellenbosch Unite Initiative, the Grants Committee support that Council rescind its decision taken at the Special Council Meeting dated 11 September 2020 that "*Council notes that no further ad-hoc financial donations will be entertained, as any further donations of this nature must be discussed through the IDP and Budget processes.*";
- (b) That the Grants Committee recommends the further donation of R300 000.00 to the Stellenbosch Unite Initiative, until the end of the financial year, ending June 2021, to keep soup kitchens in vulnerable communities; and
- (c) That the above donation be exempted from the following Clauses within the Grants-in-Aid Policy (2020/2021):
 - Clauses 4 (Restrictions)
 - 6.1.4(vi) "*Where expenses have already been incurred,..*".
 - 6.1.4(vii) "*Where applications were received after the due date and time for submissions.*"

MINUTES

GRANTS COMMITTEE MEETING

2021-01-19

The meeting adjourned at:

CHAIRPERSON:

DATE:

Confirmed on:

MINUTES.GRANTS COMMITTEE MEETING

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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NONE

15.	CONSIDERATION OF URGENT MOTIONS
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16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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17.	REPORTS SUBMITTED BY THE SPEAKER
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NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

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

THE AGENDA HAS BEEN DISCUSSED WITH THE SPEAKER, CLLR WC PETERSEN (MS), AND SHE AGREES WITH THE CONTENT.
