STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2021-05-26

NOTICE OF THE 43RD MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY WEDNESDAY, 2021-05-26 AT 10:00

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 **43RD MEETING** of the **COUNCIL** of **STELLENBOSCH MUNICIPALITY** will be held via **MS TEAMS** on **WEDNESDAY, 2021-05-26** at **10:00** to consider the items on the Agenda.

SPEAKER
WC PETERSEN (MS)

A G E N D A

MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2021-05-26

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1.	**OPENING AND WELCOME**

2.	**MAYORAL ADDRESS**

3.	**COMMUNICATION BY THE SPEAKER**

4.	**COMMUNICATION BY THE MUNICIPAL MANAGER**

5.	**DISCLOSURE OF INTERESTS**

6.	**APPLICATIONS FOR LEAVE OF ABSENCE**

7.	**CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING**

7.1	**42ND COUNCIL MEETING: 2021-04-28**

The minutes of the 42nd Council Meeting: 2021-04-28 is attached as **APPENDIX 1**.

FOR CONFIRMATION

APPENDIX 1

STELLENBOSCH
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Ref. no.3/4/1/5

2021-04-28

MINUTES

42ND MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2021-04-28 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)

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MINUTES **42ND MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY** **2021-04-28**

PRESENT

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

COUNCILLORS

FJ Badenhorst	MC Johnson
FT Bangani-Menziwa (Ms)	DD Joubert
Ald PW Biscombe	N Mananga-Gugushe (Ms)
G Cele (Ms)	C Manuel
PR Crawley (Ms)	NE Mcombring (Ms)
A Crombie (Ms)	XL Mdemka (Ms)
Z Dalling (Ms)	C Moses (Ms)
C Davidse	RS Nalumango (Ms)
R Du Toit (Ms)	N Olayi
J Fasser	SA Peters
A Florence	WF Pietersen
AR Frazenburg	SR Schäfer
E Fredericks (Ms)	Ald JP Serdyn (Ms)
T Gosa	N Sinkinya (Ms)
E Groenewald (Ms)	P Sitshoti (Ms)
JG Hamilton	Q Smit
AJ Hanekom	LL Stander
JK Hendriks	RB Van Rooyen
LK Horsband (Ms)	E Vermeulen

****

Officials:

Municipal Manager (Ms G Mettler)
Chief Financial Officer (K Carolus)
Acting Director: Community and Protection Services (A van der Merwe)
Director: Corporate Services (Ms A De Beer)
Director: Infrastructure Services (D Louw)
Acting Director: Planning and Economic Development (C Alexander)
Chief Audit Executive (F Hoosain)
Manager: Secretariat (EJ Potts)
Senior Administration Officer (T Samuels (Ms))

****

1.	**OPENING AND WELCOME**

"Good Morning to you all present in this, the 42nd Council Meeting.

Special welcome to:

- The Executive Mayor, Alderman Gesie Van Deventer
- Deputy Executive Mayor, Nyaniso Jindela
- The Municipal Manager, Geraldine Mettler and Directors
- The Members of the Executive Committee
- All Councillors present
- And the broader Stellenbosch Public tuned in on the Virtual Platform

I welcome all present and hope that you will have a fruitful and constructive meeting.

I now call on Cllr: Xoliswa Mdemka to open the meeting with a prayer.

Thank you."

2.	MAYORAL ADDRESS

"Speaker, Munisipale Bestuurder, Burgemeesterskomiteelede, Direkteure

Goeiedag, Good Morning, Molweni, As-salaam Alaikum

I hope everyone enjoyed and celebrated Freedom Day!

- Freedom Day commemorates our first free democratic elections in 1994 and the birth of the new South Africa.
- Even today, there are many countries in the world that limit and/or restrict the voting rights of their citizens and that makes our commemoration of this day even more important.
- We must never forget the cost of our democracy!

To that end, I hope that everyone has taken note of the President's announcement of the date for local government elections later this year.

- Date has officially been announced as 27 October 2021.
- The IEC will announce an official registration weekend.
- But all eligible residents, meaning every resident, 18 years and older by the date of the election must ensure that they are correctly registered.
- You can go to the nearest IEC office to update your registration.
- If you have moved since the last election, please make sure you update your registration.
- To check on whether or not you are correctly registered, you can visit the IEC's webpage at www.elections.org.za or send and sms with your ID nr to 32810.

COVID-19 is still with us, and I want to urge all staff, councillors, residents and students to please continue to be cautions.

- I am noticing a concerning number of people moving outside in public spaces and in shops without masks.
- It seems that people are under the impression that COVID-19 is gone.
- I urge everyone to not let your guard down and continue to be vigilant.
- Predictions indicate a surge in cases sometime mid-May and it could turn into a third wave forcing an increase in lockdown precautions.
- We are seeing some delays in vaccine rollouts and another wave of infections could be disastrous.

The Stellenbosch Wine Routes turns 50 on 17 April!

- The Stellenbosch Wine Route was the first ever in South Africa,
- The largest Wine Route in South Africa
- Launched the Wine Tourism industry in South Africa.
- It was officially launched during a very smart event in the Stellenbosch Town Hall on 17 April 1971 and it has made a significant and lasting contribution to our entire region, and the country.
- Congratulations to all the stakeholders and role players and thank you for the wonderful work you to for job creation and driving our local economy.

Thank You".

3.	COMMUNICATION BY THE SPEAKER

"Madam Mayor and Deputy Mayor, today we will be holding our 42nd Council meeting against the backdrop that we will only be in Council until the end of October 2021 – Meaning that we still have **182** days left to complete our term / work of being of service to the broader Stellenbosch public.

Councillors and Administration of Stellenbosch, let us use this window of Opportunity to correct and do what we should do to the Stellenbosch electorate.

Notices:

May I remind all Ward Councillors of the special Ward Councillors Virtual Meeting with the Department of Health scheduled for Thursday 29th April 2021, starting at 14H00 sharp. Please make sure that you or your administrator attend.

Regarding Birthdays:

The following Councilors will be celebrating their birthdays:

- Faith Bangani-Menziwa on 15 May
- Elsabe Vermeulen on 20th May and
- Aldridge Frazenburg – 26 May

Madame Mayor and Municipal Manager and fellow Councilors, let us move to the Council Agenda".

4.	COMMUNICATION BY THE MUNICIPAL MANAGER

The Municipal Manager, Ms G Mettler's communications is summarized as follows:-

- Freedom Day was celebrated on 2021-04-27 and this is a very important day in the history of South Africa;
- She reminded us of a quote from Nelson Mandela and it says "**To be free is not merely to cast** off one's chains, but to live in a way that respects and enhances the freedom of others." With freedom comes responsibilities and accountabilities, and we sometimes tend to forget this very important part.
- It is the end of the public participation season around the IDP, the Budget and the SDF and we are in the last quarter of the financial year 2020/2021.
- Covid is still very prevalent and she urged all to continue with the protocols, especially in light of the anticipated 3rd wave according to media reports.
- The elections has been promulgated and will take place on 27 October 2021.
- Residents are encouraged to ensure that they are registered with the IEC Offices in Dorp Street.
- 1 May is Worker's Day and the Municipal Manager quoted the following by Dr Martin Luther King Jr: "*All labor that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence"*. This is her wish for the residents and employees of Stellenbosch. As the Head of Administration she expressed her appreciation towards the staff of Stellenbosch Municipality and for every sacrifice and encouraged them to always give their best in what they do, because they are one of the biggest assets and without them, service delivery can't happen. She wished them well for Worker's Day on 01 May 2021.

5.	DISCLOSURE OF INTERESTS

NONE

6.	APPLICATIONS FOR LEAVE OF ABSENCE

The following application for leave of absence was approved in terms of the Rules and Order By-law of Council:-

Cllr F Adams – 28 April 2021

ABSENT

Cllr MD Oliphant – 28 April 2021

7.	CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING

7.1	41ST COUNCIL MEETING: 2021-03-31

The minutes of the 41st Council Meeting: 2021-03-31 was **confirmed as correct.**

8.	STATUTORY MATTERS

8.1	ADJUSTMENTS BUDGET FOR 2020/2021: ADDITIONAL ALLOCATIONS AND REDUCED ALLOCATIONS

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **14 April 2021 and 28 April 2021**

1. SUBJECT: ADJUSTMENTS BUDGET FOR 2020/2021: ADDITIONAL ALLOCATIONS AND REDUCED ALLOCATIONS

2. PURPOSE

To table the adjustments budget for the 2020/2021 financial year to Council for approval. The adjustments budget emanates from additional allocations from the Western Cape Provincial Government and reduced allocations from the Western Cape Provincial Government and National 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

Reduction of conditional grants

The Western Cape Provincial Minister of Finance and Economic Opportunities has granted approval, in terms of the section 30 (3) of the Division of Revenue Act (Act No. 4 of 2020) to reduce the Western Cape Financial Management Capacity Building Grant with R 100 000.

The Minister of Finance has granted approval on 22 February 2021, in terms of section 16 and 26 of the Division of Revenue Act (Act No. 4 of 2020) as amended by the Division of Revenue Second Amendment Act (Act No. 20 of 2020) for the reduction of conditional grant allocations.

As a result, thereof grant allocations were reduced for Stellenbosch Municipality, for the 2020/21 financial year.

Gazetting of Allocations

Minister David John Maynier tabled the 2021/22 indicative allocation per municipality to Provincial Parliament on 12 March 2021 section 29(2)(a) of the Division of Revenue Act, 2021.

The department will make an additional transfer to the Community Library Services Grant in April 2021. This will ensure municipalities receive their originally envisaged transfers for the 2020/21 municipal financial year.

Other Allocations

A funding allocation letter was received from Cape Winelands District Municipality to Stellenbosch Municipality for the amount of R100 000 for Tourism Product and Service Development.

42ND COUNCIL MEETING: 2021-04-28: ITEM 8.1

RESOLVED (nem con)

(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	

8.2	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR MARCH 2021

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **14 April 2021 and 28 April 2021**

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR MARCH 2021

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 March 2021.

42ND COUNCIL MEETING: 2021-04-28: ITEM 8.2

NOTED

the deviations as listed below for the month of March 2021:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRAC=TOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 12/21	18 March 2021	Merriman BP service station	Procurement of diesel to replenish generators during loadshedding	Emergency procurement of essential services, including transportation and communication facilities or support services critical to the effective functioning of the municipality as a whole.	Diesel is needed to replenish 7 generators which supply electricity to the essential services during loadshedding. Diesel must be procured from a compliant service provider who is in close proximity of the municipality. From 01 April the new National Treasury Transversal tender for fuel come into effect and the municipality will make use of this tender to procure diesel for the generators.	R150 000 (Incl. VAT)

D/SM 13/21	31 March 2021	Vodacom (Pty) Ltd	Appointment of Vodacom (Pty) Ltd for the provision of access point network (APN) 1TB bundled solution on a month to month basis starting from 1 April 2021 - 30 June 2021	Exceptional case and it is impossible to follow the official procurement process	The current service provider was appointed on the transversal tender from National Treasury for the supply and delivery of Mobile Communication Services. This transversal tender ended 31/03/2021. National Treasury is in the process to replace the 2016 tender and we are awaiting the finalisation of that process. All mobile service providers are part of the transversal tender and it is unlikely that we will receive better rates than what is bid on the transversal tender. It was therefore not practical for the municipality to go out on tender for the provision of APN Services whilst National Treasury is also busy with a Transversal tender RT15-2021 for the period 1 April 2021 to 31 March 2026. The contract is not finalised yet and we are therefore unable to use the new Transversal tender RT15-2021.	R 900 000.00 (Incl. Vat)

8.3	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY- REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 3 (01 JANUARY 2021- 31 MARCH 2021)

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **14 April 2021 and 28 April 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 3 (01 JANUARY 2021- 31 MARCH 2021)

2. PURPOSE

To submit to Executive Management a report for the period 01 January 2021 - 31 March 2021 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.

42ND COUNCIL MEETING: 2021-04-28: ITEM 8.3

NOTED

(a) this report and **ANNEXURE A** attached to the report; and

(b) that the report be made public in accordance with section 21A of the Municipal Systems Act.

8.4	MFMA SECTION 52 REPORTING UP TO END OF MARCH 2021

Collaborator No: 8/1
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 28 April 2021

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO END OF MARCH 2021

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 3 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 January 2021 to 31 March 2021.

42ND COUNCIL MEETING: 2021-04-28: ITEM 8.4

NOTED

the Section 52 Report (including quarterly performance report) – Third Quarter.

9.	REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS

42ND COUNCIL MEETING: 2021-04-28: ITEM 9

NOTED

the report by the Municipal Manager re outstanding resolutions taken at previous meetings of Council.

10.	ITEMS FOR NOTING

10.1	REPORT/S BY THE EXECUTIVE MAYOR

10.1.1	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JANUARY 2021 – MARCH 2021

Collaborator No:
IDP KPA Ref No: Good Governance
Meeting Date: 28 April 2021

1. SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JANUARY 2021 – MARCH 2021

2. PURPOSE

To inform Council of the decisions taken by the Executive Mayor from January 2021 to March 2021 **(**see **APPENDIX 1)**.

3. DELEGATED AUTHORITY

As per the delegations from Council and powers vested in the Executive Mayor by legislation.

For Notification

4. EXECUTIVE SUMMARY

In terms of the Municipal Structures Act 117 of 1998 Section 56 (5) it is stated that:

"An Executive Mayor must report to the municipal council on all decisions taken by the Executive Mayor."

42ND COUNCIL MEETING: 2021-04-28: ITEM 10.1.1

NOTED

the decisions taken by the Executive Mayor for the quarter January 2021 to March 2021.

10.2	**REPORT/S BY THE SPEAKER**

NONE

10.3	**REPORT/S BY THE MUNICIPAL MANAGER**

NONE

11.	**ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]**

11.1	**COMMUNITY DEVELOPMENT AND PROTECTION SERVICES: (PC: CLLR R BADENHORST)**

NONE

11.2	**CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)**

NONE

11.3	**FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]**

11.3.1	**WRITE-OFF OF INDIGENT DEBT OLDER THAN 90 DAYS WHICH IS CONSIDERED IRRECOVERABLE**

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **14 April 2021 and 28 April 2021**

1. SUBJECT: WRITE-OFF OF INDIGENT DEBT OLDER THAN 90 DAYS WHICH IS CONSIDERED IRRECOVERABLE

2. PURPOSE

To obtain approval from Council in terms of Sec 3(1) of the Irrecoverable Debts Policy.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

Indigent debt rises constantly despite the fact that it is periodically written off. This is mainly due to the municipality's inability to terminate or restrict electricity supply in areas where the municipality does not provide the service, coupled with the municipality's inability to manage and prevent excessive consumption of water. Almost 80% of the Indigent Debt being proposed for write-off in this report, stems from water consumption.

Large scale installation of Water Management Devices (WMDs) will provide relief for both challenges, as it will assist in preventing an indigent consumer from building up an outstanding amount that he/she is unable to pay.

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.3.1

RESOLVED (nem con)

(a) that Council approves the write-off of Indigent Debt older than 90 Days in terms of S3(1) of the Irrecoverable Debt Policy as recommended in the amount of R11 035 040.71 plus adjustments possibly made between date of report and date of actual write-off;

(b) that the amounts written off be recovered from the Provision for Bad Debt;

(c) that all indigent consumers on the attached list, who are not connected to the water network with a Water Management Device, as a matter of urgency and as per a previous Council decision, be connected to the water network with a Water Management Device; and

(d) that before write-off, the indigent status is verified.

FOR FURTHER DETAILS CONTACT:

NAME	***A Treurnich***
POSITION	***Senior Manager: Revenue & Expenditure***
DIRECTORATE	***Financial; Services***
CONTACT NUMBERS	***021 808 8016***
E-MAIL ADDRESS	***andre.treurnich@stellenbosch.org.za***
REPORT DATE	***30 March 2021***

11.4	HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)

NONE

11.5	INFRASTRUCTURE: (PC: CLLR Q SMIT)

11.5.1	REQUEST FOR APPROVAL OF STELLENBOSCH MUNICIPALITY BY-LAW ON ROADS AND STREETS

Collaborator No: 696755
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 14 April 2021 and 28 April 2021

1. SUBJECT: REQUEST FOR APPROVAL OF STELLENBOSCH MUNICIPALITY BY-LAW ON ROADS AND STREETS

2. PURPOSE

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

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 gives effect to the rights contained in Section 24 of the Constitution, supported by Section 11 of the Local Government Municipal Systems Act 200 (Act 32 of 2000), where, a Local Government may proclamate By-Laws to govern the services that is delivered to the constituencies of the Republic of South Africa.

As the Road Authority for Municipal Roads and Streets within the jurisdiction of the Municipality, the Council may define and regulate, activities and functions on roadways, walkways and other spaces within road reserves.

The proposed By-Law on Roads and Streets aims to promote a safe environment for the benefit of all roads and sidewalk uses and provides procedures, methods and practices to manage the use of roads, streets, sidewalks and road verges.

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.1

RESOLVED (majority vote)

(a) that the Draft By-Law on Roads and Streets, attached as **ANNEXURE A**, be accepted in terms of Section 12(2) to 12(3) and 13 of the Municipal Systems Act; and

(b) that Council notes that a public participating process was followed and considered the discussion on comments received.

11.5.2	POSTER BY-LAW

Collaborator No: 696737
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 14 April 2021 and 28 April 2021

1. SUBJECT: POSTER BY-LAW

2. PURPOSE

To obtain Council's approval to commence with another public participation process for the acceptance of the attached Draft By-Law Relating to Outdoor Advertising and Signage

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

This item deals with the accepting of a Draft By-Law Relating to Outdoor Advertising and Signage.

The purpose of this By-Law is to control, manage and regulate outdoor advertising and signage and to provide mechanisms and guidelines for the control, regulating and management thereof and for matters connected therewith.

This By-Law was published as a draft before but so many comments have been received via the public participation processes that it has to be republished for comment.

Once the Draft By-Law has been accepted, the By Law will be advertised for Public Comment and the comments will be adjudicated, where after a final report will be submitted to Council

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.2

RESOLVED (nem con)

(a) that the Second Draft of the By-Law Relating to Outdoor Advertising and Signage, attached as **ANNEXURE A**, be accepted as the copy of the By-Law to be used in the second Public Participation process;

(b) that this Second Draft By-Law Relating to Outdoor Advertising and Signage be duly advertised for the purpose of a Public Participation process; and

(c) that, upon the completion of the Public Participation process, the Second Draft By-Law, together with any comments/objections by the public, be resubmitted to Council for final approval and adoption.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	***Director***
DIRECTORATE	***Infrastructure Services***
CONTACT NUMBERS	***021 808 8213***
E-MAIL ADDRESS	***Deon.louw@stellenbosch.gov.za***
REPORT DATE	***22 October 2020***

11.5.3	REQUEST FOR APPROVAL OF STELLENBOSCH ROADS MASTER PLAN

Collaborator No: 702617
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 14 April 2021 and 28 April 2021

1. SUBJECT: REQUEST FOR APPROVAL OF STELLENBOSCH ROADS MASTER PLAN

2. PURPOSE

That Council approves the 2018 - 2019 Roads Master Plan.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

The aim of the Roads Master Plan (RMP) is to analyses the capacity of road network and identify current and future mobility needs and recommend the required road infrastructure that will ensure an effective road network and a balanced supply of accessibility and mobility.

The Transport model developed, not only identifies additional road infrastructures requirements, but also identifies spaces that must be reserved for future roads and transport needs. The RMP provides recommendations and serves as reference in preparing short-term (5 year), medium and long term (20+ year) perspectives for implementing transportation projects in future.

The RMP also provides input into other strategic plans, such as the Spatial Development Framework (SDF), Integrated Development Plan (IDP), Comprehensive Integrated Transport Plan (CITP) and Integrated Public Transport Networks (IPTN).

The modeling results suggest that main roads leading into Stellenbosch and various roads within the Stellenbosch are heavily congested, and operate beyond their capacity, particularly in the peak periods.

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.3

RESOLVED (nem con)

(a) that the content of this item be noted;

(b) that the Draft Roads Master Plan attached as **ANNEXURE A**, be accepted; and

(c) that the Draft Roads Master Plan be advertised for public comment as part of the public participation process.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	***Director***
DIRECTORATE	***Infrastructure Services***
CONTACT NUMBERS	***021 808 8213***
E-MAIL ADDRESS	***Deon.louw@stellenbosch.gov.za***
REPORT DATE	***18 February 2021***

11.5.4	REQUEST FOR APPROVAL OF STELLENBOSCH NON-MOTORISED TRANSPORT (NMT) MASTER PLAN & NMT POLICY

Collaborator No: 702615
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 14 April 2021 and 28 April 2021

1. SUBJECT: REQUEST FOR APPROVAL OF STELLENBOSCH NON-MOTORISED TRANSPORT (NMT) MASTER PLAN & NMT POLICY

2. PURPOSE

That Council approves the 2020 NMT Master Plan & NMT Policy.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

The aim of the Non-Motorised Transport (NMT) Master Plan & Policy is to analyze the capacity of current network, identify current and future NMT needs, and recommends infrastructure that will ensure an effective NMT network.

NMT as a mode of transport have not traditionally received the recognition and attention as deserved due to a focus that was largely on the private car and motorised modes. With capacity constraints on the road network, alternative modes of transport need to be considered. The most convenient modes of transport for Stellenbosch residents and visitors include walking and cycling. The master plan and policy highlights the NMT needs and requirements, and provides the implementation plan and strategy to address these needs.

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.4

RESOLVED (nem con)

(a) that the content of this report be noted;

(b) that the Draft Non-Motorised Transport Master Plan & Policy attached as **ANNEXURE A**, be accepted; and

(c) that the draft Non-Motorised Transport Master Plan & Policy be advertised for public comment as part of the public participation process.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	***Director***
DIRECTORATE	***Infrastructure Services***
CONTACT NUMBERS	***021 808 8213***
E-MAIL ADDRESS	***Deon.louw@stellenbosch.gov.za***
REPORT DATE	***15 February 2021***

11.5.5	REQUEST FOR APPROVAL OF THE COMPREHENSIVE INTEGRATED TRANSPORT PLAN

Collaborator No: 702614
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 14 April 2021 and 28 April 2021

1. SUBJECT: REQUEST FOR APPROVAL OF THE COMPREHENSIVE INTEGRATED TRANSPORT PLAN

2. PURPOSE

That Council approves the 2019-2020 Update of the Comprehensive Integrated Transport Plan (CITP).

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The 2016 Comprehensive Integrated Transport Plan (CITP) is valid for a five year period, with annual updates each year and the full review every 5 years.

The draft 2019-2020 update of the CITP have highlighted important strategies and focuses on a common vision for transport.

The Municipality's transport vision and objectives were updated to ensure:

- Connecting of the outlying communities with the CBD in a safe and dignified manner ensuring access to opportunities.
- Strive towards car-free living and modal shift in Stellenbosch CBD, towards public transport, walkability and cycle-ability.
- Support and advance social and inclusive economic development.
- Alignment with the key imperatives of poverty alleviation and reduced inequality.
- A road network to support the Municipality's transport vision.

The draft 2019-2020 update of the CITP also takes into account the recently approved Spatial Development Framework (SDF), and proposes a more effective approach to improve transport (including freight), public transport and NMT (non-motorized transport).

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.5

RESOLVED (nem con)

(a) that the content of the Comprehensive Integrated Transport Plan (CITP) annual update, be noted;

(b) that Council notes that, for this update, targeted consultation was carried out, and for the (5 yearly) review of the 2016 CITP (to be undertaken during 2021), a full public participation process will be carried out; and

(c) that the Draft 2019-2020 Comprehensive Integrated Transport Plan Update, attached as **ANNEXURE A**, be accepted.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	***Director***
DIRECTORATE	***Infrastructure Services***
CONTACT NUMBERS	***021 808 8213***
E-MAIL ADDRESS	***Deon.louw@stellenbosch.gov.za***
REPORT DATE	***15 February 2021***

11.5.6	REQUEST FOR APPROVAL FOR STELLENBOSCH MUNICIPALITY'S REVISED DRAFT BY-LAW ON PARKING

Collaborator No: 696747
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 14 April 2021 and 28 April 2021

1. SUBJECT: REQUEST FOR APPROVAL FOR STELLENBOSCH MUNICIPALITY'S REVISED DRAFT BY-LAW ON PARKING

2. PURPOSE

That Council notes and approves the revised By-Law on Parking.

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 Parking 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 proclamate By-Laws to govern the services that is delivered to the constituencies of the Republic of South Africa.

As the Authority, Council may define and regulate, activities and functions on Municipal Parking areas within the jurisdiction of the Municipality. The proposed By-Law aims to promote a safe environment and control parking areas by providing definitions, procedures, methods and practices to manage the use of parking areas.

The recent increase in demand for parking, and related increases in revenue, particularly for parking in the Central Business District (CBD) areas, has necessitated revisions to make allowances for more effective management of parking areas.

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.6

RESOLVED (nem con)

(a) that the Draft By-Law on Parking, attached as **ANNEXURE A**, be accepted in terms of Section 12(2) to 12(3) and 13 of the Municipal Systems Act; and

(b) that Council notes that a public participating process was followed and considered the discussion on comments received.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	***Director***
DIRECTORATE	***Infrastructure Services***
CONTACT NUMBERS	***021 808 8213***
E-MAIL ADDRESS	***Deon.louw@stellenbosch.gov.za***
REPORT DATE	***22 October 2020***

11.5.7	SECTION 78(3) INVESTIGATION FOR VARIOUS ACTIVITIES OF SOLID WASTE MANAGEMENT (REVIEW)

Collaborator No: 704258
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 14 April 2021 and 28 April 2021

1. SUBJECT: SECTION 78(3) INVESTIGATION FOR VARIOUS ACTIVITIES OF SOLID WASTE MANAGEMENT (REVIEW)

2. PURPOSE

To inform Council of the outcome of the process followed in terms of the Section 78 (3) study and to propose a Council resolution into the preferred service delivery mechanism for the various activities undertaken by the Solid Waste Management department to enable Council to make an informed resolution and a Section 78 (4) decision.

3. DELEGATED AUTHORITY

Reserved for decision by Council.

4. EXECUTIVE SUMMARY

In 2013, the Stellenbosch Municipality, mandated thereto by Section 77 of the Local Government: Municipal Systems Act, 2000 (the "**Systems Act**") did a Section 78(1) internal assessment of its solid waste services as a first step to determine the preferred service delivery mechanism/s that will result in optimum service delivery. It was found that there were sufficient grounds (i.e. lack of financial, human and technical resources, etc.) for the Municipality to explore the potential of external mechanisms before making a final decision on the appropriate service delivery mechanism/s – internal and/or external - for the provision of solid waste services.

In terms of Section 78(2) of the Systems Act, the Council thus took the decision to mandate the execution of a Section 78(3) feasibility study. Keith Roman & Associates was appointed as the transaction advisor and completed a draft S78(3) study in October 2015.

JPCE (Pty) Ltd was appointed in 2018 with the brief to *review and update* the 2015 document as provided. In line with its terms of reference, JPCE did not embark on a new feasibility study but updated and refined the demographic content, reviewed and streamlined the legal content; updated the technical, financial and human resources considerations with input information mainly provided by the municipality; dealt with repetitive information and, where required by internal changes and the progress already made to address solid waste issues, captured these changes as accurately as the information provided allowed.

In the process, it was found that since 2015 SBM has done a number of waste-related investigations/studies all of which have a bearing on the content of this study and in some instances significantly changed the waste management circumstances or will do so in future, e.g. a new landfill cell to be developed and the Delta study i.r.o. collection optimisation. Therefore, some material included in the 2015 document was no longer applicable, e.g. the financial modelling due to changes in the options and the fleet management analysis due to the acquirement of a number of new vehicles and the mentioned study currently underway.

The internal service delivery options investigated during the Phase 1 Section 78(1) Assessment are revisited and the suitability of these options, i.e. a department, a

business unit and another component of the municipality within the context of the current profile of solid waste services, are discussed. It is concluded that the current organisational structure for solid waste within engineering services as optimised recently, is suitable in the short to medium term.

Furthermore, each of the possible external service delivery mechanisms is discussed in terms of its applicability to solid waste within SBM. With regards thereto a municipal entity, another municipality, an organ of state, a community-based organisation and a non-governmental organisation are found to be either not suitable at all or partly suitable to the circumstances in SBM but that 'another legal entity' which could essentially include a number of external service arrangements, small and large scale, provides a wide spectrum of possibilities.

In aligning the existing, in-process, planned and potential waste treatment, disposal and diversion measures and technologies to the possibilities of 'another legal entity', the study arrived at the preferred option being a hybrid of internal and external service delivery options specifically suited to SBM.

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.7

RESOLVED (nem con)

(a) that Council accepts that all the requirements of Section 78(3) in terms of investigating the feasibility of the provision of Solid Waste Management, have been complied with;

(b) that Council, in terms of the Municipal Systems Act (MSA), Act 32 of 2000, as amended, Section 78(4), accepts that the methods of providing Solid Waste Management, generally be considered as follows:

Service Description			**MSA Mechanism**
General Solid Waste	Mixed MSW and Residual	Collection / transportation / fleet and storage	Internal
		Process / treatment	External
		Disposal	External (new cell)
	Recyclables (paper, metals, plastic, glass)	Collection / transportation / fleet and storage	External
		Process	External
	Food waste	Collection / transportation / fleet and storage	External
		Process / treatment	External
	Organics (separated at source)	Collection / transportation / fleet and storage	External
		Process / treatment	External
Garden Waste	Collection / transportation / fleet and storage		Internal
	Process / treatment		External
Builders' Rubble	Collection / transportation / fleet and storage		Internal
	Process		External
Soil	Collection / transportation / fleet and storage		Internal
	Process		External
Industrial & Agriculture	Collection / transportation / fleet and storage		External
	Process		External

Sewage Sludge	Collection / transportation / fleet and storage	External
	Process	External
E-Waste	Collection / transportation / fleet and storage	External
	Bulk transfer and disposal	External
Hazardous & Healthcare Risk Waste	Receipt and temporary storage	External
	Bulk transfer and disposal	External
Tyres	Receipt and temporary storage	External
	Bulk transfer and disposal	External

(c) that Council proceeds with the setting up of a Service Delivery Agreement for the provision of the methods of Waste Management functions, as required by Section 80(1) & (2), of the MSA; and

(d) that the Service Delivery Agreement (SDA) be approved by Council as a draft SDA prior to Community Participation taking place.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	***DIRECTOR: INFRASTRUCTURE SERVICES***
DIRECTORATE	***INFRASTRUCTURE SERVICES***
CONTACT NUMBERS	***021 -808 8213***
E-MAIL ADDRESS	***Deon.louw@stellenbosch.gov.za***
REPORT DATE	***17 March 2021***

11.6	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))

11.6.1	DRAFT MONT ROCHELLE NATURE RESERVE ENVIRONMENTAL MANAGEMENT PLAN

Collaborator No: 704777
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 14 April 2021 and 28 April 2021

1. SUBJECT: DRAFT MONT ROCHELLE NATURE RESERVE ENVIRONMENTAL MANAGEMENT PLAN

2. PURPOSE

The purpose of this item is to acquire Council's approval to advertise the Draft Mont Rochelle Nature Reserve Environmental Management Plan (MRNR: EMP) for public input.

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality (the Municipality).

4. EXECUTIVE SUMMARY

The draft Mont Rochelle Nature Reserve (MRNR) Environmental Management Plan (EMP) (February 2021) (**ANNEXURE A**) has been prepared to establish a distinct vision and overarching goal for the management of MRNR in context of, and giving effect to, the relevant legislation and associated regulations.

MRNR, proclaimed as a Local Nature Reserve in 1982 (Provincial Notice 671/1982) is located at the top of Franschhoek Pass, 3km east of the town of Franschhoek. The NR is approximately 1 760ha in size and mainly comprises of Farm no. 23, municipal property.

MRNR falls within the Cape Floral Kingdom. It also falls within a small area known as a Strategic Water Source Areas (SWSA)[1] which is areas known to supply a disproportionate amount of mean annual runoff to a geographical region of interest. SWSA areas make up 8% of the land area across South Africa, Lesotho and Swaziland but provide 50% of the water in these countries.

Since its proclamation MRNR has been managed without a formally approved EMP in place. Because of the area's ecological value, its value as public resource and its vulnerability to degradation due to past and present use it is important that an overarching management plan for the area be put in place to ensure that MRNR is managed in a sustainable manner.

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.6.1

RESOLVED (nem con)

(a) that Council approves the advertisement of the draft Mont Rochelle Nature Reserve Environmental Management Plan (February 2021) for a period of 21 days for public input; and

(b) that the inputs received during the above-mentioned public participation process be worked into a final draft Mont Rochelle Nature Reserve Environmental Management Plan, to be presented to Council for approval.

FOR FURTHER DETAILS CONTACT:

NAME	**Schalk van der Merwe**
POSITION	**Environmental Planner**
DIRECTORATE	**Community and Protection Services**
CONTACT NUMBERS	**021 808 8679**
E-MAIL ADDRESS	**schalk.vandermerwe@stellenbosch.gov.za**
REPORT DATE	**18 March 2021**

11.7	**PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: (PC: CLLR E GROENEWALD (MS))**

NONE

11.8	**RURAL MANAGEMENT: (PC: CLLR S PETERS)**

NONE

11.9	**YOUTH, SPORTS AND CULTURE: (PC: CLLR J FASSER)**

NONE

11.10	**MUNICIPAL MANAGER**

NONE

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]**

NONE

13.	REPORTS BY THE MUNICIPAL MANAGER

13.1	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 JANUARY 2021 UNTIL 31 MARCH 2021

Collaborator No:
IDP KPA Ref No: **Good governance and Compliance**
Meeting Date: **28 April 2021**

1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 JANUARY 2021 UNTIL 31 MARCH 2021

2. PURPOSE

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 January 2021 until 31 March 2021, 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.

42ND COUNCIL MEETING: 2021-04-28: ITEM 11.6.1

RESOLVED (nem con)

that Council takes note of the decisions taken, for the period 01 January 2021 until 31 March 2021, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (01 January 2021 – 31 March 2021).
- Chief Financial Officer – Mr K Carolus (01 January 2021 – 31 March 2021)
- Director Infrastructure Services – Mr D Louw (01 January 2021 – 31 March 2021)
- Director Planning and Economic Development – Mr A Barnes (01 January 2021 – 31 March 2021).
- Director Corporate Services – Ms A de Beer (01 January 2021 – 31 March 2021).
- Director Community and Protection Services Mr G Boshoff (01 January 2021 – 31 March 2021).

POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@stellenbosch.gov.za
REPORT DATE	15 April 2021

14.	**CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER**

14.1	**QUESTION BY COUNCILLOR F ADAMS: IMPLEMENTATION OF COURT SETTLEMENT: KREEFGAT, JAMESTOWN**

A Notice of a Question, dated 2021-04-13, was received from Councillor F Adams regarding the implementation of the court settlement: Kreefgat, Jamestown.

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

FOR CONSIDERATION

42ND COUNCIL MEETING: 2021-04-28: 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	***Municipal Manager***
DIRECTORATE	***Office of the Municipal Manager***
CONTACT NUMBERS	***021 808-8025***
E-MAIL ADDRESS	***Municipal.Manager@stellenbosch.gov.za***
REPORT DATE	

14.2	QUESTION BY COUNCILLOR F ADAMS: SYNTELL AND TMT

A Notice of a Question, dated 2021-04-13, was received from Councillor F Adams regarding Syntell and TMT.

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

FOR CONSIDERATION

42ND COUNCIL MEETING: 2021-04-28: 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	***Municipal Manager***
DIRECTORATE	***Office of the Municipal Manager***
CONTACT NUMBERS	***021 808-8025***
E-MAIL ADDRESS	***Municipal.Manager@stellenbosch.gov.za***
REPORT DATE	

15.	CONSIDERATION OF URGENT MOTIONS

NONE

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

NONE

17.	REPORTS SUBMITTED BY THE SPEAKER

NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR

NONE

19.	MATTERS TO BE CONSIDERED IN–COMMITTEE

NONE

The meeting adjourned at 13:20.

CHAIRPERSON: ……

DATE: ……

Confirmed on …… **with/without amendments**

8.	STATUTORY MATTERS

8.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE ANNUAL REPORT 2019/20

Collaborator No: 706555
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 May 2021 and 26 May 2021

1. SUBJECT: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE ANNUAL REPORT 2019/20

2. PURPOSE

To submit to Council the Oversight Report on the Annual Report 2019/20 for consideration and approval.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Draft Annual Report 2019/20 was referred by Council, on 31 March 2021, to MPAC which fulfilled the functions of the Oversight Committee. The appointment and mandate of the MPAC/Oversight Committee were informed by the MFMA Circular 32 of 2006.

Committee members, including the two co-opted members, have scrutinised the Draft Annual Report 2019/20 and requested, where required, responses from the relevant Directorates. The Annual Report 2019/20 was objectively reviewed by the MPAC Members to ascertain whether the Annual Report 2019/20 is a true and accurate reflection of the municipality's performance for the 2019/20 financial year. The public was also invited to attend a public hearing to submit any representations on the Annual Report 2019/20. The public hearing was held on 15 April 2021.

At the time of deliberating on the Annual Report 2019/20, the report from the Auditor-General of South Africa (AGSA), as contemplated in terms of Section 121(3)(b) and (d), was not available. Hence, the AGSA's report must still be submitted to the MPAC as soon as it becomes available.

5. RECOMMENDATIONS

(a) that Council, having fully considered the Oversight Report on the Annual Report 2019/20 of the Stellenbosch Municipality, adopts the Oversight Report 2019/20;

(b) that Council, having fully considered the Annual Report 2019/20, attached hereto as **ANNEXURE B**, approves the Annual Report 2019/20 with the following reservations:

  (i) that the Auditor-General's Report 2019/20 be submitted to the MPAC as soon as it is available; and

  (ii) that the MPAC submits a separate report to Council after the MPAC considered the Auditor-General's Report 2019/20;

(c) that the Oversight Report 2019/20 be made public in accordance with Section 129(3) of the MFMA; and

(d) that the Oversight Report 2019/20 on the Annual Report for the 2019/20 financial year be submitted in accordance with Sections 129(2) and 132(2) of the MFMA to the Auditor-General of South Africa, Provincial Treasury: Western Cape, Department of Local Government: Western Cape and the Provincial Legislature: Western Cape.

6. DISCUSSION

6.1 Background

The format of the annual report is guided nationally by the MFMA Circular 63 of 2012, which seeks to establish uniform reporting by all municipalities. It is envisaged with this template that national and provincial government can better benchmark municipalities when there is a single reporting framework.

The Annual Report 2019/20 was completed and submitted to Council on 31 March 2021. As prescribed by legislation, the Annual Report 2019/20 was released for public comment on 08 April 2021. Comments on the Draft Annual Report 2019/20 closed on 29 April 2021. No feedback from the community was received on or before 29 April 2021. However, Provincial Treasury did make a submission to the municipality on 29 April 2021. This submission was presented to the MPAC on 03 May 2021.

All Directorates were presented with the opportunity to review their information and to provide feedback at the MPAC.

The MPAC Oversight Report on the Annual Report 2019/20 is attached hereto as **ANNEXURE A.**

Commentary from the MPAC and responses from Directorates are incorporated as **ANNEXURE A** of the MPAC Oversight Report on the Annual Report 2019/20.

The Final Annual Report 2019/20 is attached to the MPAC Oversight Report on the Annual Report 2019/20 as **ANNEXURE B.**

6.2 Financial Implications

There are no financial implications beyond that which have been provided for in the 2020/21 MTREF Budget.

6.3 Legal Implications

In terms of Section 129(1) of the MFMA *"The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council has -*

(a) approved the annual report with or without reservations;

(b) rejected the annual report; or

(c) referred the annual report back for revision of those components that can be revised."

6.4 Staff Implications

This report has no additional staff implications to the Municipality.

6.5 Risk Implication

None

6.6 Previous / Relevant Council Resolutions:

Item 8.4 of the 41st Meeting of the Council of Stellenbosch Municipality.

6.7 Comments from Senior Management

6.7.1 Director: Community and Protection Services

Supported

6.7.2 Chief Financial Officer

Supported

6.7.3 Director: Infrastructure Services

Supported

6.7.4 Director: Corporate Services

Supported

6.7.5 Director: Planning and Economic Development

Supported

6.7.6 Comments from the Municipal Manager

Supported

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 6.1

(a) that Council, having fully considered the Oversight Report on the Annual Report 2019/20 of the Stellenbosch Municipality, adopts the Oversight Report 2019/20;

(b) that Council, having fully considered the Annual Report 2019/20, attached hereto as **ANNEXURE B**, approves the Annual Report 2019/20 with the following reservations:

(i) that the Auditor-General's Report 2019/20 be submitted to the MPAC as soon as it is available; and

(ii) that the MPAC submits a separate report to Council after the MPAC considered the Auditor-General's Report 2019/20;

(c) that the Oversight Report 2019/20 be made public in accordance with Section 129(3) of the MFMA; and

(d) that the Oversight Report 2019/20 on the Annual Report for the 2019/20 financial year be submitted in accordance with Sections 129(2) and 132(2) of the MFMA to the Auditor-General of South Africa, Provincial Treasury: Western Cape, Department of Local Government: Western Cape and the Provincial Legislature: Western Cape.

ANNEXURES

Annexure A: Annual Report Oversight Report 2019/20

FOR FURTHER DETAILS CONTACT:

NAME	*SHIREEN DE VISSER*
POSITION	*SENIOR MANAGER: GOVERNANCE*
DIRECTORATE	*OFFICE OF THE MUNICIPAL MANAGER*
CONTACT NUMBERS	*021 – 808 8035*
E-MAIL ADDRESS	*SHIREEN.DEVISSER@STELLENBOSCH.GOV.ZA*
REPORT DATE	*07 MAY 2021*

ANNEXURE A

ANNUAL REPORT OVERSIGHT REPORT 2019/20

This Oversight Report is based on the Annual Report 2019/20 and is drafted and submitted in accordance with the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003)

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1. INTRODUCTION

The annual report is one of the key instruments of transparent governance and accountability. It is a post-financial year document which provides an overview of the process of financial and non-financial performance in respect of the previous financial year, which in this instance relates to the 2019/20 financial year. The tabling and adoption of the annual report is a legislative requirement in terms of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA).

1.1 PURPOSE

The purpose of this report is to present to Council for adoption, the Annual Report 2019/20 as well as the Oversight Report on the Annual Report 2019/20 as required in terms of Section 129 of the MFMA.

2. ANNUAL REPORT 2019/20

2.1 LEGAL FRAMEWORK

Herewith an extract from the key legislative requirements as per MFMA relating to the annual report:-

121. Preparation and adoption of annual reports.

(1) Every municipality and every municipal entity must for each financial year prepare an annual report in accordance with this Chapter. The council of a municipality must within nine months after the end of a financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control in accordance with section 129.

(2) The purpose of an annual report is—

(a) to provide a record of the activities of the municipality or municipal entity during the financial year to which the report relates;

(b) to provide a report on performance against the budget of the municipality or municipal entity for that financial year; and

(c) to promote accountability to the local community for the decisions made throughout the year by the municipality or municipal entity.

127. Submission and tabling of annual reports

(2) The mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality and of any municipal entity under the municipality's sole or shared control.

129. Oversight reports on annual reports.

(1) The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council—

(a) has approved the annual report with or without reservations;

(b) has rejected the annual report; or

(c) has referred the annual report back for revision of those components that can be revised.

2.2 COMPONENTS OF THE ANNUAL REPORT

The format of the Annual Report 2019/20 is based on the annual report template issued by National Treasury in terms of the MFMA Circular 63 of 2012, which differs significantly from the Annual Report Guidelines (MFMA Circular 11) issued by National Treasury in 2005.
MFMA Circular 63 of 2012 comprises six (6) chapters and attempts to cover all the aspects that needs to be reported on as derived from the MFMA and the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA).

3. ANNUAL REPORT 2019/20 CONSULTATION AND ADOPTION PROCESS

3.1 MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

In terms of Council resolution, a Municipal Public Accounts Committee (MPAC) was established in terms of Section 79 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998). The Terms of Reference tasks the MPAC with the responsibility to perform an oversight role over the process of preparing the Annual Report of Council and to produce an Oversight Report based on the Annual Report.
The schedule of MPAC meetings was presented in Council on **31 March 2021** and published on the Municipal Website and in the local newspaper. As required by the MFMA, the Municipal Manager attended the Council Meeting where the Annual Report 2019/20 was tabled (31 March 2021) to be released for public comment as well as the MPAC Meeting to answer questions posed by MPAC Members and to respond to written and oral representations from the community.

Two members of the community were also co-opted to assist with the oversight process.

The attendance of MPAC members for the purpose of compiling the Oversight Report is recorded as follows:

TABLE 3:1: MPAC MEETING ATTENDANCE

Name	MPAC Meetings							
	09 April 2021	13 April 2021	15 April 2021 (Public Hearing)	20 April 2021	22 April 2021	29 April 2021 (Site Visits)	03 May 2021	07 May 2021
Cllr Wilfred Pietersen (MPAC Chairperson)	☺	☺	☺	☺	☺	☺	☺	☺
Cllr Malcolm Johnson (MPAC Member)	☺	☺	☺	☺	☺	😐	😐	😐
Cllr Siegfried Schäfer (MPAC Member)	☺	☺	☺	☺	😐	😐	☺	☺
Cllr Nokuthula Gugushe (MPAC Member)	☺	☺	☺	☺	😐	☺	☺	☺
Cllr Emily Fredericks (MPAC Member)	☺	☺	☺	☺	☺	☺	☺	☺
Irmela Alberts (Co-opted Member)	☺	☺	☺	☺	☺	☺	☺	☺
Jacobus Davids (Co-opted Member)	☺	☺	☺	☺	☺	☺	☺	☺

☺ - Attended 😐 - Absent with an apology ☹ - Absent without an apology

3.2 ADOPTION AND PUBLIC CONSULTATION PROCESS

The Annual Report 2019/20 was tabled to Council on 31 March 2021 in accordance with the MFMA, which requires under Section 127(2) that:

> *"The Mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality."*

In terms of Section 121(3) of the MFMA, the Annual Report of a municipality or municipal entity must include the following core components. These core components are normally annexed to the Draft Annual Report:

a) The Annual Financial Statements as submitted to the AGSA (Section 121(3)(a));
b) the AGSA's audit report in terms of section 126(3) on those financial statements (Section 121(3)(b));

c) the annual performance report of the municipality prepared by the municipality in terms of Section 46 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) (Section 121(3)(c));
d) the AGSA's audit report in terms of section 45(b) of the MSA (Section 121(3)(d)); and
e) particulars of any corrective action taken or to be taken in response to issues raised in the audit reports referred to in paragraphs (b) and (d) in the MFMA (Section 121(3)(g)).

The Minister of Finance issued a Ministerial Exemption in terms of section 177(1)(b) of the MFMA on 05 August 2020, exempting municipalities and municipal entities from submitting their annual financial statements and related reports for auditing at the end of August 2020. The notice allowed for a two-month delay in the submission of Annual Financial Statements, Annual Reports, Audit opinions, and oversight reports. Hence, the reason why the Draft Annual Report 2019/20 was submitted to Council on 31 March 2021, and not within 7 months (January each year) after the end of the financial year, as normally required.

It must, therefore, be noted that the AGSA commenced with its audit later than usual. As a result, the AGSA has not yet concluded on its audit of the Annual Financial Statements 2019/20 and the Annual Performance Report 2019/20 of the municipality. The municipality is therefore not in a position to fully comply with Section 121(3)(d) and (g) of the MFMA. For this reason, the municipality will have to follow the process and procedure forthright as prescribed in terms of Section 133 of the MFMA.

The Draft Annual Report 2019/20 was made public on the Municipal Website within five (5) days and within seven (7) days in the local newspaper after it was approved by Council on 31 March 2021. In addition, the Annual Report 2019/20 was also made available at all Municipal Libraries and other identified offices where the public could access the report.

Members of the community and other stakeholders were invited to submit written comments/inputs on the Draft Annual Report 2019/20. The community and other stakeholders were also invited to attend the public hearing which was held on **15 April 2021** to present the MPAC with any oral or written inputs on the Draft Annual Report 2019/20.

The Draft Annual Report 2019/20 was furthermore submitted in terms of Section 127(5)(b) to the Auditor General of South Africa (AGSA), Provincial Treasury (Western Cape) and the Department of Local Government (Western Cape).

The closing date for public comments was on 29 April 2021. No written submissions from the public were received.

The Provincial Treasury: Western Cape submitted written comments on the Draft Annual Report 2019/20 on 29 April 2021. These comments were tabled on considered by the MPAC on 03 May 2021.

3.3 MATTERS DISCUSSED BY THE MPAC

The MPAC Members discussed the Draft Annual Report 2019/20 in detail. The Municipal Manager, Directors and Senior Managers attended the MPAC meetings and provided the MPAC Members with constructive feedback on all matters raised.

The MPAC focused on various matters reported on in the Draft Annual Report 2019/20. In particular, **financial sustainability** of the municipality was an important focus area during discussions. In particular, the impact of the COVID-19 pandemic.

Safety and security and the municipality's response to these issues were also discussed at length. The MPAC submitted various inputs which the municipality could consider to enhance safety and security in the Stellenbosch Municipal Area. The partnership with the various stakeholders in this regard were also discussed in detail.

Local economic development initiatives implemented by the municipality in the 2019/20 financial year were well praised by the MPAC Members. However, the MPAC noted that much still needs to be done and that all stakeholders should participate to facilitate the enabling environment as created by the Municipality.

The MPAC Members also paid particular attention to the **biodiversity** aspect reported on the Draft Annual Report 2019/20. The efforts of the Municipality in this regard give effects to its Strategic Focus Area (SFA), **Green and Sustainable Development**.

The management of **human resources** and the vacancy rates in the various directorates were discussed at length. The MPAC expressed particular concerns with the vacancy rates the service departments. The municipality assured the MPAC that optimum staffing levels are being attended to and that the critical vacancy list is frequently being reviewed to ensure staff is being appointed where needed the most. The municipality also noted that this must be done having due regard for the financial resources of the municipality, especially in view of the current pandemic.

The MPAC also noted with concern the impact of the **COVID-19** pandemic and the effects it had on the human and financial resources of the municipality. Particular attention was directed at the financial sustainability of the municipality and its ability to provide uninterrupted services to the community.

A summary of the detailed discussions and feedback from Directorates is attached hereto as Annexure A.

3.4 MPAC SITE VISITS

On **29 April 2021**, the MPAC members of the did an oversight visit to some of the completed projects outlined in the Draft Annual Report 2019/20. The following projects were visited:

1. The Material Recovery Facility;
2. Agricultural Property Small Farmers Allocation: Mr Hilton Arendse;
3. Kayamandi, Zone O, Temporary Relocation Area;
4. Ida's Valley Housing Project;
5. Klapmuts Waste Transfer Station; and
6. 76 temporary units in Klapmuts, Mandela City.

Some of the highlights were the agricultural land that was awarded to Mr Hilton Arendse. This led to planting fresh produce and the creation of job opportunities. After many years of putting his farming skills to test, this young farmer supply produce to one of the leading retail stores; Woolworths. He is planning to upscale his farming activities and in the process, also create more jobs. His social contributions, soup kitchens, are also illustrative of his efforts to gives back to the community.

The Material Recovery Facility serves as a place where recyclables are taken to, grouped, baled and provided to companies for use as raw material in the manufacturing of new products. The sorted recyclables have a much higher value than mixed recyclables and will be easily accepted into the booming recycling market. The facility also features a public drop-off area, which will allow residents to bring recyclable waste to dispose responsibly.

The completion of the Ida's Valley Housing Development Project created so much joy and enabled the beneficiaries to become homeowners. Not only did it bring tears of joy, some of the homeowners established green and food gardens within their backyards. Further detail can be found on the municipal website of the handover of title deeds.

The members of MPAC found the visit to the various sites very impressive, including the professionalism of managing these sites.

4. CONCLUSION

As MPAC, we are of the opinion that the Annual Report 2019/20 is a **true and accurate reflection** of the Stellenbosch Municipality's financial and non-financial performance for the 2019/20 financial year.

The oversight process on the Annual Report 2019/20 is herewith concluded and as Chairperson of the MPAC, I would like to thank the MPAC Committee Members, the Executive Mayor and Mayoral Committee, the Municipal Manager, Directors, Senior Managers, as well as all the officials for their contribution to the development and finalisation of the Annual Report 2019/20. Their diligence and constructive commitment during this oversight period is noted and appreciated.

5. RECOMMENDED RESOLUTION TO BE ADOPTED BY COUNCIL

In accordance with Section 129(1) of the MFMA it is **RECOMMENDED** to Council:-

1. That Council, having fully considered the Oversight Report on the Annual Report 2019/20 of the Stellenbosch Municipality, **ADOPTS** the Oversight Report 2019/20;
2. That Council, having fully considered the Annual Report 2019/20, attached hereto as Annexure B, **APRROVES** the Annual Report 2019/20 with the following reservations:

    (a) That AGSA Report 2019/20 be submitted to the MPAC as soon as it is available; and
    (b) That the MPAC submits a separate report to Council after the MPAC considered the AGSA Report 2019/20;

3. That the Oversight Report 2019/20 be made public in accordance with Section 129(3) of the MFMA, and;
4. That the Oversight Report 2019/20 on the Annual Report for the 2019/20 financial year be submitted in accordance with Section 129(2) and 132(2) of the MFMA to the Auditor General of South Africa, Provincial Treasury: Western Cape, Department of Local Government: Western Cape and the Provincial Legislature: Western Cape.

CLLR WILFRED PIETERSEN
MPAC CHAIRPERSON

DATE: 07 May 2021

MPAC Site Visits






Visited the farm of Mr Hilton Arendse who received agricultural land from the Stellenbosch Municipality in order to farm with fresh produce. He is an emerging farmer who supply fresh produce to Woolworths.




The MPAC members makes a visit to the Material Recovery Facility and were very impressed with the recycling and the management of the site.




Klapmuts Waste Transfer Station.




Housing development in Ida's Valley.

Annexure A:

MPAC Comments and Feedback from Directorates

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



STELLENBOSCH MUNICIPALITY

MPAC OVERSIGHT ON THE ANNUAL REPORT

2019/20

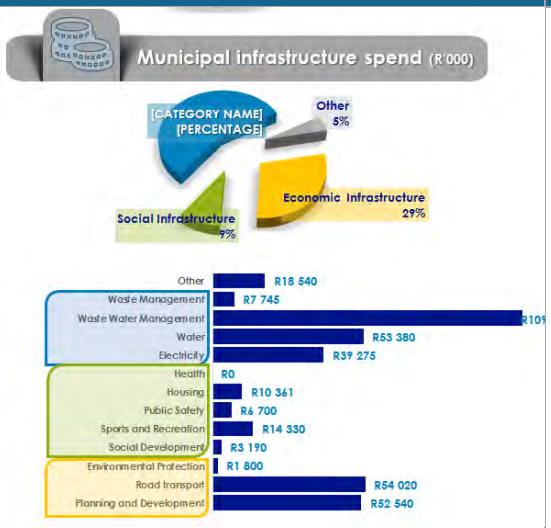
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MPAC COMMENTS AND FEEDBACK FROM DIRECTORATES

1. Office of the Municipal Manager

EXECUTIVE MAYORS FOREWORD AND EXECUTIVE SUMMARY			
Page no.	**Comment/s**	**Response**	**Responsible Department**
17-21	The MPAC chairperson takes cognisance of the completion of the housing project in Ida's Valley and that residence are very pleased.		Office of the MM
17-21	The MPAC chairperson takes note of the land policy and the content relating to COVID-19 in the forewords.		Office of the MM
27	Second paragraph relating to municipal cover of 900km2 should be re-looked at.	The statistics were extracted from the LGSEP where a model was used to calculate the data.	Office of the MM: Governance
28	Why is the statistics out-dated as it does not show any growth? The statistics are recorded the same as the previous year in the Annual Report.	It should take into account that LG is bound to statistical act to use the official statistics by STATSSA as it was the formal census process at the time. Once the Census commence it will make planning much better ito demographics.	Office of the MM: Governance
32	The last paragraph is a duplication of what is repeated on p27 – the paragraph can be consolidated into the page 27.	The AR has been updated accordingly.	Office of the MM: Governance
	The sector departments must quantify the unemployment rate stated in this section.	Some of the projections were obtained from STATSSA but will acquire the latest and update the statistics throughout the document.	Office of the MM: Governance
36	Learner enrolment, the learner teacher ratio and retention rate paragraph must be rephrased with the correct content as depicted in the graphs: Learner enrolment: in the paragraph, Langeberg's stats are used instead of Stellenbosch. It is proposed throughout the document that rather figures be used to display a more readable story rather than percentages.	The AR has been updated accordingly.	Office of the MM: Governance
36, 37	Is the years outlined in the AR calendar or financial years.	This will be clarified by the Provincial Government who drafts the LGSEPs.	Office of the MM: Governance
37	There is a repeat in paragraphs under schools with libraries and media centres: "schools with libraries and media centres have remained at 29…" (must delete the paragraph).	The AR has been updated accordingly.	Office of the MM: Governance
39	The number of TB cases are recorded incorrectly in the graphs – in 2018 it was at 1176 an din the graph it shows 1175	The AR has been updated accordingly.	Office of the MM: Governance
	Under HIV/AIDS, the information in the table should be recalculated.	Unfortunately, this was calculated by the Provincial Department. However, with the next socio economic profile the municipality will ensure the document is carefully verified.	Office of the MM: Governance
49	Clarify the duplication of statistics for Stellenbosch under table 1.17	It should be noted, the highlighted row is the correct statistics for Stellenbosch, and the row below makes reference to Witzenberg.	Office of the MM: Governance
51	Under figure 1.17, should make reference whether it refer to thousands or millions?	As per the socio economic profile for Stellenbosch, the figures refer to millions:	Office of the MM: Governance

EXECUTIVE MAYORS FOREWORD AND EXECUTIVE SUMMARY			
Page no.	**Comment/s**	**Response**	**Responsible Department**
		 The socio economic profile is attached to see a clear version (p18-19)	
63	The content of table 2.1 must reflect the correct information as stated in the heading, "National KPIs – Good Governance and Public Participation Performance.	This is the correct information – The KPIs can be fully read under the performance report. The indicators are aligned with the National KPIs per the section 46 report.	Office of the MM: Governance
	The chairperson of MPAC request for reports on the Municipal Planning Tribunal (Table 2.2 – Functioning of the Municipal Planning Tribunal).	On page 183 it states meetings held but will supply reports on request.	Office of the MM: Governance
75	The last paragraph under 2.3.1.1 must be deleted as it does not read clear or list all of the National intergovernmental structures to structure the paragraph more effectively.	Admin take note.	Office of the MM: Governance
96	Under strategic risk identified, the colour coding per the calculation must be corrected. SR1 – must be changed to Amber SR7 – must be changed to yellow OR 1,2,3,5 must be changed to amber as the risks are higher.	The AR has been updated accordingly. It should be noted that the risk register is a document approved by Council.	Office of the MM: Governance

2. Directorate: Infrastructure Services

INFRASTRUCTURE SERVICES			
Page no.	**Comment/s**	**Response**	**Responsible Department**
113	Other Municipal Personnel – first paragraph formulate to individual performance "management".	The AR has been updated.	IDP/PMS/IGR
	Structure the last paragraph of 3.6.5.1 in bullet format.	The AR has been updated.	IDP/PMS/IGR
114	Monthly projections of revenue to be collected for each source must be bulleted.	The AR has been updated.	IDP/PMS/IGR
116	Under Municipal Function, 3.8.1.1, the table 3.4, the first heading, must be changed to "Constitution Schedule 4, Part A functions, follows by second heading to "B functions".	The AR has been updated.	IDP/PMS/IGR
116 - 117	In the same table, third heading must be changed to "Constitution Schedule 5, Part A function, follows by fourth heading to "B functions".	The AR has been updated.	IDP/PMS/IGR
118	Last paragraph refers to plural form – indicate to which areas are referred too?	MM indicated it refers to both Ida's Valley and Franschhoek.	IDP/PMS/IGR
119	What is meant by IWA water balance sheet – and that it must be indicated in the heading under figure 3.1.	The AR has been updated.	IDP/PMS/IGR
	In the second last paragraph, the last sentence; "The following diagrams were used… "– should be referred to figure 3.1.	The AR has been updated.	IDP/PMS/IGR
120	Indicate what levels the municipality is operating on in terms of water restrictions.	Level 6 B (implemented 19 Feb 2018 – 31 October 2020). Restrictions lifted w.e.f 1 Nov 2020.	Water Services
124	Delete figure 3.11 as it is a duplication of figure 3.6.	The AR has been updated.	Water Services IDP/PMS/IGR
125	Under table 3.8, Clarify why was the service delivery levels for piped water inside yard (but not dwelling), the same since 2015/16 till 2019/20?	Since 2015/2016 no piped water was installed inside yards (properties). A formal metered connection was given with a meter that is registered to the property on the billing system.	Water Services
127	Under table 3.11, why were the service delivery levels for flush toilets (with septic tank), the same since 2015/16 till 2019/20?	Since 2015/2016 no new septic tank installations have been approved. The septic tanks in new applications were replaced with conservancy tanks that are on regular intervals emptied or emptied when needed be emptied by tankers.	Sanitation Services
129	Identify the areas which were electrified and receives free basic electricity (100kWh) –under the heading "Electrification of Informal Settlements".	142 informal structures were provided with electricity in the 2019/20 financial year. Informal settlements that receive 100kWh free basic electricity are in: 1. Kayamandi 2. Langrug According to Finance, everyone who resides in areas where electricity is supplied directly by Eskom, they register with Eskom as indigent and Eskom provides the municipality with an account at the end of the month. Follow up with Eskom on the status of free basic electricity provision to informal settlements will be done.	Electricity

INFRASTRUCTURE SERVICES			
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	Under the Pniël take over heading: Enquiries from the public w.r.t the responsibility of the current grid (Is it Stellenbosch Municipality or Eskom)? Will all problem areas be the first on the municipal grid once the project kicks off.	Each financial year, the municipality will work from the report, starting / addressing the worst Infrastructure first.	Electricity
	Which towns does the municipality service in terms of the take over?	1. Pniël. 2. Hollandsche Molen. 3. Johannesdal. 4. Surrounding farms.	Electricity
	Explain the meaning of table 3.14. Explain the abbreviations and give a brief overview thereof: (**NMD** and MVA).	MVA- Megavolt Amperes. Megavolt Amperes power is the unit used for measuring apparent power. The apparent power refers to the total current and voltage in an electrical circuit. The term is preferred in description of total electrical power installations and it captures both true and reactive power in an electrical circuit. NMD- Notified Maximum Demand is the contractual value of demand which binds the utility and its customer. It is expressed in kVA/MVA and based on a 30-minute integrating period per point of delivery. It is agreed upon in writing between the utility and the customer based on the requirements of the customer and the network capacity reserved. In this case, the utilities are Eskom and Drakenstein Municipality and the customer is Stellenbosch Municipality. The figures in table 3.14 indicate the capacity that the municipality has applied for from the utility (Eskom or Drakenstein Municipality) that supplies the municipality.	Electricity
	Are there any mitigations or mechanisms in place to address the alarming identified 48% electricity losses? List the measurements in the Annual Report.	The municipality had meetings with all the role players in terms of the 48% in losses. The meters that Drakenstein Municipality have installed were investigated and a comparison was made with the own set of meters Stellenbosch Municipality has put in place which indicated that all meters were correct. Further investigation was to see whether the municipality actually billed those customers (which the municipality took over). If customers paid the accounts to Drakenstein Municipality then it can be claimed from the Drakenstein Municipality. Check meters have been installed at the intake point and more meters will be installed in the mini-substations. The municipality acted on the list received from Drakenstein Municipality, should customers not pay, the municipality can only act in terms of the bylaw.	Electricity
	Clarify what the department actions will be on attracting suitable qualified and competent persons?	To attract the staff, the municipality must consider the salary rate per staff level. The budget / income factor must be taken into account. New electricians will be attracted and trained to equip them with the necessary skills.	Electricity

INFRASTRUCTURE SERVICES			
Page no.	**Comment/s**	**Response**	**Responsible Department**
130	Insert a reference caption to the table of electricity service delivery levels All 0 and N/A rows should be deleted.	The AR has been updated. It should be noted that you cannot remove lines as it is a prescribed template from National Treasury.	IDP/PMS/IGR
133	Insert a heading below the first set of pictures (e.g. Compacting of waste or cleaning of an area).	Updated.	Solid Waste
134	It is stated that Area Cleaning has no permanent staff, only consist of two Assistant Superintendents and 450 EPWP employees: • Can there be prioritised by getting more permanent staff – EPWP supervisors? • What would the ratio be in terms of 450 employees? • Discuss this matter with the CFO to fill the gap as this issue is an outcry from the community.	• The municipality is in the process of ending the temporary contracts of operators / supervisors by making it permanent by 01 July 2021 and onwards. • The supervision for EPWP consists of the 10 operators / supervisors and team leaders that are placed in particular areas - there is a clear line of reporting. In a group of 10 teams there is a team leader which report to the operator / supervisor and there are ± 45 people per team.	Solid Waste
137	Door to door recycling collection: Did the municipality stop the services of the contractor in the last quarter.	The contractor terminated the service with the municipality. The municipality continued to render this service and transported all recyclables to the City of Cape Town's facility.	Solid Waste
	Indicate the cost of having an own cell vs. the transfer of waste to Vissershok.	The Stellenbosch Landfill Sites has cells and all of the cells have become full that is why the municipality transfer the waste to Vissershok. The municipality has identified the need for an own cell as it will decrease the cost factor. The tariffs will be discussed with the CFO.	Solid Waste
140	What is meant by the last paragraph "A series of new boreholes…."– rephrase it better.	Monitoring of ground water at a landfill is legislated by way of the National Environmental Management Act and is contained in the conditions of a Waste Management License. To ensure effective monitoring of the impact of the landfill 10 new boreholes have been provided upstream and downstream of the landfill and one borehole was re-instated. These boreholes are referred to a series of boreholes. It must be noted that these are for monitoring and not for groundwater abstraction.	Solid Waste
142	Internal audits: What was the outcome of the May report?	The internal audits reports will be made available to the MPAC panel.	Solid Waste
	External Audits: Can the Independent Landfill Compliance Audit Report be presented to the MPAC panel?	The external audits reports will be made available to the MPAC panel.	Solid Waste
	The last sentence of the last paragraph indicated that all required boreholes were implemented…(List all the boreholes per area).	Ten new groundwater monitoring boreholes and 1 re-instated borehole were provided on the edges of the landfill inside the fence line. All are thus situated on the area of the landfill. Positions, depth and detail of the boreholes are listed below.	Solid Waste

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Borehole	Position Co-ordinates	Depth (m)	Detail
AECM 001225	- 33.939521 (Lat.) 18.821112 (Long.)	13	No clay layer detected
AECM 001226 S	-33.940464 18.821548	11	Drilled into clay layer
AECM 001226 D	-33.9404433 18.8215347	21	Drilled into granite
AECM 001227 S	-33.9401015 18.8185511	3	Drilled into clay layer
AECM 001227 D	-33.9401362 18.8185706	40	Drilled into granite
AECM 001228	- 33.938451 18.820850	4.5	Re-instated BH cell 3
SBL Drill 1 S	-33.94375000 18.822222222	9	Drilled into clay layer
SBL Drill 1 D	-33.94361111 18.82222222	30	Drilled into granite
SBL Drill 2 S	-33.94152778 18.82194444	12	Drilled into clay layer
SBL Drill 2 D	-33.94138889 18.82194444	27	Drilled into granite
SBL Drill 3	-33.93888889 18.82083333	13	No clay layer detected

143	Was the waste characteristic study approved by Council?	The waste characterisation study is needed from a management perspective. The study identifies the different waste streams and management decisions are made on how these waste streams are handled, disposed or treated.	Solid Waste
145	Will awareness be done to all other schools in the future? Awareness on waste management and environmental management awareness must be educated to schools.	Yes, school awareness is important to educate the youth on waste and environmental management. This will be rolled out once the lockdown levels are further reduced.	Solid Waste
178	Clarify if the project rolled over from previous year or was completed in prior financial years: • Upgrading of gravel roads in Wemmershoek and La Motte.	Projects were completed.	Road and Storm water
	Traffic calming measures need to put in place at the R45 junction or at least discuss it with the relevant stakeholders.	Meetings with the Provincial Government were held to discuss the matter. The Provincial Government has agreed to commission a speed limit study. On conclusion of the study a decision was made, by the Provincial Government to keep the existing speed limits in place. The municipality will continue to motivate for speed limit reductions and will continue proposing traffic calming interventions. The municipality will also increase speed enforcement campaigns along the R45.	Roads and Storm water
	Do the municipality still have gravel roads.	The municipality's gravel road upgrading programme, where gravel roads in densely populated residential communities are upgraded to surface roads standards, is complete. Gravel roads within the urban area that service a few properties and carry low traffic volumes will be upgraded when the area or adjacent properties develop. Roads in residential settlements, such as De Novo, falls within the authority of the Provincial Government. Gravel roads in rural areas such as the Devon Valley agricultural areas will remain as gravel	Roads and Storm water

INFRASTRUCTURE SERVICES			
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		roads, due to low traffic volumes that are generated in rural areas.	
181	Project Management Unit and Asset Management and System: What was done in the financial year in this department? (List the work being done).	During the 2019/20 financial year, the Department successfully completed a Provincial Archives' inspection of the Technical Information Archive at Ecclesia Building. Additionally, an Asset Management Maturity Assessment was facilitated to examine the as-is asset management practices and develop a series of asset management improvement projects. The Department continued to provide operational services assistance in terms of wayleave applications, building plan assessments, land use applications and project management for housing projects.	(Development and Project Management) - PMU
	In the first paragraph under PMU, the capex must be converted to a list of projects t (R29m)	Multi-year projects included: • Ida's Valley IRDP / FLISP; • Klapmuts: Erf 2181 (298 serviced sites); • Refurbishment underway in Smartie Town in Cloetesville, upgrading of The Steps / Orlean Lounge; • Basic improvements: Langrug; • Kayamandi: Zone O (±711 services); • Klapmuts TRA (298 Nutec Structures); • Longlands, Vlottenburg (±144 services and ±144 units); and • Watergang Farm upgrading. These projects continue into 2020/21 with a capital expenditure budget forecast at R29.2M.	(Development and Project Management) - PMU
183	The total number of Building Plans commented on in table 3.46, is incorrect (must be 1 173).	The table was double checked against SDBIP submission and corrected. Corrected where required.	(Development and Project Management) - PMU
	Indicate what happened to the outstanding amount to be paid on DCs management of R6.4m.	If it is meant the difference between DCs calculated and DCs received, the DCs calculated (R238.7m) are merely the value of the DCs calculated on all the land use applications for the year. The DCs are only received (R6.4m) by the Municipality when the developer implements one of the approved developments.	(Development and project management) - PMU

3. Directorate: Corporate Services

CORPORATE SERVICES			
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60	1.2.10.2 under table 1.29, the wording of "critical post" must be explained.	Posts on the structure must be budgeted to be filled. Due to budget constraints as well as the length in processes to fill positions, the senior management decided to request directors to indicate which vacant positions are critical for operations. The budget was allocated to these posts identified (within budget constraints). This list was then used to plan the advertising and other processes associated with filling of the vacant posts. Due to COVID-19 these processes were placed on hold and the posts had to be scaled down when recruitment restarted.	HRM
64	Under table 2.3 it is to indicate why the municipality need a tactical response unit if the function resides under SAPS?	It is correct that the function resorts under the SAPS. The community however expects the municipality to fill the void that is left by the SAPS not performing as expected. Council then resolved to approve the unit and the creation of the unit on the structure is under discussion. The acquisition of the vehicle is planned for the 2021/22 financial year's budget as well as financing the filling of the posts.	LE/Finance/HR/
66 – 67	The column for table 2.5 "Percentage apologies for non-attendance must be omitted.	The AR has been updated accordingly.	Committee Services
68	The paragraph above table 2.8 must be rephrased to ensure it correspond to Mayco or Council meetings. Indicate whether it is Mayco or council meeting under table 2.8 heading.	The AR has been updated accordingly.	Committee Services
73	Cllr Fredericks indicated that she must be removed from the LLF table as by law you cannot serve on the MPAC and LLF concurrently.	The AR has been updated accordingly.	Committee Services
90 – 93	MPAC took notice that in certain wards, there were no community meetings held per ward?	Due to the COVID-19 regulations various mechanisms were introduced to held meetings, however the IDP/PMS take note of the concern and will address it.	Council Support Services
98	Delete "June Williams "under table 2.66 as it is a duplication.	IDP/PMS take note and will update the AR accordingly.	Committee Services
126	Give clarity on table 3.10 as the low vacancy level not being filled and why was the budget not spend against filling on vacancies	The vacancy rate is accurately reflected by only referring to vacant budgeted posts as unbudgeted post cannot be filled. The vacancy rate is the result of many years, prior to the current term of office where the filling of posts was freezed. The structure was also realigned in 2017 and 2019 creating an "ideal structure" for service delivery. This resulted in more posts on the structure than what could be afforded to be filled. Even in 2017 already it was foreseen that the filling of vacant positions will be done as the budget could be allocated to that.	Corporate Services – HR/all Directors
220	Employee totals.	All employee totals were checked and verified by HR. The AR was updated accordingly.	HR
232	Give more perspective on the turnover rate in table 4.7 What is the benchmark on the Turnover rate?	There is no "benchmark" on what the ideal turnover rate is. The turnover rate reflects the amount of employees that leaves the employment of the employer in any given year due to retirement; death; taking up other work opportunities	HRM

CORPORATE SERVICES			
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		outside this municipality; projects coming to an end where those contracts are then terminated. The municipality's turnover rate is not at an unacceptable level given the age of the workforce and the competitive realities of the work environment, in relation to what the municipality can pay employees on certain levels. The previous tables were based on gradings of the Maintenance Phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram. The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department. The funded vacancies as at 30 June 2020 amounted to 97 and present a vacancy rate for funded posts against total posts on organogram of **4.81**%.	
233	A extra column should be add to table 4.9 to indicate the percentage.	Updated.	HRM
234	Under table 4.11 give a brief description what is consequence management.	Consequence management refers to the process of holding employees and office bearers accountable for their actions especially where those actions do not comply with the expected standard.	All Directorates

4. Directorate: Community and Protection Services

COMMUNITY AND PROTECTION SERVICES			
Page No.	**Comment/s**	**Response**	**Responsible Department**
199	The variance from the Adjustment Budget does not seem correct – Please check and update with the correct data – Table 3.56. What is the total budget from Provincial Government? Indicate to what extend does the libraries (all) digitised – the level e-issuing of materials, free internet access to the clientele to the broader Stellenbosch? Explain the low capital expenditure on libraries?	The libraries are underfunded mandate which means both the municipality and Provincial Government (PG) contributes towards this function. There is an agreement in place. The contribution from Province is approximately +- 12 or 13 million and the municipal operating budget is R27 million. In the past Provincial Government only made funds available for salaries and new capital projects. Requests from other municipalities for funding operations and not salaries. PG is in process to review the request of funding operating matters. Business plans will be submitted in order to cover operations in the following financial year. Funding from PG differs from year to year. It must be noted that there was a shortfall on the salary budget and the PG indicated that they will accommodate the municipality with funding for the next coming months for salaries. Municipal agreement in place =- R1 213 million that province contribute. Due to COVID-19, the municipality had to adapt to the new way of business. The municipality did a drive by system where customers can book online and just collect it at certain points. Not yet at all libraries. The municipality is in the process to roll this system out to all libraries in the area. All the projects stopped during the lockdown. The upgrading of the Cloetesville Library – The municipality did not have enough funds to complete the project. However, the municipality applied for additional funding for the completion of the project.	Libraries
200	Under 3.11.1.6: Cemeteries: the last sentence in paragraph one should be elaborated on "a new cemetery at Kylemore is established". Does it belong to the municipality or was it given back to the community?	The municipality is in the process of establishing a municipal cemetery in Kylemore. The current cemetery in Kylemore belongs to the Church and not to Stellenbosch Municipality. The first step in establishing a municipal cemetery will be to rezone the land, which is currently not zoned for land as a cemetery.	Cemeteries
	During the IDP sessions w.r.t cemetery it was raised: what is the hold-up or progress in terms of the rezoning of the area for establishing a new cemetery (does not refer to the church cemetery).	The piece of land is sub divided. The municipal piece of land that will be developed is next to the church cemetery (the entrance). The municipality want to build a building to manage the visits more effectively, and it was informed that the zoning was not for the cemetery. Funding will be available in the next financial for the upgrading of cemeteries. A process has been starting to rezone the land. Should the rezoning be successful, the building plan process can start.	Cemeteries
	Is the municipality not going to waste money? The concern is that burial space is becoming a problem as people are already being buried next to the road. The income of the cemetery will be less than the spending thereof or to rebuild a cemetery.	The municipality cannot allow burials that are not zoned as a cemetery. To develop a cemetery was a request from the community. All concerns can be considered for the need for more cemetery space.	Cemeteries

<table>
<tr><th colspan="4">COMMUNITY AND PROTECTION SERVICES</th></tr>
<tr><th>Page No.</th><th>Comment/s</th><th>Response</th><th>Responsible Department</th></tr>
<tr><td></td><td>The operation of cemeteries is a municipal function and the MPAC do not hear that any effort was made or engagement with the church to have the land transferred to the municipality.
One must look to Pniël as well. When is the municipality taking control of managing the cemeteries?</td><td>This will be addressed in the following year.</td><td>Cemeteries</td></tr>
<tr><td>201</td><td>The contents in table 3.60 should be based on cemeteries and not libraries.</td><td><table><tr><td>Capital projects</td><td>Adjustment Budget</td><td>Actual Expenditure</td><td>Variance from Adjustment Budget</td></tr><tr><td>Extension of Cemetery Infrastructure</td><td>R 1 171 000</td><td>R 838 704</td><td>-28,38%</td></tr></table></td><td>Cemeteries</td></tr>
<tr><td>209</td><td>Under 3.13.1, the third paragraph should not make mention of a zero tolerance approach to safety – the sentence needs to be rephrased.</td><td>By taking hands with all the different role players as well as the residents of the Greater Stellenbosch a safer area will be achieved through the Stellenbosch Safety Initiative (SSI) to combat crime.</td><td>Law Enforcement</td></tr>
<tr><td>211</td><td>The violations stats needs to be verified under highlight for Traffic Law Enforcement.</td><td>As per information required to be verified moving violations for the period 2019/20 there is a major improvement and differences as compared to previous financial year and on verification the total number observed for moving violations is 10 644. During this period there were new initiatives on enforcement that has managed to give the results and additional cases due to Disaster Management Act in respect of COVID-19 offences. Some offences that were included were offences that are not applicable to moving violations.</td><td>Traffic Law Enforcement</td></tr>
</table>

5. Directorate: Financial Services

FINANCE SERVICES			
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49	Clarify under "1.2.7.12: Spending on Social Infrastructure" whether the spending of 22.5% (R49.174 million) took place or not. MPAC requested that the expenditure of all grants must be indicated.	The spending refers to what the Provincial Government commits to spend and not the municipality.	Budget Preparation and Management
58	Under 1.2.9.7 indicate whether the figures are "thousands or millions".	This has been updated in the Annual Report	Budget Preparation and Management
101	Format the totals in table 2.73.	Finance will update.	Head Financial Statements
103	The tenders awarded must be included under 2.4.7.5.	This is included in the AR.	Head Financial Statements
117	Clarify on the source of data in table 3.5.	The MM indicated that the data emanates from the Indigent Register of the municipality for the particular financial year.	Revenue
120	Chair of MPAC – how many people do not pay for water.	The number of indigent households not paying for water amounts to 6666 households.	Revenue
126	Clarify the reason for under performance on the capex on water services. The municipality must do in-year planning to ensure that the community can be informed when unpredictable disasters occurs.	MM refers to the mid-year report that speaks to the reasons of under performances and corrective measures to address this factor in future. It should be noted that by 31 December 2020 the expenditure was over 70%.	Revenue
179	Did Technopark made a financial contribution in table 3.42?	Technopark Access Road is funded by municipal own funding.	Budget Preparation and Management
240	Verify the percentages under table 5.2.	The table is aligned the variances are calculated by dividing the difference between the actual and original budget by the actual. (Actual less Original Budget) / Actual * 100.	Budget Preparation and Management
246	Explain repairs and maintenance in table 5.13.	Informal trading sites were in the construction phase therefore repairs and maintenance expenditure was not incurred.	Budget Preparation and Management
252	The percentages in table 5.26 and 5.27 should be adjusted.	The table is aligned the variances are calculated by dividing the difference between the actual and original budget by the actual. (Actual less Original Budget) / Actual * 100. Variances pertaining to repairs and maintenance will be adjusted according to the formula indicated above.	Budget Preparation and Management
261	The second paragraph "above min… should be replaced with "below minimum…."	The AR has been updated accordingly.	IDP/PMS/IGR
261	The table 5.40 should be expressed in percentages (the variance budget column).	Variances pertaining to Integrated Urban Development Grant will be adjusted according to percentages.	Budget Preparation and Management
AFS			

FINANCE SERVICES			
Page no.	**Comment/s**	**Response**	**Responsible Department**
51	Note 3: Present a copy of the trust deed or agreement of the La Motte trust to the panel. What is the purpose of this trust account and who will be managing this account? Are all of the houses being occupied and what is the status of the occupants in those houses? Did they all went through the process as outlined and prescribed per the agreement which was entered into between the municipality and the transferring department? To ring-fence that funds specific for the community in the La Motte area if the funds were prioritise for that community.	There is no Trust Deed, as there is only a trust account that was established. The purpose of the trust account is that all proceeds from the sale of the 80 houses would go to the trust account and can only be used for future housing projects and community projects / facilities. There was an agreement entered between the municipality and the transferring department that transfer the houses back to the municipality- the Bergsig houses. Part of the agreement was that a trust account be created for the sale of the houses to manage the processes. The houses are all occupied. The houses being paid for will be transferred to and all other occupants will have to pay a rental amount. The process is being managed – the funding will be used specifically for that community. Rental agreements must be entered into if not bought already as there was a Council decision to do so.	Budget Preparation and Management
69	Note 14: Delete "Mooiwater" and replace with Franschhoek.	Adjustment to be done on the CaseWare AFS file.	Budget Preparation and Management
	Explain the decrease for 4 reservoir West – Franschhoek.	The reason for decreasing of the value is the depreciation for building portion of the asset.	Budget Preparation and Management
110	Indicate how far the litigation process is between the Stellenbosch Municipality and Stellenbosch Golf Club?	The process is finalised by way of a settlement agreement. A payment arrangement for monthly instalments was implemented. The payment is being adhered to by the golf club.	Budget Preparation and Management
	What is the amount the municipality is claiming from the golf club?	The Stellenbosch Golf Club matter was settled for an amount of R1 586 885.	Budget Preparation and Management
111	What was the outcome of the De Zalza Golf Club / Valuation Appeal Board of Stellenbosch Municipality?	The court case in the De Zalze matter was finalised and was referred back to the Valuation Appeal Board for reconsideration of the matter afresh. Add comments to the AFS. CFO: The court case between De Zalze and the municipality has been finalised.	Budget Preparation and Management

6. Directorate: Planning and Economic Development

PLANNING AND DEVELOPMENT			
Page No.	**Comment/s**	**Response**	**Responsible Department**
151	Indicate if the Kayamandi Town Centre is an old project, rolled over from prior fy or a planned project?	Yes, the Kayamandi Town Centre project has been developed over a number of years. The project is still in its planning stage whereby development rights must be obtained; this project must be viewed as a multi-year project. The funding source that the Municipality receives is from the Human Settlements Development Grant (HSDG).	Housing
158	Who are the owners of De Novo?	The Provincial Department of Public Works (PDoPW) is the land-owners of the De Novo property, but a Power of Attorney has been signed with Provincial Department of Human Settlements (PDoHS) to deal with the housing challenges on the site.	Housing
	What is going to happen of the portion of the houses is legitimately inhabitant. What will happen to the illegal occupants in the houses?	The provincial department of Public Works provided the Department of Human Settlements an agreement on dealing with De Novo. The Municipality does not have properties or we not managing anything there. The Provincial Department is dealing with all of those challenges. They have split the process into two phases namely the rectification of the houses whereby the goal would be to transfer those units into the names of the people occupying the houses for a number of years; A link to a bigger development of 300 farmer houses opportunities but the two provincial departments are dealing with De Novo.	Housing
160	Is there any private land part of the circle? Would it be feasible and affordable to rent rental stock if we need to acquire the land from private owners?	The exact area is the green area – there is no private owned land and will be develop for social housing to allow families to reside in proper houses.	Housing
	Figure 3.30: Indicate the amount of land available and if vacant can it be used for social housing or rentals in future? (The circle on the diagram 3.30)	The area as depicted in the circle on page 10 is indeed part of a rental initiative from Council. To be more specific, the area in the circle that is shown in green, would be the exact area whereby the Municipality would develop Social Housing (rental stock managed by an external company) for families earning between R1 500 – R15 000 per month.	Housing
	Adam Tas Corridor is a private initiative and should make reference in the paragraph of it.	The Adam Tas Corridor is a private and public initiative since land-owners within the Adam Tas Corridor comprise of public and private sectors. The comment of MPAC is noted but should also take cognisance of the fact that the Northern Extension, Kayamandi is also included in the Adam Tas Corridor.	Housing
	The ATC is a private development and in the Annual Report tis speaks to the Droe Dyke Land. A total private entity is now forming part of the Annual Report and is the municipality now forfeiting the land to the ATC developers or did they pay for the land	The ATC is an area identified by the Municipality as a restructuring urban transformation. There is huge number of land owners with the public and private that is contained within that studied area. It should be noted that municipal planning as per the constitution in terms of schedule 4 and 5 is the mandate of the municipality. Council determines policy and decides what can happen in the Adam Tas Corridor. The land is Droe Dyke is owned by National Department of Public Works and have appointed a housing development agency to look at the development of that land. Note: The statement that the ATC is a private entity is incorrect.	

<table>
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<tr><th>Page No.</th><th>Comment/s</th><th>Response</th><th>Responsible Department</th></tr>
<tr><td></td><td></td><td>There are various land owners and the idea from a municipal planning point of view we must guide what happens in that zone and in terms of restructuring and transforming the Stellenbosch town. It is a Public partnership between various organisations and there is a working committee that has been established to make sure whatever the municipality is planning it is for the benefit of the town.</td><td></td></tr>
<tr><td></td><td>Was there any agreement between Adam Tas Corridor, the Municipality and or Provincial Government, on land (Droë Dyke Precinct).</td><td>A formal agreement has not been reached with any of the land-owners (National Department of Public Works, Stellenbosch Municipality and private owners). An official letter has been submitted to the National Department of Public Works for the release of the land in favour of Stellenbosch Municipality to initiate mixed-use development.</td><td>Housing</td></tr>
<tr><td>169</td><td>Under table 3.29, indicate if it is the correct statistics. If it is the case, what will the municipality do to address the low number of transfer of housing stock?</td><td><table><tr><th>AREA</th><th>TOTAL</th></tr><tr><td>Kayamandi</td><td>37</td></tr><tr><td>Cloetesville</td><td>12</td></tr><tr><td>Franschhoek</td><td>56</td></tr><tr><td>Klapmuts</td><td>14</td></tr><tr><td>Kylemore</td><td>2</td></tr><tr><td>Pniël</td><td>17</td></tr><tr><td>Ida's Valley</td><td>77</td></tr><tr><td>TOTAL</td><td>215</td></tr></table>
The table above indicates the total number of title deeds transferred from 01 July 2020 to date.
The Department is conducting continuous Housing Consumer Education Programmes with affected beneficiaries and addressing issues around title deeds. The Municipality has also appointed temporary field workers to assist with beneficiary administration which includes tracing of beneficiaries and conducting occupation surveys to ensure that title deeds are registered in the correct person. There is also a panel of attorneys appointed to specifically deal with the title deeds restoration programme.</td><td>Housing Administration</td></tr>
<tr><td></td><td>Verify the statistics in table 3.27.</td><td>The statistics are data from Stats SA. However the previous years has been omitted – only from 17/18 reflects in the Annual Report</td><td>Housing Administration</td></tr>
</table>

Annexure B:

Annual Report 2019/20



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



STELLENBOSCH MUNICIPALITY

ANNUAL REPORT

2019/20 Financial Year

This Annual Report is drafted in terms of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003)



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List of Abbreviations

Abbreviation	Description
ABS	Access to Basic Services
ACDP	African Christian Democratic Party
AGSA	Auditor-General of South Africa
AH	Agri-Hub
AMEU	Association of Municipal Electricity Utilities
ANC	African National Congress
ANPR	Automatic Number Plate Recognition System
BAC	Bid Adjudication Committee
BBBEE	Broad-Based Black Economic Empowerment
BEC	Bid Evaluation Committee
BICLS	Bulk Infrastructure Development Contribution Levies
CAC	Civic Amenity Centre
CAPEX	Capital Expenditure
CBD	Central Business District
CBP	Community Based Planning
CCTV	Closed Circuit Television
CDW	Community Development Worker
CEB	Compressed Earth Block
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CGI	Compliance and Governance Index
CIGFARO	Chartered Institute of Government Finance, Audit and Risk Officers
CITP	Comprehensive Integrated Transport Plan
CoCT	City of Cape Town
COGTA	Cooperative Governance and Traditional Affairs
COPE	Congress of the People
CRSES	Sustainable Energy Studies
CWDM	Cape Winelands District Municipality
CWDM	Cape Winelands District Municipality
DA	Democratic Alliance
DCAS	Department of Arts, Culture and Sports
DEA and DP	Department of Environmental Affairs and Development Planning
DEDAT	Department of Economic Development and Tourism
DOE	Department of Education
DORA	Division of Revenue Act
DWS	Department of Water and Sanitation
ECD	Early Childhood Development
EE	Employment Equity
EHP	Emergency Housing Policy
EIA	Environmental Impact Assessment
EPWP	Expanded Public Works Programme
ESTA	Extension of Security of Tenure Act

Abbreviation	Description
FBAR	Final Basic Assessment Report
FPSU	Farmer Production Support Unit
GAMAP	Generally Accepted Municipal Accounting Practice
GRAP	Generally Recognised Accounting Practice
GDP-R	Gross Domestic Product - Regional
HR	Human Resources
HSDG	Human Settlements Development Grant
IBR	Inverted Box Rib
ICT	Information and Communication Technology
IDP	Integrated Development Plan
iGRAP	Interpretations of Standards of Generally Recognised Accounting Practice
IFRS	International Financial Reporting Standards
IIC	Infrastructure Innovation Committee
IMATU	Independent Municipal Trade Union
IMESA	Institute of Municipal Engineers of South Africa
IMFO	Institute for Municipal Finance Officers
IPC	Integrated Planning Committee
IRDP	Integrated Residential Development Programme
ISAMAO	The Institute of South African Municipal Accounting Officers
IWMP	Integrated Waste Management Plan
IWAA	Integrated Water Availability Assessment
IZS	Integrated Zoning Scheme
JPI	Joint Planning Initiative
JSE	Johannesburg Stock Exchange
KIWMF	Kraaifontein Integrated Waste Management Facility
KPA	Key Performance Area
KPI	Key Performance Indicator
LED	Local Economic Development
LETRP	Large Employer Trip Reduction Programme
LGMTEC	Local Government Medium Term Expenditure Committee
LGSETA	Local Government Sector Education and Training Authority
LM	Limpopo
LR	Labour Relations
LUMS	Land Use Management System
LUPA	Land Use Planning Act
LUPO	Land Use Planning Ordinance
MAYCO	Executive Mayoral Committee
MBI	Municipal Benchmarking Initiative
MERO	Municipal Economic Review Outlook
MFMA	Municipal Finance Management Act (Act No. 56 of 2003)
MGRO	Municipal Governance Review and Outlook
MIG	Municipal Infrastructure Grant
MILE	Municipal Institute of Learning

Abbreviation	Description
MINMAY	Provincial Ministers, Provincial Heads of Departments, Mayors and Municipal Managers
MIQ	Municipal Data and Intelligence
MM	Municipal Manager
MMC	Member of the Mayoral Committee
MMF	Municipal Managers Forum
MOU	Memorandum of Understanding
MPAC	Municipal Public Accounts Committee
MPC	Multipurpose Centre
MPI	Municipal Productivity Index
MRF	Material Recovery Facility
MSA	Municipal Systems Act (Act No. 32 of 2000)
mSCOA	Municipal Standard Chart of Accounts
MTAB	Metropolitan Transport Advisory Board
MTECH	Medium Term Expenditure Committee
MVA	Mega Volt Amp
NDP	National Development Plan
NEMA	National Environment Management Authority
NGO	Non-Governmental Organisation
NHBRC	National Housing Building Regulation Council
NMT	Non-Motorised Transport
NPO	Non-Profit Organisation
NRTLEC	National Road Traffic Legislation Enforcement Code
NT	National Treasury
OHS	Occupational Health and Safety
OPEX	Operating Expenditure
PDO	Predetermined Objectives
PDoHS	Provincial Department of Human Settlement
PIE	Prevention of Illegal Evictions
PMS	Performance Management System
PPDO	Provincial Predetermined Objectives
PPP	Public Private Partnership
PRASA	Passenger Rail Agency of South African
PSDF	Provincial Spatial Development Framework
PSDF	Provincial Spatial Development Framework
PSP	Provincial Strategic Plan
PT	Provincial Treasury
RBIG	Regional Bulk Infrastructure Grant
REFSO	Renewable Energy Finance and Subsidy Office
RUMC	Rural Urban Market Centre
SAB	South African Breweries
SABS	South African Bureau of Standards
SALGA	South African Local Government Organisation
SAMDI	South African Management Development Institute

Abbreviation	Description
SAMRAS	South African Municipal Resource Accounting System
SAMWU	South African Municipal Workers Union
SANEDI	South African National Energy Development Initiative
SANS	South Africa National Standards
SAPS	South African Police Service
SASSA	South African Social Security Agency
SCA	Stellenbosch Civic Association
SCMU	Supply Chain Management Unit
SDBIP	Service Delivery and Budget Implementation Plan
SDF	Spatial Development Framework
SEDA	Small Enterprise Development Agency
SITA	State Information Technology Agency
SMME	Small Medium Micro Enterprises
SMS	Short Message Service
SOP	Standard Operating Procedure
SPA	Stellenbosch People's Alliance
SPLUMA	Spatial Planning and Land Use Management Act
SPV	Special Purpose Vehicles
SSI	Stellenbosch Safety Initiative
STOD	Sustainable Transit Oriented Development Plan
SWWTW	Stellenbosch Waste Water Treatment Works
TASK	Tuned Assessment of Skills and Knowledge
TIATCP	Technical Innovation Agency Technical Centre Programme
VTS	Vehicle Testing System
WC	Western Cape
WCO24	Greater Stellenbosch
WoF	Working on Fire
WRC	Water Research Commission
WWF	World Wildlife Fund

CHAPTER 1: EXECUTIVE MAYOR'S FOREWORD AND EXECUTIVE SUMMARY

1.1 COMPONENT A: EXECUTIVE MAYOR'S FOREWORD



It is important to note that this report provides feedback for the financial year stretching from 01 July 2019 and ending 30 June 2020 and will be my last reflection in an annual report produced in this term of Council. The budget for this year was informed by the needs expressed by our entire community, not only through the IDP process, but through the constant communication and interaction that we have had with our residents throughout the year. On a daily basis, we engaged, formally and informally, with our residents and stakeholders, listening and incorporating what they have said. This was incorporated into our short, medium and long term planning.

Throughout all our interaction, our residents expressed the need for ongoing provision of dignified living spaces, safer communities, more economic opportunities, excellent and sustainable service delivery and the redressing of past inequalities. These needs also form the cornerstone of our IDP and inspired a budget that creates opportunities throughout our Municipality, as far as is achievable with the resources available. As we all know, 2020 was a game changing year, locally and internationally, due to the global COVID-19 pandemic. The resulting hard lockdown, resulted in the loss of the entire last quarter of the financial year under discussion. Despite the severe impact of the pandemic, we however still managed to make significant progress in service delivery for the benefit of our community. I will take this opportunity to share some of my favourite highlights with you.

One of our flagship projects in terms of infrastructure was definitely the upgrading of the Stellenbosch Waste Water Treatment Works (WWTW).

The opening of this facility was a wonderful highlight for me as Mayor. At the start of my term in 2016, the existing facility was no longer of sufficient capacity for the needs of the Stellenbosch town and it had a serious impact on the ecology and economy of the area.

Today, we can proudly boast with a world class water treatment facility that makes use of innovative technology. It is the single biggest capital project in the history of Stellenbosch, at a total value of R382 million, (excluding VAT). The new facility makes use of UV disinfection technology, uses a biological membrane reactor, an advanced ultrafiltration membrane that delivers a better final product and is also more energy efficient and environmentally friendly.

Of importance is that it includes a new laboratory with trained staff that monitors our water quality continuously as well as the operations at the treatment plant, ensuring that we are delivering the best possible service.

Throughout my tenure we have focused on empowering, restoring and promoting access to property and land for historically disadvantaged communities in particular. Our Ida's Valley mixed housing development is the first housing project in Ida's Valley in decades and provided a unique combination of fully subsidised, lower GAP, middle income, higher GAP, entry level and affordable housing units for the community of Ida's Valley. In December 2019 we were privileged to hand over the keys to the first buyers in this project, assisting residents with their first steps into the property market and providing a secure future for themselves and their families. We have also been able to hand over the keys for some of the fully subsidised houses to residents who have been patiently waiting for years.

To empower our aspiring local small farmers, we crafted and adopted a new Land Policy in 2018, so that we could make land available to emerging farmers as agricultural land became available.

In December 2019 we handed over the first five contracts to emerging farmers. The contracts range between 9 – 11 year leases at a subsidised rate structure, with the option to renew should the land be used productively. Our goal is to enable emerging farmers to access municipal agricultural land, to enhance economic opportunities and job creation and to ensure the optimal use of available agricultural land. This demonstrates our commitment to creating a conducive environment for farming enterprises, especially for those emerging farmers who have historically been excluded from economic opportunities.

The successful applicants were selected following a strict and detailed evaluation process during which experience in farming / agriculture, a business plan and the financial readiness of all applicants were evaluated. This is an ongoing process and as more agricultural land becomes available we will make sure to empower more of our residents through agriculture.

We have continued to expand on our partnerships to bring about economic change and opportunities as well as aid during times of crisis. During this financial year we partnered with *Ranyaka* to develop the once neglected old Victoria Street clinic into an economic hub. This project is ongoing and when completed, it will provide a space for entrepreneurs to launch their businesses from. This historic site will finally have a meaningful purpose again and is ideally located in the heart of our Stellenbosch town centre.

We also hosted our first ever *Get Started* entrepreneurship summit. This amazing event helped to unite the various stakeholders at government and NGO level with potential and existing entrepreneurs, to provide guidance and support in a challenging economic environment.

Our focus on cooperation and partnership has been most beneficial with the outbreak of the global COVID-19 pandemic. In a very short space of time many, many residents were left without an income, jobless and without resources due to the hard lockdown. The collaboration brought together Stellenbosch Municipality, Stellenbosch University, Visit Stellenbosch (civil society), SCAN (Stellenbosch Civil Advocacy Network, representing the non-profit sector) and the Greater Stellenbosch Development Trust (administrators) to provide aid and relief to residents who were especially hard hit financially during the pandemic. With the assistance of the Provincial Government we managed to donate R1,2 million in aid of our most vulnerable and affected residents during the Level 5 lockdown period.

This financial year we have also stepped up our use of technology to connect to our residents by making use of mobile applications to create greater connectivity and communication.

In August 2019 we launched a new housing application. The VOIS Housing App is an added tool developed for housing applicants to easily gain access to the database, apply for opportunities and update their information. The App increases accessibility but also caters to the many residents who work full time and find it difficult to travel to and queue at the housing office. This was done as part of our Housing Demand Database update and upgrade so as to ensure that we have access to the most current and updated information, to aid us in our future planning and projects.

With the worldwide COVID-19 pandemic hitting South Africa in March of 2020, the government landscape changed very quickly and very fast. COVID-19 resulted in a complete national lockdown, but government processes and service delivery simply had to continue. To aid our communication efforts, we designed and launched the Stellenbosch Citizens Application. This App allows for public participation as well as regular and emergency communication via smart phone as well as feature phones such as Motorola or Nokia. The App allows residents to contact us directly and provide platforms for electronic communication. The application has allowed us to share information and news during COVID-19 without having to rely on public and private news companies.

As Mayor, I would like to thank the Municipal Manager, all staff members, Councillors, residents, interest groups, associations and forums for working with us to better our municipality and the lives of all our people. Constructive criticism remains a pillar of public participation and is always welcomed. I also want to express my sincere appreciation for all the positive comments and support from all over WC024.

Although the municipality faces many challenges, we are a sustainable and financially stable municipality. We have successfully managed many challenges and we are en route to position Stellenbosch as one of the most successful municipalities in South Africa.

I want to thank our Municipal Manager, all our staff and our residents for working with us, challenging and encouraging us to make this dream come true.

ADV GESIE VAN DEVENTER
EXECUTIVE MAYOR

1.2 COMPONENT B: EXECUTIVE SUMMARY

1.2.1 MUNICIPAL MANAGER'S OVERVIEW



As we table the Annual Report 2019/20, I am reminded of the great progress that has been made in our aim to strengthen the integration of service delivery across the greater municipal area. The year under review has provided the municipality with the opportunity to establish itself as a frontrunner and example of best practice in the local government sphere.

Despite several challenges, the most pressing of which being the worldwide COVID-19 pandemic that affected us during the last quarter of the financial year. The pandemic changed our way of life, the way in which we interact, do business, deliver services and go about our daily activities. Our organisation however remained fully committed to ensuring that the strategic intent is responsive to what our communities need and that service delivery could continue uninterrupted throughout the lockdown period.

This has been a year like no other, with the COVID-19 pandemic and subsequent national lockdown placing immense pressure on our resources, staff complement and ability to provide municipal services in an uninterrupted manner. With the start of the national lockdown in March 2020, the two immediate objectives of the municipality were to ensure that essential and emergency service delivery could continue unabated and that our municipal officials were safe and protected.

Despite these and many other challenges, the 2019/20 financial year proved very busy and exceptionally rewarding. As this annual report will show, the Stellenbosch Municipality has made steady progress towards realising its vision of becoming a valley of opportunity and innovation. We have consistently strived towards creating more opportunities and delivering quality services to our residents while staying true to our values of innovation, transformation, integrity and accountability.

Delivering our vision requires the dedicated application of many resources, ranging from the municipality's own financial inputs and ongoing investment by those who recognise our valley's growth potential, to the hard work of our capable and devoted officials, managers and executives. The Annual Report 2019/20 offers an overview of the extent of that work and investment for the past financial year, and more importantly, of the positive outcomes that the municipality has delivered.

To achieve our goals, we have been guided by our main strategic planning document – the Integrated Development Plan (IDP). We have gone to great lengths to ensure that our IDP is a true reflection of the needs of all our residents, implementing several innovative solutions to ensure that we reach as many residents and stakeholders as possible even during the months of the initial Level 5 lockdown restrictions. We also recognise the role of provincial and national government and regularly engage on various platforms to share information and best practices. These platforms include SALGA, ISAMAO, CIGFARO, the Premier's Coordinating Forum and Municipal Managers Forum.

One of the highlights during the 2019/20 financial year, and indeed a personal highlight for me since assuming the role as Municipal Manger, was the opening of the brand new Stellenbosch Waste Water Treatment Works (WWTW). This project is the single biggest capital expenditure in the history of the Stellenbosch Municipality and is expected to serve our communities for generations to come. The new facility has greatly improved our wastewater treatment capacity, making use of a membrane biological reactor (MBR) process – an advanced wastewater treatment process that uses ultrafiltration membranes for liquid solid separation instead of conventional clarifiers. The use of these new technologies has significantly improved the state of the downstream river and the quality of water available to residents. The facility was also designed to be energy efficient by tailoring the technologies used and minimising pumping through the works – making this an eco-friendlier plant that saves a lot on energy costs.

During the course of the 2019/20 financial year, the municipality continued to experience stability at senior management level, which has fostered even greater organisational wellbeing. All Senior Management posts are filled and fully functional. The municipality also invested in new communication platforms by developing the Stellenbosch Citizen App, expanding our WhatsApp service lines and launching a new municipal website to improve user experience and two-way communication. We have maintained a healthy payment rate of consumers as a result of effective credit control and debt collection measures. Financial sustainability, as reflected by the financial ratios, indicates that the municipality is in a healthy financial position.

What we have achieved in the municipality is as a result of our commitment to working together, good governance practices, transparency and organisational stability. It is a privilege to be a public servant and to have the opportunity of working with our residents to improve the lives of all. It is through this spirit of cooperation that we continue to be a destination of choice for investors, business, industry, visitors and students.

Thank you Stellenbosch.

It is a pleasure to present the Annual Report 2019/20 of the Stellenbosch Municipality.

The years ahead should be a significant period of growth and development for our residents, now that so much groundwork has been completed. Together with the residents and stakeholders of the Stellenbosch Municipality, we can make our towns places of excellence and opportunities for all. Let us work together on this plan to leave a lasting legacy for future generations.

_____

GERALDINE METTLER
MUNICIPAL MANAGER

1.2.2 INTRODUCTION

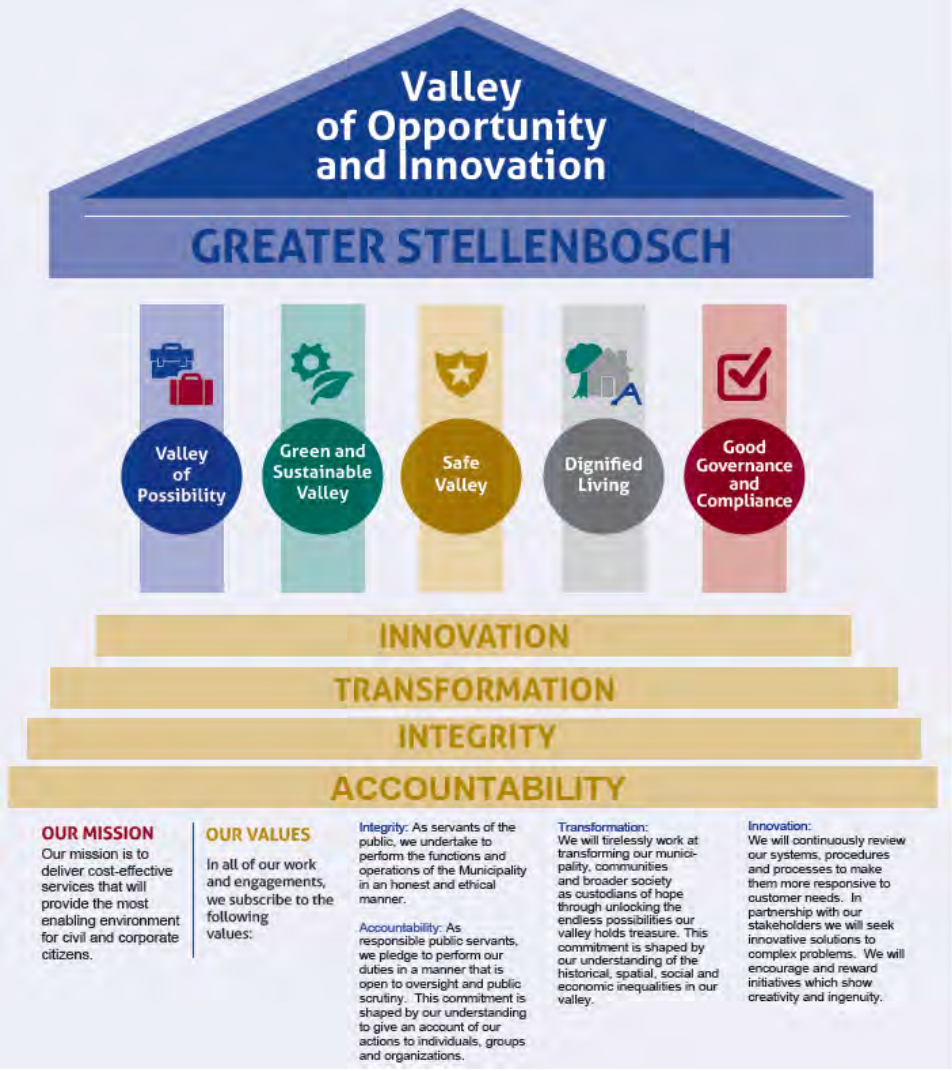
This report addresses the performance of the Stellenbosch Municipality, in the Western Cape, South Africa, in respect of its core legislative obligations. Local government must create the participatory framework that defines and enhances the relationship between elected leaders and their communities. This requires that the municipal councils provide regular and predictable reporting on programme performance and the general state of affairs in their locality.

The Annual Report 2019/20 reflects on the performance of the Stellenbosch Municipality for the period of 01 July 2019 to 30 June 2020. The Annual Report is prepared in terms of section 121(1) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), in terms of which the municipality must prepare an Annual Report for each financial year.

1.2.3 VISION, MISSION AND VALUES OF THE STELLENBOSCH MUNICIPALITY

The figure below illustrates our overarching strategy of Stellenbosch Municipality.

Figure 1:1: House of Values



The Stellenbosch Municipality has committed itself to the following vision and mission:

VISION

We describe the vision of where we want to be as a municipality and the Greater Stellenbosch area as the **"Valley of Opportunity and Innovation."**

MISSION

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

VALUES

In all our work and engagements with the community and other stakeholders, we subscribe to the following values:

Integrity: As servants of the public, we undertake to perform the functions and operations of the municipality in an honest and ethical manner.

Accountability: As responsible public servants, we pledge to perform our duties in a manner that is open to oversight and public scrutiny. This commitment is shaped by our understanding to give an account of our actions to individuals, groups and organisations.

Transformation: We, as custodians of hope, will work tirelessly at transforming our municipality, communities and broader society by unlocking the endless possibilities that our valley holds and treasures. This commitment is shaped by our understanding of the historical, spatial, social and economic inequalities in our valley.

Innovation: We will continuously review our systems, procedures and processes to make them less bureaucratic and more responsive to customer needs. We will acknowledge and reward initiatives that show creativity and ingenuity.

1.2.4 STRATEGIC FOCUS AREAS

1.2.4.1 Strategic Focus Area 1: Valley of Possibility

The Stellenbosch area offers ample possibilities to their stakeholders. The unlocking of these possibilities to encourage opportunity for enterprise, creativity and business development in our cities, towns and villages are an urgent issue in South Africa. Unemployment, poverty, income inequality, and skills shortages are major concerns impacting the economy. This strategic focus area has three broad dimensions that address these challenges: The first relates to the provision of services to citizens, and how these services can assist them to facilitate development and job creation. The second relates to the internal working of the Municipality and how municipal procurement of services aids in fostering opportunity for enterprise development and creativity. The third dimension asserts that efficient infrastructure and services lie at the heart of the municipality's mandate. Infrastructure and services of different kinds fulfil the basic needs of citizens, and also enable enterprise and business development. Without appropriate, well-maintained infrastructure, the greater Stellenbosch area will fail as a place of living, work and learning.

1.2.4.2 Strategic Focus Area 2: Green and Sustainable Valley

There are a number of dimensions to the environment that underpin its importance for the greater Stellenbosch area and for the people living within it. The first is an ecological dimension, which recognises that the natural environment and its processes provide the setting in which, and the basic resources with which, human life is played out.

The second is an economic and productive dimension, which recognises that the natural environment underpins a vitally important tourism and agricultural economy. The third is a psychological, social, and recreational dimension, which recognises that human life is qualitatively affected by a sense of place, and the need for places of 'escape' from urban life. The fourth is a cultural dimension, which recognises the inextricable relationship between the characteristics of a place, peoples' activities in that place, and the emergence of cultural expressions and forms.

There are at least three reasons why spatial direction is important. Firstly, we live our lives in geographic spaces; how activities and infrastructure are organised in space fundamentally impact on people's access to opportunity. For example, prioritising new urban development on agricultural land may harm the overall viability of agriculture and food security of an area. Another example is the location of housing for poor people far away from work opportunities, which impacts on disposable income, work productivity and transport infrastructure provision. Secondly, the municipal strategy has over the last decade taken a strong sectoral approach. The approach looks at development in sectors as reflected in the LED plans, plans for creative industries, small enterprises, tourism, and so on. Unfortunately, much of this work is silent on the impact of space on specific sectors and has assisted to hide spatial inequity in our settlements. Thirdly, municipal government has considerable influence over the space economy of settlements. By virtue of its mandate, local government can determine the nature and location of key infrastructure and where settlement is to occur and where not. Local government cannot grow the economy, but it impacts on economic success through the provision and maintenance of infrastructure and how activities are organised in space.

1.2.4.3 Strategic Focus Area 3: Safe Valley

Establishing safety and law abiding behaviour in greater Stellenbosch is an absolute priority. All our efforts to improve services, opportunity and a sound a financial position – including affordable rates – will come to nothing if by-laws are not respected, our assets are vandalised, or our neighbourhoods, roads, business areas and recreational facilities are not safe. Safety and security, together with cleanliness, are often cited as the most important factors in getting investment into a city or town. A safe and secure greater Stellenbosch area is thus not only a functional necessity, but underpins elements of economic and social development strategies.

1.2.4.4 Strategic Focus Area 4: Dignified Living

All our citizens should have access to a dignified life, irrespective of their relative material wealth or their background. By a dignified life we mean, inter alia, access to shelter, pursuit of ethical administration of municipal housing, and sufficient choice in housing opportunity for different income groups, including young people. We also mean neighbourhoods with accessible public facilities and services. Support for vulnerable groups, including the youth, women and the elderly is critical, as is a close working relationship with other government and social agencies that focus on the needs of these groups.

1.2.4.5 Strategic Focus Area 5: Good Governance and Compliance

As more people become urbanised, towns and cities have become increasingly important foci of political and economic power and service provision. As the 13th largest economy nationally, the greater Stellenbosch area and municipality is a significant seat of power and deliverer of services. Deciding what to do, when, where and to whose benefit, however, is a difficult task. The range of services to be provided is wide in scope, and the needs of citizens and enterprises vary significantly. Given the depth of need in many communities and limited resources, tough choices have to be made. To succeed, municipalities have to develop appropriate policy- and decision-making structures and plan carefully for the long and short term (across territorial areas and sectors). They should also ensure synergy between the work of the political and administrative spheres of the municipality, their own work and that of other spheres of government, civil society and the business sector. Municipalities should communicate well; and monitor processes and procedures in a structured manner. It is also important that excellence in service delivery contributions, external and internal to the organisation, needs to be recognised and built upon.

We cannot service the needs of our citizens without a skilled and customer-focused administration in all the different functional areas and at all levels of the municipality. Given rapid change in all facets of society, the opportunity must exist for staff to develop their skills, whether in specific functional areas or management. To ensure best use of public resources, regular performance management is essential. Information must be readily available, and contact between citizens and the municipality should be responsive and as efficient as possible.

The facilities that house the administration also need to be organised in a manner that facilitates integrated and joint work among the staff themselves, and between staff, political leadership and other sectors of the community.

A sound financial basis is central to implementing any strategy. The greater Stellenbosch area is no exception. In order to deliver on the needs of its citizens, the municipality is required to manage revenue streams in a sustainable manner. It also needs to ensure that funds available are utilised for identified projects and that value for money is achieved. In procuring goods and services, ethical conduct is essential to ensure the integrity of the municipality. It is most important that the use of municipal resources supports agreed upon objectives; in other words, the municipal budget and on-going expenditure must be strategy-led.

1.2.5 CORE PRINCIPLES IN EXECUTING THE STRATEGY

This section refers to the linkage between political leadership, the administration and community.

The municipality encompasses three core components:

- Democratically-elected political leadership;
- The administration, comprising officials; and
- Citizens, as individuals, interest groups and organisations (public, community-based and private).

For sustainable municipal management, it is critical that political leadership and the administration work closely together. Ultimately, democratically-elected political leadership is responsible for policy direction. The administration provides advice and implements policy.

International best practice shows that the only way to carry out sustainable urban management is to engage in meaningful partnerships with communities, where communities take full responsibility for the development of their own neighbourhoods. Stellenbosch Municipality is committed to ensure that real social and economic development of our poorest communities is realised through proper community input and ownership. It is not generally realised that communities are legally part of the municipality. This being the case, however, means that local communities cannot simply play the role of critic or passive bystander. It is vital that local communities play an active part in the planning and implementation of projects and programmes in their neighbourhoods.

A component of community participation focuses on ward-based planning, where the desired outcome is to have a ward-based plan for each of the 22 wards. Ward-based plans are a form of participatory planning designed to promote community action, with clear linkages to the IDP. Such plans mobilise communities and citizens to take responsibility for their own destiny and capture what communities see as their desired outcomes. They also help to speed up the implementation of the IDP. This ensures that the IDP objectives become the collective responsibility of community members, ward councillors, ward committees, the business community, NGOs and CBOs and all other stakeholders in the greater Stellenbosch. This presents an opportunity for visionary local leaders to implement a shared agenda and show tangible and measurable results through collectively addressing the above-mentioned ward priorities.

1.2.6 ALIGNMENT WITH INSTITUTIONAL STRUCTURES AND PROCESSES

Conventional strategic planning processes aimed at guiding development and management decisions are time-consuming. Preparing a detailed strategic framework and implementation programme can take months. Unfortunately, these processes do not provide for the "now" – the need to guide decisions today. For municipalities, the "now" has become extremely important. Every month counts. We believe that our challenges have become so significant that if we do not find an integrated and commonly shared response to them fast, we may lose much of what is special about an area and be poorly prepared to meet future challenges successfully. We often find that the fact that a strategy is "under preparation" is used as an excuse for inaction or even poor decision-making. The arm's length approach also appears to neglect local experiential knowledge – what people know through working with services issues on a daily basis. With this in mind we have provided for regular, informal but structured engagements between the MayCo and Director's Forum to discuss strategic matters and how to best respond to these issues.

These planning methods bridge the gap between local experiential knowledge, the technical requirements of strategy preparation, and the need for strategic frameworks to be available to deal with immediate decision-making. This process is aimed at getting an initial position through intense, structured information-sharing and planning workshops on how to direct development and management of the town. Written up as an initial strategy, provision is made for influencing the decisions of today and the nature of further work in a manner that supports the strategy. The strategy becomes the broad strategic framework, elaborated on in further technical work.

1.2.7 DEMOGRAPHIC AND SOCIO-ECONOMIC INFORMATION

1.2.7.1 Municipal Geographical Information

Stellenbosch Municipality is located at the edge of the City of Cape Town yet still manages to retain its distinct small-town character. This undoubtedly gives Stellenbosch a strong competitive advantage – sharply contrasting with similarly sized towns located 400 km or more from the nearest metropolis. Aside from being a mere 50 km from Cape Town's central business district (CBD) and being flanked by the N1 and N2 main routes, Stellenbosch is also just 30 km away from the sea (at Somerset West / Strand) and only a few kilometres away from the attractive Boland mountains. In addition, Stellenbosch is a mere 28 km from Cape Town International Airport, one of South Africa's top (air) links to the global economy, and not much further away from Cape Town harbour, the shipping portal to both the Atlantic and the Indian Oceans.

This convergence of environmental resources, scenic quality and business opportunities has two other mutually reinforcing spin-offs: The largest number of JSE-listed companies based in any small South African town have their headquarters in Stellenbosch and the town is home to a disproportionately high number of corporate CEOs and executives, which in turn means that it is able to sustain a comparatively high level of economic activity and consumer services for a town of its size. This results in other benefits throughout the value-chain and for employment. The municipality's area of jurisdiction includes the towns of Stellenbosch and Franschhoek, as well as a number of rural hamlets such as Wemmershoek, La Motte, De Novo, Kylemore, Pniël, Johannesdal, Languedoc, Groot Drakenstein, Muldersvlei, Klapmuts, Elsenburg, Raithby, Jamestown, Koelenhof and Vlottenburg (most with a population of less than 5 000). Apart from formal settlement areas, the municipal area also includes a number of informal settlements.

Stellenbosch town is the second oldest town in South Africa, dating back to 1679 when an island in the Eerste River was named Stellenbosch by the then Governor of the Cape, Simon van der Stel. The first farming activities in the area were started in 1679. Today, the area has become primarily known for its extraordinary wines and fruits.

The area houses excellent educational institutions, including the University of Stellenbosch and a number of prestigious schools. It has a strong business sector, varying from major South African businesses and corporations to smaller enterprises and home industries. The tourism industry alone is responsible for the creation of about 18 000 jobs in the area. Wine farms and cellars abound and the area is the home of the very first wine route in South Africa. A variety of sport facilities are available. Coetzenburg, with its athletics and rugby stadiums, has delivered star performances over many generations. The Municipal area has a number of theatres, which include the Stellenbosch University's HB Thom Theatre, Oude Libertas Amphitheatre (renowned for its summer season of music, theatre and dance), Spier Amphitheatre, as well as Klein Libertas Theatre, Dorp Street and Aan de Braak Theatre.

1.2.7.2 Wards

Stellenbosch municipal area is now divided into 22 Wards, with recent amendments to some of the ward boundaries by the Municipal Demarcation Board in 2016. The wards consist of urban settlements as well as the surrounding rural areas which contain agricultural and natural environments. The table below describes the urban settlements and rural areas within the different wards.

The Stellenbosch Municipality is currently structured into the following **22** Wards:

Table 1:1 Municipal Wards

Ward	Areas	Population (2011)
1	Franschhoek Town, Bo-Hoek Farms, Mooiwater	12 389
2	Langrug, La Motte, Dennegeur, Groendal	7 519
3	Wemmershoek, Lanquedoc, Meerlust	8 952
4	Pniël, Kylemore, Johannesdal	8 230
5	The Ridge, Lindida, Ida's Valley (The Hydro in the direction of Ida's Valley and Omega Street to Jonkershoek)	5 656
6	Ida's Valley and farms (Nietvoorbij, Timberlea, Morgenhof, Remhoogte, Muratie, Groenhof, Delheim, Lievland, Kanonkop, Uitkyk, Glenelly, Emerie, Laundry, Packham, L'Avenir)	5 856
7	Mostertsdrift, Kolonieshof, Karindal, Rozendal, Uniepark, Simonswyk, Universiteitsoord, De Weides	3 873
8	Stellenbosch Central and university areas	5 682
9	Boundaries of the Eerste River, Krige, Herte, Skone Uitsig, Bird, Merriman, Bosman, Victoria, Neethling, Van Riebeeck, Drostdy and Helderberg Street	822
10	Tenantville, Lappan Street to Lackay Street, La Colline-Faure, Dr Malan Street to Irene Park, Conde Street, Mount Albert, Taylor, Voorplein to Kromriver, Municipal Flats (Lavanda, Aurora, Phyllaria, Molteno Avenue) to Paul Kruger Street and Banghoek Avenue	5 270
11	Dorp Street to Herte Street, Mark Street, Alexander Street, bottom of Bird Street to the Stellenbosch Train Station, all areas in Onder Papegaaiberg and businesses	6 545
12	Kayamandi: Enkanini, Snake Valley, Watergang, Thubelitsha, New Watergang (106), Zone O (next to Enkanini), Chris Hani Drive, Municipal Flats(10TH and 13TH Street), School Crescent, Ekuphumleni, Siyahlala, Zone A and George Blake	8 009
13	Kayamandi: Old Location from Lamla Street to Luyolo Street, Red Bricks and Old Hostels	2 482
14	Kayamandi: Zone I Setona Street), Zone O (lower part) Mgabadeli Crescent, Monde Crescent , Costa Land, Strong Yard, Zone M (8th Avenue)	5 280
15	Kayamandi: Mjandana Street(Zone L), Mputa Close, Zone K, Ndumela Street(Zone J), Distell Hostels, Vineyard, Zone O Middle part(Fire Street), Municipal Workers Flats, Zone N, and M, Old Corrobricks Hostels, Mdala Street(Old Hostels) Eight(8) Close	10 403
16	Long Street to end of Smarty Town, Eike Street, Curry Street, Primrose Street, Pine (Bo en Onder), North End, Vredelust, Gemsbok, Daffodil Single, Steps, Sylvia Street, Eiland Street, Last Street (White City), Frikkadel Dorp, September Street, Smarty Town and Weltevrede	8 626
17	Kloof and Longstreet flats, Welgevonden and Weltevreden	7 728
18	Klapmuts and surrounding farms	8 763
19	Elsenburg, De Novo	10 493
20	Vlottenburg, Raithby, Lynedoch to Meerlust, Eikendal, Mooiberge, Faure	9 628
21	Jamestown, Paradyskloof, De Zalze, Techno Park, Blaauwklippen, surrounding farms	8 651
22	Die Boord, Dalsig, Brandwacht, Krigeville, Libertas Farm	4 873
Total		**155 733**

Source: StatsSA

Below is a map of the Cape Winelands District in relation to the provincial district boundaries:

Figure 1:2: Locality of Cape Winelands District in relation to Provincial Boundaries

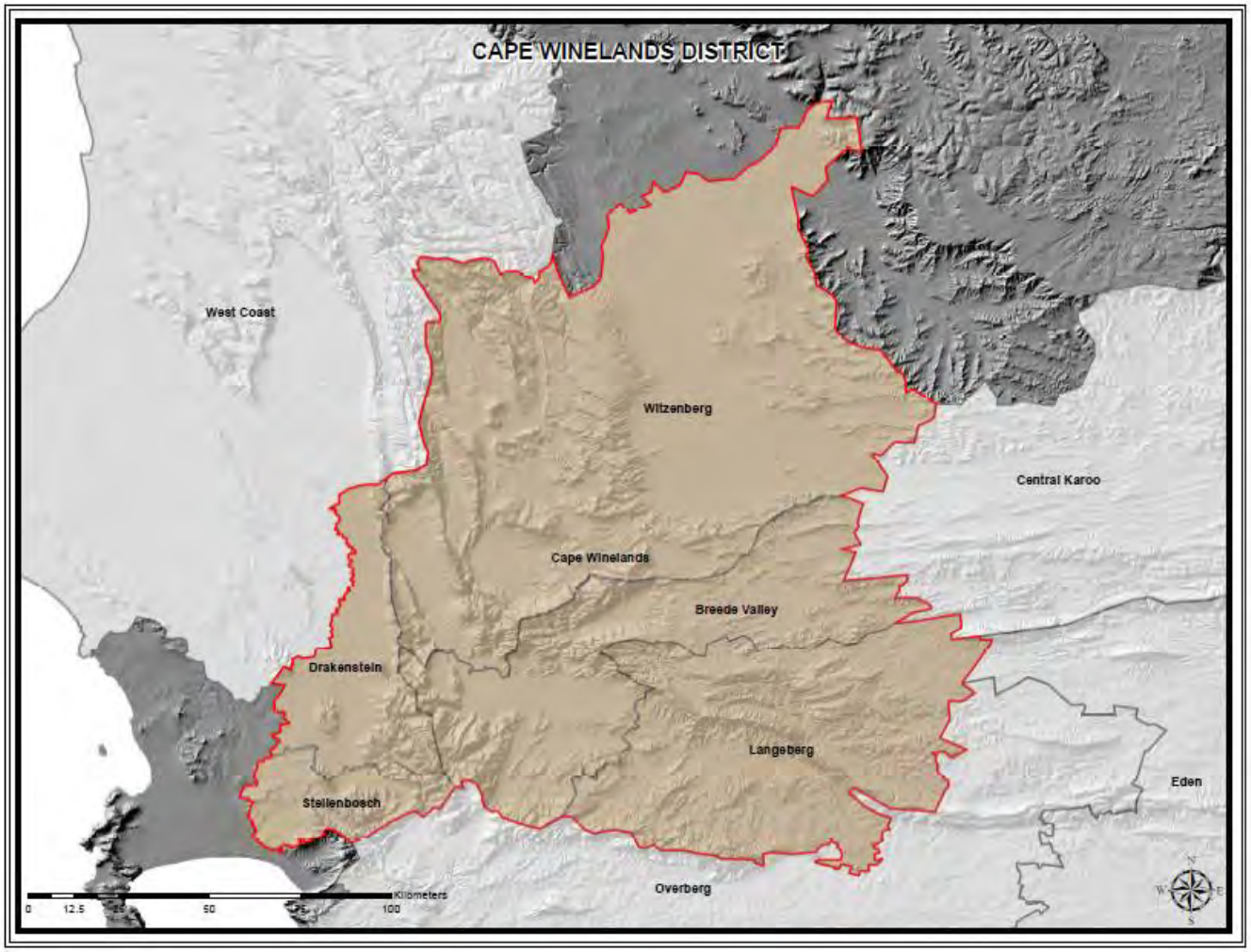


Source: Western Cape provincial Spatial Development Framework

The Western Cape Province, makes up 10.6% of the country's land surface and encompasses an area of 129 462 km². The province spatial area includes 1 metropolitan area (City of Cape Town), 5 district municipal areas (Central Karoo, Garden Route, Overberg, Cape Winelands and West Coast) and 24 local municipalities.

Below is a map of the municipalities in relation to the Cape Winelands District:

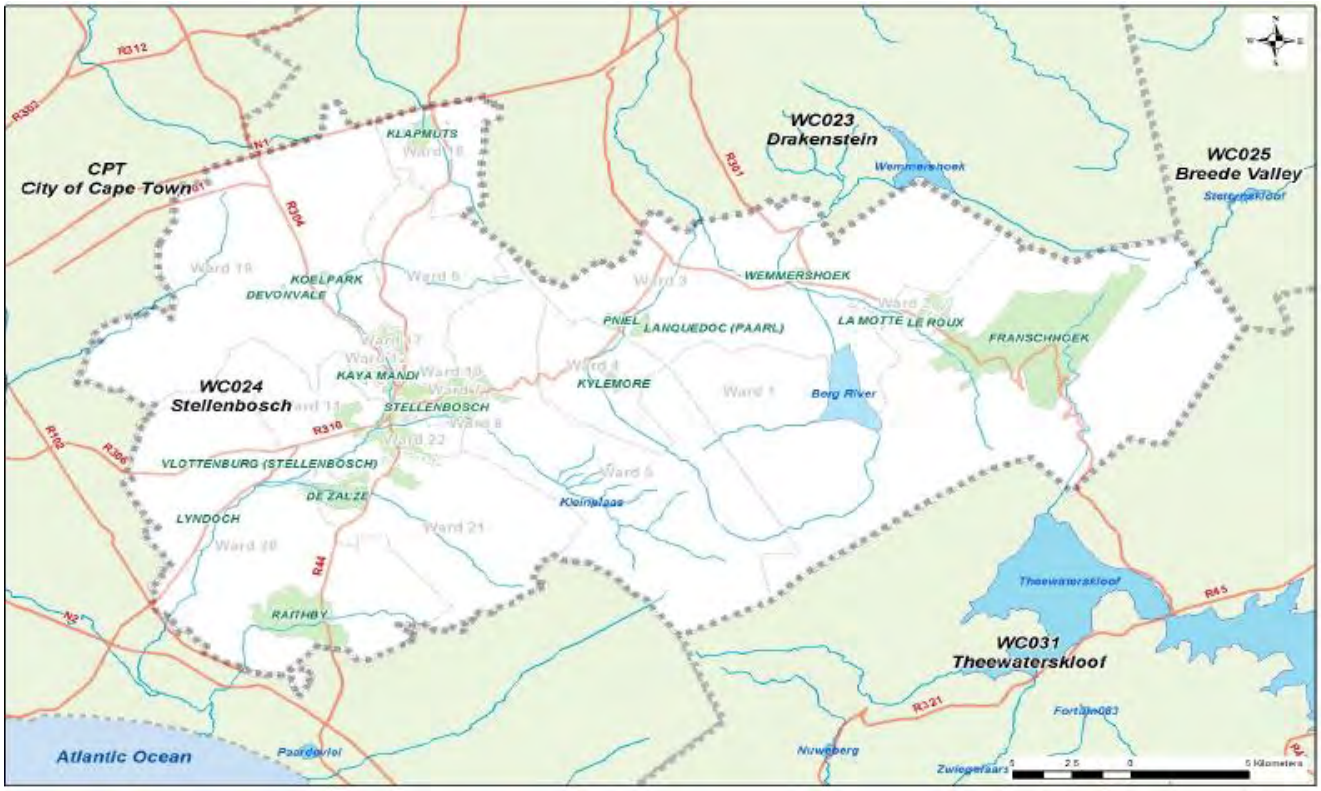
Figure 1:3: Locality map of Stellenbosch Municipality in relation to Cape Winelands District Boundaries



The Cape Winelands District Municipality is located within close proximity of the City of Cape Town, which offers excellent access to trade opportunities, routes and infrastructure such as expanding broadband networks, an international airport (with direct flights to international cities), the second largest container port in the country and a comprehensive road and rail network. This makes the Cape Winelands district ideally located as an investment destination. The Cape Winelands District municipal area incorporates Drakenstein, Stellenbosch, Breede Valley, Langeberg and Witzenberg local municipalities.

Below is a map of the Stellenbosch Municipality's area of jurisdiction:

Figure 1:4: Locality map of Municipal Boundaries



Stellenbosch Local Municipality is located in the heart of the Cape Winelands and adjacent to City of Cape Town and Drakenstein Municipality. As a local authority Stellenbosch Municipality governs the towns of Stellenbosch, Franschhoek and Pniël, and the surrounding rural areas. The area covers 900 square kilometres and adjoins the City of Cape Town (CCT) to the west and south and the Breede Valley, Drakenstein and Theewaterskloof Municipalities to the east and north. Functionally, SM forms part of the Greater Cape Town metropolitan area.

The main settlements in SM are the historic towns of Stellenbosch and Franschhoek and Klapmuts. There are also a number of smaller villages, including Jamestown (contiguous with Stellenbosch town), Pniël, Johannesdal, Lanquedoc, Lynedoch, and Raithby. New nodes are emerging around agricultural service centres, for example, Koelenhof and Vlottenburg. Stellenbosch is a sought after space, offering opportunity and quality of living, yet in close proximity to city life. This has placed the municipal area under constant development pressure.

1.2.7.3 State of the Greater Stellenbosch

Stellenbosch is situated about 50 km from Cape Town and is flanked by the N1 and N2 main routes. According to population growth estimates, of the Community Survey the population figures for Stellenbosch for 2020 indicates 192 879 people and 52 374 households. The municipality's area of jurisdiction includes the town of Stellenbosch and stretches past Jamestown to Raithby in the South, Bottelary, Koelenhof, and Klapmuts to the North, and over the Helshoogte Pass to Pniël, Kylemore, Groendal and Franschhoek in the East.

Apart from formal settlement areas, the municipal area also includes a number of informal settlements. Stellenbosch town is the second oldest town in South Africa, dating back to 1679 when an island in the Eerste River was named Stellenbosch by the then Governor of the Cape, Simon van der Stel. The first farming activities in the area were started in that year. Today, the area has become primarily known for its extraordinary wines, fruit, world renowned cultural landscapes and exceptional scenic quality. The towns of Stellenbosch and Franschhoek are renowned for various architectural styles such as Dutch, Georgian and Victorian, which reflect their rich heritage and traditions, but also the divisions of the past.

The area houses excellent educational institutions, including the University of Stellenbosch, Boland College, sports and culinary institutions and a number of prestigious schools. It has a strong business sector, varying from major South African businesses and corporations, to smaller enterprises and home industries. The tourism industry alone is responsible for the creation of about 18 000 jobs in the area. The area's numerous wine farms and cellars are very popular and the area is the home of the very first wine route in South Africa.

A variety of sport facilities are available in Stellenbosch whereas in Coetzenburg, has hosted star performances over many generations. The Danie Craven Stadium is the home of Maties rugby and the largest rugby club in the world. The municipal area has a number of theatres, which include the University's HB Thom-, Spier Amphitheatre, Dorp Street, Aan de Braak, and Oude Libertas Amphitheatre. They are all well-known for its summer season of music, theatre and dance activities.

The area is known for its quality, award-winning restaurants and is a tourist haven with many boutiques, galleries, and curio shops. There are several museums and art galleries and the area is host to a number of annual cultural, food, wine and sports festivals. A wide array of accommodation is available for visitors to choose from.

Welfare and community organisations play a leading role in assisting to meet the needs of previously neglected communities.

The following municipalities share their borders with Stellenbosch Municipality:

- The City of Cape Town (South);
- Drakenstein Municipality, (North);
- Breede Valley Municipality, (North-east); and
- Theewaterskloof Municipality, (South-west).

1.2.7.4 Stellenbosch at a Glance

Table 1:2: Stellenbosch Municipality: Summarised Statistics

Demographics	2019	Population Estimates	2019
Population	192 879	Households	52 374

Education	2019	Poverty	2018
Matric Pass Rate	85.0%	Gini-Coefficient	0.65
Learner Retention Rate	75.5%		
Learner-Teacher Ratio	26.6%	Human Development Index	0.76

Health	2019		
Primary Health Care Facilities	Immunisation Rate	Maternal Mortality Ratio (per 100 000 live births)	Teenage Pregnancies – Delivery rate to women U/18
14	**55.1%**	**0.0**	**13.5%**

Safety and Security	Annual number of reported cases in 2019/20			
Residential Burglaries	DUI	Drug-related Crimes	Murder	Sexual Offences
1 242	237	2 166	76	231

Access to Basic Service Delivery	% households with access to basic services, 2019			
Water	Refuse Removal	Electricity	Sanitation	Housing
94.5%	86.7%	92.4%	91.2%	73.4%

Road Safety 2019/20		Labour, 2019	Socio-economic Risks	
Fatal Crashes	34	Unemployment (narrow definition)	Risk 1	Rising Unemployment
Road User Fatalities	35	11.3%	Risk 2	Informal Sector expansion
			Risk 3	Low skills base (Labour)

Largest 3 sectors			Contribution to GDP, 2018
Finance, insurance, real estate and business services	Wholesale and retail trade, catering and accommodation	Manufacturing	
21.6%	20.7%	16.4%	

Source: DLG 2020 Socio- Economic Profile- Stellenbosch Municipality

1.2.7.5 Socio-Economic Context

Population

The population of Stellenbosch is 192 879 people in 2020, ranking amongst the most populated municipal areas in the CWD. This total is expected to increase to 209 849 by 2024, equating to an average annual growth rate of 2.1 per cent.

Table 1:3: Age Cohorts and Dependency Ratio

Year	Children: 0 – 14 Years	Working Age: 15 – 65 Years	Aged: 65 +	Dependency Ratio
2020	43 095	139 312	10 472	38.5
2023	44 917	149 263	11 543	37.8
2026	46 390	154 594	12 758	38.3
Growth	+1.2%	+1.7%	+3.3%	-

Source: Western Cape, Socio-Economic Profile 2020

The above table depicts Stellenbosch's population composition by age cohorts. These groupings are also expressed as a dependency ratio which in turn indicates who are part of the workforce (ages 15-64) and those, who are depending on them (children and senior citizens). A higher dependency ratio implies greater pressure on social systems and the delivery of basic services.

Between 2020 and 2026, the largest population growth was recorded in the 65+ aged cohort which grew at an annual average rate of 3.3 per cent. This predicted growth rate increases the dependency ratio towards 2026.

Sex Ratio

The overall sex ratio (SR) depicts the number of males per 100 females in the population. The data indicates that there are less males than females in the Stellenbosch municipal area with a ratio of 49 per cent (males) to 51 per cent (females). The SR for Stellenbosch increases slightly year-on-year towards 2024 which could be attributed to a wide range of factors such as an increase in female mortality rates as well as the potential inflow of working males to the municipal area.

Age Cohorts

Between 2020 and 2026, the largest population growth projection was recorded in the 65+ agecohort which grew at an annual average rate of 3.3 per cent. The dependency ratio however, decreases towards 2023, and increases towards 2026.

Household sizes

Household size refers to the number of people per household. The actual size of households remains steady at 3.7 from 2020 to 2024. Contributing factors to a stagnation in household size growth could include, but are not limited to, lower fertility rates, divorce, ageing population, etc.

Population density

Amidst rapid urbanisation across the Western Cape, population density figures will aid public sector decision makers to mitigate environmental, individual health and service delivery risks. In 2020, the

population density of the Cape Winelands District (CWD) was 44 persons per square kilometer. In order of highest to lowest, the various local municipal areas in the CWD compare as follows:

- Stellenbosch 232 people/km²;
- Drakenstein 189 people/km²;
- Breede Valley 50 people/k km²;
- Langeberg 26 people/km²; and
- Witzenberg 14 people/km².

1.2.7.6 Education

Education and training improves access to employment opportunities and helps to sustain and accelerate overall development. Quality Education is the 4th Sustainable Development Goal, whilst the National Development Plan (NDP) emphasises the link between education and employment as well as the significant contribution it makes to the development of the capabilities and wellbeing of the population.

Early childhood development (ECD) is one of the priority areas of the South African government and remains a critical policy issue that the Department of Education aims to address. Early years in life are critical for acquisition of perception motor skills required for reading, writing and numeracy in later years.

Table 1:4: Early Childhood Development – attendance levels

Early Childhood Development (ECD)		
Ages	**Stellenbosch Municipality**	
1	Attending	26.4%
	Not Attending	73.6%
2	Attending	61.9%
	Not Attending	38.1%
3	Attending	72.9%
	Not Attending	27.1%
4	Attending	71.9%
	Not Attending	28.1%
5	Attending	50.6%
	Not Attending	49.4%

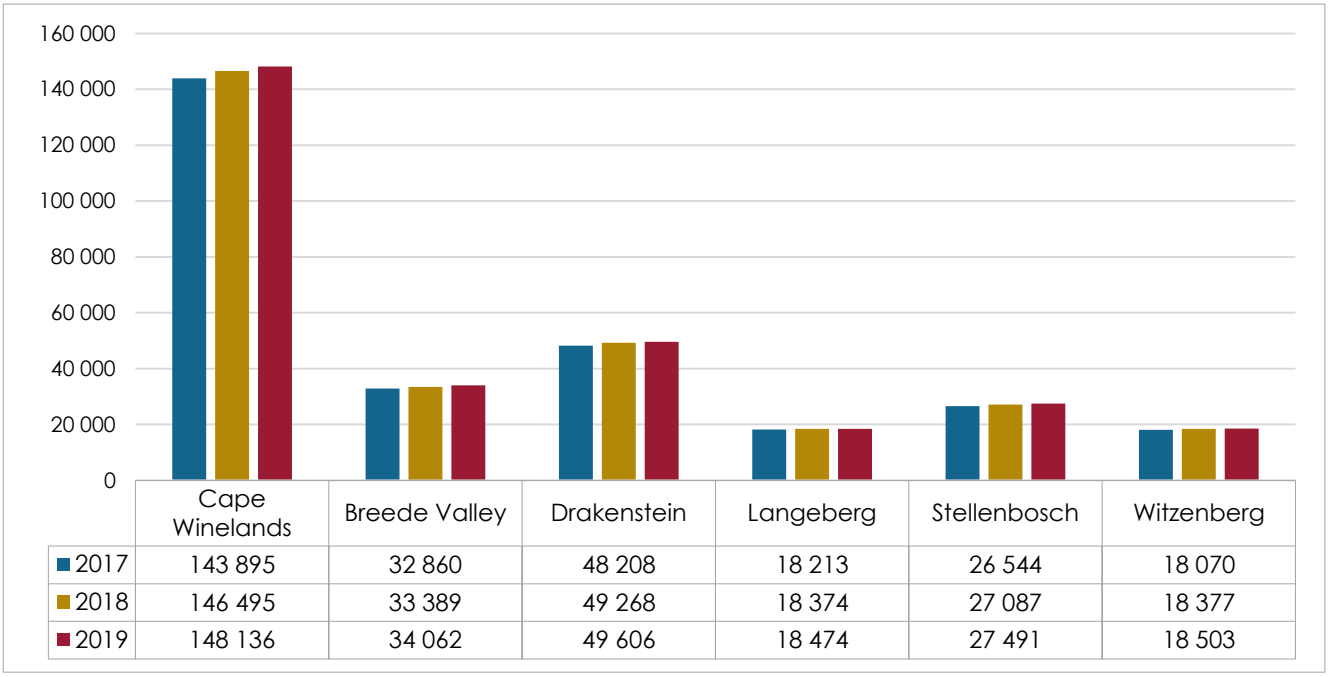
Source: Western Cape, Socio-Economic Profile 2018

Attendance of children between 1 and 2 years old at educational facilities fluctuates and is largely attributed to working parents in need of child care. Attendance between 3 and 5 years old shows a promising increase of attendance at early childhood facilities, with attendance of 73% for age group 3 and 72% for age group 4. The results for age group 5 is 51% and comparable to other local municipalities. A number of children within this age group still remain home with a parent or guardian.

Learner enrolment, the learner-teacher ratio and learner retention rate

Learner enrolment in Stellenbosch increased from 27 087 enrollments in 2018 to 27 491 in 2019, an increase of 1.5 per cent.

Figure 1:5: Learner enrolment

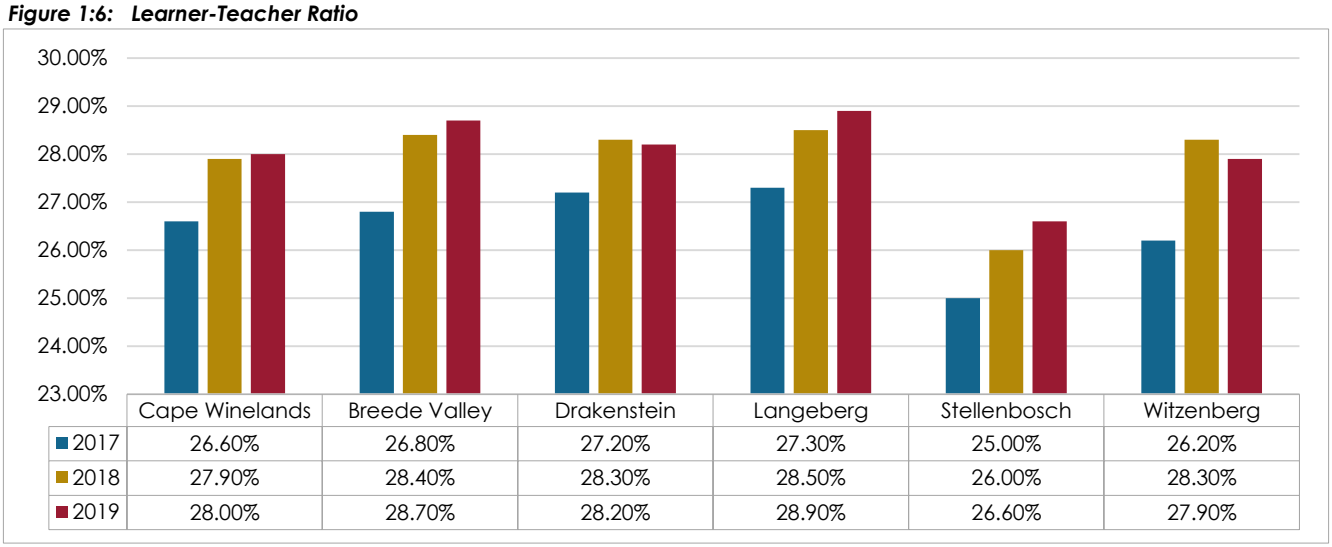


	Cape Winelands	Breede Valley	Drakenstein	Langeberg	Stellenbosch	Witzenberg
2017	143 895	32 860	48 208	18 213	26 544	18 070
2018	146 495	33 389	49 268	18 374	27 087	18 377
2019	148 136	34 062	49 606	18 474	27 491	18 503

Source: Western Cape, Socio-Economic Profile 2020

It is commonly assumed that children receive less personalised attention in larger class environments and that high learner-teacher ratios are detrimental to improved educational outcomes. Factors influencing the learner-teacher ratio is the ability of schools to employ more educators when needed and the ability to collect fees.

Figure 1:6: Learner-Teacher Ratio



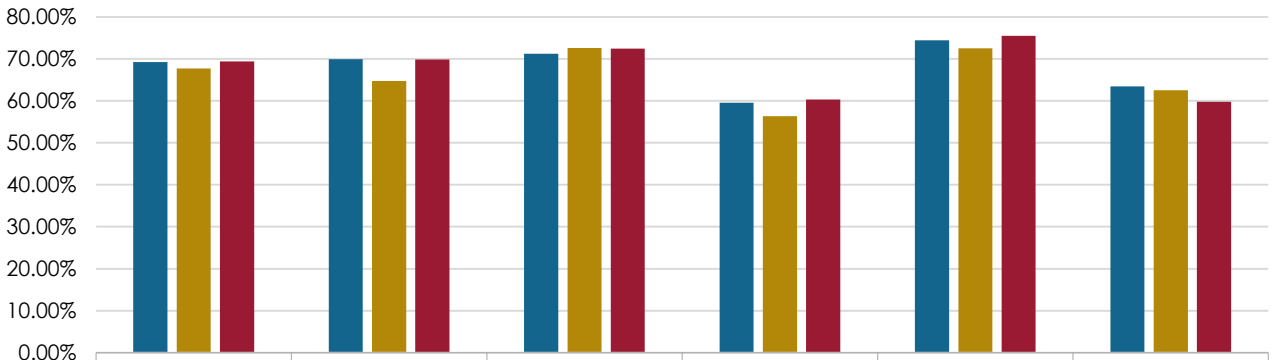
	Cape Winelands	Breede Valley	Drakenstein	Langeberg	Stellenbosch	Witzenberg
2017	26.60%	26.80%	27.20%	27.30%	25.00%	26.20%
2018	27.90%	28.40%	28.30%	28.50%	26.00%	28.30%
2019	28.00%	28.70%	28.20%	28.90%	26.60%	27.90%

Source: Western Cape, Socio-Economic Profile 2020

The learner-teacher ratio also reflected an increase from 26 in 2018 to 26.60 percent in 2019. Stellenbosch has the lowest learner-teacher ratio in the District, which bodes well for educational outcomes.

The learner retention rate refers to the number of students that start Grade 12 as a percentage of the number of students that enrolled in Grade 10 two years prior. The inverse of the learner-retention rate is commonly referred to as the drop-out rate. Learner-retention rates are influenced by multiple social, economic and psychological factors.

Figure 1:7: Learner retention



	Cape Winelands	Breede Valley	Drakenstein	Langeberg	Stellenbosch	Witzenberg
2017	69.20%	69.90%	71.20%	59.50%	74.40%	63.40%
2018	67.70%	64.70%	72.60%	56.30%	72.50%	62.50%
2019	69.40%	69.80%	72.40%	60.30%	75.50%	59.80%

Source: Western Cape, Socio-Economic Profile 2020

The learner retention rate improved from 72.5 per cent in 2018 to 75.5 per cent in 2019. This could be attributed to a number of factors including improvement in the socio-economic context.

Number of schools and no-fee schools

In 2019, Stellenbosch had a total of 39 ordinary public schools[1], of which 25 are no-fee schools. In an effort to alleviate some of the funding challenges the Western Cape Department of Education (WCED) offered the opportunity to become fee-paying schools to no-fee schools. This means that almost two-thirds of the schools in Stellenbosch, 52 per cent, are registered with the Western Cape Department of Education as no-fee schools.

Schools with libraries and media centres

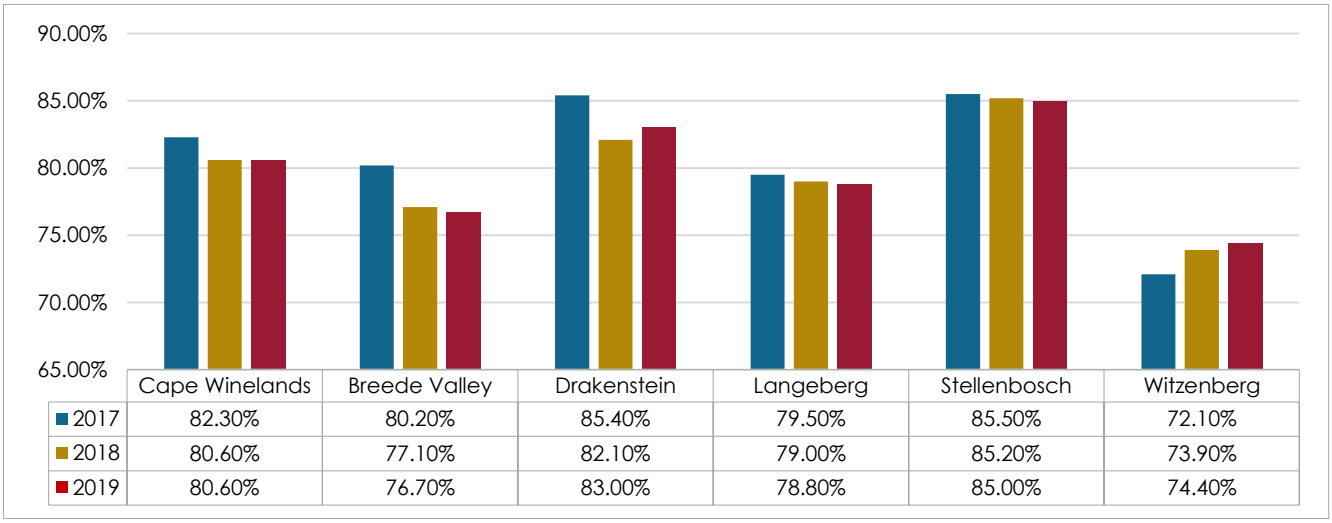
There was no change in the number of schools with libraries in the Stellenbosch area from 2016 to 2020. The availability of library facilities within schools contribute towards narrowing the academic attainment gap by allowing students access to information which in turn directly links to improved education outcomes.

[1] An **ordinary public school** is a school contemplated in Chapter 3 of the South African Schools Act, 1996 (Act No. 84 of 1996). Public schools and private schools are collectively known as ordinary schools. *Dictionary of Education Concepts and Terms, June 2011. Government Gazette, 6 June 2011.*

Education Outcomes (Matric Pass Rates)

Education remains one of the key avenues through which the state is involved in the economy. In preparing individuals for future engagement in the labour market, policy choices and decisions in the sphere of education play a critical role in determining the extent to which future economic and poverty reduction plans can be realised. Stellenbosch's matric outcomes have declined slightly from 85.2 per cent in 2018 to 85.0 per cent in 2019.

Figure 1:8: Education Outcomes



	Cape Winelands	Breede Valley	Drakenstein	Langeberg	Stellenbosch	Witzenberg
2017	82.30%	80.20%	85.40%	79.50%	85.50%	72.10%
2018	80.60%	77.10%	82.10%	79.00%	85.20%	73.90%
2019	80.60%	76.70%	83.00%	78.80%	85.00%	74.40%

Source: Western Cape, Socio-Economic Profile 2020

1.2.7.7 Health

According to the 2019 Inequality Trend Report by Statistics South Africa, 75.1 per cent of households in South Africa usually use public healthcare facilities when a household member gets ill compared to 24.9 per cent who used private healthcare facilities in 2017. This is associated with the low proportion of households with access to Medical Aid, 16.9 per cent for South Africa and 25 per cent for the Western Cape. In terms of healthcare facilities, Stellenbosch had 14 primary healthcare clinics (PHC) in 2019, which comprises 8 fixed and 6 mobile clinics. In addition, there is a district hospital.

Table 1:5: Health care facilities

Area	PHC facilities (Fixed clinics, CHCs and CDCs)		Community Health Centres[2]	Community Day Centres[3]	Hospitals		Treatment Sites	
	Fixed	Non-fixed			District	Regional	ART Clinics	TB Clinics
Stellenbosch	7	6	0	1	1	0	8*	15*
Cape Winelands District	39	33	0	6	4	2	49*	100*

**Source: Western Cape, Socio-Economic Profile 2020*

[2] **Community Health Centre:** A facility that normally provides primary health care services, 24 hour maternity, accident and emergency services and beds where health care users can be observed for a maximum of 48 hours and which normally has a procedure room but not an operating theatre.

[3] **Community Day Centre:** A health facility that provides a comprehensive health care services during day hours, including mother and child health, chronic diseases care, women's health, HIV and TB care, men's health, acute services, physio therapy, mental health services and oral health care.

Emergency Medical Services

Provision of more operational ambulances can provide greater coverage of emergency medical services. Stellenbosch had 3 ambulances per 10 000 inhabitants in 2019 which is above the district average of 2 ambulances per 10 000 people. It is worth noting that this number only refers to Provincial ambulances and excludes all private service providers.

HIV / AIDS / TB

Stellenbosch's total registered patients receiving ARTs increased by 896 patients between 2018 and 2019. A total of 32 366 registered patients received antiretroviral treatment in the Cape Winelands District in 2019. Stellenbosch, at 6 960 patients, represent 21.5 per cent of the patients receiving ART in the Cape Winelands District. The number of new antiretroviral patients decreased from 637 to 538 in 2019.

Stellenbosch experienced an increase of tuberculosis (TB) cases in 2019. According to the socio economic profile a total of 1 176 TB patients were registered in 2019 compared to registered cases of 1 175 in 2018.

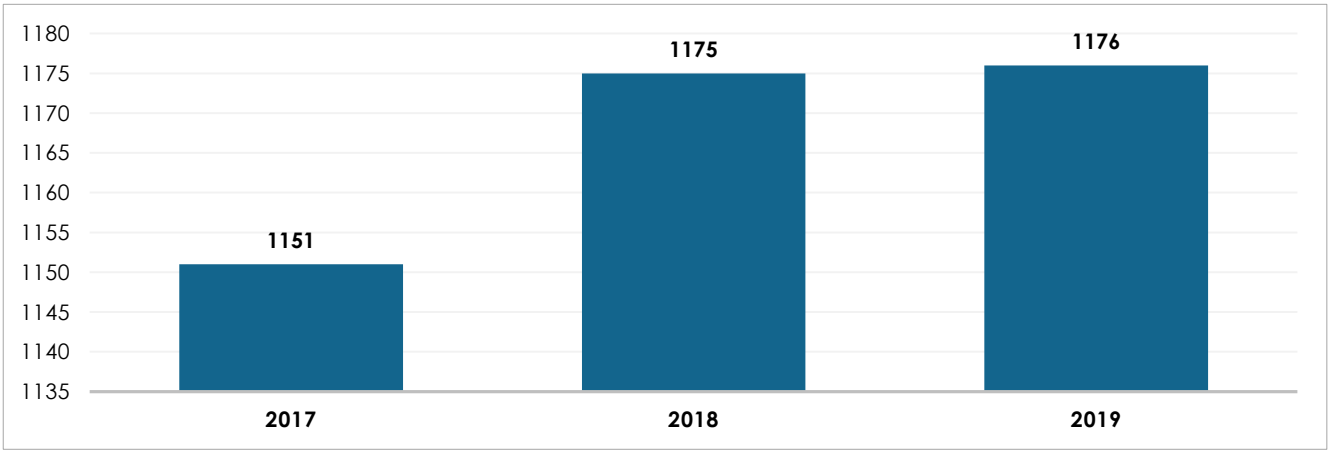
HIV / AIDS management is crucial given its implications for the labour force and the demand for healthcare services.

Table 1:6: HIV/AIDS Management

Area	Registered patients receiving ART		Number of new ART patients	
	2018	2019	2018	2019
Stellenbosch	6 064	6 960	637	538
Cape Winelands District	30 724	32 366	3 851	3 434

Source: Western Cape, Socio-Economic Profile 2020

Figure 1:9: Tuberculosis

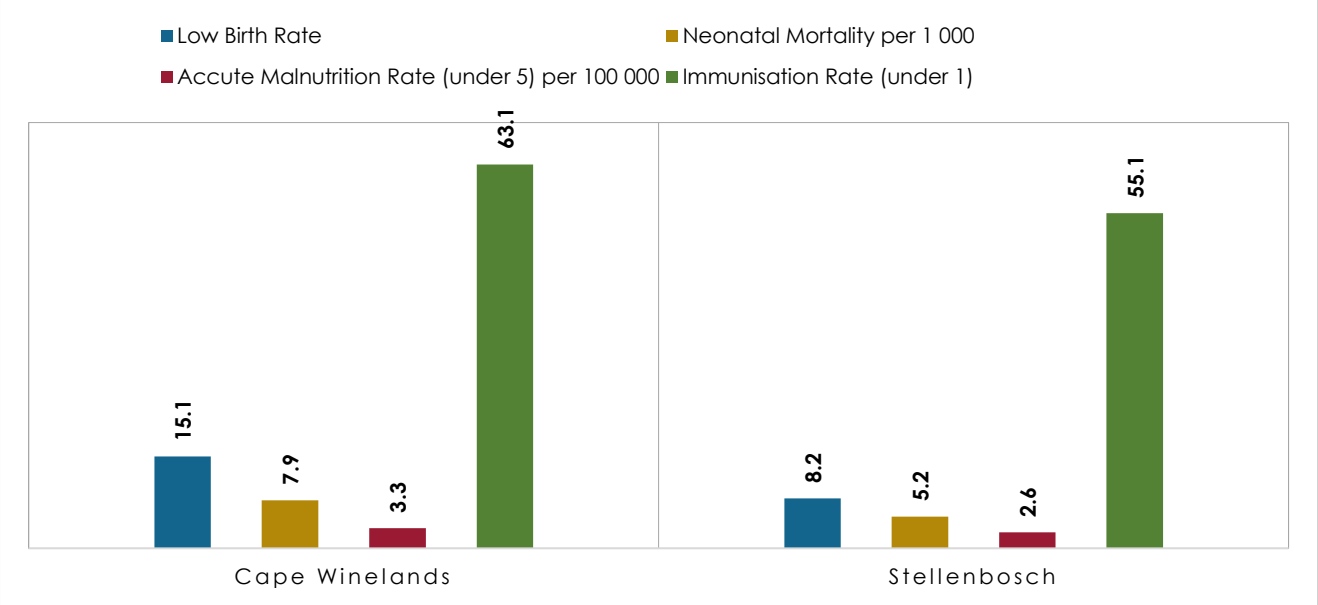


Source: Western Cape, Socio-Economic Profile 2020

Child Health

Immunisation rates in the Stellenbosch area are at 55.1 per cent in 2019, having decreased slightly from 55.2 per cent in 2018. In 2019, the number of malnourished children under five years (per 100 000) was 2.6, a slight decline from 2018. Neonatal mortality rate (NMR) (per 1 000 live births decreased from 6.6 in 2018 to 5.2 in 2019. The low-birth-weight indicator was recorded at 8.2, a decrease from 9.2 recorded in 2018.

Figure 1:10: Child Health, 2019



Source: Western Cape, Socio-Economic Profile 2020

Maternal Health

The maternal mortality rate in the Stellenbosch area is zero and Cape Winelands District is 42.7 deaths per 100 000 live births in 2019.

The delivery rate to women under 20 years in Stellenbosch and Cape Winelands District was recorded at 13.5 and 15.1 per cent respectively in 2019.

The termination of pregnancy rate increased from 0.5 to 0.6 from 2018 to 2019 in the Stellenbosch area.

Table 1:7: Maternal Health

Area	Maternal Mortality Rate		Delivery rate to women under 20 years		Termination of pregnancy rate	
	2018	2019	2018	2019	2018	2019
Stellenbosch	66,5	0,0	13,6	13,5	0,5	0,6
Cape Winelands District	**95,5**	**42,7**	**14,2**	**15,1**	**0,7**	**0,8**

Source: Western Cape, Socio-Economic Profile 2020

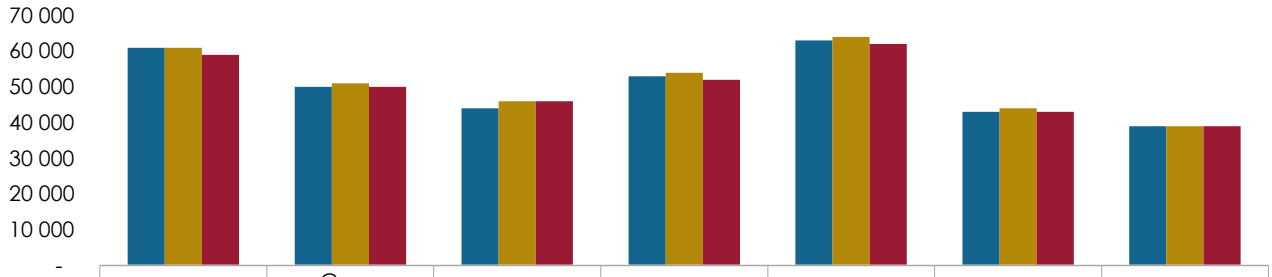
1.2.7.8 Poverty

GDPR Per Capita

An increase in real GDPR per capita, i.e. GDPR per person, is experienced only if the real economic growth rate exceeds the population growth rate. Even though real GDP per capita reflects changes in the overall well-being of the population, not everyone within an economy will earn the same amount of money as estimated by the real GDPR per capita indicator.

At R62 000 in 2018, Stellenbosch's real GDPR per capita is well above that of the Cape Winelands District's figure of R50 000 as well as that of the Western Cape.

Figure 1:11: GDPR Per Capita



	Western Cape	Cape Winelands	Witzenberg	Drakenstein	Stellenbosch	Breede Valley	Langeberg
2012	61 000	50 000	44 000	53 000	63 000	43 000	39 000
2015	61 000	51 000	46 000	54 000	64 000	44 000	39 000
2018	59 000	50 000	46 000	52 000	62 000	43 000	39 000

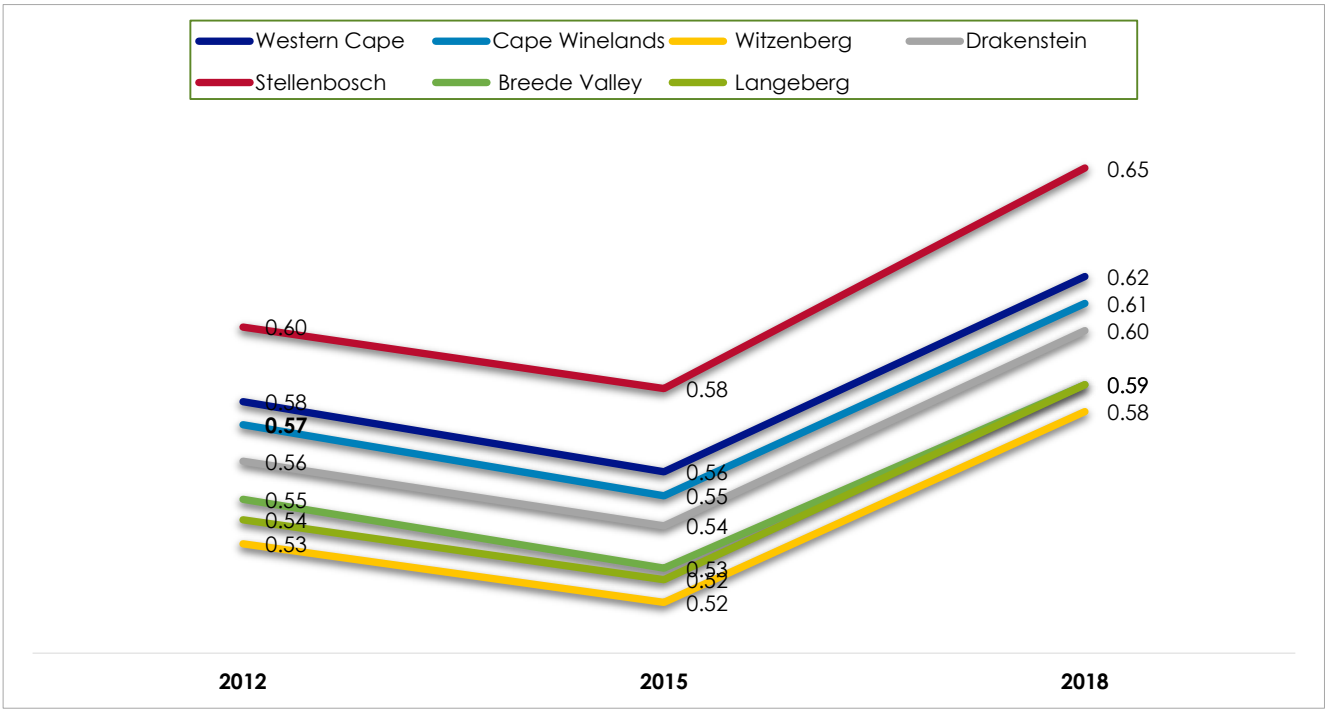
Source: Western Cape, Socio-Economic Profile 2020

Income Inequality

The National Development Plan (NDP) has set a target of reducing income inequality in South Africa from a Gini coefficient of 0.7 in 2010 to 0.6 by 2030. Income inequality has increased in Stellenbosch between 2012 (0.60) and 2018 (0.65) with the exception of 2012, when it dropped below 0.58.

Furthermore, income inequality levels were the highest in Stellenbosch for 2018 with a Gini coefficient of 0.60 when compared to neighbouring municipalities across Cape Winelands District and the Western Cape. These disparities in income are certain to worsen across the next MTREF given the potential aftereffects of the COVID-19 pandemic.

Figure 1:12: Income Inequality



Source: Western Cape, Socio-Economic Profile 2020

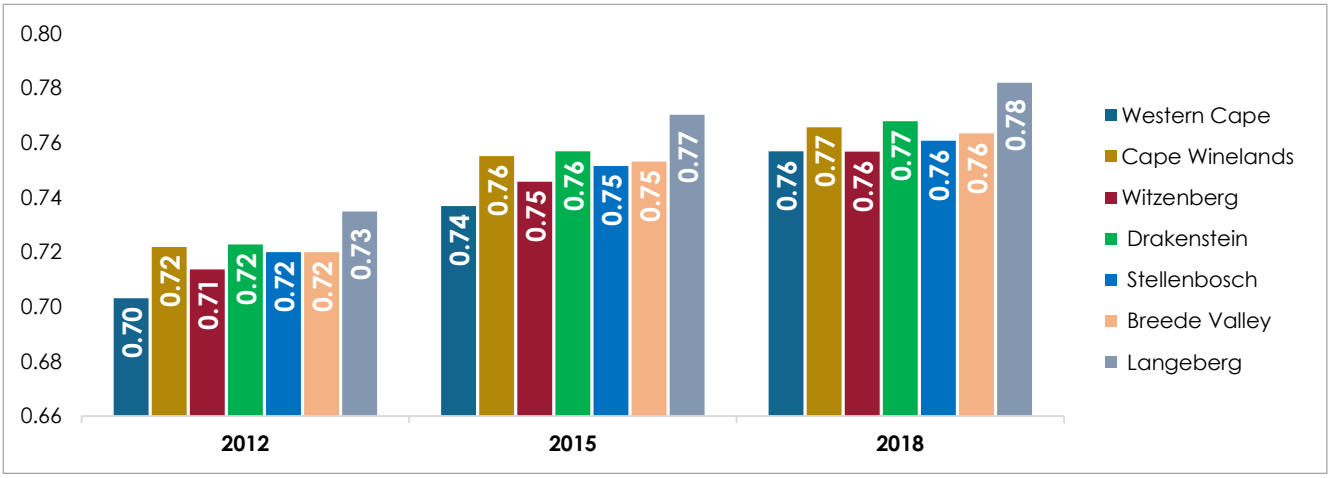
Human Development

The United Nations uses the Human Development Index (HDI) to assess the relative level of socio-economic development in countries. Indicators that measure human development are education, housing, access to basic services and health.

The HDI is a composite indicator reflecting education levels, health, and income. It is a measure of peoples' ability to live a long and healthy life, to communicate, participate in the community and to have sufficient means to be able to afford a decent living. The HDI is represented by a number between 0 and 1, where 1 indicates a high level of human development and 0 represents no human development.

There has been a general increase in the HDI in Stellenbosch from 0.72 in 2012 to 0.76 in 2018. The trend for the Cape Winelands District and the Western Cape in general has been similar between 2012 and 2018. Naturally, per capita income as per definition is expected to mimic the trend of HDI and this is clearly displayed in the graphic below. In short, what this graphic illustrates is that for the most part an increase in GDP per capita across a particular region is generally accompanied by an improvement in HDI levels with a short lag.

Figure 1:13: Human Development



Source: Western Cape, Socio-Economic Profile 2020

1.2.7.9 Basic Service Delivery

The Constitution stipulates that every citizen has the right to access adequate housing and that the state must take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right. Access to housing also includes access to services such as potable water, basic sanitation, safe energy sources and refuse removal services, to ensure that households enjoy a decent standard of living.

This section considers to what extent this has been achieved by reflecting on the latest available information from Quantec Research for 2019. The latest official statistics was collected by Statistics South Africa for the 2016 Community Survey; the 2021 Census will provide the updated official statistics. The information on free basic services is obtained from Statistics South Africa's Non-Financial Census of Municipalities survey findings.

Housing and Household Services

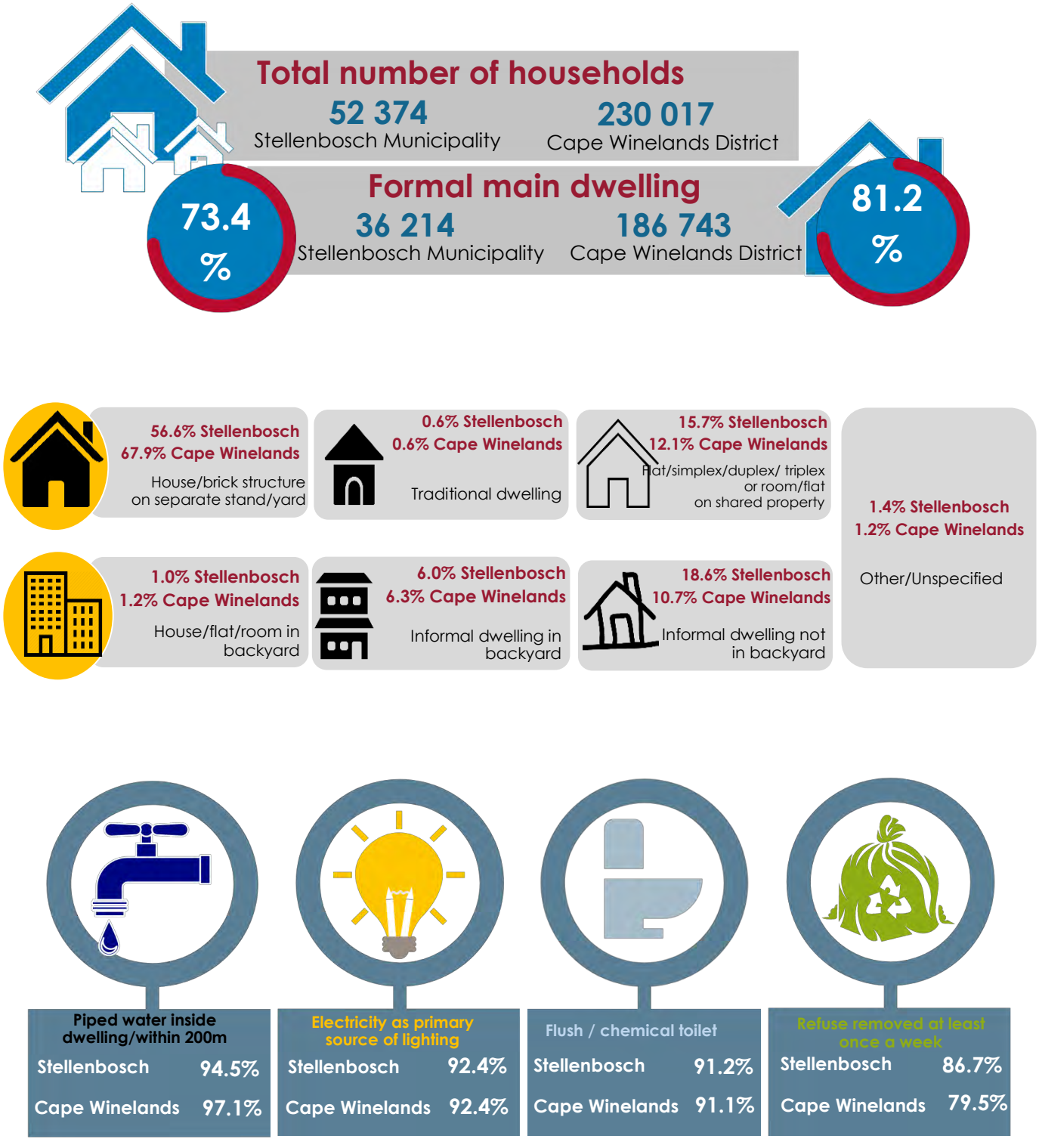
With a total of 52 374 households in the Stellenbosch municipal area, only 73.4 per cent had access to formal housing, the lowest access level when compared to the other municipalities in the Cape Winelands District area; the District average was 81.2 per cent. The area also had the highest proportion of informal households in the District, a total of 24.5 per cent compared with the District average of 17.0 per cent.

Subsequently, service access levels were high in the area, with access to piped water inside / within 200m of the dwelling at 94.5 per cent, access to a flush or chemical toilet at 91.2 per cent, access to electricity (for lighting) at 92.4 per cent and the removal of refuse at least weekly by local authority at 86.7 per cent of households. Please refer to Table 1:14 below.

Free Basic Services

Municipalities also provide a package of free basic services to households who are financially vulnerable and struggle to pay for services. The number of households receiving free basic services in the Stellenbosch municipal area has shown a generally increasing trend up to 2018. The stressed economic conditions are anticipated to exert pressure on household income levels, which is in turn likely to see the number of indigent households and the demand for free basic services increase.

Figure 1:14: Total number of household



Source: Western Cape, Socio-Economic Profile 2020

1.2.7.10 Safety and Security

Murder

Murder is defined as the unlawful and intentional killing of another person.

Within the Stellenbosch area, the actual number of murders increased from 69 in 2019 to 76 in 2020. The murder rate (per 100 000 people) also increased from 37 in 2019 to 39 in 2020. The murder rate for the CWD increased from 39 in 2019 to 42 in 2020 (per 100 000 people).

Table 1:8: Murder (per 100 000)

Murder (per 100 000)		
2017/18	2018/19	2019/20
39	39	42

Source: Western Cape, Socio-Economic Profile 2020

Sexual Offences

Sexual offences include rape (updated to the new definition of rape to provide for the inclusion of male rape), sex work, pornography, public indecency and human trafficking.

In 2020, there were 231 reported sexual offences in the Stellenbosch area compared to 204 in 2019. In 2020, there were 966 reported cases in the Cape Winelands District in total compared to 880 in 2019.

Table 1:9: Sexual Offences (per 100 000)

Sexual Offences (per 100 000)		
2017/18	2018/19	2019/20
114	108	120

Source: Western Cape, Socio-Economic Profile 2020

Drug-related Offences

Drug-related crimes refer to the situation where the perpetrator is found to be in possession of, under the influence of, or selling illegal drugs.

Drug-related incidences within the Stellenbosch area decreased from 2 563 cases in 2019 to 2 166 cases in 2020. The CWD's drug-related offences decreased sharply from 11 225 in 2019 to 7 895 in 2020. When considering the rate per 100 000 people, at 1 123 crimes per 100 000 people in 2020, the Stellenbosch area rate is above that of the District (837).

Table 1:10: Drug Related Offences (per 100 000)

Drug Related Offences (per 100 000)		
2017/18	2018/19	2019/20
1 754	1 358	1 123

Source: Western Cape, Socio-Economic Profile 2020

Driving under the influence (DUI)

A situation where the driver of a vehicle is found to be over the legal blood alcohol limit.

The number of cases of driving under the influence of alcohol or drugs in the Stellenbosch area shows a decrease from 309 in 2018/19 to 237 in 2019/20. This translates into a rate of 123 per 100 000 people in 2019/20, which is above the District's 100 per 100 000 people in 2019/20.

Table 1:11: Driving under the influence (per 100 000)

Driving under the influence (per 100 000)		
2017/18	**2018/19**	**2019/20**
169	164	123

Source: Western Cape, Socio-Economic Profile 2020

Road user fatalities

The type of road user that died in or during a crash i.e. driver, cyclist, passengers, pedestrians.

The number of road user fatalities in the Stellenbosch municipal area decreased from 37 in 2018/19 to 35 in 2019/20. The number of fatal crashes remained constant at 34 across the same reference period.

Table 1:12: Road user fatalities (actual cases)

Road user fatalities (actual cases)		
2017/18	**2018/19**	**2019/20**
29	37	35

Source: Western Cape, Socio-Economic Profile 2020

Residential Burglaries

The unlawful entry of a residential structure with the intent to commit a crime, usually a theft.

The 2019/20 crime statistics released by SAPS and Stats SA indicate that the number of residential burglaries fell by 6.7 per cent in South Africa. Within the Western Cape Province, burglaries at residential areas decreased by 8.5 per cent between 2019 and 2020. Residential burglary cases within the Stellenbosch area also decreased from 1 363 in 2019 to 1 242 in 2020.

When considering the rate per 100 000 populations, with 644 cases per 100 000 in 2020, Stellenbosch's rate is above the district rate of 587 per 100 000 in the same reporting year.

Table 1:13: Residential burglaries (per 100 000)

Residential burglaries (per 100 000)		
2017/18	**2018/19**	**2019/20**
975	722	644

Source: Western Cape, Socio-Economic Profile 2020

1.2.7.11 Economy and Labour Market Performance

Sectoral Overview

In 2018, the economy of Stellenbosch was valued at R16.2 billion (current prices) and employed 78 701 people. Historical trends between 2014 and 2018 indicate that the municipal area realised an average annual growth rate of 1.4 per cent which can mostly be attributed to the tertiary sector that registered a positive annual growth rate of 2.1 per cent.

In terms of sectoral contribution, the wholesale and retail trade, catering and accommodation (R3.3 billion), finance, insurance, real estate and business services (R3.5 billion), and manufacturing (R2.7 billion) sectors were the main drivers that contributed to the positive growth in the local economy. These sectors are also estimated to have performed well in 2019, particularly the finance, insurance and real estate services and the wholesale and retail trade, catering and accommodation sectors, which are both estimated to have grown by 2.4 per cent. Employment creation in the wholesale and retail trade, catering and accommodation sector mirrored the high growth rate, with 400 new jobs created. In 2019, the transport, storage and communication sector was also an important source of job creation (169 jobs).

Despite its important role in the local economy, particularly as one of the main sources of employment, the agriculture, forestry and fishing sector experienced below-average performance between 2014 and 2018 and is estimated to have contracted by 8.9 per cent in 2019. This contraction led to the loss of 113 jobs. The agriculture, forestry and fishing sector is still recovering from the drought.

Formal and Informal Employment

It is estimated that Stellenbosch's total labour force in 2019 amounted to 78 701 workers of which 56 601 (71.9 per cent) are in the formal sector while 22 100 (28.1 per cent) are informally employed.

Most of the labour force consisted of semi-skilled (43.8 per cent) and low-skilled (32.3 per cent) workers. The skilled category contributed 23.9 per cent to total formal employment and grew on average by 2.5 per cent, while the semi-skilled and low-skilled categories grew at 2.8 and 0.4 per cent respectively. Evidently, the demand for skilled labour is on the rise which implies the need to capacitate and empower low-skilled and semi-skilled workers.

Unemployment

Stellenbosch (11.3 per cent) has the second highest unemployment rate in the Cape Winelands District. It is also higher than the District average (11.3 per cent) but considerably lower that the Western Cape rate of 19.4 per cent.[4] Stellenbosch's high unemployment rate is based on the narrow definition of unemployment i.e. the percentage of people that are able to work, but unable to find employment. The broad definition generally refers to people that are able to work, but not actively seeking employment.

[4] Western Cape, Socio-Economic Profile 2020.

Table 1:14: Economic Sector Overview

Sector	GDPR			Employment		
	R Million value 2018	Trend 2014 - 2018	Real GDPR growth 2019e	Number of jobs 2018	Average annual change 2014 - 2018	Net change 2019e
Primary Sector	**931,4**	**-1,0**	**-8,9**	**10 725**	**55**	**-113**
Agriculture, forestry and fishing	901,2	-1,1	-9,1	10 694	55	-111
Mining and quarrying	30,2	1,8	-2,6	31	0	-2
Secondary sector	**3 755,6**	**-0,3**	**-1,6**	**12 224**	**121**	**-443**
Manufacturing	2 651,6	-0,9	-1,5	7 965	-8	-138
Electricity, gas and water	234,3	-0,3	-1,9	156	3	-1
Construction	869,8	2,1	-1,9	4 103	126	-304
Tertiary sector	**11 489,0**	**2,1**	**1,4**	**55 752**	**1 304**	**449**
Wholesale and retail trade, catering and accommodation	3 344,9	2,4	0,9	20 460	603	400
Transport, storage and communication	1 782,3	3,9	1,5	3 432	95	169
Finance, insurance, real estate and business services	3 489,6	2,4	2,3	13 577	427	35
General government	1 770,1	0,1	0,7	7 925	62	124
Community, social and personal services	1 102,2	0,9	0,3	10 358	117	-279
Stellenbosch	**16 176,0**	**1,4**	**0,1**	**78 701**	**1 480**	**-107**

Source: Western Cape, Socio-Economic Profile 2020
e- denotes estimate

Table 1:15: Skill Levels Formal employment

Skill Levels Formal employment	Skill Level Contribution 2018 (%)	Average growth (%)	Number of jobs	
			2018	2019
Skilled	23,9	2,5	13 495	13 719
Semi-skilled	43,8	2,8	24 673	25 127
Low-skilled	32,3	0,4	18 433	18 513
Total	**100,0**	**2,0**	**56 601**	**57 359**

Source: Western Cape, Socio-Economic Profile 2020

Table 1:16: Informal Employment

Informal Employment	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Number of informal jobs	22 703	20 515	20 431	20 545	21 736	22 101	23 474	21 672	22 615	22 100	21 235
% of Total Employment	33,3	31,2	30,6	29,9	30,5	30,6	30,7	28,4	29,0	28,1	27,0

Source: Western Cape, Socio-Economic Profile 2020

Table 1:17: Unemployment rates

Unemployment rates	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Drakenstein	11,2	12,6	12,9	12,6	12,2	12,6	11,6	12,6	13,2	13,1	14,2
Langeberg	5,1	6,1	6,3	6,2	5,9	6,2	5,4	6,1	6,4	6,5	7,2
Stellenbosch	**8,2**	**9,4**	**9,7**	**9,6**	**9,3**	**9,6**	**8,9**	**9,9**	**10,3**	**10,3**	**11,3**
Witzenberg	5,8	6,8	6,9	6,6	6,1	6,4	5,4	5,9	6,2	6,2	6,7
Breede Valley	8,6	9,9	10,1	9,8	9,4	9,7	8,6	9,5	9,9	9,9	10,7
Cape Winelands	8,4	9,7	9,9	9,7	9,2	9,6	8,6	9,5	9,9	9,9	10,7
Western Cape	14,2	15,5	15,7	15,8	15,7	16,0	16,1	17,3	18,1	18,0	19,4

Source: Western Cape, Socio-Economic Profile 2020

1.2.7.12 Public Infrastructure Spending

Spending on Social Infrastructure

Spending on social infrastructure aids in social development and has the spill-over effect of enabling economic growth. The Western Cape Government (WCG) will spend 22.5 per cent (R49.174 million) of its infrastructure budget on social infrastructure (kindly note that the 22.5% is the commitment from WCG and not what the municipality will spend)

As displayed in the pie chart below, the WCG will be allocating 7.1 per cent of the budget (R15.430 million) towards education in the municipal area. Spending on education is crucial as it can serve to improve education outcomes and skills levels within a community and more importantly alleviate poverty through increased long-term income for individuals.

A healthy and resilient community increases productivity and reduces pressures on government resources. As such the Department of Health has allocated 0.8 per cent (R1.668 million) of infrastructure spending on health. A further R32.076 million (14.7 per cent) has been allocated by the WCG towards Human Settlements, serving to reduce housing backlogs. This was complemented by R10.361 million in spending on housing infrastructure by the municipality.

Community safety has been prioritised by the WCG due to high levels of crime in the Western Cape. Crime has a negative impact on the quality of lives of individuals, but also on the economy by deterring private investment and causing business losses. It further creates a burden on government resources in terms of justice system costs, victim assistance and replacement of assets. The municipality has as such allocated R6.7 million of its capital budget on community and public safety. The municipality has also made R14.330 million available for sports and recreation and R3.190 million for social development which will serve to improve the quality of life of individuals within the municipal area.

Spending on Economic Infrastructure

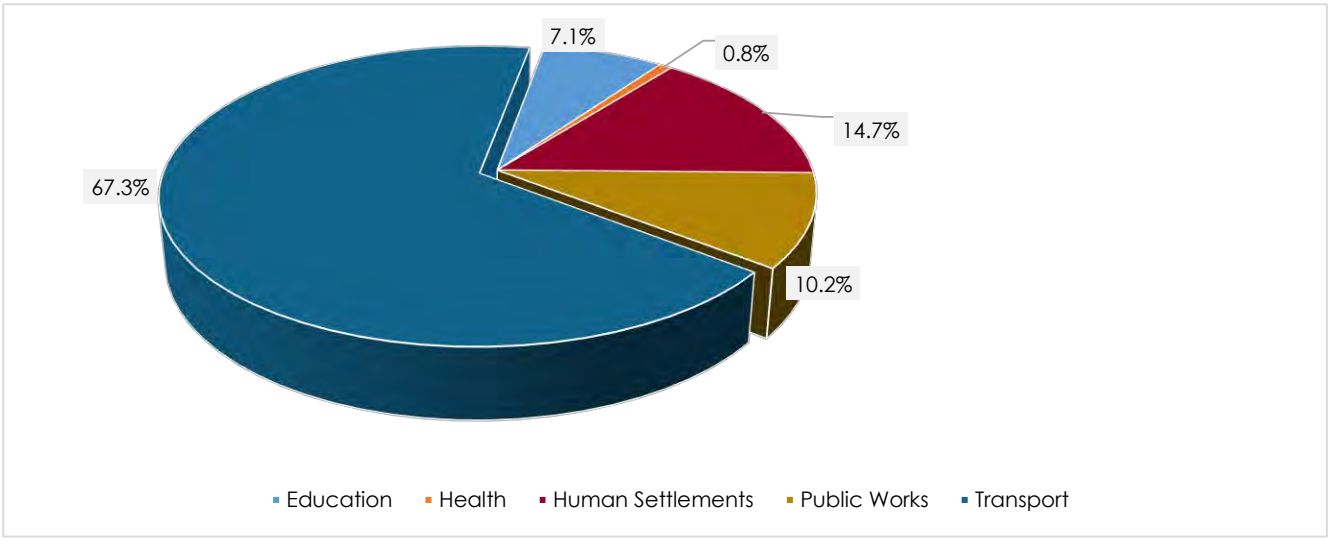
Economic infrastructure is defined as infrastructure that promotes economic activity. Considering the sluggish economic growth throughout the country, spending on economic infrastructure is crucial to stimulating economic activity.

The WCG allocated R169.256 million (77.5 per cent) towards economic infrastructure, more specifically towards transport (R147 million) and public works (R22.256 million). Transport and public works infrastructure goes a long way towards unlocking the region's economic potential, especially due to it being a tourist destination and its proximity to the City of Cape Town economic hub. The municipality contributes a further R54.0 million towards road transport. As part of their economic infrastructure allocation, the municipality will also contribute R52.5 million towards planning and development and R1.8 million towards environmental protection.

Spending on Trading Services

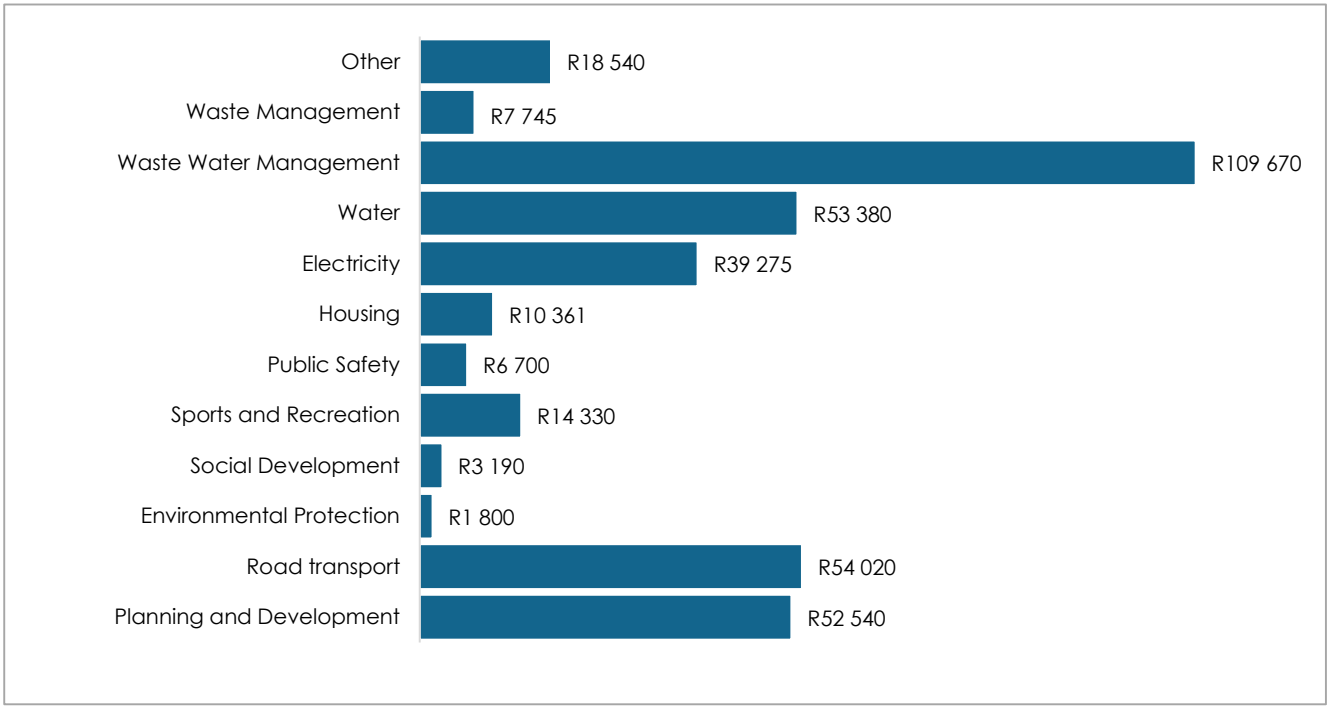
Basic services are crucial to improving the living conditions of citizens within the municipal area and enabling economic activity for businesses via access to water, electricity, sanitation and refuse removal. The majority of the municipality's infrastructure budget is allocated towards the provision of basic services. The majority of spending on trading services have been allocated towards waste water management (R109.7 million). This was followed by water management (R53.4 million), electricity (R39.3 million) and waste management (R7.7 million).

Figure 1:15: Provincial Infrastructure Spend



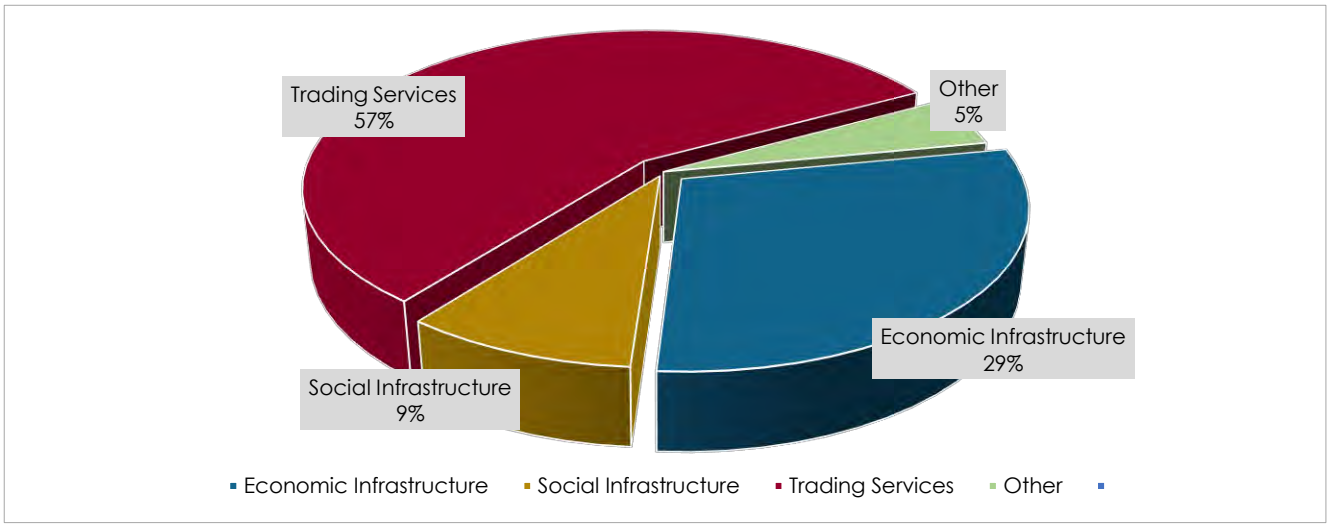
Source: Western Cape, Socio-Economic Profile 2020

Figure 1:16: Municipal Infrastructure Spend (000')



Source: Western Cape, Socio-Economic Profile 2020

Figure 1:17: *Municipal Infrastructure Spend*



Source: Western Cape, Socio-Economic Profile 2020

1.2.8 MUNICIPAL PERFORMANCE HIGHLIGHTS AND CHALLENGES

1.2.8.1 Municipal Performance Highlights

The following performance highlights for the 2019/20 financial year are worth mentioning:

Table 1:18: Performance Highlights

Highlight	Description
Development Services	Development Charges (DCs) are calculated by the municipality and set as a development condition for new developments. 1. DCs paid in: R6,4M. 2. Assets created in lieu of DCs: R10,5M. Total value created for the municipality in 2019/20: R16,9M.
Watergang, Kayamandi (20 units)	The 20 units were completed during the financial year.
TRA, Watergang	The upgrading of Zone O is of immense importance to assist with the relocation strategy that is needed to upgrade Zone O, Kayamandi. The temporary relocation area (TRA) accommodates 277 families and after the services have been installed in Zone O, the relocation strategy will commence.
Longlands, Vlottenburg	After the signing of the Tripartite Agreement between the land-owner, PDoHS and Stellenbosch Municipality, the funding application to install the internal services was approved. Contractor commenced with the installation of the internal services. This is a multi-year project.
Ida's Valley housing project (Erf 11330)	Installation of 195 internal services was completed. The construction of Phase 1, consisting of 84 GAP housing units, was completed. The construction of the BNG housing units commenced and 8 units received completion certificates for hand over. All the BNG houses will be handed over during the next financial year.
Mandela City, Klapmuts	The completion of 76 units was delayed as a result of the lockdown regulations that were implemented during the final quarter of the financial year. 20 units were completed and the balance will be completed during the 2020/21 financial year.
Kayamandi Town Centre	A comprehensive survey was done to determine the different businesses in the Town Centre of Kayamandi. This information enabled the professional team to revisit the entire layout of the Town Centre and thereby addressing high density developments and business opportunities for the affected residents. A progress report with a proposed concept layout design will be submitted to Council for approval.
Smartie Town, Cloetesville	66 housing units were successfully completed and the balance of the units will be repaired during the 2020/21 financial year.
Upgrading of The Steps / Orlean Lounge	Contractor was appointed and commenced with the upgrading of the units during February 2020. This is a multi-year project and the anticipated completion date is 30 June 2023.
Watergang Farm Upgrading	Consultants were appointed to finalise the designs for the installation of 100 waterborne toilets and 80 water taps. Tender document was compiled and will be advertised during the first quarter of the 2020/21 financial year.
Erf 7001, Cloetesville	In accordance with the market challenges to provide GAP housing, the municipality did a backyard survey in Cloetesville and revisited the Call for Proposal in line with community statistics. Bids were received from a potential service provider with proposed layout to develop Erf 7001. During the evaluation of the Call for Proposals, the bidders were found non-responsive and the BAC cancelled the tender. A new Call for Proposal was prepared and advertised.
Erf 2175, Enkanini	The project was completed at the end of 2019/20 financial year. The project included upgrading of the road system, the ablution facilities and the connection of approximately 300 informal structures. Electricity was installed to 242 structures in the 2019/20 financial year on erf 2 175, phase 4 of Enkanini Electrification. Plans to install electricity to a further 1 000 structures are underway to be executed in the 2020/21 financial year.
Electricity Losses	Electricity losses were limited to 9,36%.
Landfill site	Progress has been made with the expansion of the landfill site with the environmental impact assessment for the moving of the powerlines. Once all approvals are in place the construction related activities will commence.
Security at Cloetesville Library	Security upgrades completed at the Cloetesville Library.

1.2.8.2 Municipal Challenges

The following general challenges were experienced by the municipality:

Table 1:19: Municipal Challenges

Challenge	Actions to address
Watergang, Kayamandi (20 units)	Although the repairs of the damaged houses and electrical infrastructure was a major challenges, the completion of the 20 units was concluded in 2019/20 financial year.
TRA, Watergang	Due to community unrest during May 2018, the contractor experienced challenges to create new platforms as well as an acceptable housing typology. After the community workshops, the TRA unit was accepted and approved by Council and PDoHS. The TRA units were completed in the financial year under review.
Longlands, Vlottenburg	The signing of the Tripartite Agreement paved the way for the installation of internal services, although the relocation of certain families on the site remains a challenge. The national lockdown impacted the proposed programme of the Contractor. The funding of the bulk and link services must be provided to address the capacity constraints on site. Funding application for the top structures must be submitted to prevent delays on site. The relocation of families residing on the site poses a risk of delaying the project.
Ida's Valley housing project (Erf 11330)	The project was delayed due to the national lockdown regulations. The contractor's programme had to be reviewed in order to fast track the completion of the housing units. An additional funding application was submitted to the PDoHS in order to provide a fence/wall next to the BNG houses. The fence must be erected prior to the occupation of the houses.
Mandela City, Klapmuts	The invasion of the land for developable space is a major challenge on site, and will result in project delay.
Kayamandi Town Centre	The layout for the Town Centre had to be revised to accommodate more formal and informal businesses. These changes reduce the amount of housing opportunities that was originally created. The community accepts high density development but public participation remains an ongoing challenge.
Smartie Town, Cloetesville	A contractor was appointed to do the rectification of 106 existing housing units. Due to the extent of defects in the houses, some of the families had to be relocated to temporary structures whilst their housing units were repaired. The appointment of local labour from the affected community was a major challenge and caused delays on-site.
Upgrading of The Steps / Orlean Lounge	The national lockdown regulations impacted the proposed programme of the Contractor. The informal structures (backyarders) cause delays on the project due to restricted access for construction activities. A temporary relocation area was provided for the beneficiaries in order to upgrade their respective units.
Watergang Farm Upgrading	The application was submitted to the PDoHS to fund the project during the next financial year and imposes a risk should funding not be considered to implement the project.
Erf 7001, Cloetesville	A new Call for Proposal was advertised and two bids were received. Unfortunately, both bids were deemed non-responsive and a new Call for Proposal has to be drafted and advertised.
Congestion on road network	The municipality's main road network operates at and beyond capacity and cannot adequately meet peak travel demands, resulting in high levels of congestion.
Theft of road infrastructure	The theft of manhole covers; pedestrian handrails on bridges, and foundation material under road and bridges pose a safety risk to pedestrians and residents.
Illegal electrical connections	Illegal and unsafe connections as an alternative means to access electricity, continues to be a challenge to the municipality. The danger of illegal electrical connections are continually being shared with communities during IDP meetings and other platforms.
Staff shortage	The severe staff shortages continue to hamper service delivery. This was further exposed by COVID-19 pandemic, when a number of staff were either quarantined, isolated or on sick leave, and no one was available to act. Planned electricity maintenance as a result, is not done to the level the applicable standards require, which poses a major risk to the municipality. To adequately meet current and future transport challenges, and to effectively manage municipal roads and transport Infrastructure, vacant positions must be filled.
Vandalism and cable theft	Infrastructure vandalism continues being a challenge to the municipality. As a result, funding which could have been used elsewhere, is constantly used to repair such. Fencing of mini-substations and substations where possible is realised. Kiosks where possible and funding allowing are replaced with strongboxes.
Safety of the staff	The safety of staff is also in jeopardy when working in high risk areas and special arrangements must be made with Law Enforcement to accompany staff to ensure their safety when called out to high-

Challenge	Actions to address
	risk areas.
Electrification of informal settlements	Enclosing infrastructure by building around it, makes it impossible to conduct repairs and as such repairs restore power outages when experienced. Satellite dishes on poles also makes it impossible for operators to conduct repairs.
Unqualified staff appointed at libraries	Identified relevant library courses which have been included in the Work Skills Plan developed for the Libraries Department.

1.2.9 SERVICE DELIVERY OVERVIEW

1.2.9.1 Basic Service Delivery Performance Highlights

Table 1:20: Basic Service Delivery Highlights

Highlight	Description
Stellenbosch Wastewater Treatment Plant	Won the "Project between R 250 million and R 1 billion" category at the Consulting Engineers South Africa (CESA) AON Engineering Excellence Awards.
Fire and Disaster Services	The revision of the Disaster Management Plan is done yearly in accordance with Section 53(1) of the Disaster Amendment Act, 2015 (Act No. 16 of 2015).
	Smoke alarm installation project continues.
	Disaster Management and Fire and Rescue Services received a new fleet; water tankers, bakkies, etc., including specialised tools of trade.
	Outdoor gym installed at La Motte and Stellenbosch Fire Stations.
	50% of vacancies filled.
Parks, Rivers and Open Spaces	Lawns at Main Building Plein Street, Klapmuts town entrances and selected parks were replaced with artificial grass as part of the water saving initiatives. This project worked very well, and the area remained neat and admirable. **2019/2020** Ward 1: New outdoor gym was installed; Ward 2 Pathways in Park next to community hall in La Motte; Ward 3: New fencing and outdoor gym in Lanquedoc; Ward 4: New gates were installed at River Park; Ward 5: New fencing completed in The Ridge and play items in Kreefgat Park Ward 5. Swings and play items was refurbished. Ward 6: Beautification on Ida's Valley entrance done; Ward 7: New pathway and refurbishment of pathway in Brummer Park. New park signage installed; Ward 8, 9 and 10: New pots with plants and flowers to beautify the town, ward 10 received new outdoor gym. Park equipment installed in various parks and park bins installed in most wards. New slate pathway installed in ward 9 Voorgelegen gardens. Pots planted up outside Utopia; Ward 13: Town entrance beautified at Kayamandi entrance; Ward 16: RSEP park completed with fencing, artificial grass, play items and outdoor gym. New play items, new fencing, new outdoor gym, integrated park project commenced in Last Street. Noble Park received new gates and play item and outdoor gym. Community garden was erected with public participation; Ward 17: New play items and outdoor gym installed. Gates were installed at Kloof Street Park. Pots were beautified in Long Street (Wards 16 and 17). Wilger Park received play items in; Ward 18: New Play items were installed and Adam Street Park was upgraded; Ward 19: Gym was installed; Ward 21: Montrose Rose Park received fencing and artificial grass; Ward 20: Received outdoor gym and artificial grass; and Ward 22: Received outdoor gym, new bins, new signage. Parks received one bakkie and two trucks in Stellenbosch and one truck in Franschhoek. Cemeteries received new fleet one truck and one bakkie and Jamestown Cemetery landscaping was improved.
	Palisade fencing installed in Curry Street Park Cloetesville. Project was successfully completed. Fencing, play equipment and outdoor gym installed in Kreefgat Park Ida's Valley.

Highlight	Description
	Play equipment and outdoor gym installed in Kudu Park Klapmuts. Project was successfully completed. Play equipment installed in Adam Street Klapmuts Project was successfully completed. Outdoor gym equipment installed in ward 3, 21 ,19 ,18 and 16. Projects were successfully completed.
	Flower pots were installed in ward 8 Victoria Street; ward 11 Adam Tas Road centre island and ward 17 Welgevonden Circle. Project was successfully completed.
Social Housing	The municipality was awarded an amount of R500 000 for a feasibility study by the Social Housing Regulator Authority (SHRA) on selected Restructuring Zones. SHRA followed a procurement process and appointed a service provider to do the necessary feasibility studies which will assist the municipality to appoint a Social Housing Institution (SHI) or Other Development Agency (ODA). The feasibility study was submitted to Council and approved accordingly. The development processes that were included in the feasibility study, will also assist the municipality in Social Housing projects going forward.

1.2.9.2 Basic Services Delivery Challenges

Table 1:21: Basic Service Delivery Challenges

Service Area	Challenge	Actions to address
Social Service expectations on Local Government	It is expected of municipalities to assist provincial and national government in the rolling out of services that are not defined as functions of local government (funding and management of temporary homeless shelters), implementation of the Children's Act, Local Drug Action Committees. In the case of the last two examples, it is captured in legislation as the responsibility of municipalities without it being reflected in Schedule 4 and 5 B of the constitution. Budget expenditure on items not perceived to be functions of local government becomes difficult to motivate.	Issue raised with the leadership of the municipality.
Development Services, Asset Management and Project Management Unit (PMU)	The municipality has been without a permanent Infrastructure Asset Management and Systems Manager since the post was created in 2018. The current staff shortage, in Asset Management and Development Services leads to excessive workload on remaining staff and in turn has an effect on meeting deadlines – notably those with legislated timeframes. Developers can suffer financial losses and economic activity can be delayed / stalled if the municipality doesn't respond to applications and requests timeously. Similarly, non-compliance with DoRA Integrated Urban Development Grant (IUDG) conditions could lead to IUDG funds being stopped. Therefore, sufficient capacity within this Department is of critical importance.	The following posts have been earmarked for appointment in the 2020/21 financial year: Senior Clerk reporting to Senior Manager Development Services – Technician.
Wayleave Administration and Management	The installation of telecommunications infrastructure in the road reserve increased dramatically post the announcement of the National Lockdown Regulations in the final quarter of the year. Due to a combination of staff shortages and the National Lockdown Regulations, there was a failure to adequately coordinate and regulate all work carried out within the public road reserves which resulted in inconvenience to the public and damage to existing services. Though telecommunication licensees have been operating in the WC024, the current levels of activity require a more coordinated and concerted approach.	The current organogram must be modified to include a dedicated Wayleave Officer. A Wayleave Policy will be tabled in 2020/21 for review and implementation. The following post has been earmarked for appointment in the 2020/21 financial year: Asset Management and Systems – Wayleave Office – Field Inspector. Though not nearly enough to enable Quality Assurance and Control across the entire WC024 – this post is currently vacant after a resignation during 2019/20.
Illegal and unsafe electricity connections Vandalism of	Kayamandi and Langrug have illegal and unsafe electrical connections that pose danger to the communities.	An arrangement with law enforcement to provide required protection to the officials when removing the illegal and unsafe connections has been made, however with no success. The department will keep on

Service Area	Challenge	Actions to address
electrical Infrastructure		trying. The Department of Labour was also advised of the challenge. Structures are often extended around the existing infrastructure which makes it impossible to access when repairs need to be conducted. Satellite dishes installed on the poles also have the same effect.
	The municipality is faced with a challenge of vandalism and forceful opening of its infrastructure to: 1. Steal copper 2. Connect the illegal connections	The municipality has fenced three of the critical mini-substations. A tender for the fencing of the remaining mini-substation and kiosks is at evaluation stages.
Organisational Design	Sourcing of experienced, skilled and qualified electricians remains a challenge. A total of seven vacancies existing dating as far back as 2017. As a result, Sups and Managers are often forced to perform duties that would have been performed by these electricians. This has a snowball effect, as their duties in such instances, are neglected, which hampers severely on service delivery.	JDs were sent to TASK, however the challenge still remain, despite the TASK positive outcome, as the outcome was not effected correctly.
Security at facilities	Highly problematic, especially Beltana depot where access control is less than desirable.	Beltana committee established to deal with all issues pertaining to facility. Law Enforcement to be more effective. The access control is currently being investigated to improve the situation.
Roads and Transport	Theft of infrastructure. Theft of manhole covers and pedestrian handrails on bridges and theft of foundation material (sand and stone) under roads and bridges pose a safety risk to pedestrians and residents.	Measures being put in place to replace vandalised and stolen materials as soon as practically possible, and using alternative materials where possible (such as handrails made of fibre cement instead of steel).
	Road network operating at capacity and not adequate to meet peak travel demands, resulting in frequent and high levels of congestion.	Prioritising the planning and implementation of new roads and transport infrastructure as well as improvements and upgrades to existing Infrastructure, such as Roadways, NMT facilities and Taxi facilities.
Parks and Rivers	Vandalism and theft in Kayamandi Parks. Fencing stolen in Thubelitsha Park and play equipment stolen and vandalised in other parks.	A decision has been taken that the municipality is not proceeding with the development of Thubelitsha Park. Discussions are ongoing with community members to help with the security at play parks.
	Lack of security leading to vandalism and dumping on selected parks and cemeteries Lack of immediate cemetery space remaining a challenge whilst we await authorisations for new zoned cemeteries.	Insufficient staff or other resources to provide security at all the play parks. A new section has been developed in Jamestown cemetery to accommodate burials until a new cemetery is developed
	Lack of approved tenders affecting the operational programme.	Additional tenders have been put in place to be able to provide service to the community.

1.2.9.3 Proportion of Households with Access to Basic Services

Table 1:22: 2011 Households with minimum level of Basic Services

Service	2011
Formal Dwellings	90.7%
Informal Dwellings	9.3%
Formal Dwelling Backlog	3 149
Electricity Connections (% Share of HHS)	98.8%
Hygienic Toilets	97.2%
Water (Piped Water)	96.7%
Formal Refuse Removal (% share of HHS)	89.9%

Source: Statistics South Africa

1.2.9.4 Financial Viability Highlights

Table 1:23: Municipal Viability Highlights

Highlight	Description
Capital Expenditure Framework	Developed a capital expenditure framework for the period 2019 - 2029 compliant with the requirements of the Integrated Urban Development Framework and the Spatial Planning and Land Use Management Act (SPLUMA).
Long Term Financial Plan	Developed a 10-year Long Term Financial Plan that is incorporated in the capital expenditure framework.
Current ratio	The municipality maintained a very good current ratio of 1.74:1. This compares well with the norm of 1.5 to 2:1.
Collection rate	The municipality maintained a good collection rate of 102.68 which is above the norm of 95%. This indicates that the municipality's creditor control and debt collection processes are in place and the revenue is managed effectively.
Finance Charges	Finance charges represent 1.87% of the total operational expenditure. This compares favourably with the norm of 6% to 8%.
Liability Management	Capital Cost (Interest Paid and Redemption) represent 3.43% of total operating expenditure. This indicates that the Municipality has the capacity to take on additional financing from borrowing to invest in revenue generating assets.
Debt Management	The Municipality's total debt represents 17.63% of the total operational expenditure. This compares favourably with the norm of 45% and is an indication that the Municipality has the capacity to take on additional financing from borrowings.

1.2.9.5 Financial Viability Challenges

Table 1:24: Financial Viability Challenges

Challenge	Description
Financial Viability	The traceability of all debtors poses a challenge to the debt collection process. Low economic growth, increased unemployment and above inflation increases in cost of water impacts on affordability of municipal accounts.
Revenue Leakage	An integrated revenue enhancement approach followed to combat revenue leakages.

1.2.9.6 National Key Performance Indicators – Municipal Financial Viability and Management (Ratios)

The following table indicates the municipality's performance in terms of the National Key Performance Indicators required in terms of the Local Government: Municipal Planning and the Performance Management Regulations no. 796 of 2001 and section 43 of the MSA. These key performance indicators are linked to the National Key Performance Area namely Municipal Financial Viability and Management.

Table 1:25: Financial Viability and Management (Ratios)

KPA and Indicator	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Debt coverage (total operating revenue - operating grants received): debt service payments due within the year	42.45%	64.13%	41.29%	40.87%	46.49%	25.43%
Service debtors to revenue – total outstanding service debtors: revenue received for services.	18.22%	10.22%	18.09%	20.7%	30.96%	25.45%
Cost coverage (available cash + investments): monthly fixed operating expenditure.	9.89	1.4	5.71	5.75	0.33	2.41

1.2.9.7 Financial Overview

Table 1:26: Financial Viability and Management Financial Overview (000')

Details	Original budget	Adjustment Budget	Actual
	R'000		
Income			
Grants(Operating and Capital)	313 427	329 555	285 026
Taxes, Levies and Tariffs	1 380 710	1 285 711	1 240 215
Other	225 597	219 274	217 355
Sub-Total	1 919 735	1 834 539	1 742 596
***Less* Expenditure**	1 808 247	1 778 284	1 661 441
Net surplus/(deficit)	**111 488**	**56 255**	**81 155**

1.2.9.8 Operating Ratios

Table 1:27: Operating Ratios

Detail	Expected norm	Actual	Variance
Employee Cost	25 %– 40 %	29.95%	9.05%
Repairs and Maintenance	8%	3.63%	4.37%
Finance Charges	6%-8%	1.87%	6.13%

Employee cost is below the national norm of between 25% to 40%, representing a positive outcome, Repairs and maintenance are below the norm, which indicates that expenditure on repairs and maintenance would have to be increased in future budgets to properly maintain Council's assets. Finance charges are 6% lower than the norm of 6-8%, this can be attributed mainly to our low reliance on borrowings to fund our capital budget.

1.2.9.9 Total Capital Expenditure

Table 1:28: Total Capital Expenditure (000')

Detail	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
	R'000					
Original Budget	294 188	452 759	463 792	418 057	528 041	558 276
Adjustment Budget	251 031	437 183	482 580	499 855	563 550	577 905
Actual	**230 351**	**348 861**	**410 562**	**433 682**	**493 303**	**405 931**

1.2.9.10 Municipal Standard Chart of Accounts

MFMA Circular No. 80: Municipal Financial Systems and Processes requirements in support of the Municipal Standard Chart of Accounts (mSCOA) issued in terms of the Municipal Finance Management Act No. 56 of 2003. In MFMA SCOA Circular 1 it was indicated that mSCOA is a business reform rather than a mere financial reform and requires a multi-dimensional relationship.

The municipal standard chart of accounts was implemented in Stellenbosch Municipality on 1 July 2017. The Municipality is in continuous engagement with the service provider, National Treasury and other municipalities through various working groups as well as online platforms to improve mSCOA compliance and functionality.

1.2.10 ORGANISATIONAL DEVELOPMENT OVERVIEW

Section 66 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) allows a Municipal Manager to develop a staff establishment and submit it to Council for approval. On the 26th of April 2017 the Municipal Council resolved for the development of a draft macro and micro organogram.

A process plan, paving the way for ensuring an inclusive and comprehensive IDP process and culminated in the adoption of the 2020/21 (revised) IDP in May 2020. The process was also marked by a renewed commitment to ensuring that the organisational structure, human resources, skills and capacity entrenched in its officials and councillors all contribute to the successful execution of the municipal strategy.

1.2.10.1 COVID- 19 and Public Participation

As the Third Draft IDP Review was tabled, South Africans was confronted by a nationwide lockdown limiting most movement and confining South Africans to their homes and forcing businesses to close. The fast response to the COVID-19 pandemic and ensuing lockdown was at the time aimed at flattening the curve by reducing the rate of infections. Level 5 of this lockdown was very restrictive with drastic measures implemented to contain the spread of the virus. Only essential services were allowed to operate, taking into account only those functions absolutely necessary to sustain livelihoods and to enforce the lockdown regulations.

The lockdown also had far reaching implications for municipalities who are required to respond positively to the lockdown regulations whilst simultaneously being responsive to the most critical needs of the public under lockdown. Interventions put in place under COVID-19 by Stellenbosch Municipality included:

- A payment reprieve / holiday on property rates was implemented from 01 April 2020 to 30 June 2020;
- No interest was charged for property rates billed over this period (subject to criteria that was made available on the municipal website);
- Free basic water allocation for indigent residents was increased from 6 to 10 kilolitres per household from 1 April 2020 to 30 June 2020;
- A temporary suspension of all credit control measures and procedures was implemented until the end of April 2020, meaning that all electricity meters that were blocked because of overdue accounts, were unblocked and residents were able to buy and upload electricity freely during this period; and
- Essential municipal services continued during the lockdown period. These included refuse removal, water, electricity, traffic, law enforcement and fire services.

The 5-week lockdown from 27 March to 30 April 2020 fell smack-bang in the middle of the commenting period of the Draft IDP and MTREF Budget. Whereas the municipality would has engaged in various forms of public meetings to provide the public the opportunity to share their views with the municipality, the municipality was confined to online platforms and written comments. The municipality put a few alternative measures in place, including the Stellenbosch Citizen App, available in the App stores, which allowed everyone the opportunity to comment and share views via their mobile devices.

During May 2020 the first easing of the national lockdown measures was implemented taking the lockdown from level 5 to level 4. Level 4 meant readiness to respond to greater movement of the public across municipal space as economic activity expands.

In spite of the limitations faced because of the lockdown and the banning of all gatherings and meetings, the municipality remained committed to ensuring that the public participation process is a two-process.

The public comments received from the engagement with the public and with the respective ward committees over September and October 2019 were captured and carefully considered by each department. These considerations formed part of the strategic conversations of each directorate in the determination of their strategic approach and budgetary requirements for the year under review of the Medium Term Revenue and Expenditure Framework (2021 to 2023 MTREF).

1.2.10.2 Municipal Transformation and Organisational Development Highlights

Table 1:29: Municipal Transformation and Organisational Performance Highlights

Highlight	Description
Review of critical human resource related policies	Guidelines on Negotiation in regard to Remuneration (Within the National Negotiated Framework) for the Retention and Attraction of Staff – 24 April 2019. Additional Allowance Responsibility Policy – 24 April 2019. MSA: Essential Services – 4 June 2019. TASK Implementation Policy -26 February 2020.
Human Resources	Regular OHS meetings held in Directorate and of the Central OHS Council.
Staff Capacity	Critical posts filled as and when required with availability of funds.
Organisational Stability	All staff placements were made in terms of the new organisational structure.

1.2.10.3 Municipal Transformation and Organisational Development Challenges

Table 1:30: Municipal Transformation and Organisational Development Challenges

Challenge	Actions to address
ICT	ICT structure does not align to best practices and thus cannot be agile enough to support the municipality. Lack of system integration.
Staff Capacity	Staff shortages could impact on service delivery performance.
Communication	The municipal website is in need of redesign for ease of access by the public.

1.2.11 MFMA COMPETENCIES

In terms of section 83(1) of the MFMA, the accounting officer, senior managers, chief financial officer, non-financial managers and other financial officials of a municipality must meet the prescribed financial management competency levels that are key to the successful implementation of the MFMA. National Treasury prescribed such financial management competencies in Government Notice 493, dated 15 June 2007.

To assist the aforementioned officials in acquiring the prescribed financial competencies, National Treasury, with the collaboration of various stakeholders and role players in the local government sphere, developed an outcomes-based NQF Level 6 qualification in municipal finance management. In terms of the Government Notice 493 of 15 June 2007, "(1) No municipality or municipal entity may, with effect, as of 1 January 2013 (exempted until 30 September 2015 as per Government Notice 179 of 14 March 2014), employ a person as a financial official if that person does not meet the competency levels prescribed for the relevant position in terms of these Regulations."

The table below provides details of the financial competency development progress as required by the regulation (Government Notice 493 of 15 June 2007):

Table 1:31: Financial Competency Development: Progress Report

Description	A Total number of officials employed by municipality (Regulation 14(4)(a) and (c))	B Total number of officials employed by municipal entities (Regulation 14(4)(a) and (c)	Consolidated: Total of A and B	Consolidated: Competency assessments completed (Regulation 14(4)(b) and (d))	Consolidated: Total number of officials whose performance agreements comply with Regulation 16 (Regulation 14(4)(f))	Consolidated: Total number of officials that meet prescribed competency levels (Regulation 14(4)(e))
Financial Officials						
Accounting Officer	1	0	1	1	1	1
Chief Financial Officer	1	0	1	1	1	1
Senior Managers	4	0	4	4	4	3
Any other financial officials	2	0	2	2	2	2
Supply Chain Management Officials						

Description	A Total number of officials employed by municipality (Regulation 14(4)(a) and (c))	B Total number of officials employed by municipal entities (Regulation 14(4)(a) and (c)	Consolidated: Total of A and B	Consolidated: Competency assessments completed (Regulation 14(4)(b) and (d))	Consolidated: Total number of officials whose performance agreements comply with Regulation 16 (Regulation 14(4)(f))	Consolidated: Total number of officials that meet prescribed competency levels (Regulation 14(4)(e))
Heads of supply chain management units	1	0	1	1	1	1
Supply chain management senior managers	2	0	2	2	2	1
Total	**11**	**0**	**11**	**11**	**11**	**9**

1.2.12 AUDITOR GENERAL 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. The audit opinion for the 2019/20 financial year has not yet been concluded.

1.2.12.1 Audited Outcomes

Table 1:32: Audit Outcomes Source: Auditor General of South Africa, 2019/20

Year	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Status	Unqualified	Unqualified	Unqualified (clean audit)	Unqualified (clean audit)	Unqualified (clean audit)	Unqualified with findings	Unqualified with findings	Outstanding

2 CHAPTER 2: GOVERNANCE

Good Governance is an approach of government that is committed to creating a system founded on strengthening democracy, promoting transparency, building public administrative capacity, responded to public needs and respecting for human rights. Good Governance is measured by eight factors namely participation, rule of law, transparency, responsiveness, consensus oriented, accountability, effectiveness and efficiency, equitability and inclusivity. Within the context of good governance corruption is minimised, the views of minorities are taken into account and the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.

2.1 NATIONAL KEY PERFORMANCE INDICATORS - GOOD GOVERNANCE AND PUBLIC PARTICIPATION

The following table indicates the municipality's performance in terms of the National Key Performance Indicators required in terms of the Local Government: Municipal Planning and the Performance Management Regulations 796 of 2001 and section 43 of the MSA. This key performance indicator is linked to the National Key Performance Area - Good Governance and Public Participation.

Table 2:1: National KPIs - Good Governance and Public Participation Performance

KPA and Indicators	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
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.	92.97%	91.52%	79.74%	85.08%	86.5%	87.5%	70.25%

2.1.1 PERFORMANCE HIGHLIGHTS - GOOD GOVERNANCE AND PUBLIC PARTICIPATION

Table 2:2: Performance Highlights - Good Governance and Public Participation

Highlight	Description
Council	Council has remained stable and well-functioning throughout 2019/20.
Audit Outcomes	Outstanding
Organisational	The new organisational structure was approved and the placement process is largely completed.
Review of System of Delegations	The review of the System of Delegations was completed.
S.80 and S.79 Committees of Council	The establishment of functional S.80 and S.79 Committees of Council and held meetings regularly.
Public Participation	Public participation sessions were held with all 22 ward committees in September 2019. However, due to the outbreak of the COVID-19 pandemic in March 2020, public participation was moved to online platforms. Interested and affected parties were encouraged to participate online and to provide feedback on the IDP and Budget through the newly developed Stellenbosch Citizen App and email.
Management of land occupation in Kayamandi	The municipality has been actively engaging with SAPS, the Sheriffs and the Dept. of Justice to effectively manage the land invasion in Kayamandi.
Functioning of the Municipal Planning Tribunal (MPT) meeting	The Municipal Planning Tribunal is established and fully functioning.

Highlight	Description
Master Planning	Updates to the following master planning had commenced: • CCTV Master Plan development in progress; • Stellenbosch Municipality's By-Law: Roads and Streets (review and update of previous by-law); • Stellenbosch Municipality's By-Law: Stormwater (new); and • Stellenbosch Municipality's By-Law: Parking (review and update of previous by-law).
Communication	Stakeholder engagement has improved significantly and media releases / media responses for local, regional and national publications and broadcasters are released on a weekly basis. Activity on our social media platforms and municipal website has improved. Social media platforms have grown significantly and now reaches a much larger, ever-growing audience.

2.1.2 CHALLENGES - GOOD GOVERNANCE AND PUBLIC PARTICIPATION

Table 2:3: Challenges - Good Governance and Public Participation

Description	Actions to address
Communication	The municipal website is in need of redesign for ease of access by the public.
Fraud and Corruption Management	Through the fraud hotline, direct calls received and walk-ins, active reporting has been ongoing. Unfortunately, it has become apparent that the fraud hotline and in-particular the Regulations for Senior Managers (Misconduct and Financial Misconduct) is being abused to unfairly target individuals and management. Most of the allegations against senior management (MM and section 56) had no basis other than causing disrepute. Continuous threats of charging people with no basis are also ongoing. This gives rise to excessive use of resources and risk to the reputation of individuals and the municipality to remain compliant with relevant legislation.
Unrest and Protest	Regular patrols are being executed and the situation continuously monitored. Proposal to establish a tactical response unit with Nyala for deployment has been submitted.
Illegal and unsafe electrical connections	Illegal and unsafe electrical connections in Kayamandi and Langrug pose a serious danger to the respective communities.
Master Planning	The Electricity Masterplan needs to be reviewed.
Vandalism of electrical infrastructure	Vandalism resulting from the attempts to steal copper and illegal connections and forceful opening of electrical infrastructure.
Illegal dumping	Illegal dumping has been on the increase especially around open areas and parks. Regular monitoring and prosecution of transgressors.

2.2 COMPONENT A: POLITICAL AND ADMINISTRATIVE GOVERNANCE

2.2.1 POLITICAL GOVERNANCE STRUCTURE

The council performs both legislative and executive functions. It focuses on legislative, oversight and participatory roles, and has delegated its executive function to the Executive Mayor and the Mayoral Committee. Its primary role is to debate issues publicly and to facilitate political debate and discussion. Apart from their functions as policy makers, Councillors are also actively involved in community work and in the various social programmes in the municipal area.

2.2.2 COUNCIL – 01 JULY 2019 TO 30 JUNE 2020

Below is a table that categorises the councillors within their specific political parties and wards:

Table 2:4: Council for the period 01 July 2019 to 30 June 2020

Name of councillor	Capacity	Political Party	Ward representing or proportional
F Adams	Part-time	DNCA	Proportional Representative (PR)
FJ Badenhorst	MayCo member from 20 November 2019	DA	Ward Councillor: Ward 21
F Bangani-Menziwa [Ms]	Part-time	ANC	Ward Councillor: Ward 13
Ald PW Biscombe	Single Whip	DA	Ward Councillor: Ward 17
G Cele [Ms]	Part-time	ACDP	PR
P Crawley [Ms]	MayCo member	DA	PR
A Crombie (Ms)	Part-time	DA	Ward Councillor: Ward 20
Z Dalling [Ms]	Part-time	DA	Ward Councillor: Ward 9
R Du Toit [Ms]	Part-time	DA	Ward Councillor: Ward 10
J Fasser	Part-time	DA	PR
A Florence	Part-time	DA	PR
A Frazenburg	MayCo member	DA	Ward Councillor: Ward 1
E Fredericks [Ms]	Part-time	DA	Ward Councillor: Ward 18
T Gosa	Part-time	DA	PR
E Groenewald [Ms]	MayCo member	DA	Ward Councillor: Ward 22
J Hamilton	Part-time	DA	PR
AJ Hanekom	Part-time	DA	Ward Councillor: Ward 7
DA Hendrickse	Part-time	EFF	PR
JK Hendriks	Part-time	DA	Ward Councillor: Ward 19
LK Horsband [Ms]	Part-time	EFF	PR
N Jindela	Deputy Executive Mayor; Speaker from 14 Nov 2019	DA	PR
MC Johnson	Part-time	DA	Ward Councillor: Ward 4
DD Joubert	Part-time	DA	Ward Councillor: Ward 5
N Mananga-Gugushe [Ms]	Part-time	ANC	Ward Councillor: Ward 12
C Manuel	Part-time	DA	Ward Councillor: Ward 3
NE Mcombring [Ms]	Part-time	DA	Ward Councillor: Ward 6
XL Mdemka [Ms]	MayCo member	DA	PR
C Moses [Ms]	Part-time	ANC	PR
RS Nalumango [Ms]	Part-time	ANC	PR

Name of councillor	Capacity	Political Party	Ward representing or proportional
N Olayi	Part-time	DA	PR
MD Oliphant	Part-time	ANC	PR
SA Peters	MayCo member	DA	PR
WC Petersen [Ms]	Speaker; Deputy Executive Mayor from 14 November 2019	DA	Ward Councillor: Ward 2
MM Pietersen	MayCo member	DA	PR
WF Pietersen	Full-time MPAC Chairperson	PDM	PR
SR Schäfer	Part-time	DA	PR
Ald JP Serdyn [Ms]	Part-time	DA	Ward Councillor: Ward 11
N Sinkinya [Ms]	Part-time	ANC	Ward Councillor: Ward 15
P Sitshoti [Ms]	Part-time	ANC	Ward Councillor: Ward 14
Q Smit	MayCo member	DA	Ward Councillor: Ward 8
LL Stander	Part-time	ANC	PR
G van Deventer [Ms]	Executive Mayor	DA	PR
E Vermeulen [Ms]	Part-time	DA	Ward Councillor: Ward 16

The table below indicates the Council meetings attendance for the 2019/20 financial year:

Table 2:5: Council meetings for the 2019/20 financial year

Meeting dates	Number of items (resolutions) submitted	Percentage Attendance of Council Meetings	Percentage Apologies for non-attendance
24 July 2019	22	85%	15%
02 August 2019	6	80%	20%
14 August 2019	4	95%	5%
28 August 2019	15	82%	18%
25 September 2019	17	85%	15%
23 October 2019	24	85%	15%
14 November 2019	6	82%	18%
27 November 2019	20	85%	15%
29 January 2020	34	90%	10%
26 February 2020	21	85%	15%
04 March 2020	1	80%	20%
13 March 2020	1	82%	18%
25 March 2020	5	88%	12%
31 March 2020 (Executive Mayor resolved under delegated authority -- Lockdown)	12	-	-
17 April 2020 (Executive Mayor resolved under delegated authority -- Lockdown)	2	-	-
24 April 2020 (Executive Mayor resolved under delegated authority -- Lockdown)	7	-	-
30 April 2020 (Executive Mayor resolved under delegated authority -- Lockdown)	7	-	-
06 May 2020 (Executive Mayor resolved under delegated authority -- Lockdown)	1	-	-
08 May 2020 (Executive Mayor resolved under delegated authority -- Lockdown)	4	-	-
18 May 2020 (Executive Mayor resolved under delegated authority -- Lockdown)	4	-	-

Meeting dates	Number of items (resolutions) submitted	Percentage Attendance of Council Meetings	Percentage Apologies for non-attendance
20 May 2020 (Executive Mayor resolved under delegated authority -- Lockdown)	1	-	-
27 May 2020	5	88%	12%
12 June 2020	15	83%	17%

2.2.3 EXECUTIVE MAYORAL COMMITTEE

The Executive Mayor of the municipality heads the executive arm of the municipality and is assisted by the Mayoral Committee, The Executive Mayor is at the centre of the system of governance, since executive powers are vested in her to manage the day-to-day affairs. This means that the Executive Mayor has an overarching strategic and political responsibility. The key element of the executive model is that executive power is vested in the Executive Mayor, delegated by the council, as well as assigned by legislation.

The Executive Mayoral position were occupied as follows:

Table 2:6: Executive Mayor for the period

Executive Mayor for the period	Period
Adv. G. Van Deventer	1 July 2019 – 30 June 2020

Table 2:7: Executive Mayoral Committee for the 2019/20 financial year

Executive Mayoral Committee 01 July 2019 – 30 June 2020	
Name of member	**Capacity**
G van Deventer (Adv.) [Ms]	Executive Mayor
N Jindela (until 13 November 2019)	Deputy Executive Mayor; Chairperson: Human Settlements Committee
WC Petersen (Ms) (from 14 November 2019)	Deputy Executive Mayor; Chairperson: Human Settlements Committee
FJ Badenhorst	MayCo member: Chairperson: Community and Protection Services
P Crawley [Ms]	MayCo member: Chairperson: Financial Services
A Frazenburg	MayCo member: Chairperson: Corporate Services
E Groenewald [Ms]	MayCo member: Chairperson: Planning and Economic Development
XL Mdemka [Ms]	MayCo member: Chairperson: Parks, Open Spaces and Environment
SA Peters	MayCo member: Chairperson: Rural Management and Tourism
MM Pietersen	MayCo member: Chairperson: Youth, Sport and Culture
Q Smit	MayCo member: Chairperson: Infrastructure Services

The table below indicates the dates of the Executive Mayoral Committee meetings and the number of reports submitted to Council for the 2019/20 financial year:

Table 2:8: Executive Mayoral Committee Meetings 2019/20

Meeting dates	Number of items submitted
10 July 2019	9
14 August 2019	9
11 September 2019	11
09 October 2019	10
16 October 2019	10
20 November 2019	14
22 January 2020	19
12 February 2020	9
20 March 2020	18
22 May 2020	3

2.2.4 PORTFOLIO COMMITTEES

In terms of section 80 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), if a council has an executive committee, it may appoint, in terms of section 79, committees of councillors to assist the executive committee or executive mayor. Section 80 stipulates that committees are permanent committees that specialise in a specific functional area of the municipality and, in some instances, may make decisions on specific functional issues. They advise the executive committee on policy matters and make recommendations to council.

The portfolio committees for the 2019/20 mayoral term and their chairpersons are as in the tables below.

2.2.4.1 Planning and Economic Development Portfolio Committee

Table 2:9: Planning and Economic Development Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
E Groenewald [Ms]	Portfolio Chairperson
J Fasser	Committee member
T Gosa	Committee member
AJ Hanekom	Committee member
RS Nalumango [Ms]	Committee member

Table 2:10: Planning and Economic Development Meetings

Meeting dates	Number of reports submitted
03 September 2019	4

2.2.4.2 Infrastructure Committee

Table 2:11: Infrastructure Services Portfolio Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
Q Smit	Portfolio Chairperson
AJ Hanekom	Committee Member
NE Mcombring [Ms]	Committee Member
C Moses [Ms]	Committee Member
Ald JP Serdyn [Ms]	Committee Member

Table 2:12: Infrastructure Services Portfolio Committee meeting

Meeting dates	Number of reports submitted
07 March 2019	1
05 September 2019	5

2.2.4.3 Finance Portfolio Committee:

Table 2:13: Finance Portfolio Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
PR Crawley [Ms]	Portfolio Chairperson
A Florence	Committee Member
J Hamilton	Committee Member
RS Nalumango [Ms]	Committee Member
MD Oliphant	Committee Member

Table 2:14: Finance Portfolio Committee Meeting Dates

Meeting dates	Number of reports
None	

2.2.4.4 Community and Protection Services Portfolio Committee

Table 2:15: Community and Protection Services Portfolio Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
FJ Badenhorst	Portfolio Chairperson
JK Hendriks	Committee Member
C Manuel	Committee Member
N Olayi	Committee Member
P Sitshoti [Ms]	Committee Member
LL Stander	Committee Member

Table 2:16: Community and Protection Services Portfolio Committee Meeting Dates

Meeting dates	Number of reports
07 August 2019	13
10 September 2019	9
12 February 2020	24

2.2.4.5 Corporate Services Portfolio Committee

Table 2:17: Corporate Services Portfolio Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
AR Frazenburg	Portfolio Chairperson
F Bangani-Menziwa [Ms]	Committee Member
Z Dalling [Ms]	Committee Member
R Du Toit [Ms]	Committee Member

Table 2:18: Corporate Services Portfolio Committee Meeting Dates

Meeting dates	Number of reports
None	

2.2.4.6 Human Settlements Portfolio Committee

Table 2:19: Human Settlements Portfolio Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
N Jindela	Portfolio Chairperson (until 13 November 2019)
WC Petersen [Ms]	Portfolio Chairperson (from 14 November 2019)
G Cele [Ms]	Committee member
A Crombie [Ms]	Committee member
LK Horsband [Ms]	Committee member
DD Joubert	Committee member

Table 2:20: Human Settlements Portfolio Committee Meetings

Meeting dates	Number of reports
12 August 2019	2
04 September 2019	1
10 October 2019	4

2.2.4.7 Rural Management and Tourism Portfolio Committee

Table 2:21: Rural Management and Tourism Portfolio Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
SA Peters	Portfolio Chairperson
A Crombie [Ms]	Committee Member
JK Hendriks	Committee Member
LK Horsband [Ms]	Committee Member

Table 2:22: Rural Management and Tourism Portfolio Committee Meeting Dates

Meeting dates	Number of reports
None	

2.2.4.8 Youth, Sport and Culture Portfolio Committee

Table 2:23: Youth, Sport and Culture Portfolio Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
MM Pietersen	Portfolio Chairperson
R Du Toit [Ms]	Committee Member
DA Hendrickse	Committee Member
N Sinkinya [Ms]	Committee Member
E Vermeulen [Ms]	Committee Member

Table 2:24: Youth, Sport and Culture Portfolio Committee Meeting Dates

Meeting dates	Number of reports
05 September 2019	7
02 October 2019	2
07 November 2019	4
06 February 2020	4

2.2.4.9 Parks, Open Spaces and Environment Portfolio Committee

Table 2:25: Parks, Open Spaces and Environment Portfolio Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
XL Mdemka [Ms]	Portfolio Chairperson
F Adams	Committee Member
Ald JP Serdyn [Ms]	Committee Member
E Vermeulen [Ms]	Committee Member

Table 2:26: Parks Open Spaces and Environment Portfolio Committee Meeting Dates

Meeting dates	Number of reports
02 September 2019	5
07 October 2019	2
04 November 2019	1
10 February 2020	4
09 March 2020	2

2.2.5 SECTION 79 COMMITTEES

2.2.5.1 Municipal Public Accounts Committee (MPAC)

Table 2:27: MPAC Committee

Period 1 July 2019 – 30 June 2020	
Name of member	**Capacity**
WF Pietersen	Chairperson
E Fredericks [Ms]	Committee Member
MC Johnson	Committee Member
N Mananga-Gugushe [Ms]	Committee Member
SR Schäfer	Committee Member

Table 2:28: MPAC Committee Meeting Dates

Meeting dates	Number of reports
17 September 2019	1
18 October 2019	3
04 June 2020	1
30 June 2020	3

2.2.5.2 Appeals Committee

Table 2:29: Appeals Committee

Name of member	Capacity
N Jindela	Chairperson
G Cele [Ms]	Committee Member
P Crawley [Ms]	Committee Member
MD Oliphant	Committee Member
Q Smit	Committee Member

Table 2:30: Appeals Committee Meeting Dates

Meeting dates	Number of reports
None	

2.2.5.3 Local Labour Forum (LLF)

Table 2:31: Local Labour Forum (LLF)

Name of member	Capacity
E Groenewald (Ms)	Portfolio Chairperson
R Du Toit (Ms)	Committee Member
LK Horsband (Ms)	Committee Member
XL Mdemka (Ms)	Committee Member
RS Nalumango (Ms)	Committee Member

Table 2:32: Local Labour Forum Meeting Dates

Meeting dates	Number of reports
01 August 2019	4
26 August 2019	1
30 September 2019	3
28 October 2019	4
25 November 2019	4
03 February 2020	8

2.2.5.4 Employment Equity Committee

Table 2:33: Employment Equity Committee

Name of member	Capacity
E Groenewald [Ms]	Portfolio Chairperson
J Hamilton	Committee Member
LK Horsband [Ms]	Committee Member
XL Mdemka [Ms]	Committee Member
WC Petersen [Ms]	Committee Member

Table 2:34: Employment Equity Committee Meeting dates

Meeting dates	Number of reports
None	

2.2.5.5 Councillor Disciplinary Committee

Table 2:35: Councillor Disciplinary Committee Portfolio Committee

Name of member	Capacity
Q Smit	Portfolio Chairperson
A Frazenburg	Committee Member
E Groenewald [Ms]	Committee Member
N Sinkinya [Ms]	Committee Member
LL Stander	Committee Member

Table 2:36: Councillor Disciplinary Portfolio Committee Meeting Dates

Meeting dates	Number of reports
None	

2.2.5.6 Rules Portfolio Committee

Table 2:37: Rules Portfolio Committee

Name of member	Capacity
WC Petersen [Ms] (until 13 November 2019)	Portfolio Chairperson
N Jindela (from 14 November 2019)	Portfolio Chairperson
Ald PW Biscombe	Committee Member
G Cele [Ms]	Committee Member
P Crawley [Ms]	Committee Member
J Hamilton	Committee Member
P Sitshoti [Ms]	Committee Member

Table 2:38: Rules Portfolio Committee Meeting dates

Meeting dates	Number of reports
None	

2.2.6 STRATEGIC GOVERNANCE STRUCTURE

The Municipal Manager is the Chief Accounting Officer of the municipality. She is the head of the administration and serve as chief custodian of service delivery and implementation of political priorities. She is assisted by her directors, which constitutes the Management Team, whose structure is outlined in the table below:

Table 2:39: Administrative Governance Structure

Name of Official	Department	Performance agreement signed (Yes / No)
G Mettler (Ms)	Municipal Manager	Yes
A De Beer (Ms)	Director: Corporate Services	Yes
T Mfeya	Director: Planning and Economic Development (until 29 February 2020)	Yes
A Barnes	Director: Planning and Economic Development (from 01 June 2020)	Yes
K Carolus	Chief Financial Officer	Yes
G Boshoff	Director: Community and Protection Services	Yes
D Louw	Director: Infrastructure Services	Yes

2.3 COMPONENT B: PUBLIC ACCOUNTABILITY

MSA section 15(b) requires a municipality to establish and organise its administration to facilitate a culture of accountability amongst its staff. Section 16(i) states that a municipality must develop a system of municipal governance that complements formal representative governance with a system of participatory governance. Section 18(i)(d) requires a municipality to supply its community with information concerning municipal governance, management and development.

The participation outlined above is required in terms of the:

- preparation, implementation and review of the IDP;
- establishment, implementation and review of the performance management system;
- monitoring and review of performance, including the outcomes and impact of such performance; and
- preparation of the municipal budget.

2.3.1 INTERGOVERNMENTAL RELATIONS

2.3.1.1 National Intergovernmental Structures

The National Forum, i.e. The Municipal Managers Forum, facilitated by the Department of Cooperative Government and Traditional Affairs (COGTA) meets twice per annum. New legislation and its implications, as well as challenges for local government, e.g. financial sustainability, professionalism and oversight structures are discussed.

The Directorate: Infrastructure Services represented by the Director: Infrastructure Services as a member of the national WRC / SALGA Municipal Benchmarking Initiative in Water Services, which collaborates in a national programme towards the improvement of water services, co-driven by SALGA and the Water Research Commission (WRC) and in collaboration with Ethekwini Municipality, MILE (Municipal Institute of Learning), representatives of other municipalities, the Institute of Municipal Engineers (Imesa) and the Department of Water and Sanitation (DWS).

2.3.1.2 Provincial Intergovernmental Structures

Office of the Municipal Manager

The Stellenbosch Municipality is a keen participant in joint intergovernmental planning initiatives of Provincial Government. MinMay (Provincial Ministers, Provincial Heads of Departments, Mayors and Municipal Managers) and the Premier's Coordinating Forum are provincial forums for fruitful interaction regarding local government cooperation and challenges. These meetings are held twice per annum. The Provincial Municipal Managers Forum meets quarterly.

Chief Audit Executive and Chief Risk Officer fora are held on a quarterly basis in conjunction with Provincial Treasury where all municipalities share best practises and consult on areas of improvement.

Stellenbosch is represented on the Provincial IDP Managers Forum, the Provincial Public Participation and Communication Forum, all of which are facilitated by the Provincial Department of Local Government.

Financial and Corporate Services

The Directorate: Financial Services participates in several provincial fora on a quarterly basis. The fora include the Supply Chain Management Forum, the Municipal Property Rates Act Forum, the Management Accountants Forum as well as the Chief Financial Officer Forum.

The Municipal Court is in full operation and collaborates with the Department of Justice on a regular basis.

Planning and Economic Development

The municipality is represented by the Manager: Spatial Planning on the task team set up by DEA&DP to revise the Provincial Spatial Development Framework (PSDF). Through this inter-governmental process Stellenbosch Municipality is able to provide input into the format and substance of this document that will have a legal bearing on all local municipalities in the Western Cape.

The DEA&DP and the municipality established a working group to consult monthly or more regularly as the need arises about environmental authorisation applications and land use (spatial planning) matters. Slow response times to applications by developers, entrepreneurs, farmers, service providers (Eskom, Telkom, cellular operators, etc.), waste management bodies, mining operators and roads authorities, cause delayed investment and infrastructure provisions. This has negative effects on the economy, hence the working group was established to increase the speed with which the applications are administered.

The working group consists of the technical role players and it is overseen by the portfolio councillors of the municipality. This structure ensures prior commitment to and understanding of matters to be reported to the relevant portfolio committees or council. The working group is administered by the DEA&DP and meetings are in liaison with the Directorate: Planning and Economic Development, who must invite and ensure attendance by affected internal role players.

Regional Forum Meetings between Provincial Department of Human Settlements (PDoHS) and Municipalities in the Cape Winelands region:

- The PDoHS and the municipalities in the Cape Winelands Region meet on a quarterly basis to discuss all new housing policies and budget related matters in housing delivery. During the meeting, all the housing officials of the various municipalities are present to share their new innovative ideas. The overall performance of each municipality is discussed in detail as well as mitigating options if the need arises;
- Applications of new and existing projects are also discussed with the feedback from the PDoHS. The municipalities receive information relating to: beneficiary administration, outstanding approvals, informal settlement challenges, title deed transfers, farm worker evictions and other matters with regards to the housing delivery. Legislation and court rulings are also discussed to ensure that senior officials are aware of any new implementation programmes, circulars and legal precedents. Each of the five municipalities is given the opportunity to host this engagement;
- The Informal Settlements Department also represents the municipality at the bi-monthly Informal Settlements Support Programme (ISSP) meetings of the Provincial Department of Human Settlements (PDoHS). The latter programme aims to interpret National and Provincial guidelines with respect to upgrading of informal settlements. The purpose of these monthly meetings is to discuss best practices in informal settlements within the Cape Winelands region; and
- The Informal Settlements Department furthermore collaborates between various Municipal Departments and Stats SA. The collaboration is aimed at regularising the municipality's data

collection efforts into a format that is acceptable to Stats SA and that the collected data eventually will meet the standards as required by Stats SA.

Infrastructure Services

The Directorate participates in the Stellenbosch River Collaborative Steering Committee with the aim of developing a multi-stakeholder collaborative governance process within which to deal with issues of water quality and pollution in the Stellenbosch rivers. The participants include the Winelands Water Users Association, Stellenbosch Municipality, Department of Water Affairs, the Department of Environmental Affairs, Cape Nature, WWF, Wildlands and key stakeholders in the wine industry such as Spier and the Distell group.

The 3rd Generation Integrated Waste Management Plan (IWMP), gives direction regarding Waste-to-Energy, Alternate Waste Management options and Waste Management projects proposals. This innovative approach was recognised by the DEA&DP when the municipality was requested to assist three other local municipalities in taking this approach. The municipalities of Beaufort West, Prins Albert and Laingsburg were assisted in this manner by the visit of the Waste Management Department team, who trained the local officials as well as assisted in the first data collection exercise.

Stellenbosch Municipality is also represented at the quarterly Waste Management Officers Forums, where best practices, changing legislation, feedback from national and provincial government policy changes, etc. are discussed to keep all municipalities in the Western Cape abreast of all issues pertaining to waste management. The Western Cape Recycling Action Group (RAG) quarterly forums, although more geared at private sector contributions to waste minimisation, also provide the platform for municipalities to engage with each other and the private sector for waste minimisation opportunities.

The Electrical Department is extensively involved with the other local municipalities' electricity departments through the Association of Municipal Electricity Utilities (AMEU). This project is an initiative to implement energy saving and load shifting capacity within the municipal area and is being used with great success.

Community and Protection Services

Traffic Services liaises with Western Cape Government: Department Transport and Public Works on a continuous basis on matters related to transport administration and licensing, traffic law administration regarding motor-vehicle licensing and issuing of learner and driving licenses.

The department further engages with RTIA, RTMC, Director Public Prosecutions, Department of Justice regarding legislative requirements and adherence.

To execute the Safely Home Programme, the department interacts with various engineering entities such as provincial engineers and Cape Winelands District Council. The Western Cape Government developed the Provincial Strategic Plan (PSP) which gave rise to policies, programmes and projects forming partnerships amongst government, citizens, civil society and business. Various spheres of government are being engaged to co-create a culture of wellness and safety in the workplace and to promote wellness and safety through integrated service delivery models in order to address the social determinants of health through interaction with Department Education, Health Department and SAPS.

The municipality engages in numerous partnerships to facilitate service delivery.

Table 2:40: Municipal Partnerships

Name of Partner / Partnership	Purpose
Mayor / Rector Forum	A partnership with the University of Stellenbosch to ensure aligned development planning and that the municipality draws from the university's expertise and resources.
Memorandum of Cooperation between the Stellenbosch Municipality and Stellenbosch University (SU)	Cooperation in terms of closed circuit television in the interest of the security of the town and the campus with a view to a crime-free university town.
Landfill Monitoring Committee	A partnership with the Devon Valley residents, whereby residents monitor the Stellenbosch landfill site.
IMESA (Institute for Municipal Engineers South Africa)	A partnership with IMESA aimed at strengthening knowledge and capacity related to municipal infrastructure and service delivery.
Integrated Development Committee (IPC)	A partnership with the university and other stakeholders aimed at exploring spatial and urban planning possibilities for Stellenbosch to meet the needs of the municipality and university.
Department Social Development, DCAS, Cape Winelands District Municipality	Joint implementation of programmes focussing on common issues within WC024.
SALGA Municipal Benchmarking Initiative	A partnership aimed at improving efficiency and effectiveness through comparative process benchmarking, peer-to-peer operational knowledge sharing and iterative performance improvements.
Bergriver Improvement Programme	A partnership was formed to improve the quality of the storm water run-off from the Langrug Informal Settlement. The project entails the implementation of biomimicry, waste recycling and a Sustainable Urban Drainage lab.
LTAB	A partnership was formed between political leaders to discuss Land Transport-related matters that affect transport in the area.
Transport Working Group	A Transport Working Group was established to discuss transport related matters that affect Stellenbosch, including all relevant governmental institutions and other role players.
IPC	The Integrated Planning Committee is a working group between the City of Cape Town, Stellenbosch, Saldanha, Overstrand, Theewaterskloof, and Drakenstein Municipality that discuss all transport related matters to effectively promote regional planning
NMT Working Group	A working group that discusses all Non-Motorised Transport matters in the Stellenbosch area. The group consist of NMT users, officials, representatives from the university and the disabled fraternity.
Drought Steering Committee	This is a committee consisting of a panel of roll players in the drought intervention plan including consultants to discuss, plan, manage and action the Drought Intervention strategies that culminated from various source documents including WCWDM strategies, WSDP, Audit Reports and various Master Plans and processes. It also oversees the SCM and construction phase of the plans.
GreenCape	The GreenCape partnership represents a cooperation with the province's 110% green initiatives, focussing on alternative waste management initiatives and energy efficiency.
CSIR	A partnership aimed at multidisciplinary research and development by supporting innovation in Stellenbosch.
Genius of Space	This initiative developed from, and forms part of the Western Cape 110% Green Initiative. The Biomimicry Genius of Space project is a registered flagship project of 110% Green. This initiative combines two priorities of the Western Cape Government – the Berg River and the Green Economy – to find an innovative solution to water pollution in the Berg River.
General	Municipal Partnerships.
District Intergovernmental Structures	
District Coordinating Forum	This forum meets quarterly and seeks to promote and facilitate intergovernmental relations between the district municipality and the local municipalities in the district. The Stellenbosch Municipality participates in this forum and the Cape Winelands District Municipal Managers Forum and benefits immensely from this involvement by being exposed to good practises in other municipalities and strengthening the relationship with

Name of Partner / Partnership	Purpose
	the district municipality in forging joint partnerships in the interest of good governance and service delivery. The Cape Winelands District Municipality supports community development and use indigenous sports to create social cohesion amongst communities in the district. Special focus and attention was given to our communities in rural areas. Stellenbosch, Drakenstein and Breede Valley Municipalities have participated in various indigenous games which were hosted by the Cape Winelands Municipality. The relationship between Stellenbosch Municipality and the district municipality has dramatically improved and the Community Services Department has managed to exceed all expectations in this regard. A targeted approach was followed and sports were used as a catalyst to cement this relationship with the district. The areas that the Department of Community Services targeted were communication, sharing of resources, capacity building and financial resources. The improved relationship between the district municipality and Stellenbosch Municipality enabled the communities to also participate in the Provincial and National Indigenous Games.

2.3.2 REPRESENTATIVE FORUMS

2.3.2.1 Local Labour Forum

The table below lists the members of the Local Labour Forum for the 2019/20 financial year:

Table 2:41: Local Labour Forum

Name of representative	Capacity	Meeting dates
E Groenewald [Ms]	Councillor and Chairperson	01 August 2019
R Du Toit [Ms]	Councillor	
AR Frazenburg	Councillor	
LK Horsband [Ms]	Councillor	
XL Mdemka [Ms]	Councillor	26 August 2019
RS Nalumango [Ms]	Councillor	
A de Beer [Ms]	Director: Corporate Services	
D Louw	Director: Infrastructure Services	
G Boshoff	Director: Community and Protection Services	30 September 2019
K Carolus	Chief Financial Officer	
A Kannemeyer	Senior Manager : Human Resources	
L Bixa	SAMWU Representatives	28 October 2019
J Brown	SAMWU Representatives	
S Kiva (Deputy Chairperson: from February 2020)	SAMWU Representatives	
A Mneno	SAMWU Representatives	25 November 2019
T Ncoko	SAMWU Representatives	
S Ndleleni	SAMWU Representatives	
H Coffee [Ms]	IMATU Representatives	03 February 2020
T Gilbert	IMATU Representatives	
R Louw	IMATU Representatives	
L Van Schalkwyk: (Deputy Chairperson: until January 2020)	IMATU Representatives	
E Vergotine	IMATU Representatives	
D Williams	IMATU Representatives	

2.3.3 WARD COMMITTEES

The advent of democracy in 1994 brought about a new democratic local governance system which promotes certain basic values and principles. Such values and principles include transparency, accountability and an open and inclusive system of governance through community involvement in governance, and planning and democratisation of development. This certainly placed South Africa on par with other democratic governments throughout the world and positioned it as a reputable reference for an effective decentralised system of government.

The notion of participation remains a key cornerstone of good governance and constitutes an integral component in the policy making process, development planning and budgeting. Section 152 of the Constitution, places the participation of communities at the centre of service delivery and other matters of Local Government. Correspondingly, the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and the MSA provides the legislative framework for the establishment of Ward Committees by municipalities.

Section 42 of the MSA stipulates that a municipality, through appropriate mechanisms, processes and procedures established in terms of Chapter 4 of said Act, must involve the local community in the development, implementation and review of the municipality's performance management system and, in particular, allow the community to participate in the setting of appropriate key performance indicators and performance targets for the municipality.

A general understanding has emerged that a ward committee is an area-based committee whose boundaries coincide with ward boundaries.

Ward Committees:

- are made up of representatives of a particular ward;
- are made up of members who are elected to represent a specific geographical area/block;
- are chaired by the ward councillor;
- are meant to be an institutionalised channel of communication and interaction between communities and municipalities;
- give the community members the opportunity to express their needs and opinions on issues that affect their lives, and to be heard at the municipal level via the ward councillor; and
- are advisory bodies created within the sphere of civil society to assist the ward councillor in carrying out his or her mandate in the most democratic manner possible.

Ward committees should be elected by the community they serve. A ward committee may not have more than 10 members and women should be well represented. The ward councillor serves on the ward committee and acts as the chairperson. Although ward committees have no formal powers, they advise the ward councillor, who makes specific submissions directly to the council. These committees play a critical role in the development and annual revision of the integrated development plan of the area.

The ward committee supports the ward councillor, who receive reports on development, participate in development planning processes and facilitates wider community participation. The municipality constantly strives to ensure that all ward committees function optimally in terms of the provision of community information, convening meetings, ward planning, service delivery, IDP formulation and performance feedback to communities.

The year 2020 will undoubtedly be remembered as a year that changed the world. The COVID-19 pandemic has undeniably brought about profound changes on all levels of society. These changes, inter alia, demand new ways of thinking about development and public participation.

Ward 1: Franschhoek town, Bo-Hoek Farms, Mooiwater

Table 2:42: Ward 1 Committee Members

Name of representative	Capacity representing
A Frazenburg	Councillor
AH Bauer	Bo-hoek farms
H Diedericks	Beaucop De Leau to School Street
AP Kilian	Calais Street to Hugenote Road
PG Mihalopoulos	Akademie to De Villiers Street
N Ntsunguzi	Beaucop De Leau to Dalibuhle School
M Nyanga	Beaucop De Leau to Dalibuhle School
F Ahmed	Upper farms
R Plaatjies until April 2020	Lower Farms
C Daniels	Beaucop De Leau to School Street
E Morris	Ward Adminstrator

Ward 2: Langrug, La Motte, Dennegeur, Groendal, Domaine des Anges

Table 2:43: Ward 2 Committee Members

Name of representative	Capacity representing
W Petersen	Councillor
N Gertse from Aug 2019	Dennegeur
N Fata	Zwalitcha
A Jefthas	Jafthas to Boonzaaier Road
Vacant	La Motte
N Noboza from Feb 2020	Mazaleni
M Van Zyl	Domain Des Anges
A Manuel Sept 2019	Berg River Dam Houses
M Hoffman from Aug 2019	School Street to R45
G Jefthas from Aug 2019	Santa Rosa to R45 Unknown
K Mpongo from Feb 2020	Ikhanini
-	Ward Administrator

Ward 3: Lanquedoc, Meerlust, Wemmershoek, Maasdorp and Surrounding

Table 2:44: Ward 3 Committee Members

Name of representative	Capacity representing
C Manuel	Councillor
Vacant	Vygie, Kerk, Hoof Street - Lanquedoc
MP Krediet	Vygie, Kerk, to Gravel Road - Lanquedoc
J Plaatjies	Meerlust and Farms
J Nomdoe	Angelier, Prins Afrika, Leeubekkie, Vygie Streets - Wemmershoek
C Stuurman	Hoof, Kerk, Vygie Streets - Lanquedoc
G Moody	Vygie, Angelier Streets - Wemmershoek
L Cloete	Wemmershoek
D Booysen	Vygie, Kerk, Hoof Street - Lanquedoc
G Viljoen	Ward Administrator

Ward 4: Pniël, Kylemore and Johannesdal

Table 2:45: Ward 4 Committee Members

Name of representative	Capacity representing
M Johnson	Councillor
S Charles	Malva, Arum, Gousblom, Freesia, Daffodil, School Streets and Farms
G Jacobs	Johannesdal
A Williams	Panorama, Simonsberg, Pine and Silvermine Streets
D Lackay	Panorama, Simonsberg, Pine and Silvermine Streets
P van Wyk until Oct 2019	PC Pietersen, Swart, Abrahams Streets, Capolavdoro
B November	Arcade, Santa Rosa, Starking, Helshoogte Streets
J Myburgh	Kloof, Hill, Dahlia, Oak Kleigat Streets
R van Wyk	Kerk, Brand, De Wet, Adams, Rooi, Jooste, Cupido Streets
B Lewak	Malva / Arum / Gousblom / Freesia / Daffodil / Skool Streets and Farms
R Sauls	Johannesdal
M Simpson	Ward Administrator

Ward 5: The Ridge, Lindida and Ida's Valley (Hydro in the direction of Ida's Valley and Omega Street to Jonkershoek)

Table 2:46: Ward 5 Committee Members

Name of representative	Capacity representing
D Joubert	Councillor
A Pieterse	Hydro and Surrounding Farms
RB Van Rooyen	The Ridge
L Hendricks	Bo-vlei
K Marais	Schoongezicht Farms
P Herandien	Lindida, Kreefgat, Uppervlei
W Johannes	Jonkershoek Upper
J Naude	Lindida, Kreefgat, Uppervlei
L Persensie	Lindida, Kreefgat, Uppervlei
N Rhode	Jonkershoek
S Zass	Ward Administrator

Ward 6: Ida's Valley and farms (Nietvoorbij, Timberlea, Morgenhof, Remhooghte, Muratie, Groenhof, Delheim, Lievland, Kanonkop, Uitkyk, Glenelly, Emerie, Laundry, Packham, L'Avenir)

Table 2:47: Ward 6 Committee Members

Name of representative	Capacity representing
N Mcombring	Councillor
G August from Nov 2019	Protea to Sonneblom Streets
O Bergstedt	Tindall to Luckhoff Streets
J Brandt	Speler to Botmaskop Streets
P Constable	Farm areas to North
F Fortuin	Tindall to Luckhoff Streets
P Gordon	Rustenburg Rd to Lelie Street
M Hendricks	Botmaskop
F Poole	Old Helshoogte to Lelie Streets
P Roets	Rustenburg Rd to Lelie Street
D Jones	Lindley to Weber Streets
C Van Rooyen	Ward Administrator

Ward 7: Mostertsdrif, Kolonieshof, Karindal, Rozendal, Uniepark, Simonswyk, Universiteitsoord and De Weides

Table 2:48: Ward 7 Committee Members

Name of representative	Capacity representing
A Hanekom	Councillor
CD Cillié	Simonswyk
PE Claassen	Mostertsdrif
JD Coetzee until February 2020	Rozendal
GA Giliomee	Karindal
GG Groenewald	Mostertsdrif
AB Meiring	Karindal
JP Swanepoel	Uniepark
WJ Van Aswegen	Simonswyk
J Giliomee	Ward Administrator

Ward 8: University Areas: Marais, Merriman, Helderberg Street

Table 2:49: Ward 8 Committee Members

Name of representative	Capacity representing
Q Smit	Councillor
R De Villiers	Van Riebeek, The Avenue, Coetzenburg Road
T Hlatswayo until July 2019	Victoria, Neethling, Bosman, Van Riebeek
CL Macleod	Van Riebeek, Die Laan, Neethling, Eerste River
M Wannenburgh	Merriman, Marais, Hofmeyer, Bosman
E Beukman	Merriman, Marais, Hofmeyer, Bosman
D Madire	Victoria, Neethling, Bosman, Van Riebeek
J Gilliomee	Ward Administrator

Ward 9: Eerste River, Krige, Herte, Skone Uitsig, Bird, Merriman, Bosman, Victoria, Neethling, The Avenue

Table 2:50: Ward 9 Committee Members

Name of representative	Capacity representing
ZJ Dalling	Councillor
JM Calitz	Geographic
GG Cillié	Geographic
JMK Meyer	Geographic
M Pauw until Oct 2019	Geographic
A Louw	Geographic
H Esterhuizen	Geographic
I Dean until Oct 2019	Geographic
L Combrink	Geographic
K Britz from Feb 2020	Geographic
T Kumm from Jun 2020	Geographic
J Giliomee	Ward Administrator

Ward 10: Tennant Street, Bell Street, Lappan Street, Lackey Street, Langstraat- Suid , La Colline – Faure Street, Dr Malan Street to Irene Park, Conde Street, Mount Albert, Taylor, Voorplein to Kromriver, Municipal Flats (Lavanda, Aurora, Phyllaria), Molteno Avenue to Paul Kruger Street and Banghoek Avenue

Table 2:51: Ward 10 Committee Members

Name of representative	Capacity representing
R du Toit	Councillor
P Hough	Tennantville
B Samuels	Tennantville
P Stone	Lapland
S Williams	Lapland
K Malgas	La Coline
L Atson from Oct 2019	-
M Michaels	Ward Administrator

Ward 11: Dorp Street to Herte Street, Mark Street, Alexander Street, bottom of Bird Street to the Stellenbosch Train Station, all areas in Onder-Papegaaiberg and surrounding businesses.

Table 2:52: Ward 11 Committee Members

Name of representative	Capacity representing
J Serdyn	Councillor
P Carinus	Onderpapegaaiberg – Flamingo Street to Devon Valley Road
D Cupido	Devon Valley and Farms
I Fourie	Onderpapegaaiberg – Flamingo Street to Devon Valley Road
U Bell until September 2019	Onderpapegaaiberg – Flamingo Street to Devon Valley Road
M Snyman	Onderpapegaaiberg – Flamingo Street to Devon Valley Road
B Brand	Dorp Street
CF Schreiber	Tarentaal Street to Patrys Street
J Giliomee	Ward Administrator

Ward 12: Kayamandi: Enkanini, Snake Valley, Watergang, Thubelitsha, New Watergang(106), Zone O (next to Enkanini), Chris Hani Drive, Municipal Flats (10th and 13th Street), School Crescent, Ekuphumleni, Siyahlala, Zone A, George Blake

Table 2:53: Ward 12 Committee Members

Name of representative	Capacity representing
N Managa-Gugushe	Councillor
L Dangisa	Geographic
M Galada	Geographic
S Mdodana	Geographic
S Mdutyana	Geographic
N Ntanjana	Geographic
M Qondani	Geographic
N Sifumba	Geographic
S Siguba	Geographic
Y Makuleni	Geographic
N Jodo from October 2019	Geographic
S Mafenyang	Ward Administrator

Ward 13: Kayamandi: Old Location from Lamla Street to Luyolo Street, Red Bricks, Old Hostels

Table 2:54: Ward 13 Committee Members

Name of representative	Capacity representing
F Bongani-Menziwe	Councillor
N Bhayibhile	Geographic
NVV Finini	Geographic
N Nojoko from Feb 2020	Geographic
V Hani	Geographic
JZ Jekem	Geographic
S Magade	Geographic
PN Makasi	Geographic
S Mcako	Geographic
B Takisa	Geographic
M Zondiwe	Geographic
N Tolibisa	Ward Administrator

Ward 14: Kayamandi: Zone I Setona Street), Zone O(lower part) Mgabadeli Crescent, Monde Crescent , Costa Land, Strong Yard, Zone M (8th Avenue), Zone P

Table 2:55: Ward 14 Committee Members

Name of representative	Capacity representing
P Sitshoti	Councillor
MH Gxilishe	Geographic
MD Masimini	Geographic
O Manthsi	Geographic
E Mgoqi	Geographic
N Mpemnyama	Geographic
NA Mthiya	Geographic

Name of representative	Capacity representing
S Oliphant from Aug 2019	Geographic
N Zweni from Aug 2019	Geographic
M Brown from Aug 2019	Geographic
P Tina from Aug 2019	Geographic
B Lesaoana	Ward Administrator

Ward 15: Kayamandi: Mjandana Street(Zone L), Mputa Close, Zone K, Ndumela Street(Zone J), Distell Hostels, Vineyard, Zone O Middle part(Fire Street), Municipal Workers Flats, Zone N, and M, Old Corobrik Hostels, Mdala Street(Old Hostels)

Table 2:56: Ward 15 Committee Members

Name of representative	Capacity representing
N Sinkinya	Councillor
T Dishi	Geographic
NJ Kepu	Geographic
G Kota	Geographic
M Kumalo	Geographic
TJ Lepheana	Geographic
EP Masimini	Geographic
P Nyakaza	Geographic
N Ngwevela from Jan 2020	Geographic
T Tshatani from Jan 2020	Geographic
L Xelenga	Geographic
V Maramnco	Ward Administrator

Ward 16: Long Street, Eike Street, Jakaranda Street, Short Street, Curry Street, Quarry Street, Primrose Street, Pine Street, Hoop Street, North End Street,Vredelust Street Noord Vredelust West Street, Laai Street, Last Street, Arnolds Street, Anthony Street, Carriem Street, Davidse Street, Cupido Street, Ismael Street, Crombi Street, Chippendale Street Bergstedt Street, Achilles Street, Africa Street, Cornelson Street Cloetesville

Table 2:57: Ward 16 Committee Members

Name of representative	Capacity representing
E Vermeulen	Councillor
J Beneke	Curry, Pine, Primrose, Silvia, Quarry
L De Klerk until October 2019	Curry, Pine, Primrose, Silvia, Quarry
A Flink	Last to North End Streets
M Fredericks	Curry, Pine, Primrose, Silvia, Quarry
E Gordon	From Sports Field to last Street
A Meyer	Tennatville and Slabtown
J Williams	Long Short, Jakaranda, Eike Streets
J Henry until Aug 2019	Laetitia Park
Y Lamberts	Ward Administrator

Ward 17: Longstreet, Kloof Street, Fir Street, Williams Street, Rhode Street, Hendrickse Street, February Street, Weltevrede 2 and Welgevonden, King Street, Hine Street, Fontein Street, Wilger Street, Raziet Street, Pool Street, Valentyn Street, Ortell Street, King Street, Isaac Street, Stellita Park, Gabriel Street, Part of Lackay Street

Table 2:58: Ward 17 Committee Members

Name of representative	Capacity representing
P Biscombe	Councillor
J Fasser	Soekmekaar and surrounds
J Joon	Rietenbosch
D Smith	Flats: Kloof and Long Streets
A Van der Mescht	Welgevonden
A Van der Westhuizen	Huis Ebenhaezer
M Wagner	Rhode Street Flats
D Robyn	Stelitta Park
J September from Sept 2019	-
J Isaacs from Sept 2019	-
H Sauls	Ward Administrator

Ward 18: Klapmuts and surrounding farms

Table 2:59: Ward 18 Committee Members

Name of representative	Capacity representing
E Fredericks	Councillor
J Kleinsmith from July 2019	New Houses, Brickfields
J Fredericks	Koelpark
W Johannes	Sand, Bell, Merchant, Railway Houses
A Michel	Weltevrede Park 1
N Mtaba	Mandela City, Lawson
J September	La Rochelle, Pinotage Village
J Fochessati	New Houses / Brickfield
G Wentzel	Rozenmeer, Police Station, Farms
G Hector	Weltevrede Park 2
B Foster	Ward Administrator

Ward 19: Elsenburg, Vaaldraai, Slaley, Kromme Rhee, De Novo, Bottelary, De Hoop, Simonsig and surrounding farms

Table 2:60: Ward 19 Committee Members

Name of representative	Capacity representing
JKI Hendriks	Councillor
V Fortuin from Feb 2020	Elsenburg
Vacant	De Novo
F Hansen	De Novo
A Kamfer	Bottelary Farms
C Martins	Bottelary Farms
J May	Koelenhof / Koelpark
C Adriaanse	Weltevrede / Smartietown

Name of representative	Capacity representing
Z Daniels	Kromme Rhee
James Williams	Ward Administrator

Ward 20: Vlottenburg, Raithby, Lynedoch, Mooiberge, Meerlust and Polkadraai

Table 2:61: Ward 20 Committee Members

Name of representative	Capacity representing
A Crombie	Councillor
AT Joon	Vlottenburg
D Fortuin	Vlottenburg
CHO Gordon	Raithby
P Taaibosch	Vlottenburg
M James	Raithby
G Pojie	Vlottenburg
E Jacobs	Lynedoch Farms
A Malgas	Meerlust Farms
Vacant	Polkadraai
E Mpemnyama (May 2018)	Ward Administrator

Ward 21: Jamestown, Paradyskloof, De Zalze, Techno Park, Blaauwklippen and surrounding farms

Table 2:62: Ward 21 Committee Members

Name of representative	Capacity representing
R Badenhorst	Councillor
V Malmnas	De Zalze
S McNaughton	Blaauklippen
R Kriel from Aug 2019	Paradyskloof
A Levendal from Aug 2019	Jamestown
HC Eggers	Paradyskloof
O Meyer from Aug 2019	Jamestown
F Van der Merwe until Mar 2020	Paradyskloof
A Verwey from Aug 2019	Paradyskloof
B Pieterse	Jamestown / Mountainview
N Williams	Ward Administrator

Ward 22: Krigeville, Dalsig, Welgelegen, Brandwacht, Die Boord and Kleingeluk

Table 2:63: Ward 22 Committee Members

Name of representative	Capacity representing
E Groenewald	Councillor
M Vlok	Bo-Brandwacht, Faber, Kolbe, Mazot, LeSeuer, Linne
P Kruger	Van Taak, Wege, Robbertz, De Wet, Barry
A Pelser	Constantia, Welgevallen Alpen, Draailaan
I Maree from Nov 2019	Rokewood Mairina, Saffraan, Kaneel, Blenheim
E Slabber	Piet Retief Bult, Welgevallen, Draailaan, Lourenz, Sering, Bergh, Vlier, Pleunis, Nooitgedacht
A Coetzee	Skadu, Lower, Binnekring, Buitekring
R Lambrechts	Rhodes Noord, Van Rheede, Formosa, Sultan, Swellengrebel, Keiffer, Woltemade

Name of representative	Capacity representing
P Schaafsma	Upper-Lovell, Fairways, Peeka and other, Elbertha, Lovell, Forelle, Santa Rosa
S Wilson	Dalsig, Dennerand, Coligny, Dennesig, Park
W Crowley	Ward Administrator

2.3.4 FUNCTIONALITY OF WARD COMMITTEES

The purpose of a ward committee is to:

- create formal communication channels between the community and Council;
- advise the Ward Councillor in identifying the needs and concerns of the community;
- support the Ward Councillor in informing the community about their rights and responsibilities; and
- support the Ward Councillor in consulting with community members and providing feedback.

The COVID-19 pandemic has undoubtedly brought the world to a standstill prompting governments including local governments to be responsive to the plight of marginalised individuals and vulnerable groups.

In an effort to limit the spread of the pandemic, large gatherings where banned including all public meetings, ward meetings at local government level and other invited or created spaces of engagements. The rapid transmission of the pandemic across the globe caused severe panic and its prevention became the number one priority to be addressed.

It is without a doubt that the biggest casualty of the COVID-19 pandemic is public participation. Local government has the responsibility to provide the platforms / tools thereby enabling people to be part of the oversight and public participation activities.

Public participation is crucial in the collective response to the COVID-19 pandemic from adherence to the regulations to the steps needed to be taken on easing of the restrictions imposed by National Government.

Ward committees need to find new ways of conducting business inter alia through platforms such as virtual meetings which produce various challenges for some constituencies.

The table below provides information on the establishment of Ward Committees and their functionality:

Table 2:64: Functionality of Ward Committees

Ward Number	Committee established	Number of items /reports submitted to the Speakers/IDP Office	Number of Public meetings	Meeting dates of ward committees	Committee functioning effectively
	Yes / No				Yes / No
1	Yes	-	1	18 Jul 8 Aug 5 Sept 3 Oct 7 Nov 5 Dec 6 Feb 12 Mar No meetings Mar to Jun due to National Lockdown	Yes

Ward Number	Committee established	Number of items /reports submitted to the Speakers/IDP Office	Number of Public meetings	Meeting dates of ward committees	Committee functioning effectively
	Yes / No				Yes / No
2	Yes	-	1	18 Jul 15 Aug 9 Sep 10 Oct 14 Nov 5 Dec 20 Feb No meetings Mar to Jun due to National Lockdown	Yes
3	Yes	-	-	9 Jul 19 Aug 18 Nov 8 Dec 27 Feb No meetings Mar to Jun due to National Lockdown	Yes
4	Yes	-	-	10 Aug 4 Dec 11 Feb No meetings Mar to Jun due to National Lockdown	Yes
5	Yes	-	2	30 Jul 6 Aug 3 Sept 8 Oct 5 Nov 3 Dec 21 Jan 11 Feb 03 Mar No meetings Apr to Jun due to National Lockdown	Yes
6	Yes	-	1	7 Aug 5 Sept 2 Oct 6 Nov 4 Dec 12 Feb 4 Mar No meetings Apr to Jun due to National Lockdown	Yes
7	Yes	-	-	26 Nov 26 Feb No meetings Mar to Jun due to National Lockdown	Yes
8	Yes	-	2	17 July 7 Aug	Yes

Ward Number	Committee established	Number of items /reports submitted to the Speakers/IDP Office	Number of Public meetings	Meeting dates of ward committees	Committee functioning effectively
	Yes / No				Yes / No
				2 Oct 6 Nov 5 Feb No meetings Apr to Jun due to National Lockdown	
9	Yes	-	2	23 July 27 Aug 22 Oct 26 Nov 18 Feb No meetings Apr to Jun due to National Lockdown	Yes
10	Yes	-	1	9 Jul 3 Sept 5 Nov 3 Dec 6 Feb No meetings Mar to Jun due to National Lockdown	Yes
11	Yes	-	2	9 Jul 9 Sept 15 Oct 12 Nov 10 Mar No meetings Apr to Jun due to National Lockdown	Yes
12	Yes	-	-	14 Aug 12 Sept 10 Oct 19 Nov 13 Feb No meetings Mar to Jun due to National Lockdown	Yes
13	Yes	-	-	9 Jul 6 Aug 10 Sept 5 Oct 3 Nov 11 Feb 10 Mar No meetings Apr to Jun due to National Lockdown	Yes
14	Yes	-	-	25 Jul 12 Aug 16 Sept 14 Oct 11 Nov	Yes

Ward Number	Committee established Yes / No	Number of items /reports submitted to the Speakers/IDP Office	Number of Public meetings	Meeting dates of ward committees	Committee functioning effectively Yes / No
				19 Feb No meetings Mar to Jun due to National Lockdown	
15	Yes	-	-	23 Jul 14 Aug 17 Sept 22 Oct 26 Nov 28 Jan 18 Feb No meetings Mar to Jun due to National Lockdown	Yes
16	Yes	-	1	9 Jul 6 Aug 10 Sept 8 Oct 12 Nov 4 Feb 10 Mar No meetings Apr to Jun due to National Lockdown	Yes
17	Yes	-	1	17 Jul 7 Aug 4 Sept 2 Oct 6 Nov 5 Dec 4 Feb 4 Mar No meetings Apr to Jun due to National Lockdown	Yes
18	Yes	-	1	18 Jul 15 Aug 12 Sept 10 Oct 07 Nov 5 Dec No meetings Apr to Jun due to National Lockdown	Yes
19	Yes	-	1	4 July 1 Aug 5 Sept 3 Oct 7 Nov 5 Dec 23 Jan 13 Feb 5 Mar No meetings Apr to	Yes

Ward Number	Committee established	Number of items /reports submitted to the Speakers/IDP Office	Number of Public meetings	Meeting dates of ward committees	Committee functioning effectively
	Yes / No				Yes / No
				Jun due to National Lockdown	
20	Yes	-	-	11 Jul 15 Aug 19 Sept 17 Oct 15 4ov 26 Feb No meetings Mar to Jun due to National Lockdown	Yes
21	Yes	-	1	6 Aug 3 Sept 1 Oct 5 Nov 18 Feb No meetings Mar to Jun due to National Lockdown 4 Jun	Yes
22	Yes	-	2	24 Jul 7 Aug 4 Sept 2 Oct 7 Nov 5 Feb 4 Mar No meetings Apr to Jun due to National Lockdown	Yes

2.4 COMPONENT C: CORPORATE GOVERNANCE

Corporate governance is the set of processes, practices, policies, laws and stakeholders affecting the way an institution is directed, administered or controlled. Corporate governance also includes the relationships among the many stakeholders involved and the goals for which the institution is governed.

2.4.1 RISK MANAGEMENT

Section 62 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), states that the Accounting Officer should take all reasonable steps to ensure that the municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control, as well as the effective, efficient and economical use of the resources of the municipality.

This responsibility was delegated to the Chief Risk Officer. During the year under review, the following was done:

- continuous awareness raising throughout the municipality;
- the Risk Management Committee was established to facilitate and govern the risk management process, with a terms of reference, and has been operational since January 2013;
- the Chief Audit Executive has a seat on the Risk Management Committee where all risk and fraud management related activities are reported;
- the Risk Management Committee reports to the Audit Committee;
- risk registers have also been completed at an operational level;
- the previous year's strategic registers were revisited and an acceptable risk appetite was determined;
- the revised risk register was adopted by Council;
- risks were also identified which could prevent the achievement of the predetermined objectives, and were noted in the SDBIP; and
- the Risk Management Policy was reviewed and adopted by Council;

Although the Chief Risk Officer is responsible for coordinating and facilitating risk management at all levels within the municipality, management plays an active role in risk management and the mitigation of risk exposure.

The top 5 risks identified for 2019/20 are as follows:

1. Scarcity of landfill space.
2. Increase community unrest in the run up to the elections.
3. Growth in demand for housing exceeds the resources available for development and growing asset management constraints.
4. Electricity Supply Constraints.
5. Financial Sustainability.

Risk Management Grid

Low	Low 1-8
Moderate	Moderate 9-15
Major	High 16-19
Critical	Critical 20-25

2.4.2 STRATEGIC RISKS IDENTIFIED

Table 2:65: Strategic Risks Identified

Revised Strategic Risks						
Risk Item	**Risk Description**	**Risk Background**	**Strategic Focus Areas**	**Impact Rating**	**Likelihood Ratings**	**Directorate**
SR 1	Scarcity of landfill space	Unavailability of suitable land Costs of SLAs and alternative waste disposal Legislative requirements i.e EIA applications and approvals etc.	Green and Sustainable Valley	**4**	**4**	Infrastructure Services
SR 2	Increased community unrest in the run up to the elections.	Illegal invasions and landgrabs Job creation / opportunities Housing backlogs Safety of ward Councillors	Safe Valley	**4**	**5**	Municipal Manager/All Directorates
SR 3	Growth in demand for housing exceeds the resources available for development and growing asset management constraints	Lack of bulk infrastructure Lack of identified and suitable land, unrealistic eviction judgments Aging infrastructure as a result of poor maintenance of existing infrastructure Insufficient resources for new infrastructure	Dignified Living	**4**	**5**	Planning and Economic Development
SR 4	Electricity supply constraints	Recurrence of load-shedding Possible further constraints to Eskom electricity supply	Valley of Possibility	**4**	**5**	Infrastructure Services, Community Protection Services, Financial Services
SR 5	Financial Sustainability	Debt management Cash-flow Changes patterns in revenue	Good governance and Compliance, Green and Sustainable Valley	**5**	**4**	Financial Services
SR 6	Loss of credibility and reputation due to perceived fraud and corruption	Abuse of legislation Reputational risk and credibility Incorrect media statements and role of social media in incorrect negative reports etc.	Good Governance and Compliance	**4**	**5**	All Directorates
SR 7	Material misstatements in the AFS	System errors Transactions and events not recognised as they occur and accordingly not recorded in the financial period it occurred	Good Governance and Compliance	**5**	**3**	Financial Services
SR 8	Urbanisation and growth	Comprehensive understanding of the developmental needs in the greater Stellenbosch area housing pipeline; Rapid and continued urbanisation Changes in the needs of the community; master plans; housing pipeline	Valley of Possibility	**4**	**3**	Infrastructure Services

Revised Strategic Risks						
Risk Item	**Risk Description**	**Risk Background**	**Strategic Focus Areas**	**Impact Rating**	**Likelihood Ratings**	**Directorate**
		IDP and SDF alignment				
SR 9	Losing the historic status of Stellenbosch w.r.t environment (trees, biodiversity, buildings, rivers, etc.)	Keeping the balance - development and the historic status	Dignified Living; Valley of Possibility; Green and Sustainable Valley	**4**	**3**	All Directorates
		Occurrence of natural disasters				
Revised Operational Risks						
OR 1	Lack of integrated Information and Communication Technology	Disparate systems	Good Governance and Compliance	**4**	**3**	All Directorates
OR 2	Water scarcity	Limited sustainable water sources	Dignified Living; Valley of possibility; Green and Sustainable Valley	**5**	**2**	Infrastructure Services
		Growing population with increase in demand				
		Pollution of sources				
OR 3	Insufficient burial space in the greater Stellenbosch	Planning and funding	Dignified Living	**2**	**5**	Infrastructure Services
		Land availability				
OR5	Timeous capital spending	Steady increase in budget allocation	Good Governance and Compliance	**5**	**2**	Financial Services
		Growing population and demand for services				
		Demand Management				
Revised Emerging Risks						
ER 1	Climate change	Changing weather patterns	Green and Sustainable Valley; Safe Valley	**4**	**3**	Office of the Municipal Manager; Community and Protection Services
		Unpredictable rainfall / flash floods				
		Natural disasters e.g. drought, fires (seasonal and other)				

2.4.3 ANTI-CORRUPTION AND ANTI-FRAUD

Section 83(c) of the MSA refers to the implementation of effective bidding structures to minimise the possibility of fraud and corruption, while the MFMA, section 112(1)(m) (i), identifies supply chain measures to be enforced to combat fraud and corruption, favouritism and unfair and irregular practices. Section 115(1) of the MFMA states that the accounting officer must take steps to ensure mechanisms are put in place and separation of duties in a supply chain management system to minimise the likelihood of corruption and fraud.

As with risk management the Municipal Manager, Management and Council have taken ownership of combatting fraud and corruption throughout the municipality.

The new Anti-Fraud and Corruption Prevention Policy underwent a process of consultation with key internal stakeholders and the Audit and Audit Performance Committee. The intention of the new policy is to strengthen fraud and corruption prevention at all levels within the municipality and re-invest the management of fraud and corruption to management at all levels. The new Anti-Fraud and Corruption Prevention Policy was adopted by Council in May 2018.

The fraud hotline or tip-off line is also fully functional and managed by an independent service provider. A toll free number and e-mail service are available to members of the public to report any suspected fraudulent or corrupt activities.

2.4.4 AUDIT AND PERFORMANCE AUDIT COMMITTEE

Section 166(2)(a) of the MFMA states that an audit committee is an independent advisory body which must – advise the Municipal Council, the political office-bearers, the Accounting Officer and the management staff of the municipality, on matters relating to:

- internal financial control and internal audit;
- risk management;
- accounting policies;
- the adequacy, reliability and accuracy of financial reporting information;
- performance management;
- effective governance;
- compliance with this Act, the annual Division of Revenue Act and any other applicable legislation;
- performance evaluation; and
- any other issues referred to it by the municipality.

2.4.5 FUNCTIONS OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE

The Municipal Audit and Performance Audit Committee's objectives and functions are based on Section 166(2) (a-e) of the MFMA, further supplemented by the Local Government: Municipal Planning and Performance Management Regulation, as well as the approved Audit and Performance Audit Committee Charter approved 28 March 2018 by Council.

The objectives of the Audit and Performance Audit Committee (APAC) of the Stellenbosch Municipality are to:

- Assist the Council in discharging its duties relating to the safeguarding of Council's assets;
- Develop and oversee the operation of an adequate internal process and control system;
- Oversee the preparation of accurate financial reporting and statements in compliance with all applicable legal requirements, corporate governance and accounting standards;
- Provide support to the Council on the risk profile and risk management of the Council; and
- Ensure that there is an internal audit function in place and that the roles of the internal and external audit functions are coordinated.

The APAC is responsible for the oversight of internal controls, financial reporting and compliance with regulatory matters and mainly make recommendations to management.

The responsibilities of the APAC are further to review the:

- Effectiveness of the Council's system of internal control and risk management;
- Financial reporting and financial statements;
- Internal Audit function;
- Auditor General's report;
- Council's compliance with legislation and regulation;
- Compliance with the Council's Code of Conduct and ethics; and

- Performance Management System to make recommendations in this regard to Council.

The committee members are as follows:

Table 2:66: Members of the Audit and Performance Audit Committee

Name of representative	Capacity	Meeting dates
Dr NL Mortimer	Chairperson (re-appointed for a second term 1 April 2019)	27 August 2019 27 November 2019 19 February 2020 29 June 2020
J Fairbairn	Member (appointed 30 March 2016, re-appointed for a second term 1 April 2019, resigned 18 March 2020)	
VJ Botto	Member (appointed 1 September 2017)	
TW Lesihla	Member (appointed 1 September 2017)	
J Williams (Ms)	Member (appointed 1 April 2019)	

The APAC advises Council, political office-bearers, the Accounting Officer and management of the municipality on the matters pertaining to duties as described in the Audit and Performance Audit Committee Charter.

The APAC is also accountable to identify major risks to which Council is exposed and determine the extent to which risks have been mitigated.

2.4.6 INTERNAL AUDITING

Section 165(2)(a), (b) and (c) of the MFMA requires that:

The internal audit unit of a municipality must: –

a. prepare a risk based audit plan and an internal audit programme for each financial year; and
b. advise the accounting officer and report to the Audit Committee on the implementation of the internal audit plan and matters relating to:

    - internal audit;
    - internal controls;
    - accounting procedures and practices;
    - risk and risk management;
    - performance management;
    - loss control; and
    - compliance with this Act, the annual Division of Revenue Act and another applicable legislation.

c. perform such other duties as may be assigned to it by the Accounting Officer.

Stellenbosch Municipality's Internal Audit function is performed by in-house staff. The main focus areas were compliance to applicable laws, regulations, policies and procedures which resulted in both assurance as well as consulting work. During the year under review, the internal audit activity was able to effectively execute 87% of the initial adopted risk-based audit plan.

In addition, process flowcharts for all identified audit areas have been documented, highlighting the key controls and / or control gaps for process owners' / line managers to consider and implement. Follow-up reviews were conducted relating to previously reported matters during the previous financial year.

2.4.6.1 Risk Register and three-year Strategic Plan

Table 2:67: Risk Register and Three-Year Strategic Plan

Audit Activity	2017/18	2018/19	2019/20
Statutory audits			
Division of Revenue Act (DoRA) Compliance	✓	✓	✓
Pre-determined Objectives	✓	✓	✓
Performance Management System		✓	✓
Performance reviews: MM and Directors		✓	✓
Risk Management Review	✓	✓	✓
MGRO 1 and 2	✓	✓	✓
Additional audits after review of risks			
Supply Chain Management	✓	✓	✓
ITGC, Applications Review and Support Services Equipment	✓		✓
Review of Cobit Compliance		✓	✓
Governance	✓	✓	
Quarterly Key Control Reviews (SORR)	✓	✓	✓
Financial Year-End Stock-Take	✓	✓	✓
mSCOA	✓	✓	✓
Water Services	✓		
Human Resources: Labour Relations	✓		
Building plans and applications for re-zoning		✓	
Follow-up reviews			
AG Follow-Up Review	✓	✓	✓
Supply Chain Management			✓
Performance Management System			✓
Revenue – Indigent consumer verification	✓		
Risk management follow up		✓	

√ Confirms audit activity completed in the financial year

Risk assessment updates were performed during the 2019/20 financial year and all relevant risks were populated into an updated Risk Register for the municipality. This Risk Assessment Plan forms the basis of the 2019/20 financial year's Risk-Based Audit Plan. New updates to the Stellenbosch Municipality's risk profile were captured during 2019/20 in consultation with the Risk Management Committee. This will ensure that adequate audit coverage be obtained from Internal Audit in consultation with the Auditor General and management.

2.4.6.2 Annual Risk Based Audit Plan

Risk-Based Audit Plan for 2019/20 was implemented with available resources. The table below provides detail on audits completed:

Table 2:68: Annual Risk-Based Audit Plan

Audit Activity	Total Hours budgeted	Actual hours	Timing
DoRA Compliance	120		Scheduled for August 2020
Risk Management	400	365	Final report
MGRO 1 and 2 (MGAP)	200	84.5	Submission to Province done – awaiting feedback
IA follow up review:	400		

Audit Activity	Total Hours budgeted	Actual hours	Timing
• PMS		89	Final report
• SCM		87	Final report
AG follow up review	720	84	In progress
Quarterly Key Control reviews (SORR):	480		
• Quarter 4			AG to set up SORR with IA
• Quarter 1		180	
• Quarter 2			
• Quarter 3			
Performance Management:			
Pre-determined Objectives	720		
• Quarter 4		180	Final Report submitted
• Quarter 1		190	Final Report submitted
• Quarter 2		156	Final Report submitted
• Quarter 3		180	Final Report submitted
Performance Management System	300	261	In progress
Performance Reviews: MM and Directors (mid-year and annual assessments)	720	148	Final Report submitted
Supply Chain Management	720		Request APAC to approve roll over
Information Technology:			
• ITGC, Applications review and support services equipment	720		Request APAC to approve roll over
• Review of Cobit compliance	720		Request APAC to approve roll over
mSCOA	480		Request APAC to approve roll over
Building plans and applications for re-zoning:	720		
Applications for Building Plans		684	Final Report submitted
Applications for re-zoning		977	Final Report submitted
Biannual stores stock take	120	74	IA provided direct assistance to the AG(SA)
COVID-19: Compliance questionnaire preparation and assessment		168	Questionnaire finalised
Total	**7 540**	**3 907.5**	

2.4.6.3 PMS Audits

Actual performance was subjected to an internal audit review and results of their findings submitted to the Performance Audit Committee. Quarterly audits were performed and reported to the Audit Committee.

2.4.7 SUPPLY CHAIN MANAGEMENT

The Supply Chain Management Policy applicable to the 2019/20 financial year was revised and adopted by Council on 29 May 2019 (as APPENDIX 29 of the budget-related policies) in terms of section 17(1) – (3) of the MFMA.

The changes referred to above will ensure that the Supply Chain Management Unit (SCMU) has the required legislative mandate to further streamline procedures and processes in order to promote more efficient and effective service delivery to all our internal and external stakeholders.

2.4.7.1 Competitive bids in excess of R200 000

Bid Committee Meetings

The following table details the number of Bid Committee meetings held for the 2019/20 financial year:

Table 2:69: Bid Committee Meetings

Bid Specification Committee	Bid Evaluation Committee	Bid Adjudication Committee
41	139	43

The attendance figures of members of the Bid Specification Committee are as follows:

Table 2:70: Attendance of Members of Bid Specification Committee

Member	% Attendance
Supply Chain Management Representative	100%
Relevant technical expert responsible for a function	100%

The attendance figures of members of the Bid Evaluation Committee are as follows:

Table 2:71: Attendance of Members of Bid Evaluation Committee

Member	% Attendance
Senior Accountant: SCM or SCM Practitioner	100%
Relevant technical expert responsible for a function	100%

The attendance figures of members of the Bid Adjudication Committee are as follows:

Table 2:72: Attendance of Members of Bid Adjudication Committee

Member	% attendance
Director Financial Services (Chairperson)	100%
Director Planning and Economic Development	82.93%
Director: Infrastructure Services	97.56%
Director: Community and Protection Services	92.68%
Director: Corporate Services	90.24%

The percentages indicated above include the attendance by those officials acting in the position of a bid committee member and / or chairperson.

2.4.7.2 Awards made by the Bid Adjudication Committee

The Bid Adjudication Committee awarded 66 bids with a value of R 224 283 067.49, excluding annual tenders awarded on the basis of approved rates. The ten highest bids awarded by the bid adjudication committee are as follows:

Table 2:73: Ten Highest Bids Awarded by Bid Adjudication Committee

Bid number	Title of bid	Directorate and section	Successful Bidder	Value of bid awarded
BSM 30/19	The upgrade and extension of the Pniël wastewater treatment works: mechanical and electrical installation	Infrastructure Services	Inenzo Water (Pty) Ltd Option 1.	R63 909 796
BSM 29/19	The upgrade and extension of the Pniël wastewater treatment works: civil works	Infrastructure Services	CSV Mazarin JV Option 1.	R61 871 692
BSM 16/20	The steps / Orlean lounge, Cloetesville, Stellenbosch: rectification of 161 houses	Human and informal settlements	Tops Construction cc.	R17 045 724
BSM 18/20	Maintenance and operation of public ablution facilities at Stellenbosch and	Infrastructure Services	Ibhunga Cleaning	R10 022 338

Bid number	Title of bid	Directorate and section	Successful Bidder	Value of bid awarded
	Jamestown informal settlements: period ending 30 June 2022.		and Bricks Paving.	
BSM 17/20	Upgrading of Stellenbosch Municipality fire station.	Community Services	Ilitha Painters and Decorators t/a The Construction co.	R8 764 666
BSM 07/20	Supply and Delivery of Major 4 X 4 Rescue Pumper with CAFS Pump and Medium 4 X 4 Pumper / RIV.	Community Services	Marce Projects - MAJOR 4X4 Rescue Pumper CAFS (Compress Air Foam System) PUMP option 2.	R5 165 305
			Marce Projects - MAJOR 4X4 Rescue Pumper CAFS (Compress Air Foam System).	R1 868 972
BSM 13/20	Maintenance and operation of public ablution facilities at Franschhoek and Klapmuts informal settlements: period ending 30 June 2022.	Infrastructure Services	Primaj Construction Works (PTY) Ltd.	R5 819 556
BSM 38/20	Emergency supply, fit and maintenance of tyres for solid waste management, as and when required for the period ending 30 June 2022.	Infrastructure Services / Solid Waste	BBBEE Tyres Holdings Pty Ltd.	R5 355 425
BSM 58/20	Upgrading of Eikestad Hall, Cloetesville.	Corporate Services	Ismail Davids and Associates.	R4 733 195
BSM 39/20	Construction of a new clubhouse at La Motte, Stellenbosch.	Corporate Services	LJA Construction.	R4 550 539

2.4.7.3 Awards made by the Accounting Officer

In terms of paragraph 2.4 of Council's Supply Chain Management policy, only the Accounting Officer may award a bid which is in excess of R 10 million. The authority to make such an award may not be sub-delegated by the Accounting Officer. The bids awarded by the Accounting Officer are as follows:

Table 2:74: Awards made by the Accounting Officer

Bid number	Title of bid	Directorate and Section	Value of bid awarded
BSM 30/19	The upgrade and extension of the Pniël wastewater treatment works: mechanical and electrical installation.	Infrastructure Services	R63 909 796
BSM 29/19	The upgrade and extension of the Pniël wastewater treatment works: civil works.	Infrastructure Services	R61 871 692
BSM 16/20	The steps / Orlean lounge, Cloetesville, Stellenbosch: rectification of 161 houses.	Human and Informal Settlements	R17 045 724
BSM 18/20	Maintenance and operation of public ablution facilities at Stellenbosch and Jamestown informal settlements: period ending 30 June 2022.	Infrastructure Services	R10 022 338
BSM 47/20	Provision of licensed and compliant waste disposal facilities to receive and dispose of general waste and asbestos from the Stellenbosch Municipal Area.	Infrastructure Services	Rates

2.4.7.4 Objections Lodged

The municipality received sixteen (16) general enquiries pertaining to the awarding of bids.

The municipality also had eighteen (18) appeals which were resolved together with two (2) objections which were also dealt with.

2.4.7.5 Formal Quotations (above R30 000 and below R200 000) Procurement Processes

The number of formal quotations approved by the Head: Supply Chain Management for the year under review follows:

Table 2:75: Formal Quotations (above R 30 000 and below R 200 000)

Description	Financial Years					Increase/ Decrease 2016/17 – 2017/18	Increase / Decrease 2017/18 – 2019/20
	2015/16	2016/17	2017/18	2018/19	2019/20		
Number of Awarded Formal Quotations	246	274	206	203	145	-33.01%	-40%
Total Formal Quotations advertised	322	378	264	249	159	-43.18%	-56.60%
Percentage awarded	**76.40%**	**72.49%**	**78.03%**	**81.53%**	**91.19%**	**+7.1%**	**+10.59%**

2.4.7.6 Deviation from normal Procurement Processes

Paragraph 4.36 of Council's Supply Chain Management Policy allows the Accounting Officer to dispense with the official procurement process. The following table indicates the number of certificates of emergencies and deviations approved in terms of section 4.36 of the SCM Policy.

Table 2:76: Deviation from Normal Procurement Process

Description	Financial Years							Increase / Decrease 2016/17 – 2017/18	Increase / Decrease 2017/18 – 2019/20
	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20		
Certificate of Emergencies: Approved by the Directors i.t.o. Section 4.36.4 of the SCM Policy	58	0	0	0	0	0	0	0	0
Deviations: Approved by the Accounting Officer i.t.o. Section 4.36.1 of the SCM Policy	97	68	26	54	54	42	32	0%	-31.25%
TOTAL	**173**	**155**	**68**	**26**	**54**	**54**	**32**	**0%**	**-31.25%**

Deviations from the normal procurement processes have been monitored closely to mitigate the risk associated with it.

2.4.7.7 Disposal Management

The system of disposal management envisages the following:

- immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
- movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
- firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
- immovable property is let at market related rates, except when the public plight of the poor demands otherwise;
- all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed;
- where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
- 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.

The municipality complies with section 14 of the MFMA which deals with the disposal of capital assets as well as with the Asset Transfer Regulations.

2.4.7.8 Supply Chain Management Performance Management

The SCM policy requires that an internal monitoring system be established and implemented in order to determine, on the basis of retrospective analysis, whether the SCM processes were followed and whether the objectives of the SCM policy were achieved.

Monitoring of internal processes is an on-going process. Procedure manuals for various SCM processes have been developed, approved and are being implemented.

2.4.8 BY-LAWS AND POLICIES

Section 11 of the MSA gives municipal councils the executive and legislative authority to pass and implement by-laws and policies.

Budget related policies reviewed in the 2018/19 financial year are listed below.

Table 2:77: Budget Related Policies Reviewed

Policies Revised	Date Adopted	Public Participation Conducted Prior to Adoption of Policy
		Yes / No
Inventory Management Policy	29 May 2019	Yes
Preferential Procurement Policy	29 May 2019	Yes
Rates By-Law	29 May 2019	Yes
Rates Policy	29 May 2019	Yes
Supply Chain Management Policy	29 May 2019	Yes
Travel and Subsistence Policy	29 May 2019	Yes
Indigent Policy	29 May 2019	Yes
Credit Control and Debt Collection Policy	29 May 2019	Yes
Irrecoverable Debt Policy	29 May 2019	Yes

Policies Revised	Date Adopted	Public Participation Conducted Prior to Adoption of Policy
		Yes / No
Accounting Policy	29 May 2019	Yes
Cash Management and Investment Policy	29 May 2019	Yes
Tariff By-Law	29 May 2019	Yes
Tariff Policy	29 May 2019	Yes
Grants-In-Aid Policy	29 May 2019	Yes
Virement Policy	29 May 2019	Yes
SCM Policy for Standard for Infrastructure and Delivery Management	29 May 2019	Yes
Petty Cash Policy	29 May 2019	Yes
Performance Management Policy	29 May 2019	Yes
Development Charges Policy	29 May 2019	Yes
Special Ratings Area By-Law	29 May 2019	Yes
Special Ratings Area Policy	29 May 2019	Yes
Borrowing, Funds and Reserves Policy	29 May 2019	Yes
Financing of External Bodies performing municipal functions Policy	29 May 2019	Yes
Budget Implementation and Monitoring Policy	29 May 2019	Yes
Liquidity Policy	29 May 2019	Yes
Asset Management Policy	29 May 2019	Yes
Ward Allocation Policy	29 May 2019	Yes
Asset Management Policy	28 May 2018	Yes

2.4.9 WEBSITE

The municipal website is an integral part of a municipality's communication infrastructure and strategy. It serves as a tool for community participation, improves stakeholder involvement and facilitates stakeholder monitoring and evaluation of municipal performance. Section 75 of the MFMA requires that municipalities place key documents and information on their website, including the IDP, the annual budget, adjustments budgets and budget related documents and policies.

Below is a website checklist to indicate the compliance to Section 75 of the MFMA:

Table 2:78: Website Checklist

Documents Published on the Stellenbosch Municipality's Website	Yes / No	Publishing Date
Current annual and adjustments budgets and all budget-related documents	Yes	Within legislated period
All current budget-related policies	Yes	Within legislated period
Current annual and adjustment budgets and all budget-related documents	Yes	Within legislated period
All current budget-related policies	Yes	Within legislated period
The annual report for 2019/20	Yes	Within legislated period
All current performance agreements required in terms of section 57(1)(b) of the Municipal Systems Act for 2019/20	Yes	Within legislated period
All service delivery agreements for 2019/20	Yes	Within legislated period
All long-term borrowing contracts for 2019/20	Yes	Within legislated period
All supply chain management contracts above a prescribed value for 2019/20	Yes	Within legislated period
An information statement containing a list of assets over a prescribed value that have been disposed of in terms of section 14(2) or (4) during 2019/20	Yes	Within legislated period

2.4.10 COMMUNICATION

Local government has a legal obligation and a political responsibility to ensure regular and effective communication with the community. The Constitution of the Republic of South Africa Act 1996, section 152 (1)(e), in setting out the objectives of local government, states that municipalities must "encourage the involvement of communities and community organisations in the matters of local government". Section 160(7) of the Constitution further says that "a municipal council must conduct its business in an open manner, and may close its sittings, or its committees, only when it is reasonable to do so".

The Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) MSA, section 4, encourages the involvement of communities in the affairs of their municipalities. As a local government, we have an obligation to act with high levels of transparency, accountability, openness, participatory democracy and direct communication with communities to improve the lives of residents.

At the heart of our Communication Policy, adopted by Council in July 2018, lies the notion of improved communication that facilitates public participation. The municipality has made steady improvements in its attempts to streamline and improve its communications with residents, businesses, the media as well as other external stakeholders. Ensuring that the right messages reach the intended audiences on the most appropriate platforms and continuously facilitating conversations through our communication platforms, contributes to the strengthening of our corporate identity and brand.

Communication with the media has improved significantly. Comprehensive responses are prepared to all media enquiries from community, local, regional and national publications / broadcasters on a weekly basis. Positive news stories are being disseminated through the proactive release of media statements. These statements and positive news stories are also amplified to reach audiences online by sharing it on the municipal website and social media platforms.

Members of the public can report faults or refer enquiries through an e-mail link on the website to the contact.stellenbosch@stellenboch.gov.za mailbox. This mailbox is regularly monitored and enquiries, compliments and complaints are forwarded to the relevant departments on a daily basis. The municipal website is updated with new official notices, formal quotations, tenders, news stories, vacancies as well as meeting agendas and minutes on an ongoing basis. The website is increasingly made more user-friendly and plans are already in place to simplify navigation and increase overall customer satisfaction by restructuring the website.

Communication through our social media platforms has increased significantly. The municipal Facebook page and Twitter account has been growing steadily and now reaches a much larger, ever-growing audience. Apart from being used to publicise municipal news stories, photos and videos, the social media platforms are used to broadcast important alerts and notices. Traffic is also diverted to the website through our social media platforms.

Municipal advertisements are regularly placed in community and regional newspapers and contribute to building the municipality's brand. The Executive Mayor's monthly newsletter, pamphlets, posters, notice boards and regular IDP / Ward meetings provides us with additional platforms for communicating with residents and other stakeholders.

In an effort to improve internal communication within the organisation, the interdepartmental communication forum has been established and meetings of this forum have proved to be invaluable. The interdepartmental communication forum meets at least quarterly. Improved internal

communication is further achieved through the newsletter of the Municipal Manager, internal memos, notice boards, a bulk SMS system and regular staff meetings.

2.4.11 COMMUNITY SATISFACTION SURVEY

No community satisfaction surveys were completed during the 2019/20 financial year.

2.4.12 PUBLIC SATISFACTION WITH MUNICIPAL SERVICES

Below is a communication checklist of the compliance to the communication requirements:

Table 2:79: Communication Activities

Communication activities	Yes / No
Communication Unit	Yes
Communication Strategy	Yes
Communication Policy	Yes
Customer satisfaction surveys	No
Functional complaint management systems	Yes
Newsletters distributed at least quarterly	Yes

3 CHAPTER 3: SERVICE DELIVERY PERFORMANCE

3.1 OVERVIEW OF PERFORMANCE WITHIN THE ORGANISATION

Performance management is a process that measures the implementation of the organisation's strategy as captured within the Integrated Development Plan (IDP). It is also a management tool to plan, monitor, measure and review performance indicators to ensure efficiency, effectiveness and the impact of service delivery by the municipality.

At local government level, performance management is institutionalised through the legislative requirements of the performance management process. Performance management provides the mechanism to measure whether targets are met in line with strategic goals as set by the organisation.

Section 152 of the Constitution of the Republic of South Africa, 1996, deals with the objectives of local government and paves the way for performance management. The idea of an accountable government is important to meet the needs of Stellenbosch. The democratic values and principles in terms of section 195(1) are also linked with the concept of performance management, with reference to the principles of the following, among others to:

- promote the efficient, economic and effective use of resources;
- ensure accountable public administration;
- be transparent by providing information;
- be responsive to the needs of the community; and
- facilitate a culture of public service and accountability amongst staff.

The MSA requires municipalities to establish a performance management system. Further, the MSA and the MFMA require the Integrated Development Plan (IDP) to be aligned to the municipal budget. The monitoring of organisational performance of the budget must be done against the IDP on a quarterly basis via the Service Delivery and Budget Implementation Plan (SDBIP). The report is made public after the council has been informed of the quarterly progress against set targets.

In addition, Regulation 7(1) of the Local Government: Municipal Planning and Performance Management Regulations of 2001 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 roles of the different role players". Performance management is not only relevant to the organisation as a whole, but also to the individuals employed in the organisation, as well as the external service providers and the municipal entities. This framework, *inter alia*, reflects the linkage between the IDP, the Budget and the SDBIP.

3.2 LEGISLATIVE REQUIREMENTS

In terms of section 46(1)(a) of the MSA, a municipality must prepare a performance report for each financial year that reflects the municipality's and any service provider's performance during the financial year. The report must furthermore indicate the development and service delivery priorities and the performance targets set by the municipality for the following financial year, and measures that were or are to be taken to improve performance.

3.3 ORGANISATIONAL PERFORMANCE

Strategic performance assessment indicates how well the municipality is meeting its objectives and which policies and processes are working. All government institutions must report on strategic performance to ensure that service delivery is efficient, effective and economical. Municipalities must develop strategic plans and allocate resources for their implementation. The implementation must be monitored on an ongoing basis and the results must be reported on during the financial year to various role players to enable them to implement corrective measures timeously where required.

This report highlights the strategic performance in terms of the municipality's Top-Layer Service Delivery and Budget Implementation Plan (SDBIP), high-level performance in terms of the strategic objectives of the municipality and performance on the National Key Performance Indicators prescribed in terms of Section 43 of the MSA.

3.4 ADOPTION OF A PERFORMANCE MANAGEMENT POLICY FRAMEWORK

The Performance Management Policy 2019/20 was reviewed and submitted to Council for approval in July 2019.

3.5 GOVERNANCE FRAMEWORK FOR THE IDP, BUDGET AND PERFORMANCE MANAGEMENT

The draft review of the 4th Generation IDP was tabled in March 2019 and was advertised for public comment thereafter. Stellenbosch Municipal Council adopted the reviewed Fourth Generation IDP (2017/18 – 2021/22) together with the 2019/20 MTREF Budget in May 2019.

The IDP is the principal planning instrument that guides and informs the municipal budget. The MSA requires each municipality in South Africa to prepare such a strategic plan to guide all development and management within the municipal area. The IDP sets out the development priorities of Stellenbosch Municipality over the next five years. The IDP must guide and determine municipal planning and project implementation. The 2019/20 budget was based on the IDP and other spheres of government and service providers.

The IDP for the period July 2017 to June 2022 gives expression to the political mandate that have been received from residents in the August 2016 local government election. The MSA requires municipalities to consult with their residents and the broader institutions, which elicited a positive reaction and involvement from the public.

The IDP is a strategic tool that guides all the activities of local government in consultation with residents and stakeholders. In keeping with the more evolved and strategic approach to this IDP, the implementation plan focuses on only the key strategic programmes, projects and initiatives that will support the achievement of the priorities during the five-year term of office. Its focus is on development in the broader sense and it is a structured plan that informs budget priorities, decision making and the allocation of resources.

The focus of the IDP is varied, and includes the provision of basic municipal services, measures for building and transforming municipal capacity, measures to assist in expanded livelihood opportunities for citizens, enterprise development, building dignified and safe living environments, and, crucially,

exploring new ways of working and living together. It directs and is informed by different aspects of the municipality's work, including how the municipality is structured politically and administratively, the municipal budget, the sector plans and service delivery and budget implementation plans of different municipal services, and how the municipality manages its performance.

The three-year budget sets out the revenue raising and expenditure plan of the municipality for approval by Council in accordance with the MFMA. The allocation of funds needs to be aligned with the priorities in the IDP.

The IDP must be reflected in the performance agreements of the relevant staff and through the budget, in the service delivery and budget implementation plan (SDBIP). The key performance management instrument of the municipality is the SDBIP. Linked to the IDP, the SDBIP forms the basis of the performance contracts of directors and quarterly, mid-year and annual performance reviews of senior management, directorates and the municipality.

3.6 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN

The organisational performance is evaluated by means of a municipal scorecard (Top-Layer SDBIP). Performance objectives, as reflected in the municipal scorecard, are required to be practical, measurable and based in the key performance indicators.

The SDBIP is a tool that converts the IDP and budget into measurable criteria of how, where and when the strategies, objectives and normal business processes of the municipality are implemented.

It also allocates responsibility to directorates to deliver the services in terms of the IDP and the budget.

MFMA Circular No. 13 is a clarification of the Municipal Budget and Reporting Regulations, Schedule A 1, GenN 393 in GG32141 of 2009 and prescribes that the:

- IDP and budget must be aligned;
- budget must address the strategic priorities;
- SDBIP should indicate what the municipality is going to do during the next 12 months; and
- SDBIP should form the basis for measuring the performance against goals set during the budget / IDP processes.

The Top-Layer SDBIP 2019/20 was approved by the Executive Mayor, Cllr Adv Gesie Van Deventer on the 26 June 2019 in terms of section 53(1)(c)(ii) of the MFMA.

3.6.1 THE MUNICIPAL SCORECARD (TOP-LAYER SDBIP)

The municipal scorecard (Top-Layer SDBIP) consolidates service delivery targets set by Council / senior management and provides an overall picture of the performance of the municipality as a whole, reflecting performance in its strategic priorities for the 2019/20 financial year. The scorecard is the performance evaluation tool and is used during the informal and formal performance assessment of senior managers.

Components of the Top-Layer SDBIP include:

One-year detailed plan with the following components:

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

Top-Layer KPIs were prepared based on the following:

- Key performance indicators (KPIs) for the programmes / activities identified to address the strategic objectives as documented in the IDP in co-operation with the community who identifies developmental priorities;
- KPIs identified during the IDP and KPIs that need to be reported to key municipal stakeholders; and
- KPIs to address the required national minimum reporting requirements.

3.6.2 AMENDMENT OF THE TOP-LAYER SDBIP

The TL SDBIP 2019/20 was reviewed once during the 2019/20 financial year and submitted to Council for approval on 29 January 2020.

3.6.3 ACTUAL PERFORMANCE

The municipality utilises an electronic web-based, real time performance-based system on which KPI owners update actual performance on a monthly basis. KPI owners report on the results of the KPI by documenting the following information on the performance system:

- The actual result in terms of the target set;
- A performance comment; and
- Actions to improve the performance by the submission of corrective measures to meet the set target for the reporting interval in question, if the target was not achieved.

It is the responsibility of every KPI owner to maintain a portfolio of evidence to support actual performance results updated and provide it to the Internal Auditor and Auditor General upon request during the quarterly and annual audit testing.

3.6.4 MONITORING OF THE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN

Municipal performance is measured as follows:

a) **Mid-year assessment and submission of the mid-year report to the Mayor in terms of section 72(1)(a).** In terms of section 72(1(a) of the 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.

b) **Quarterly assessment i.t.o. section 52(d) of the MFMA** to assess the performance of the municipality during the first half of the financial year.

The Executive Mayor, who must provide general political guidance over the fiscal and financial affairs of the municipality, is required by Section 52(d) of the MFMA 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.

Actual performance was audited by the Internal Audit Department and the results of their findings were submitted to the Audit and Performance Audit Committee (APAC).

- Quarter 1 (July to September 2019);
- Quarter 2 (October to December 2019);
- Quarter 3 (January to March 2020); and
- Quarter 4 (April to June 2020).

Municipal Manager and Managers directly accountable to the Municipal Manager

The MSA prescribes that the municipality must enter into performance based agreements with the Municipal Manager and managers directly reporting to the Municipal Manager i.t.o. section 56. Performance agreements must be reviewed annually and are published for public interest. This process and the format are further regulated by Regulation 805 (August 2006), MSA.

The performance agreements for the Municipal Manager and section 56 appointments for the 2019/20 financial year were signed on 30 July 2019 as prescribed. They include performance agreements for the:

- Municipal Manager;
- Chief Financial Officer;
- Director: Corporate Services;
- Director: Planning and Local Economic Development;
- Director: Community and Protection Services; and
- Director: Infrastructure Services.

The appraisal of the actual performance in terms of the signed agreements takes place twice per annum as regulated. The 2018/19 annual - and 2019/20 mid-year performance assessment for senior managers took place on 09 March 2020. The appraisals were done by an evaluation panel in terms of Regulation 805.

The panel consisted of the following:

- Adv Gesie van Deventer; Executive Mayor (for the evaluation of the Municipal Manager only);
- Mr Roy van Rooyen, Ward Committee Member nominated by the Executive Mayor (for the evaluation of the Municipal Manager only);
- Geraldine Mettler, Municipal Manager of Stellenbosch Municipality;
- Mr Henry Prins, Municipal Manager of Cape Winelands District Municipality;
- Cllr Nyaniso Jindela, Deputy Executive Mayor and Chairperson on Human Settlements Portfolio;
- Cllr Quintin Smit;
- Cllr Patricia Crawley;
- Cllr Xoliswa Mdemka;
- Cllr Aldrigde Frazenburg;
- Cllr Esther Groenewald;
- Dr Len Mortimer, Audit and Performance Audit Committee Chairperson of Stellenbosch Municipality.

Other Municipal Personnel

The municipality has implemented individual performance management of employees on the three highest levels of management.

3.6.5 SERVICE DELIVERY PERFORMANCE

3.6.5.1 Introduction

This section provides an overview of the key service achievements of the municipality that came to completion during 2019/20 in terms of the deliverables achieved compared to the key performance objectives and indicators in the IDP.

In order to improve on performance planning, implementation, measurement and reporting, the municipality implemented the following actions;

- Departmental operational plans were developed for monitoring and reporting operational programmes. An electronic performance management system is operational within the municipality. The same system forms the basis of performance evaluations of the Directors and the Municipal Manager; and
- The municipality endeavoured during the development of the TL SDBIP as well as with the development of the Departmental SDBIP that the "SMART" principle be adhered to in the setting of indicators and objectives. Emphasis was placed on ensuring that targets were specific and time bound, thus making it measurable.

Table 3:1: Performance Management System Checklist

	Performance Management Policy	All MSA s57/56 Performance contracts signed	Audit Committee	Municipal Public Accounts Committee (MPAC)	Quarterly Performance Reporting to Council	Annual Performance Reporting to Council
In place?	√	√	√	√	√	√

3.6.5.2 Service Delivery and Budget Implementation Plan (Top-Layer)

The purpose of performance reporting is to report specifically on the implementation and achievement of IDP outcomes. This section should provide an overview on the achievement of a municipality in terms of the strategic intent and deliverables achieved as stated in the IDP. The Top-Layer (strategic) SDBIP is the municipality's strategic plan and shows the strategic alignment between the different documents (IDP, Budget and Performance Agreements).

The organisational performance is evaluated by means of a Municipal Scorecard (TL SDBIP) at organisational level and through the Service Delivery and Budget Implementation Plan (SDBIP) at departmental levels.

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

The TL SDBIP was prepared as described in the paragraphs below and approved by the Executive Mayor on 26 June 2019. However, the TL SDBIP 2019/20 was revised in January 2020. These revisions were made in line with the adjustment budget, internal audit findings and recommendations made by the Auditor General of South Africa (AGSA).

In the paragraphs below, the performance achieved is illustrated against the Top-Layer SDBIP according to the IDP strategic objectives. The following table explains the method by which the overall assessment of actual performance against targets set for the key performance indicators (KPIs) of the SDBIP is measured:

Table 3:2: Performance Assessment Criteria

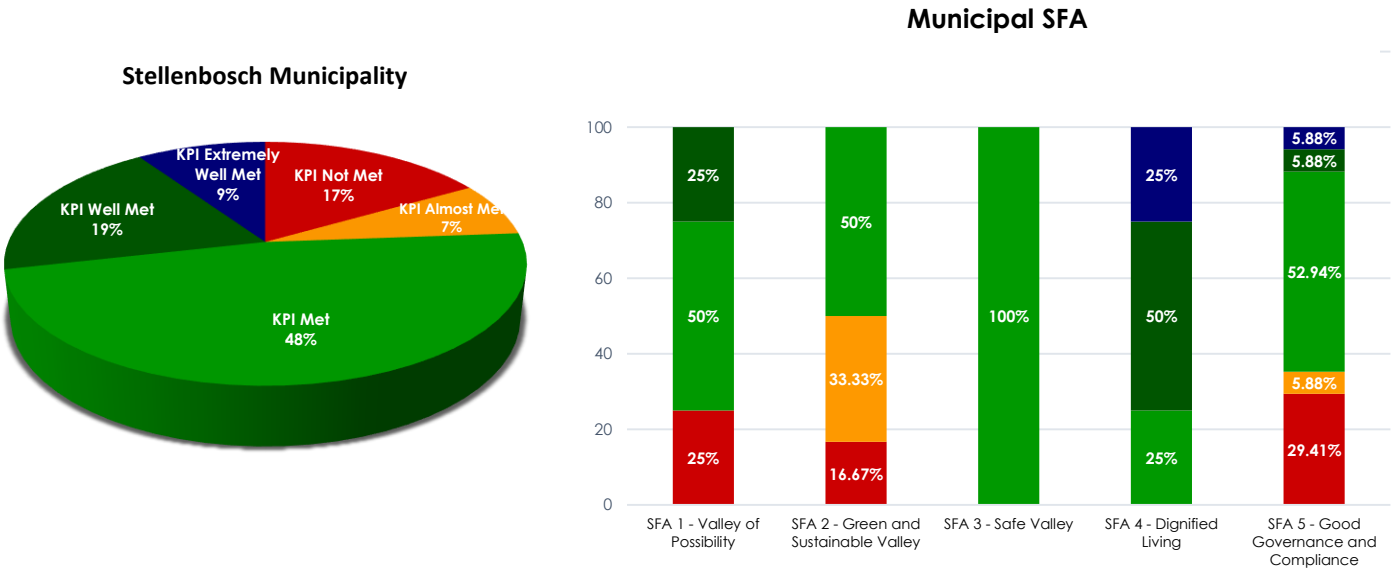
Color	Category	Explanation
	KPI Not Yet Measured	KPIs with no targets or actual results for the selected period
	KPI Not Met	Actual vs. target less than 75%
	KPI Almost Met	Actual vs. target between 75% and 100%
	KPI Met	Actual vs. target 100% achieved
	KPI Well Met	Actual vs. target more than 100% and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

The TL SDBIP (the Municipal Scorecard) consolidates service delivery targets set by Council / Senior Management and provide an overall picture of performance for the municipality as a whole, reflecting performance on its strategic priorities.

3.6.5.3 Overall Performance per Municipal Strategic Focus Area

The following graph and table illustrates the municipality's overall performance per Municipal Strategic Focus Area (SFA).

Figure 3:1: Overall performance per Municipal Strategic Focus Area (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	-	-	-	-	-	-
KPI Not Met	7 (16.67%)	1 (25%)	1 (16.67%)	-	-	5 (29.41%)
KPI Almost Met	3 (7.14%)	-	2 (33.33%)	-	-	1 (5.88%)
KPI Met	20 (47.62%)	2 (50%)	3 (50%)	3 (100%)	3 (25%)	9 (52.94%)
KPI Well Met	8 (19.05%)	1 (25%)	-	-	6 (50%)	1 (5.88%)
KPI Extremely Well Met	4 (9.52%)	-	-	-	3 (25%)	1 (5.88%)
Total:	42	4	6	3	12	17
	100%	9.52%	14.29%	7.14%	28.57%	40.48%

3.7 SERVICE PROVIDERS STRATEGIC PERFORMANCE

Section 76(b) of the MSA states that KPIs should inform the indicators set for every municipal entity and service provider with whom the municipality has entered into a service delivery agreement. According to the AG's office:

a) Service provider means a person or institution or any combination of persons and institutions that provide a municipal service.
b) External service provider means an external mechanism referred to in section 76(b) that provides a municipal service for a municipality.
c) Service delivery agreement means an agreement between a municipality and an institution or person mentioned in section 76(b) in terms of which a municipal service is provided by that institution or person, either for its own account or on behalf of the municipality.

Section 121(b) of the MFMA and section 46 of the MSA further state that a municipality should include the following aspects related to service providers in its annual report:

- The performance of each service provider;
- A comparison of the performance with targets set for and performance in the previous financial year; and
- Measures taken to improve performance.

3.8 MUNICIPAL FUNCTIONS

3.8.1.1 Analysis of Functions

The municipal functional areas are as indicated below:

Table 3:4: Municipal Functional Areas i.t.o. the Constitution

Municipal Function	Yes / No
Constitution Schedule 4, Part B functions:	
Air pollution	Yes
Building regulations	Yes
Childcare facilities	Yes
Electricity and gas reticulation	Yes
Firefighting services	Yes
Local tourism	Yes
Municipal airports	No
Air pollution	Yes
Building regulations	Yes
Municipal planning	Yes
Municipal health services	No
Municipal public transport	Yes
Municipal public works only in respect of the needs of municipalities in the discharge of their responsibilities to administer functions specifically assigned to them under this Constitution or any other law	No
Pontoons, ferries, jetties, piers and harbours, excluding the regulation of international and national shipping and matters related thereto	No
Storm water management systems in built-up areas	Yes
Trading regulations	Yes

Municipal Function	Yes / No
Constitution Schedule 4, Part B functions:	
Water and sanitation services limited to potable water supply systems and domestic waste water and sewage disposal systems	Yes
Beaches and amusement facilities	Yes
Billboards and the display of advertisements in public places	Yes
Cemeteries, funeral parlours and crematoria	Yes
Cleansing	Yes
Control of public nuisances	Yes
Control of undertakings that sell liquor to the public	Yes from 2013
Facilities for the accommodation, care and burial of animals	Yes
Fencing and fences	Yes
Licensing of dogs	No
Licensing and control of undertakings that sell food to the public	No
Local amenities	Yes
Local sport facilities	Yes
Markets	Yes
Municipal abattoirs	No
Municipal parks and recreation	Yes
Municipal roads	Yes
Pounds	Yes
Public places	Yes
Refuse removal, refuse dumps and solid waste disposal	Yes
Street trading	Yes
Street lighting	Yes
Traffic and parking	Yes

This component includes basic service delivery highlights and challenges, details of services provided for water, waste water (sanitation), electricity, waste management, housing services and a summary of free basic services.

3.8.2 NATIONAL KEY PERFORMANCE INDICATORS – BASIC SERVICE DELIVERY AND LOCAL ECONOMIC DEVELOPMENT

The following table indicates the municipality's performance in terms of the National Key Performance Indicators 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 following two National Key Performance Areas: Basic Service Delivery and Local Economic Development.

Table 3:5: Basic Service Delivery

KPA and Indicators	2015/16	2016/17	2017/18	2018/19	2019/20
Basic Service Delivery*					
The percentage of households earning less than R6,500 per month with access to free basic services (In the case of Stellenbosch Municipality- number of registered Indigent households are being reported)	6 486	5 686	6 453	6 813	7 011
Service for water, sanitation and refuse removal (Average)	7 042	5 686	6 453	6 813	7 011

**The data emanates from the Indigent Register of the Stellenbosch Municipality*

3.8.3 WATER PROVISION

Water is the most fundamental and indispensable of available natural resources – fundamental to life, the environment, food production, hygiene and for power generation.

Poverty reduction and improved water management are closely linked. Schedule 4B of the Constitution lists water and sanitation services, limited to potable water supply systems and domestic waste water and sewerage disposal systems, as a local government function.

Basic water is defined as 25 litres of potable water per day supplied within 200 meters of a household.

Due to on-going drought and very low rainfall recorded in recent years, the municipalities in the Western Cape had to enforce water restrictions. Stellenbosch Municipality supplies water to the consumers in their area of jurisdiction through the following six water supply systems:

- Stellenbosch (Ida's Valley - Own sources, DWS allocation and Paradyskloof WTW – Theewaterskloof Dam
- Western Cape Water Supply Scheme (WCMSS) via tunnel;
- Franschhoek (Du Toits River-Own resources, Wemmershoek Dam WTW - CoCT);
- Dwarsrivier (Wemmershoek Dam WTW- CoCT);
- CoCT agreement (Blackheath WTW, Faure WTW and Wemmershoek WTW); and
- Boreholes BH1: Die Braak, BH2: Meerlust and BH3: Van der Stel.

The total population supplied with water in the Stellenbosch Municipal area amount to approximately 192 879 people. Water is also supplied to a fairly extensive industrial area.

Stellenbosch Local Municipality manages three water treatment works, namely Ida's Valley, Paradyskloof and Franschhoek, which is a micro water treatment plant. The potable water supply from these works amounted to 14.832 Ml/d and a further 7.126 Ml/d was obtained from the City of Cape Town (CoCT) during the 2019/20 financial year, ensuring a supply of approximately 21.9 Ml/d to the municipality's area of responsibility.

Areas supplied from the Wemmershoek Dam and water treatment works include half of Franschhoek town, La Motte, Wemmershoek, Pniël, Boschendal, Johannesdal, Kylemore, Lanquedoc, Klapmuts, Koelenhof, Elsenburg, Devon Valley and Muldersvlei. Areas supplied from Blackheath water treatment works include Polkadraai, Spier and Vlottenburg.

Areas supplied from Faure water treatment works (supplied from Steenbras Dam – CoCT) are Faure, Jamestown, De Zalze, Raithby and Lynedoch. Although these water treatment works fall within the

sphere of responsibility of the City of Cape Town, their impact with regard to water quality and quantity needs to be monitored and considered by Stellenbosch Municipality.

Stellenbosch Municipality supplies potable water to the entire municipal area through a network and infrastructure consisting of 56 reservoirs / holding tanks and water towers, 36 water pump stations, 41 pressure reducing valve installations, 667 kilometres of pipeline and 79 water supply zones. The system is fully controlled and operated by a telemetry system.

The total bulk water input into the water network for the 2019/20 financial year was 8,01 Ml, with an annual average daily demand of 21,9 kl/day. 40% of the water supplied are purified from the municipality's own water sources at the Ida's Valley and Franschhoek water treatment plants. The balance is supplied by the CoCT, where raw water supplied by the Department of Water and Sanitation is purified. Potable water supplied from the CoCT is analysed on a monthly basis.

Ida's Valley and Paradyskloof water treatment works are equipped with some analytical capabilities and routine plant analyses are performed in-house. A full water quality monitoring programme is further performed for the municipality by an accredited external laboratory / contractor. Maintenance of equipment for all three plants is outsourced to an external contractor.

Based on the municipality's IWA Water Balance sheet for the 2019/20 financial year, the municipality recorded 20.5% for "non-revenue" water which is an increase of 0.3 % from the previous financial year and 6.9% for Real Network Losses. Refer to the municipality's International Water Association (IWA) Water Balance Sheet.

The no-revenue water for the 2019/20 financial year is 20.5% that is below the target set of 25%. The real physical network losses are at 6.5% that is well below the best practice value of 15%.

Figure 3:2: International Water Association Water Balance Sheet for 2019/20 of the Stellenbosch Municipality

System input volume: July 2019 to June 2020 ; kl * (water demand in reticulation system)				**8 015 027**	**100%**
Potable water system	Authorised consumption 88,5%	Revenue water 79,5%	Billed metered (normal) •	4 360 974	54,4%
			Billed metered (indigent)	1 625 305	20,3%
			Billed unmetered	388 195	4,8%
		Non-revenue water 20,5%	Unbilled metered	240 451	3,0%
			Unbilled unmetered	16 030	0,2%
			Informal areas not metered	462 601	5,8%
	UAW 11,5%		Losses in bulk supply system	0	0,0%
			Apparent losses	400 751	5,0%
			Real network losses	520 720	6,5%
Non-revenue water (NRW) ; kl				**1 640 553**	**20,5%**
Real network losses ; kl				**520 720**	**6,5%**

The table above is the International Water Association table to compute the water balance and is also accepted in the DWS reporting structure. This forms the basis of the information needed and what is currently used to calculate water losses. This is combined with a monitoring system installed on all bulk water supply points to determine and ensure accurate data of water provided. The consumption data for all water users is drawn from the SAMRAS system with a regular data download to determine the total water sold. The figure above is used as far as possible to reflect the water balance and water losses in

the water systems. The water readings of all areas are also filled in on a spreadsheet that is sent to the DWS on a three monthly basis to monitor and control water usage and allocations of water.

The municipality has developed a comprehensive Water Conservation and Water Demand Management (WC&WDM) strategy, which includes a 10-year financial plan. The strategy has two goals: the municipality will prioritise the implementation of WC&WDM, and will ensure ongoing planning, management, monitoring and an enabling environment. The WC&WDM initiatives includes water pipe replacement programme, indigent domestic leak repair and meter replacement programme, Stellenbosch water meter audit and Stellenbosch in-house water services operation and maintenance.

Stellenbosch Municipality implemented level 1 water restrictions from the 1st of November 2015 to achieve a 10% water consumption decrease. This was due to low supply dam levels and low rainfall figures during the rainy season. This was followed with the implementation of Level 2 restrictions from March 2016 due to extreme heat conditions and even lower supply dam levels in Stellenbosch and City of Cape Town. The Level 2 restrictions included the increased tariffs for water consumption to achieve a 22% savings on the water consumption.

City of Cape Town is currently on Level 1 water restrictions. Fortunately, the municipality was in a position to lower the water restrictions but will have to encourage low water usage for the time being. Stellenbosch Municipality is on Level 2 water restrictions due to the fact that own water sources contribute a large percentage of the water input volume into the WC024 area.

The Municipality implemented level 6 B since 19 February 2018-31 October 2020 whereby restrictions were lifted with effect from 01 November 2020.

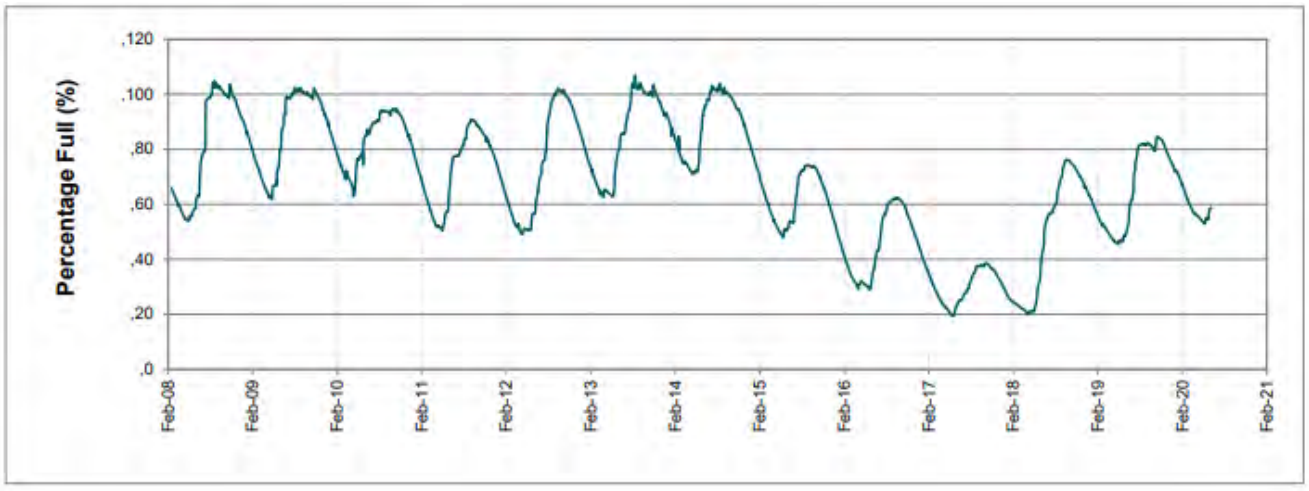
3.8.3.1 Dam Levels

The following table reflects the current status of the dam levels supplying the WCWSS with water and status of Stellenbosch's own dam levels.

Table 3:6: Western Cape Dams

Major dams	2020	Previous week	2019
	(%)	(%)	(%)
Berg River	81.2	73.8	74.6
Steenbras Lower	49.9	49.9	38.9
Steenbras Upper	99.6	99.2	88.4
Theewaterskloof	55.8	55.2	41.6
Voëlvlei	54.5	53.7	55.0
Wemmershoek	43.3	43.6	40.3
Total Stored (Ml)	**723 706**	**689 767**	**723 706**
% Storage	58.8	58.2	49.5
Stellenbosch's own Dams			
Ida's Valley 1	100	100	100
Ida's Valley 2	100	100	103

Figure 3:3: WCWSS Storage Record (2008 – Present)



The photos below illustrate the Ida's Valley Dams 1 and 2 at 100% full.

Figure 3:4: Ida's Valley Dams





W024 Bulk Water Input and Sales dramatically decreased from a high value in June 2015 to June 2020.

Figure 3:5: ***Water consumption volume***

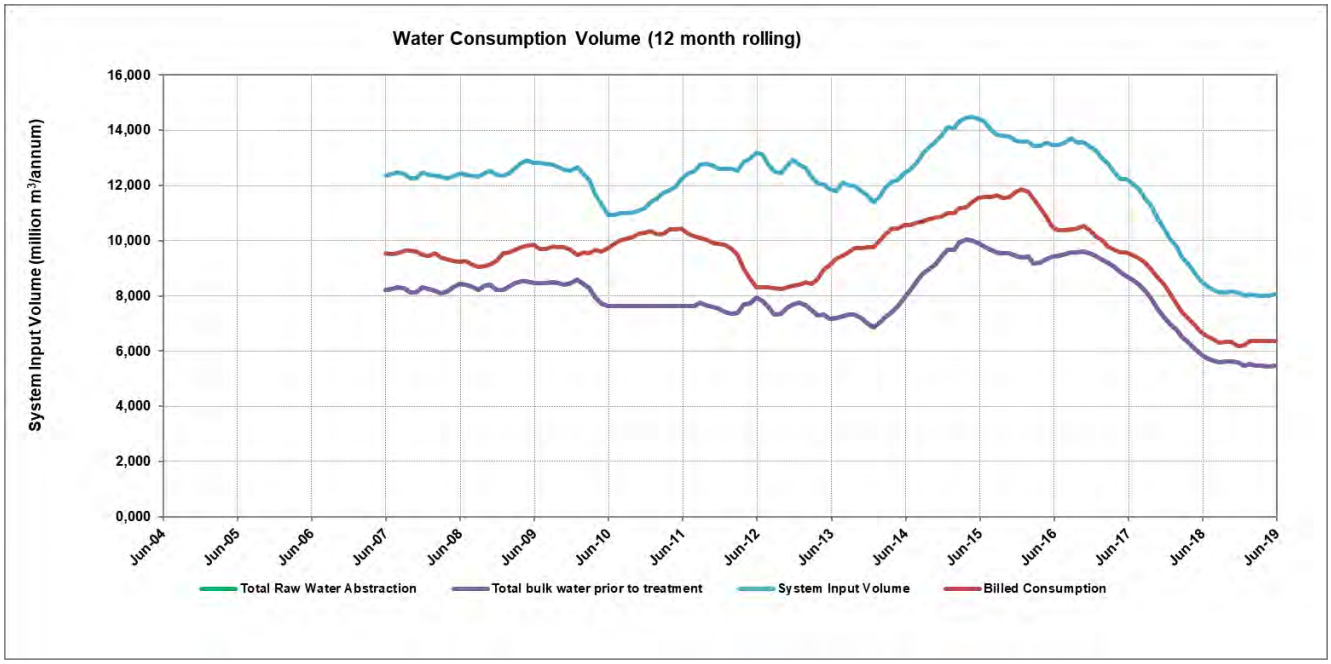


Figure 3:6: Water system water input

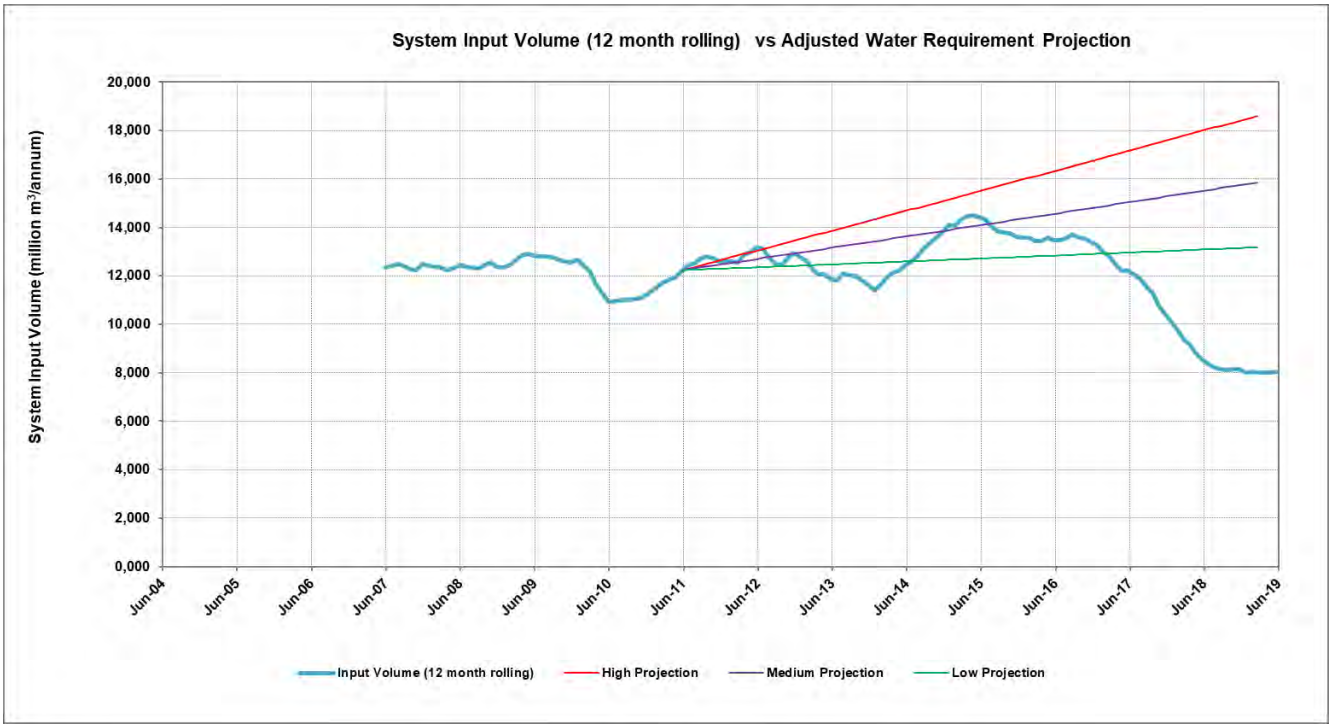


Figure 3:7: Non-revenue water

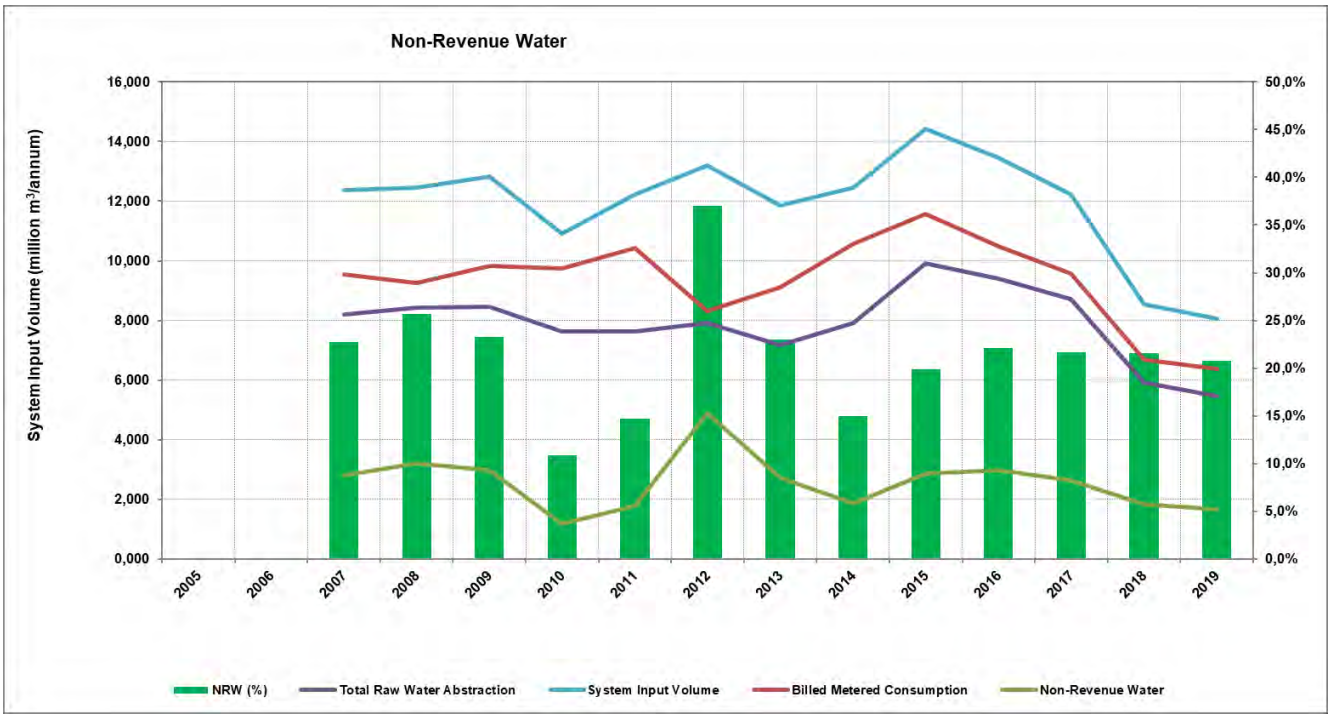
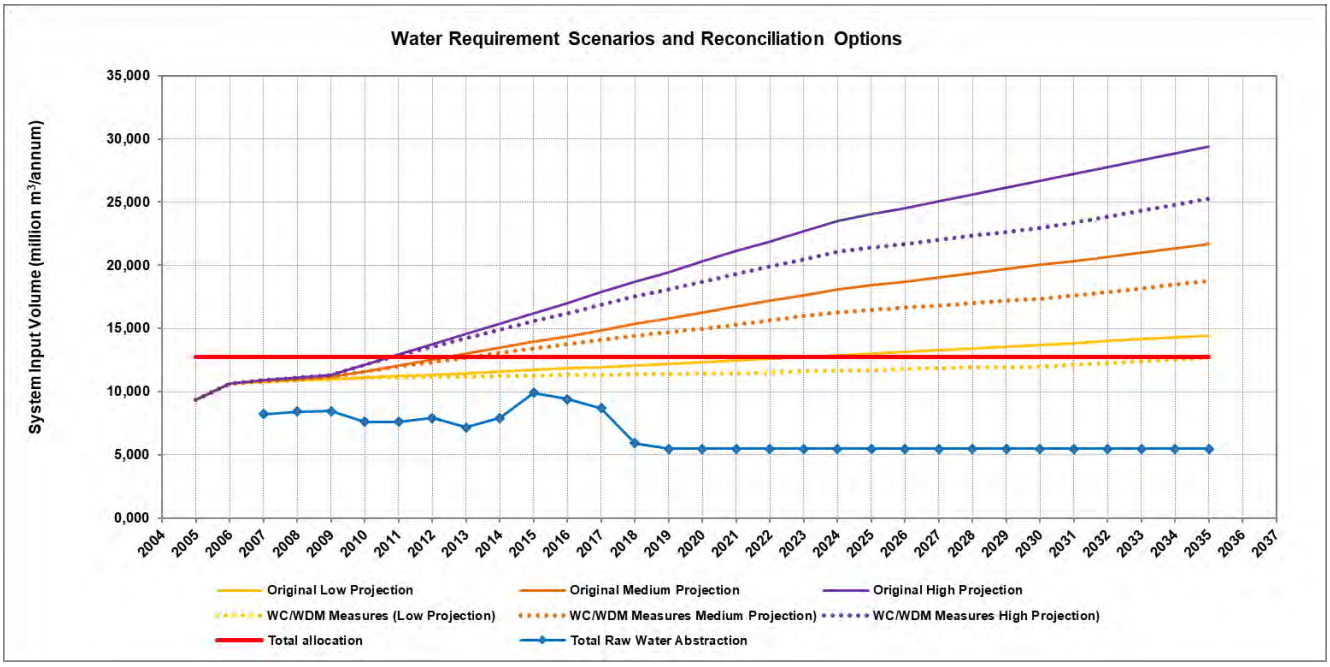


Figure 3:8: Water requirements scenario and reconciliation options



Groundwater is now seen as a potential water source and will be investigated and evaluated after the new water resources study is completed.

3.8.3.2 Service Statistics – Water Services

The table below outlines water usage totals per category:

Table 3:7: Total Use of Water (Mℓ)

Total Use of Water (Mℓ)					
Year	Total Water into the System (Mℓ)	Total Water Sold (Mℓ)	Non-Revenue Water	% Non-Revenue Water	% Physical Water Loss
2014/15	14 876	11 556	3 320	22.3%	10.3%
2015/16	13 889	10 498	3 391	24.4%	12.4%
2016/17	12 220	9 572	2 648	21.8%	9.7%
2017/18	8 661	6 779	1 882	21.7%	8.2%
2018/19	8 058	6 380	1 676	20.8%	6.9%
2019/20	8 015	6 374	1 640	20.5%	6.5%

3.8.3.3 Water Service Delivery Levels

As a priority it is the responsibility of Stellenbosch Municipality to ensure that adequate and appropriate investments are made to ensure the progressive realisation of the rights of all people in its area of jurisdiction to receive at least a basic level of water and sanitation services. While the provision of basic water services is the most important and immediate priority, Water Services Authorities are expected to provide intermediate and higher levels of services (for example water on site) wherever it is practical, provided it is financially viable and sustainable to do so.

All water services provided by Stellenbosch Municipality to consumers within its Municipal Management Area are linked to the municipality's Tariff Policy and Tariff By-laws, and poor households are incorporated through the municipality's Indigent Policy.

The large number of residents in the lowest income groups (living in informal areas) poses a major challenge to the municipality to provide suitable housing. Stellenbosch Municipality strives towards providing all households in the towns with a water connection inside the house and connecting all households to a waterborne sanitation system.

All the formal households in the urban areas of Stellenbosch Municipality's Management Area are provided with water connections and waterborne sanitation facilities inside households (higher level of service). Communal standpipes and ablution facilities are provided in the informal areas as a temporary emergency service. The municipality has become aware of the fact that communal standpipes represent in all likelihood the weakest part of a network's water supply services. Standpipes are often constructed in ways that cannot withstand excessive use (and in some instances abuse) and are often neglected in terms of operation and maintenance, with negative effects on the quality of the water supply.

Communal standpipes are also used by poor households who normally do not pay for water.

Below is a table that specifies the different water service delivery levels per households:

Table 3:8: Water Service Delivery Levels

Description	2015/16 *(audited)*	2016/17 *(audited)*	2017/18	2018/19	2019/20
Household					
***Water:* (above minimum level)**					
Piped water inside dwelling	37 902	37 989**	38 027**	40 321	42 615
Piped water inside yard (but not in dwelling)	3 596	3 596	3 596	3 596	3 596
Using public tap (within 200m from dwelling)	8 491	9 238	9 699	11 327	12 955
Other water supply (within 200m)	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Minimum Service Level and Above Sub-Total	**49 989**	**50 823**	**51 323**	**55 244**	**59 166**
Minimum Service Level and Above Percentage	**99.75**	**99.75**	**99.75**	**99%**	**98,93%**
***Water:* (below minimum level)**					
Using public tap (more than 200m from dwelling)	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Other water supply (more than 200m from dwelling)	125	Not applicable	Not applicable	Not applicable	Not applicable
No water supply	405	Not applicable	Not applicable	Not applicable	Not applicable
Below Minimum Service Level Sub-Total	**530**	**0**	**0**	**581**	**632**
Below Minimum Service Level Percentage	**1.06**	**0**	**0**	**1%**	**1,07%**
Total Number Of Households (formal and informal)	**48 002**	**48 002**	**52 374**	**55 825**	**59 798**

** Metered Properties ** Household*

3.8.3.4 Capital Expenditure – Water Services

Table 3:9: Capital Expenditure as at 30 June 2019: Water Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
New Reservoir: Polkadraai	7 000 000	3 573 589	-48.95%
Relocation / Upgrading main water supply line	6 693 710	3 170 678	-52.63%
Bulk water supply Klapmuts	7 420 489	1 748 843	-76.43%
Vehicles	6 594 068	1 087 324	-83.51%
Water Conservation and Demand Management	5 000 000	1 560 827	-68.78%
Only the 5 largest capital projects are listed			

Water Services have spent, **46.68%** of the capital budget for the financial year.

3.8.3.5 Total Employees – Water and sanitation

The Water and Sanitation Services Department is understaffed; within context of the approved new organogram, this department has a 39.40% vacancy rate.

Table 3:10: Total Employees – Water Services

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	1	0	1	100%
9 – 13	15	4	11	73.30%
4 – 8	3	0	3	100%
3 – 0	6	3	3	50%
Total	**26**	**8**	**18**	**69.23%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.8.4 WASTE WATER (SANITATION) PROVISION

The main focus for the 2019/20 financial year was to implement the demands of the Stellenbosch Municipality's masterplan, fulfilling the development needs for the Stellenbosch Municipality's vision, part of the demand was to complete the upgrade of the existing Stellenbosch Wastewater Treatment Works (WWTW), upgrade of the Pniël Wastewater Treatment Works, identify and resolve operational issues at the new Wemmershoek Wastewater Treatment Works.

The extension of the Stellenbosch WWTW from a 20Ml/day to a 35Ml/day plant commenced in April 2015 and was carried through to the 2019/20 financial year. This completed plant made use of Membrane Bioreactor Technology to ensure that current and future demand flows meet the highest standards in effluent quality. The total construction value is estimated at R479 million. The project is funded by the Stellenbosch Municipality and Department of Water and Sanitation (DWS) through its Regional Bulk Infrastructure Grant (RBIG) initiative. Phase 1 of the project is completed and is fully operational. New challenges occurred during phase 1, which led to phase 2 and 3 of the project.

The construction of the 4.5 Ml/day Pniël WWTW upgrade has commence within the 2019/20 financial year and should be completed within 2021/22 financial year.

3.8.4.1 Sanitation Service Delivery Levels

The table below specifies the different sanitation service delivery levels per households for the financial years 2015/16 – 2019/20:

Table 3:11: Sanitation Service Delivery Levels

Description	2015/16 *(audited)*	2016/17 *(audited)*	2017/18	2018/19	2019/20
Household					
***Sanitation/sewerage:* (above minimum level)**					
Flush toilet (connected to sewerage)	37 902	37 939	38 027	40 321	42 615
Flush toilet (with septic tank)	1 079	1 079	1079	1079	1079
Chemical toilet	321	114	94	94	139
Pit toilet (ventilated)	209	0	0	0	0
Other toilet provisions (above minimum service level)	1 038	0	0	2 336	2 386
Minimum Service Level and Above Sub-Total	**40 549**	**39 132**	**39 252**	**44 595**	**49 938**
Minimum Service Level and Above Percentage	**94.86**	**97.51**	**97.01%**	**92.0%**	**98,14%**
***Sanitation / sewerage:* (below minimum level)**					
Bucket toilet	125	0	**0**	**0**	0
Other toilet provisions (below minimum service level)	1 038	0	**0**	**0**	0
No toilet provisions	1 035	0	**0**	**0**	0
Below Minimum Service Level Sub-Total	**2 198**	**1 193**	**1 173**	**1 050**	**972**
Below Minimum Service Level Percentage	**5.14**	**2.49**	**0**	**1.88%**	**2.11%**
Total Number of Households	**42 747**	**40 325**	**52 374**	**55 825**	**59 276**

3.8.4.2 Capital Expenditure – Sanitation Services

Table 3:12: Capital Expenditure as at 30 June 2019: Sanitation Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Upgrade of WWTW: Pniël and Decommissioning of Franschhoek	32 751 232	17 461 469	-46.68%
Bulk Sewer Outfall: Jamestown	31 578 466	29 913 525	-5.27%
New Plankenburg Main Outfall Sewer	22 347 744	18 295 000	-18.13%
Ida's Valley Merriman Outfall Sewer	9 884 648	9 458 117	-4.32%
Sewerpipe Replacement: Dorp Street	6 000 000	1 826 025	-69.57%
Only the 5 largest capital projects are listed			

Sanitation Services have spent, **84.07%** of the capital budget for the financial year.

3.8.4.3 Major projects implemented

Table 3:13: Major projects implemented

Project Name	Scope	Project Cost	Benefit, Impacts and Goals achieved	Other Comments
Water Conservation and Water Demand Management (Wc/Wdm) Initiatives				
Water Treatment Works Ida's Valley	Upgrading of the existing works to increase the	R90M	Various upgrades and modifications to treatment	Consultant was appointed and the

Project Name	Scope	Project Cost	Benefit, Impacts and Goals achieved	Other Comments
Water Conservation and Water Demand Management (Wc/Wdm) Initiatives				
	current treatment capacity as well introducing colour removal.		works processes to be made in order to increase treatment capacity.	project is currently in the inception phase.
Extension of the Stellenbosch Waste Water Treatment Works (SWWTW).	The extension of the Stellenbosch Waste Water Treatment Works (SWWTW) is one of the largest projects in Stellenbosch history.	R480M	Increased Treatment capacity to 35 Ml/day Resolves the critical need for present and future WWT demand in the area. Enable economic development in the area Support the housing provision pipeline.	Phase 1 consist of constructing new 27Ml/day MBR lane. Phase 2 the existing plant will be upgraded to BNR (Biological Nutrient Removal) system with capacity of 8Ml/day. Project has reached 100% completion. With further investigation into a tanker discharge facility.
New Wemmershoek (Franschhoek Valley) WWTW	The New Nereda Wemmershoek WWTW is at the forefront of technological innovation and construction was completed in April 2015 (Nereda © technology).	R29M	Ensure allowance for future demand and economic growth and development of the greater Franschhoek and surrounding areas. Increase capacity from 1.8ML/day to 7ML/day in phases to eradicate Franschhoek WWTW challenges. Allow decommissioning of existing Franschhoek WWTW.	Consultant was appointed to design phase 1 of the new CAS plant. Staff is constantly trained to operate this plant which is highly technical.
Upgrade of Pniël WWTW	The upgrade of existing WWTW .	R144M	Capacity increased to 4.5Ml/day.	Activated sludge process with Belt press and new UV disinfection system.

3.8.5 ELECTRICITY

Load shedding continues to be experienced due to Eskom's challenges with their power stations. As in the previous financial years of 2017/18 and 2018/19 Stellenbosch Municipality continues to contribute to Eskom's electricity supply stability, mainly with the following projects:

The Demand Side Management

The municipality continued with the Energy and Demand Management project which started in 2009, to replace inefficient street light fittings with energy efficient (LED) fittings.

Hot Water Load Control Project

The municipality has continued to install hot water load control devices in the Franschhoek area, which will enable shedding of all geysers during peak times, hence making an energy saving at the end of the month. A total of 9 223 load control device have been installed in Stellenbosch and Franschhoek. All new developments are being issued with load control devices to manage demand.

Electrification of Informal Settlements

Through the INEP grant received the municipality managed to electrify informal settlement structures that are in the areas where electricity services are available. All the structures that are electrified

received free basic electricity (100 kWh). 142 informal structures were provided with electricity in the 2019/20 financial year. Informal settlements that receive 100kWh free basic electricity are in: (1) Kayamandi; and (2) Langrug.

Pniël take-over

Stellenbosch Municipality finally took over from Drakenstein Municipality the electrical network at Pniël, Hollandsche Molen, Johannesdal and the surrounding farms with effect from 15 February 2019. However, the network proved to have been unkept judging by the number of infrastructure failures and the state the infrastructure is found in, when attending to outages. The municipality, as a result of these huge number of infrastructure failures, instituted an investigation which revealed that a number of the infrastructure either need to be replaced or refurbished and in some instances a complete new engineering arrangement to be made.

With the limited financial resources, funding is made available as and when to realise the projects, as per the report, in order to ensure some degree of electricity stability in Pniël.

3.8.5.1 Electricity Service Delivery Statistics

The comments from mpac and responses are outline in the feedback report.

Table 3:14: Electricity Notified Maximum Demand

Major Towns	Notified Maximum Demand (NMD)	Maximum Demand Growth (NMD)	Maximum Demand Peak (NMD)
Stellenbosch	60 MVA[5]	0.6 MVA	56.3MVA
Franschhoek	10 MVA	0.48 MVA	10.25 MVA
Cloetesville	16 MVA	1.58MVA	16.03MVA
Pniël	9 MVA	N/A	7.883MVA

The electricity losses as at 30 June 2020 were 9,36% which is still within the acceptable industry standard of 11%, however there was an increase in losses as compared to last financial years of (2017/18) and (2018/19). The reason for that is increase of illegal connections and the new network Stellenbosch Municipality took over from Drakenstein Municipality in February 2019.

An alarming 48% in losses was discovered by an investigation conducted on the Pniël network. Due to this high number, which is abnormal, it is unlikely that these were only the losses, rather an indication of faulty metering equipment of meters that were not transferred over by Drakenstein to Stellenbosch and as such, maybe still continue to pay the consumption to Drakenstein. The municipality is urgently looking for a solution to address this.

Severe staff shortage continues being a challenge and difficulty in attracting suitably qualified and competent persons continues being experienced. It is vital for the effective functioning of electricity services to be able to attract competent, skilled and sufficiently experienced personnel. Resolving the staff shortages will improve the current working conditions of staff.

[5] MVA- Megavolt Amperes. Megavolt Amperes power is the unit used for measuring apparent power. The apparent power refers to the total current and voltage in an electrical circuit.

3.8.5.2 Electricity Service Delivery Levels

Table 3:15: Electricity Service Delivery Levels

Description	2015/16	2016/17	2017/18	2018/19	2019/20
Household Prepaid	audited	audited	audited	unaudited	unaudited
***Energy:* (above minimum level)**					
Electricity (at least minimum service level) *(No. of conventional meters)*	6 486	6 486	6 453	4 715	4 601
Electricity - prepaid (minimum service level) *(No. of prepaid meters)*	17 504	17 504	25 946	27 825	28 366
Minimum Service Level and Above Sub-Total	**23 990**	**23 990**	**32 399**	**32 540**	**32 967**
Minimum Service Level and Above Percentage	**79.67**	**86.7**	**80.08**	**85.51**	**86.04**
***Energy:* (below minimum level)**					
Electricity (< minimum service level)	0	0	0	0	0
Electricity - prepaid (< min. service level)	4 460	4 460	6 453	0	0
Other energy sources	N/A	N/A	N/A	N/A	N/A
Below Minimum Service Level Sub-Total	**4 460**	**4 460**	**6 453**	**0**	**0**
Below Minimum Service Level Percentage	**13.27**	**13.27**	**12.32**	**0**	**0**
Total Number Of Households	**48 002**	**48 002**	**52 374**	**32 540**	

During the 2019/20 financial year the municipality continued with the renewal programme of the renewal and upgrading of old equipment reaching the end of its life cycle.

The replacement of old low voltage overhead networks has been completed in La Collinne and some parts of Cloetesville. The municipality will continue in the next financial year with the replacement in Cloetesville.

3.8.5.3 Capital Expenditure – Electricity Services

Table 3:16: Capital Expenditure as at 30 June: Electricity Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Stand-by Generator	9 355 144	8 107 426	-13.34%
General Systems Improvements - Stellenbosch	4 908 238	4 753 823	-3.15%
Integrated National Electrification Programme	11 160 000	10 734 688	-3.81%
Integrated National Electrification Programme (Enkanini)	4 480 000	4 428 126	-1.16%
Energy Efficiency and Demand Side Management	2 000 000	1 999 711	-0.01%
Specialised Vehicles	2 000 000	1 984 402	-0.78%
Network Cable Replace 11 Kv	2 000 000	820 676	-58.97%
Only the 7 largest capital projects are listed			

Electricity Services have spent, **91.42%** of the capital budget for the financial year.

3.8.5.4 Total Employees – Electricity

Table 3:17: Total Employees – Electricity

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	3	3	0	0%
9 – 13	27	20	7	25.93%
4 – 8	76	31	45	59.21%
3 – 0	25	18	7	28%
Total	**132**	**73**	**59**	**44.70%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.8.6 WASTE MANAGEMENT, REFUSE COLLECTIONS, WASTE DISPOSAL AND RECYCLING

3.8.6.1 Solid Waste Management

The Waste Management Department's key responsibility is to keep the municipal area clean and free of illegal dumping and to provide a sustainable waste collection and disposal service for all residents. The municipality also focuses on several ways to enhance waste reduction as well as the implementation of treatment, recovery and recycling systems for various waste streams.

The 2019/20 financial year was challenging year for the Waste Management Department as the Stellenbosch Landfill site reached its capacity and the municipality had to divert all domestic waste to Vissershok Landfill site in Cape Town. The department was also hard hit by the COVID-19 pandemic which resulted in the refuse collection depot being closed thrice in the space of two months because of staff contracting the virus.

The municipality has made progress in the waste minimisation efforts with the start of construction of the Waste Material Recovery Facility (MRF) which will include a public waste drop-off. This will bring waste disposal services closer to the public and allow for waste and unwanted items to be brought to this facility for safe disposal or to be recycled. This facility should also contribute to minimise the illegal dumping, by providing a place for waste to be disposed of.

The municipality has also commenced with the finalisation of certain strategic documents in the 2019/20 financial year such as Section 78(3) report, Integrated Waste By-Law and Integrated Waste Management Plan (IWMP). All these reports will be tabled at Council in the new financial year (2020/21). These strategic documents will provide the blueprint on various service delivery mechanisms, by-laws and the IWMP which forms part of the Integrated Development Plan.

During the financial year, waste volumes were relatively consistent however the disposal of waste to landfill was significant lower during level 5 and 4 national lockdown. This could mainly be contributed to the University and businesses being closed over these periods. There was however a gradual increase as the lockdown levels was lifted.

Progress has been made with the expansion of the landfill with the environmental impact assessment for the moving of the powerlines at the landfill site being finalised for the authorities to approve. Once all approvals are in place the construction related activities will commence.

Challenges within this department were the number of vacancies, particularly in the Area Cleaning and Waste Disposal and Minimisation branches that needs to be filled, the Senior Manager of the department resigned within the financial year leaving a vacancy on management level, the diversion of waste to Vissershoek in Cape Town, the archaic Task-to-finish practise which is hampering the refuse collection service, the longer time-frames to procure goods and services as a result of implementation of measures by Supply Chain Management to reduce unauthorised/irregular expenditure.

3.8.6.2 COVID-19

The 2019/20 financial year will go down in the history books as the year in which the COVID-19 pandemic affected the way in which we all live and deliver services. During the early stages of the complete lockdown, essential services needed to be maintained. Waste services, including washing down and sanitising of public areas were implemented. Staff were trained on measures to guarantee their own as well as others safety. Personal Protection Equipment (PPE) was rolled out and the wearing of masks was made mandatory for all staff. A "new normal" service delivery strategy was put in place.

Department of Environmental Affairs and Development Planning (DEA&DP) initiated a weekly meeting of all municipalities from around the Province to report on COVID-19 difficulties and solutions used to enable service delivery to continue.

3.8.6.3 Area Cleaning- Franschhoek

All teams worked through the lockdown and the municipality was fortunate not to have any positive cases. Employees were informed of the rules and regulations regarding COVID-19 and everyone applied the rules to their daily routine.

Staff received their PPE, masks, sanitiser or hand wash as well as gloves during the levels of lockdown on a daily basis.

Three new skips were placed inside the Lanquedoc residential area and 6 skips were placed in Klapmuts.

10 street bins were placed in the Franschhoek CBD area.

A total of 166 EPWP workers were employed during the 2019/20 financial year.

The first semester from 01 July 2019 to 31 December 2019 a total 101 EPWP workers were recruited and employed from the unemployment database. The second semester from 01 January 2020 to 30 June 2020 a total of 50 EPWP workers were employed, and from February 2020 until June 2020 a group of 15 people were employed.

A total of 9 530 bags were distributed during the 2019/20 financial year – during the lockdown period no bags were handed out door-to-door.

Teams were requested to clean inside a dam area where people erected illegal shacks. This is an ongoing problem.

Area cleaning









Illegal dumping clearing in Franschhoek by Area Cleaning





Area Cleaning in Pniël

3.8.6.4 Area Cleaning- Stellenbosch

A total of 334 EPWP employment opportunities were created in the 2019/20 financial year.

All teams worked through the lockdown. Employees were informed of the rules and regulations regarding COVID-19 and everyone applied the rules to their daily routine.

Staff received their PPE, masks, sanitiser or hand wash as well as gloves during the levels of lockdown on a daily basis.

12 skips were placed in Stellenbosch for the financial year, Kayamandi, MESCO farm, Cloetesville and Jamestown.

170 street bins were placed in the following areas:

- Stellenbosch CBD;
- Onder Papegaaiberg;
- Ida's Valley;
- Taxi Rank CBD;
- Taxi Rank Kayamandi;
- Paradyskloof;
- Ida's Valley;
- Cloetesville; and
- Plankenbrug.

An average of 70 000 blue bags were used on a monthly basis to clean areas / replace bins and for the door-to-door service in Enkanini.

Area Cleaning has no permanent staff, only consists of an Assistant Superintendent and 300 EPWP employees.



Enkanini Pig Farm




Cloetesville illegal dumping - before and after




Area Cleaning staff briefing and ready for river cleaning

From the community needs it was requested that more permanent staff be appointed in terms of better supervision and accountability. This request will be discussed with CFO for future planning by ending temporary contracts of supervisors and making them permanent in the new financial year.

3.8.6.5 Refuse Collection

Wheelie 240 litre bins

During the 2019/20 financial year, 1 220 wheelie bins were distributed in total. These were made up as follows: 606 new applications received and bins distributed, 71 additional bins provided, 176 broken bins were replaced and 367 stolen bins replaced.




Area Cleaning – before and after

Acquisition of new assets

Table 3:18: New Waste Management Vehicles

Reg no	Year	Descriptions	Delivered	Value
CL 22049	2019	MST Digger Loader	July 2019	R 1 065 632
CL 10783	2019	UD 16 Ton Hooklift	August 2019	R1 363 889

The municipality procured **220** street bins which were a combination of plastic and cement bins which were placed in various location within the CBD and residential areas.

In addition, the municipality also procured **41** skips which were placed at illegal dumping hotspots and informal settlements.

3.8.6.6 Waste Disposal and Waste Minimisation

a) Construction of new MRF and Drop-Off

The construction phase of the new Material Recovery Facility (MRF) and associated Public Drop-off Facility commenced during 2019/20 financial year. The facility, once completed, will comprise a waste reception area (with a weighbridge), MRF building (with fixed plant comprising conveyors and sorting line and two baling machines) public drop off (for small loads of waste) and staff facilities. Completion is due in November 2020.



New MRF building under construction

b) Green waste chipping

Green waste is being received at Franschhoek Drop Off and Stellenbosch Landfill. As the landfill site is where all the green waste is gathered, the appointed contractor to provides a chipping service for such waste.

c) Door to door recycling collection

Recycling collections and operations are managed by Stellenbosch Municipality with the help of various contractors that supply vehicles in order to do door-to-door collections. Recyclables are collected in clear plastic bags made with recycled materials on every day of the week around the Stellenbosch Municipal area as well on farms and businesses in the surrounding area. Upon collection new clear bags are provided for each bag collected in order to ensure that all residents are able to recycle on a weekly basis.

The appointed contractor abandoned the municipality in the last quarter of the financial year. This offered major challenges in rendering this service, with a resultant decline in recycling initiatives. However, with the completion of a MRF located in WC024 (by 30 June 2020), education and awareness activities will be mobilised to support waste minimisation in all areas of WC024.

d) Disposal

Stellenbosch landfill

The Stellenbosch landfill situated in Devon Valley Road is essentially in care and maintenance phase and receives limited waste. Cell three has filled up since August 2019. Work is currently under way to license a new cell at the site (see details below).

Due to the lack of landfill airspace in Stellenbosch, the transfer of all general waste to the private landfill situated in the City of Cape Town area at Vissershok commenced during August 2019.

A tender process was followed for waste disposal facilities and this was awarded to the Vissershok Waste Management facility (VWMF).

All waste that was delivered by either SM owned vehicles or by way of sub-contractors working for SM as well as private users was transferred from the Klapmuts transfer station to VHWMF for disposal.



Photo: Stellenbosch landfill entrance





Stellenbosch Landfill rubble crushing and landfill side slope rehabilitation

Klapmuts Transfer Station

The Klapmuts Refuse Transfer Station has a design capacity of 150 tons per day transfer capacity. Since August 2019 this facility has been utilised at near capacity to transfer waste to VHWMF. Waste from all areas will be transported in collection vehicles and will be transferred into open top 30m^3 bins for onward transport using 3 containers at a time, by way of bulk transport to Vissershok Waste Management Facility.

The transfer of waste to and through Klapmuts RTS commenced during August 2019 and for the period up to 30 June 2020 a total of 31 260 ton of general waste was transferred.



Klapmuts Transfer Station waste reception apron

Franschhoek drop off

The Franschhoek Drop-off facility continued to provide a service to the residents of Franschhoek and surrounds to dispose of garden waste and bulky goods. A contractor is appointed to transport garden waste to Stellenbosch Landfill and bulky waste to Vissershok Private Landfill.

Relocation of Eskom Power Lines

The Stellenbosch landfill situated in the Devon Valley Road is transversed by two high voltage Eskom power lines. The presence of these power lines prevents the municipality from engineering and operating the area located between cells 1, 2 and 3 as waste disposal cells. This has resulted in the premature filling up of the facility which was put into care and maintenance mode with limited waste acceptance since August 2019.

In order to relocate the two sets of power lines an appointment was made of an environmental assessment practitioner (EAP) to undertake a Basic Assessment (BA) process that would lead to an application for an environmental authorisation allowing Eskom to proceed with the relocation project. This project commenced during the previous financial year making use of an existing panel tender. The project commenced during June 2019 and the Final Basic Assessment Report was submitted to national Department of Environment as planned during June 2020.

As Eskom is an organ of state and the project deals with the generation and transmission of electricity, the competent authority for this project is the National Department of Environment, Forestry and Fisheries (DEFF).

It is anticipated that the Environmental Authorisation as well as the Water Use License will be issued by the end of November 2020.



Photo: Two sets of high voltage power lines to be relocated from the Stellenbosch Landfill

e) Waste Management Licence project

The Stellenbosch landfill has reached capacity. The landfill comprises completed cells (cell 1 and 2) as well as an operating cell (cell 3). Cell 3 is separated from cells 1 and 2 by an area on the landfill property footprint that is used for access roads, entrance area and weighbridge, green waste chipping and rubble crushing and stockpiling activities. This area has been unused as it is crossed by two high voltage Eskom power lines which are to be removed and repositioned. This area has been identified as possibly suitable for the establishment through design and construction of engineered cells to be operated for the acceptance for disposal of residual general waste which has not been recycled or recovered for energy purposes, this will add some 20 to 30 years of landfill airspace.

The appointment of an EAP was made using the existing panel tender in terms of which a request for technical proposal was requested and an appointment was made of a specialist environmental consultant to successfully carry out all required environmental processes including relevant specialist studies by way of a comprehensive BA process to successfully obtain the Waste Management License. This will allow the municipality to proceed with the planning, design, construction and operation of further waste management cells. In addition, the appointed professional service provider must also review and do the necessary work if required for the updating of the Water Use License of the site (WULA). The project was initiated during June 2019 and it is anticipated in spite of delays experienced due to the lack of boreholes and the national COVID-19 lockdown the BAR will be completed and ready for public participation by end of December 2020. The final BAR will be submitted early in 2021 and the WML and WUL should be issued early in the second semester of the 2020/21 financial year.

A series of new boreholes were drilled to ensure that the design report to be completed, this included boreholes for the new cell 4 as well as additional boreholes for the monitoring of the closed cells 1 and 2 as well as cell 3.





Photos: Borehole being drilled as well as completed borehole

The Devon Valley Landfill Site received the following quantities of waste which was recorded by the weighbridge at the site:

Table 3:19: Landfill statistics for incoming waste in tons for 2019/20 financial year

Total Waste at Dvls Per Month	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20
	17 852	10 063	21 200	6 448	6 844	4 483	5 630	4 721	5 310	412	2 909	6 710
Waste Received at DVL Per Month												
	Jul-19	**Aug-19**	**Sep-19**	**Oct-19**	**Nov-19**	**Dec-19**	**Jan-20**	**Feb-20**	**Mar-20**	**Apr-20**	**May-20**	**Jun-20**
Building Rubble	2 613	2 155	2 071	2 791	2 899	3 339	3 324	2 892	3043	21	988	3 019
Garden Waste	392	234	14 829	362	379	239	578	554	495	23	274	863
Clean Cover	8 171	2 854	982	1 762	2 777	438	968	599	770	0	444	1 352
Area Cleaning	510	781	650	652	441	227	264	418	618	325	1 055	1 240
Domestic Refuse	4 123	2 885	1 621	364	154	131	272	106	157	29	76	1
Industrial Refuse	481	720	459	368	195	110	161	152	130	12	67	111
Waste Removed and / or Beneficiated												
	Jul-19	**Aug-19**	**Sep-19**	**Oct-19**	**Nov-19**	**Dec-19**	**Jan-20**	**Feb-20**	**Mar-20**	**Apr-20**	**May-20**	**Jun-20**
Green Waste	392	234	14 829	362	379	239	578	554	495	23	274	863
Recyclables Out	75	90	82	0	0	0	0	0	0	0	0	0
Bricks Out	0	0	3	0	0	0	0	0	0	0	0	0

The table above refers only to incoming waste which was captured over the weighbridge as incoming loads and waste removed, or beneficiated, for the 2019/20 financial year.

The total waste received at the landfill site was 92 582 tons, compared to the corresponding period a year ago, which was 219 896 tons. This indicates a decrease of 58%.

The main reason for this is the limitation in airspace at the landfill, and thus from August 2019 general waste was being re-directed to Klapmuts Transfer Station and then transported and disposed of at Vissershok Private Landfill. This changed the composition of waste material on site to the extent that recyclables were no longer available to informal waste pickers on site.

The other fluctuation in waste volumes is due to economic activities that were limited during lockdown. It is interesting to note that area cleaning / illegal dumping has increased dramatically. The high rate of unemployment and more people / families are at home and waste generated is not disposed of responsibly, may be a reason for this.

f) Projects continued in the 2019/20 financial year but initiated in previous financial year(s):

Landfill gas extraction, flaring and electricity generation:

Previous investigations into landfill gas showed that it is feasible to harvest landfill gas from the closed and active cells and convert this to electricity. Carbon offset projects are a way in reducing the carbon footprint of a municipality, thus there are benefits in investing in carbon reduction projects, which can assist in making a town carbon neutral.

Many of the carbon offset projects may provide additional benefits such as biodiversity, education, jobs, food security, as well as much needed income for developing countries.

A Clean Development Mechanism (CDM) project undertaken with registration under the United Nations Framework Convention on Climate Change (UNFCCC) could unlock CDM income for the Stellenbosch Municipality though the sale of certified carbon credits measured as Certified Emission Reduction credits (CERs). These CERs can be traded and sold, and used by industrialised countries to a meet a part of their emission reduction targets under the Kyoto Protocol. In addition, South Africa has established a system that allows subsidies for green energy projects in return for tax incentives (carbon tax) for investor companies including municipalities.

The Department of Minerals and Energy has established the Renewable Energy Finance and Subsidy Office (REFSO) to assist developers.

Investigations into the best mechanism to take this project forward have been undertaken. Starting from scratch is both expensive and time consuming, so the most financially viable way ahead with the Stellenbosch Municipal landfill gas to electricity project will be to link into the City of Cape Town's UNFCCC approved Programme of Activities (POA). Being part of an established POA will have many benefits, including financial and time, for the Stellenbosch Municipality.

A letter seeking permission was sent from the Municipal Manager's office to the City Manager in this regard. A positive response was received and the Stellenbosch Municipality will embark in the 2020/21 financial year on the viability and eligibility study to make certain that the project is viable and that the benefits of linking with the POA can be realised.

g) Compliance

Internal audits

Internal audits are due to be conducted quarterly in the months of March, June, September and December by Head Office waste management staff. This is a regulatory requirement. However due to the fact that the Senior Manager: Waste Management left the municipality, two internal audits were not finalised and written up. One was carried out in May 2020.

External audits

For disposal facilities (landfills and transfer stations) to be operated in compliance with the relevant legislation, all landfills must be licenced and managed according to the conditions in the licence. These management practices must also be compliant with the Norms and Standards in terms of the National Environmental Management Waste Act (NEMWA) as well as with certain sections of Minimum Requirements for Waste Disposal by Landfill (DWAF, 1998), and other relevant regulations.

To be able to assess whether waste management practices are according to all stated conditions, landfill owners must, on a regular basis (at least once per annum), obtain the services of an external auditor to do an independent landfill compliance audit.

To ensure compliance, external audits have been undertaken by an independent specialist consultant, at the Stellenbosch landfill and at the Klapmuts Transfer Station, in accordance with the waste management licence conditions. Six months later a review of the audit finding to ascertain improvements has been carried out. The independent auditor reported back to the municipality as well as to the Monitoring Committee. The municipality is compliant with most of the permit conditions, with the exception of storm water, groundwater and gas monitoring. All of the non-compliances are being addressed with establishment of a new borehole monitoring network as well as appointments for ground water and landfill gas monitoring. All required boreholes were implemented in the 2019/20 financial year

as part of the specialist studies undertaken, and gas monitoring will be incorporated with the methane extraction project also listed in the 2020/21 financial year.

h) Monitoring Committee

All landfills are established and operated in terms of a waste management license (WML) issued by either the national or Provincial Department of the Environment. In terms of the WML landfills are required to establish a Monitoring Committee. The objective of the Monitoring Committee is to provide a forum to enable the community to effectively participate in and monitor the operation, rehabilitation, closure and on-going monitoring of a landfill.

The Stellenbosch landfill has an active monitoring Committee that meets every three months. The committee is chaired by a representative of the community and minutes are prepared by the municipality. Monitoring Committee meetings are attended by DEA&DP officials as well as officials of various Municipal Departments as and when required. The independent external auditor also attends the meeting as and when required to report on the findings of the annual external as well as the review audit.

i) Waste Managers Officers Forum

The Waste Management Officer (WMO) for the Stellenbosch Municipality is the Senior Manager: Waste Management. Quarterly meetings of the Provincial Waste Managers Officers forum take place at various venues across the Province. The WMO attends the meeting and reports back on activities within the municipality – this also provides a forum to receive information from Provincial officials and for networking with WMOs from other municipalities within the province.

j) Studies and Strategies

Waste Characterisation study

In order to understand the Stellenbosch waste stream and make decisions based on recent data and composition, a comprehensive waste characterisation study was undertaken. This was completed during the 2019/20 financial year.

Figure 3:9: Outcomes of the waste characterisation study – broad categories data

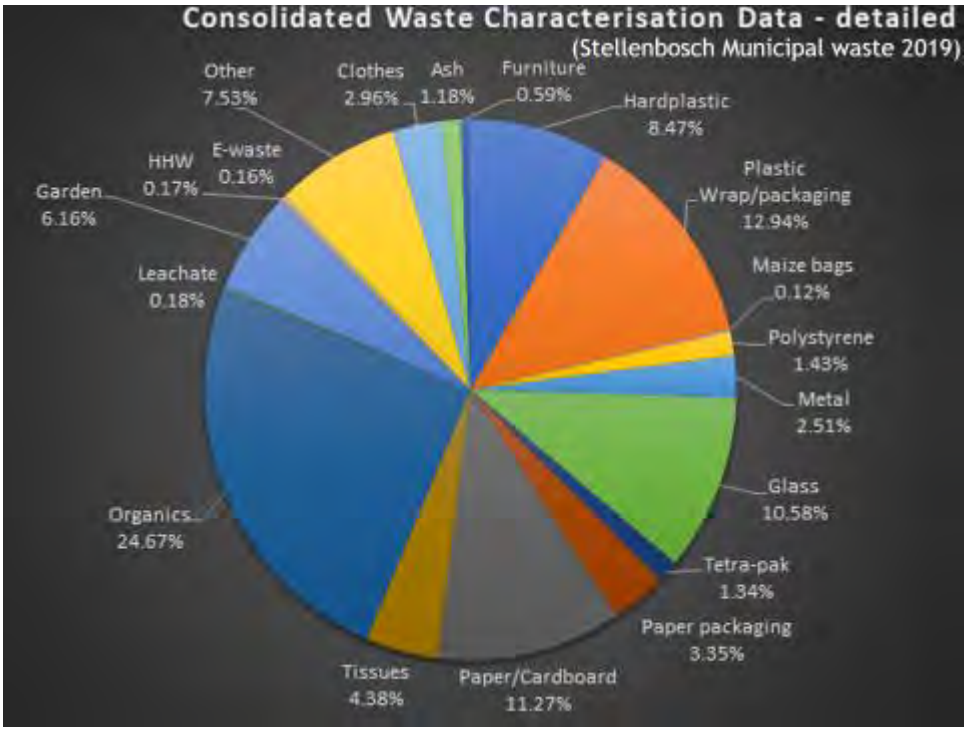
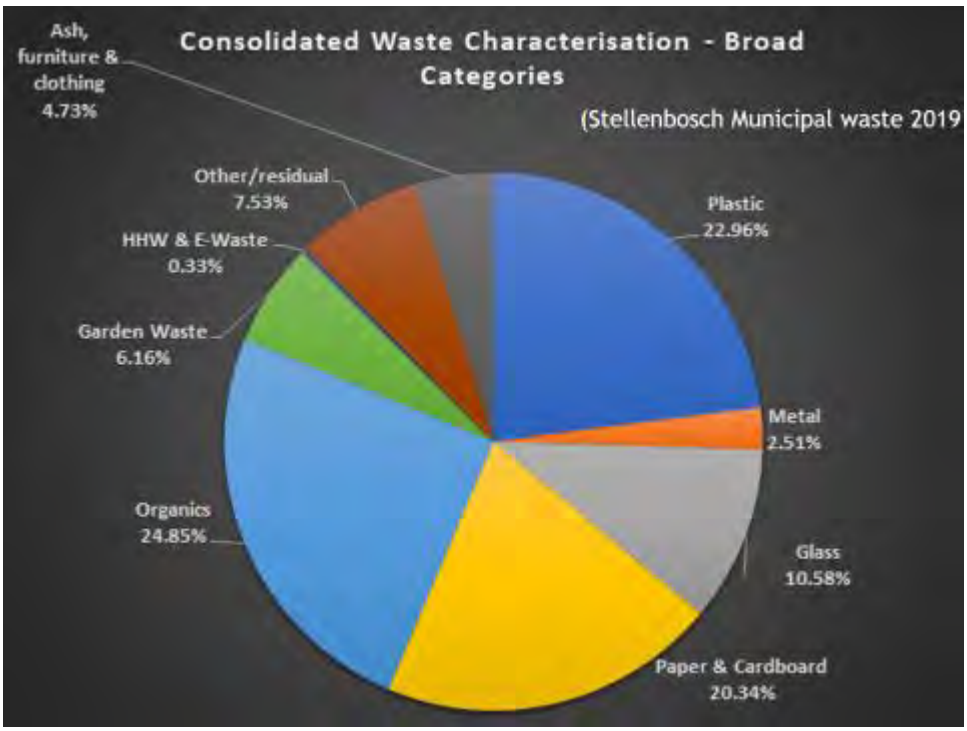


Figure 3:10: Outcomes of waste characterisation study – detailed data



Review of IWMP

A comprehensive review and updating of the Integrated Waste Management Plan was initiated during 2019/20. This will be completed in the next financial year and submitted for approval to Council.

MSA Section 78(3) report

A section 78(3) investigation was undertaken as mandated under the MSA.

This investigation is undertaken to inform Council of the outcome of the process followed in terms of the Section 78(1) and (2) study and subsequent Council resolution into the preferred service delivery mechanism for the various activities undertaken by the Solid Waste Management department thereby enabling Council to make an informed resolution and a Section 78(4) decision.

The report was finalised during 2019/20 financial year and will be reported to Council during 2020/21.

k) Social Engagement and Environmental clean-ups

The Department of Environment, Forestry and Fisheries (DEFF) provided the municipality with a Youth Environmental Coordinator (YCOP) to assist with social engagement and awareness.

On the 10th of April 2019, Solid Waste Senior Manager, YCOP, Stellenbosch Water Institute Project Manager, Amanzi Yimpilo youth ambassadors and engineers, Environmental Management unit manager conducted a site visit to all the polluted areas highlighted by the community. The site visit involved a walk-through ED and H sections of Enkanini, and an investigation of the three rivulets in Enkanini. The aim of the site visit was both to verify the community concerns and obtain a sense of the extent of the problems that the community had identified.

l) Involvement with Professional and Educational Institutions

During the financial year the department conducted environmental awareness with regards to recycling and illegal dumping. Environmental awareness was conducted by the YCOP at the following schools:

List of visited schools:

1. Groendal Primary School;
2. Dalubuhle Primary School;
3. Kayamandi Primary School;
4. Ikaya Primary School;
5. Ida's Valley Primary School;
6. Webergedenk Primary School;
7. Kayamandi High School Pniël Primary School;
8. PC. Petersen Primary School;
9. Makupula High School;
10. Stellenzicht High School;
11. Luckhoff High School;
12. Laerskool Cloetesville;
13. A.F Louw;
14. ST. Vincent PC Primary;
15. Rhenish Primary;
16. Laerskool Eikestad; and
17. Devonvallei Primary School.

Future campaigns will be launched to all schools on waste and environmental awareness.

Involvement with professional and Educational Institutions

Institute of Waste Management of Southern Africa (IWMSA)

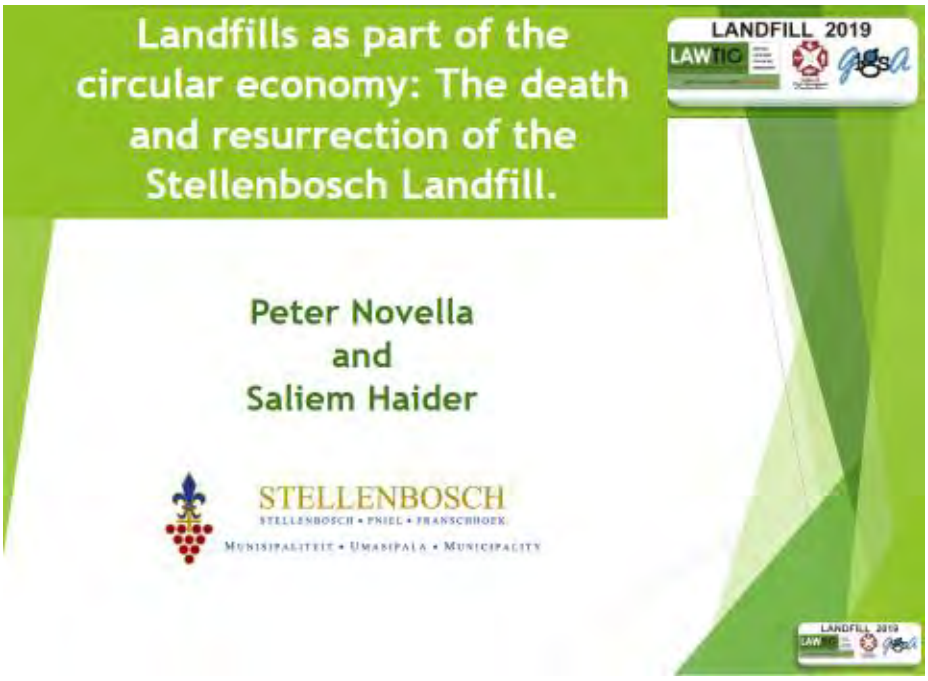


Photo: Cover of presentation at IWMSA Landfill 2019 conference.



Cover of February 2020 Resource and article on waste management in Stellenbosch.

3.8.6.7 Refuse Removal (Solid Waste) Service Delivery Levels

The table below indicates the different refuse removal service delivery level standards within the urban edge area of the municipality:

Table 3:20: Refuse removal service delivery level standards

Description	2015/16	2016/17	2017/18	2018/19	2019/20
Household	audited	audited	audited	unaudited	unaudited
Refuse Removal: (Minimum level)					
Removed at least once a week	40 264	37 207	49 072	48 988	49 300
Minimum Service Level and Above Sub-Total	40 264	37 207	49 072	52 374	52 374
Minimum Service Level and Above Percentage	90.2	78.7	93.7	93.5	94.1
Refuse Removal: (Below minimum level)					
Removed less frequently than once a week	1 064	1 064	1 064	1 064	1 064
Using communal refuse dump	N/A	N/A	N/A	N/A	N/A
Using own refuse dump	2 058	5 358	6 453	2 323	2 323
Other rubbish disposal	766	766	N/A	N/A	N/A
No rubbish disposal	N/A	N/A	N/A	N/A	N/A
Below Minimum Service Level Sub-Total	**3 888**	**7 188**	**7 517**	**3 387**	**3 387**
Below Minimum Service Level Percentage	**8.81**	**8.80**	**11.66**	**6.5**	**6.5**
Total Number of Households	**44 152**	**44 493**	**52 374**	**52 374**	**52 374**

3.8.6.8 Capital Expenditure – Waste Management Services

Table 3:21: Capital Expenditure as at 30 June: Waste Management Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Stellenbosch WC024 Material Recovery Facility	25 669 337	19 509 850	-24%
Vehicles	5 879 824	5 043 827	-14.22%
Expansion of the landfill site (New cells)	2 000 000	1 371 514	-31.42%
Upgrade Refuse disposal site (Existing Cell)- Rehab	1 000 000	370 035	-63%
Skips (5,5Kl)	776 240	724 354	-6.68%
Only the 5 largest capital projects are listed			

Waste Management Services have spent, **75.56%** of the capital budget for the financial year

3.8.6.9 Total Employees – Waste Management

Table 3:22: Total Employees – Waste Management

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 1 7	4	1	3	75
9 – 13	17	13	4	23.5
4 – 8	49	33	16	32.6
3 – 0	71	7	64	90.14
Total	**141**	**54**	**87**	**61.7**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.8.7 HOUSING

3.8.7.1 New Housing

The municipality has an important responsibility to plan for integrated human settlements by ensuring that all its citizens reside in developable, formalised, safe and sustainable human settlements. This is accomplished by providing dignified living through National and Provincial funding within closer proximity to employment opportunities, if thereby improves the quality of life of all citizens.

The Department: Housing Development, in accordance with the Housing Pipeline planned the following projects for 2019/20 financial year:

a) Erf 7001, Cloetesville

Stellenbosch Municipality have been proactive and strategic in identifying vacant portions of land to assist in addressing poor living conditions, and in particular the need for housing provision, in Cloetesville, located 4km to the north of the Stellenbosch CBD. The municipality has therefore initiated a study aimed at exploring the development potential within Cloetesville and to respond to the development needs and challenges within Cloetesville, in particular.

Stellenbosch Municipality has therefore decided to follow a Call for Proposals process to focus on Erf 7001 and that the required cost benefit analyses be completed for the identified property (Erf 7001) as part of submissions by bidders.

It should be noted, that a previous Call for Proposal was advertised during 2018/19 financial year and was cancelled due to non-responsive bidders.

Figure 3:11: Location Plan: Erf 7001, Cloetesville



A new tender was re-advertise and the closing date of this Call for Proposal was 20 March 2020. Bids were received and Stage 1 of the Call for Proposal has been completed.

This Call for Proposal has 2 (two) stages and Stage 2 is currently in progress. The different stages are explained below:

- **Stage 1**: **Concept Proposal and Functionality (ability to deliver on project requirements)**

The proposals will be scrutinised and assessed on the concept proposal and ability of Bidders to deliver on project requirements by a Bid Evaluation Committee (BEC). Only those Bidders whose bids are assessed as having achieved the minimum required score (70%) will be considered responsive and will proceed to Stage 2 evaluation. Following this functionality evaluation, the Bidders will be informed in writing of the outcome pertaining to stage 1.

- **Stage 2**: **Financial Proposal and Feasibility**

The financial feasibility evaluation of proposals submitted is there for a critical element in the decision-making process for Stellenbosch Municipality.
Bidders that have been shortlisted following the functionality evaluation in stage 1 will be provided with a pricing schedule that must be completed in a prescribed timeframe. Bidders will then be required to submit their financial proposals and feasibility analyses to support their development proposals and that examines the implications, strengths and weaknesses of their proposals. The shortlisted bidders will be invited to present their development proposals in more detail to the Evaluation Panel and clarify any issues that may need to be elaborated upon.

The appointment for a successful service provider will be appointed after the Stage 2 evaluation.

b) Possible sites for mix-used development in Cloetesville (Infill housing development)

During 2018/19 financial year, a status quo assessment report was concluded by a service provider. Thethe report identifies the possibility for other various vacant erven in Cloetesville.

During October 2019, Council considered two desktop studies in order to determine the suitability of municipal owned vacant erven in Cloetesville for further infill development. The studies will determine the different housing typologies in order to address the challenges communities are facing in the Cloetesville area.

A technical proposal was advertised during March 2020, requesting consultants to undertake a feasibility study of various sites within the Cloetesville area for possible Infill Housing Development. Due to the National Lock Down as instructed by The President, the municipality decided to extend the closing date to April 2020.

The successful service provider was appointed during June 2020 and will commence with work to assemble a multi-disciplinary team of professionals in order to complete the study for Cloetesville, Stellenbosch during the 2020/21 financial year.

c) Farm 527, Jamestown (Phase 2, 3 and 4)

Stellenbosch Municipality has identified a portion of land in Jamestown for residential purposes. The site is located on the southern edge of the suburb of Jamestown, east of the R44 between Stellenbosch and Somerset West, flanked by an existing cemetery on its western boundary and a sports field located centrally on its northern edge. The area is characterised by medium to high-density residential as well as non-residential uses that serve the local community of Jamestown.

Figure 3:12: Location Plan: Farm 527, Jamestown (Phase 2,3 and 4)

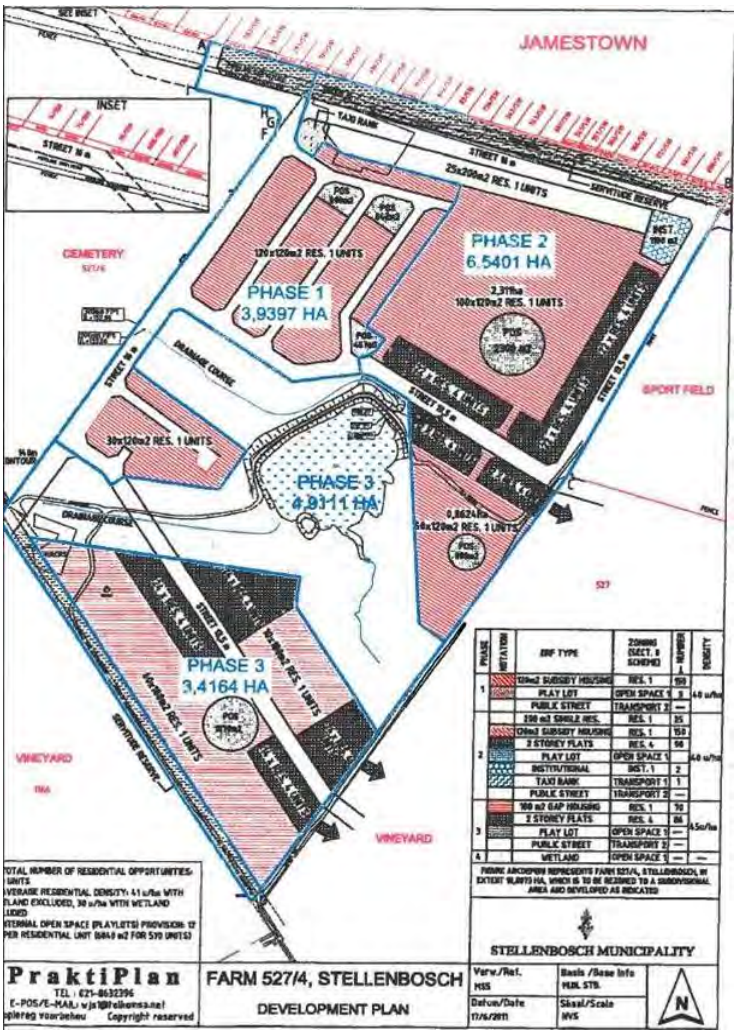


A portion of this land (Phase 1 - 3.9317ha) was completed in November 2016 and therefore excluded from this proposed development concept / framework.

A tender was advertised for a Call for Proposal for Phases 2, 3 and 4 for the delivery of additional state subsidised housing units, serviced sites for affordable housing (plot and plan), GAP housing units, high density units and high income housing for sale on the open market. Specific preferences will be given to purchasers meeting the criteria, pricing and subjected to confirmed conditions as stipulated by the municipality.

Development rights have been obtained for Phases 2 and 3 on Portion 7 of Farm 527 (site and service, 2-storey walk-ups, GAP housing, high income housing and public open space) and it is proposed that these two phases be made available simultaneously for development in the short to medium term. The portion of Remainder Farm No 527 included in this Proposed Development Concept is zoned Agriculture and application therefore still needs to be made to obtain development rights for urban / residential development.

Figure 3:13: *Approved Development Plan*



The development of this area (the new Phase 4) is only possible in the medium to long term (as also indicated in the Stellenbosch Municipality Housing Pipeline annual review). It will therefore be required of the prospective developer to do the necessary detailed feasibility studies and obtain the relevant planning and other approvals to enable township establishment for this phase of the development.

The town planning and design principles will incorporate aspects such as access and movement, landscaping, a safe community, permeability and street linkages, integration, continuity, active street interface, local economic development, integration of public spaces with community facilities, dignified space concept and linkages between public spaces.

The Call for Proposal followed a 2-stage approach to appoint a suitable developer (Stage 1: Concept Proposal and Functionality (ability to deliver on project requirements) and Stage 2: Financial Proposal and Feasibility). The proposals for Stage 1 have been scrutinised and assessed on the concept proposal and ability of Bidders to deliver on project requirements. Only those Bidders whose bids are assessed as having achieved the minimum required score (70%) will be considered responsive. The responsive bidders will proceed to Stage 2 evaluation which will be assessed during 2020/21 financial year.

d) Kayamandi Town Centre

The Kayamandi Town Centre project has been developed over a number of years. The project is still in its planning stage whereby development rights must be obtained. This project must be viewed as a multi-year project. The funding source that the municipality receives is from the Human Settlements Development Grant(HSDG).

A service provider with the necessary multi-disciplinary team of professional consultants was appointed to conduct a feasibility study to assess the redevelopment of the town centre of Kayamandi.

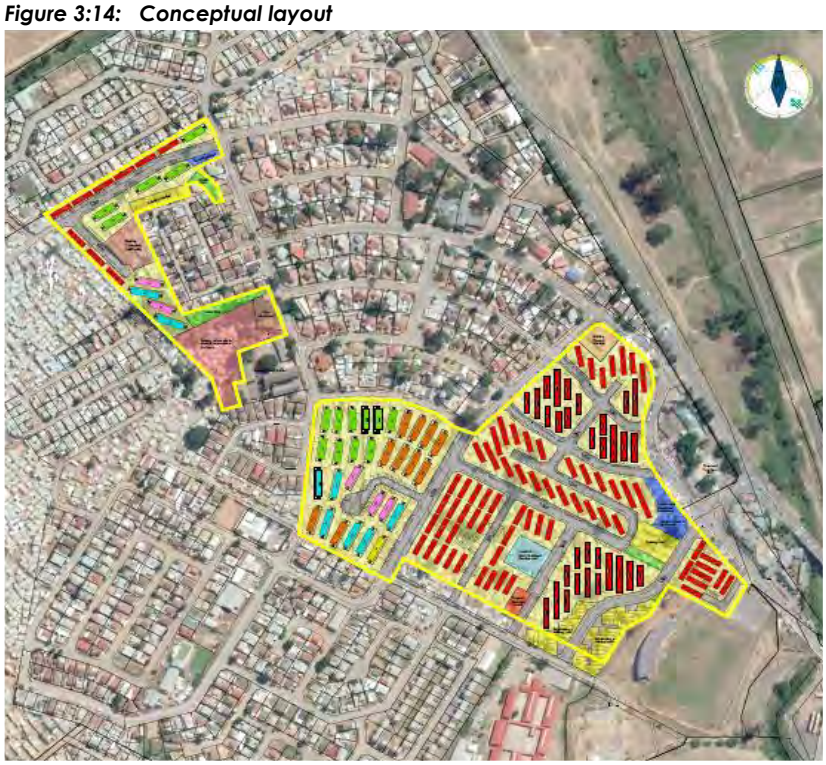
The specific area has been discussed and subsequently approved by the Stellenbosch Municipality for the redevelopment of the town centre of Kayamandi, Stellenbosch.

During March 2017, Stellenbosch extended the scope to conduct a feasibility study for the Kayamandi Town Centre to consider the options to formalise this area. Subsequent to this, Stellenbosch Municipality extended the appointment for detailed planning for the formalisation of the Kayamandi Town Centre Redevelopment. Kayamandi Town Centre redevelopment should be seen as an integrated and holistic development, a mega project, for planning and implementation.

The feasibility study was completed during December 2017 and Council approved the feasibility study on 28 March 2018.

The proposed typology mix is such that it will enhance the beauty and character of the Kayamandi Town Centre in that it will provide for a mix of typologies to accommodate the old and the young. The proposal for walk-up units is also to provide maximum densification within the available limited space.

Figure 3:14: Conceptual layout



The proposed town planning layout consists of ±700 BNG and ±1000 walk up units (total ±1700 units with erf sizes of between 80m² and 124m²). All designs to accommodate a mix of housing typologies and business units. This design methodology was utilised to suit the demand and the needs of the affected community. Semi-detached double storey top structure units are proposed at a density of 174 units per hectare. The house typologies or layouts such as "blocks of flats" or units' are representative of the "Joe Slovo" model developed as part of the N2 Gateway project.

The relocation strategy the community agreed upon was that a "block approach" must be followed to effectively address the challenges facing Kayamandi.

The aim would be to unpack the developmental opportunities of Kayamandi and recommend a relocation strategy for the families moving to the temporary units/site that has been earmarked for this process (Northern Extension).

Figure 3:15: ***Locations of business opportunities identified***



Following extensive public participation leading up to a site visit to the N2 Gateway Project in Langa, Cape Town on 19 February 2020, the participants who hailed from Kayamandi Town Centre (Ward Councillors, community leaders and members, and Stellenbosch Municipal officials including the Deputy Mayor and the consultant). This visit yielded positive results and most of the attendees supported this concept.

The proposed land uses in the feasibility study / urban design concept can be accommodated within this zoning. It is therefore proposed that this zoning is used when the study is rezoned during the land use planning application processes.

The proposed land use concept takes into consideration the following issues:

- The general slope of the area – the gradient is such that it has an impact on the number of opportunities;
- The safety concerns with regards to the communal living; and
- The impact of the COVID-19 pandemic – social distancing requirements.

The Planning Application process is anticipated to be completed within a period of nine to twelve months during the 2020/21 financial year.

e) Langrug, Franschhoek

Langrug informal settlement is situated on an approximately ±13-hectare site on the relatively steep slopes of the Wemmershoek Mountains in Franschhoek. It is located some 3km to the north west of the Franschhoek CBD. It is bordered by the Wemmershoek Mountains to the north west; the Mooiwater Township to the east; the Groendal Township to the south and the Dennegeur Farm to the west as shown in the locality plan in figure 5 below:

Figure 3:16: Locality plan



The living conditions at informal settlements are typically poor with residents facing a range of basic livelihood challenges, such as poor access to basic sanitation, water supply, electricity provision and solid waste accumulation in the street, frequent shack fires, safety and security risks. Langrug informal settlement is no exception to these deplorable living conditions described above.

Furthermore, and due to the growing number of shacks and population in the settlement and unavailability of land for housing in the Franschhoek area, there is a growing need at the Langrug informal settlement to:

- Increase the level of basics services and amenities (roads, water, sanitation, electricity etc.);
- Manage grey and black water emanating from households;
- Develop a healthy and safe living environment; and
- Develop a housing project in the settlement.

In light of the above developmental challenges, there are various upgrading programmes that have been identified for planning and eventual implementation at the informal settlement. The aim of these projects is to incrementally upgrade Langrug and to some certain extent formalise existing development patterns and improve the accessibility (movement networks) and the delivery of basic services.

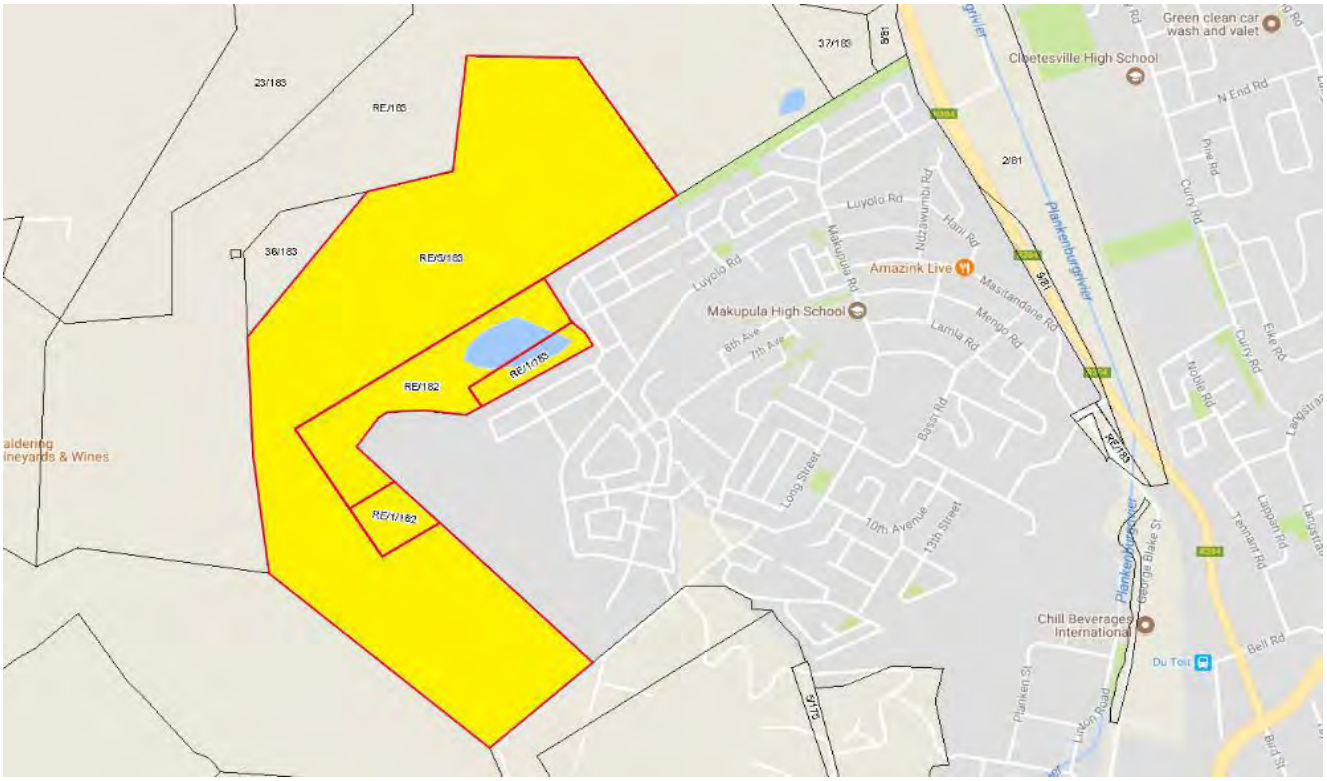
Hereunder is a summary of the planned projects which will commence in the 2020/21 financial year:

- Basic services and layout planning premised on in-situ upgrading principles;
- The construction of phase 2 emergency access road and the installation of water and sanitation;
- Rehabilitation of the dam wall to accommodate light weight structures; and
- Re-blocking of section C and G to improve access and basic services.

f) Northern Extension, Kayamandi

The Northern Extension of Stellenbosch, is situated north of Kayamandi, adjacent to Cloetesville and the Welgevonden Estate. The sites are located on the western side of the R304 (main arterial from the North) to Stellenbosch.

Figure 3:17: Locality plan



The specific site has been suggested by the Stellenbosch Municipality for the northward extension of the urban area of Stellenbosch.

The municipality is aiming to facilitate the development of ±4 000 to ± 6 000 residential opportunities, as well as providing the required social amenities and public facilities required. The feasibility study includes identifying developable land within the study area (different farm land identified).

The Department: Housing Development is in the process of obtaining planning approval and development rights.

It should be noted, that a portion of the development of the northern extension has been identified as a possible relocation area for redevelopment of the Kayamandi Town Centre.

g) Zone O, Kayamandi

Figure 3:18: Approved development plan



The Land Use Planning Authorisation (LUPA) application was submitted to the Department: Planning and Economic Development.

The MPT approved the development proposal and layout, the project is in the process of being made implementation ready and the civil drawings will be finalised by the Directorate: Infrastructure Services.

As soon as the funding application for implementation is approved by the PDoHS, the Department: Project Management Unit (PMU) will commence with the project in 2020/21 financial year.

h) Erf 64, Kylemore

Erf 64, Kylemore is 15.5ha in extent of which the municipality requires ±8ha for residential purposes.

Figure 3:19: Locality plan- Erf 64, Kylemore



A meeting was held between Department of Public work and it was indicated that the Directorate: Investment Analysis will conduct a feasibility study as part of the relevant business process of the Department Public Works and Infrastructure (DPWI). Upon completion of the feasibility study, the relevant report and recommendations have been submitted to the Directorate: Disposals (Land Reform and Human Settlements) to inform their submission for Ministerial approval.

The feasibility study was completed during 2019/20 financial year. The studies are a prerequisite for funding by the PDoHS and it confirmed that the land may be used for residential purposes.

Engagements are currently underway between the municipality and the National Department of Public Works (NDoPW) regarding the transfer of Erf 64, Kylemore to the municipality. Several letters were submitted to the NDoPW requesting the transfer of the land to Stellenbosch Municipality.

The municipality is currently awaiting feedback from the National Department of Public Works.

i) La Motte, Franschhoek

La Motte, set in the Franschhoek Valley amongst plantations, is a former forestry hamlet. It is situated 5 km to the west of Franschhoek, on the Robertsvallei Road, close to where it intersects the R45. Originally built to house forestry workers, the village is made up of the original dwellings and a range of community facilities. During the construction phase of the Berg River Water Scheme, new houses were built adjacent to the existing settlement to temporarily house the construction workers, these houses are now in the process of being transferred to identified beneficiaries.

Figure 3:20: Locality plan of erven, La Motte, Franschhoek



The Stellenbosch Municipality and the community of Franschhoek have been pro-active in addressing the need for affordable and subsidised housing and a number of initiatives have successfully been implemented.

By means of a tender process, a service provider was appointed by the municipality to complete a feasibility study on the proposed sites. This will enable Council to make an informed decision regarding the land acquisition from The Department of Public Works (DOPW), the registered owner of the property. The feasibility study has been concluded.

The Department of Public Works, as custodians of the relevant portions of land, has been engaged in order to start the necessary procedures that would lead to the transfer of the subject properties into the name of Stellenbosch Municipality, for housing purposes.

Several letters were submitted to the National Department of Public Works, requesting the transfer of the land to Stellenbosch Municipality. The municipality is currently awaiting feedback from the National Department of Public Works.

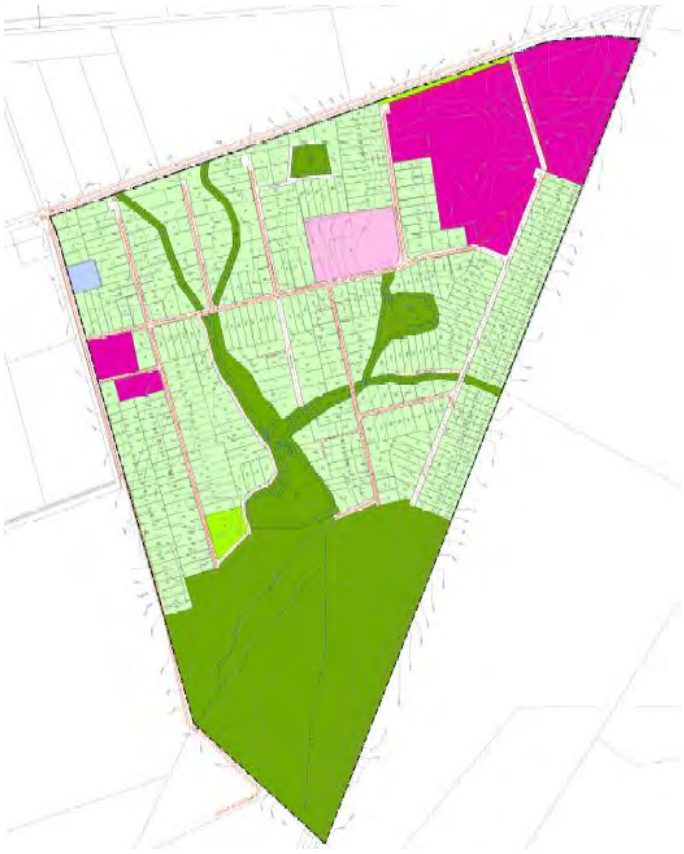
j) De Novo

The Provincial Department of Public Works (PDoPW) is the land-owners of the De Novo property, but a Power of Attorney has been signed with Provincial Department of Human Settlements (PDoHS) to deal with the housing challenges on the site.

The De Novo site is located within the Stellenbosch Municipal area and falls under the jurisdiction of this local municipality. The site is located approximately 14.5km from Stellenbosch, 11km from Klapmuts and 2.3km from the existing Bloekombos residential area in Cape Town.
The Provincial Department of Human Settlements (PDoHS) are the custodian / implementers of this project.

A Project Steering Committee (PSC) has been created, consisting of residents, who represent the interests of the De Novo community about the De Novo Human Settlement Project. The residents residing on the site are renting these residential structures from the Department of Transport and Public Works (WC), and this department is responsible for the maintenance of these structures at present.

Figure 3:21: Locality plan, De Novo



A few older dilapidated buildings are located at the centre of the De Novo site, that appears to be illegally occupied. These buildings and their residents will require a detailed investigation to be effectively addressed. It is proposed that the inhabitants of these dilapidated buildings should be registered on the Stellenbosch Municipal Housing Demand List and then be accommodated in future municipal human settlement projects.

During October 2017 the Stellenbosch Municipality undertook a survey of the residents located on De Novo. The following is the results of this survey, namely:

- Total population residing on De Novo was 501 individuals as of October 2017;
- 312 people were residing in the 77 formal rental houses on site; and
- 189 people were residing in backyards or in the dilapidated old hospital building on site.

The Provincial Department of Human Settlements appointed a professional service provider and a Project Initiation Document (PID) was submitted for PDoHS for approval. A draft Project Feasibility Report (PFR) was submitted to PDoHS for approval in November 2019 and is currently being reviewed by Stellenbosch Municipality for approval and sign-off.

The original project programme planned to have all development rights in place for the De Novo Project by end of August 2020. Due to the COVID-19 Pandemic and the delays caused by the National Lockdown the project end date can no longer by August 2020. Delays of approximately six months have been experienced meaning that a conservative estimated project completion date will be March 2021.

The following mentioned projects were in pre-planning phase during 2019/20 financial year:

k) Social Housing (rental initiatives)

Stellenbosch Municipality, was identified by the Western Cape Provincial Administration as one of "Leader Towns" in the Province that have the requisite constituents to partake in the Social Housing Programme. Consequent to this, the municipality adopted an Affordable Rental Housing Strategy and Plan in 2016. The municipality also undertook a rigorous process of identifying and approving Restructuring Zones for the development of Social Housing. Stellenbosch Restructuring Zone areas were subsequently endorsed by the National Housing Ministry and have been published as such in the Government Gazette dated 27 April 2017 (No. 40815).

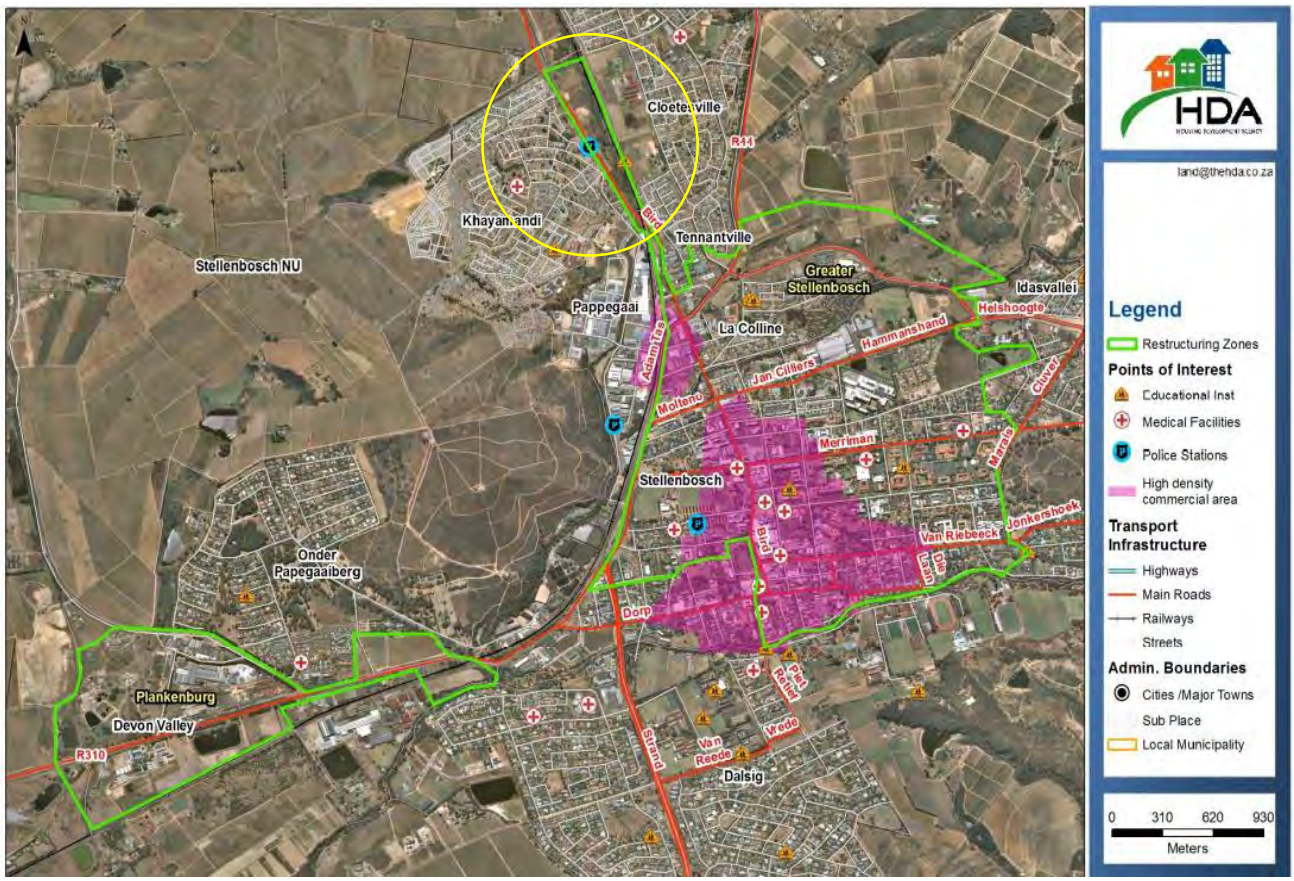
Council commenced with a process of granting long-term use rights to qualifying accredited entities (SHIs and / or ODAs) on land identified and approved for the purpose of developing Social Housing estates.

In principle a Land Availability Agreements (long-term use rights) will be entered into with Social Housing Institutions (SHIs) and / or Other Development Agencies (ODAs), subject to certain conditions.

Against this background, Stellenbosch Municipality is desirous to commence with a project that could address the housing needs of residents that reside primarily in the backyards of privately owned properties.

Council approved the first Social Housing Initiative to commenced on Erf 81/2 and Erf 81/9 (this specific site is illustrated with a circle in the figure below) and the development must be sensitive to the general built and landscaping vernacular of the Stellenbosch area.

Figure 3:22: Locality plan



The area as depicted in the circle on page 10 is indeed part of a rental initiative from Council. To be more specific, the area in the circle that is shown in green, would be the exact area whereby the Municipality would develop Social Housing (rental stock managed by an external company) for families earning between R1 500 – R15 000 per month.

The Department: Housing Development is in progress with feasibility studies for the following projects:

I) Adam Tas Corridor

The Adam Tas Corridor is a private and public initiative since land-owners within the Adam Tas Corridor comprise public and private sectors. The Northern Extention of Kayamandi is also included in the Adam Tas Corridor study.

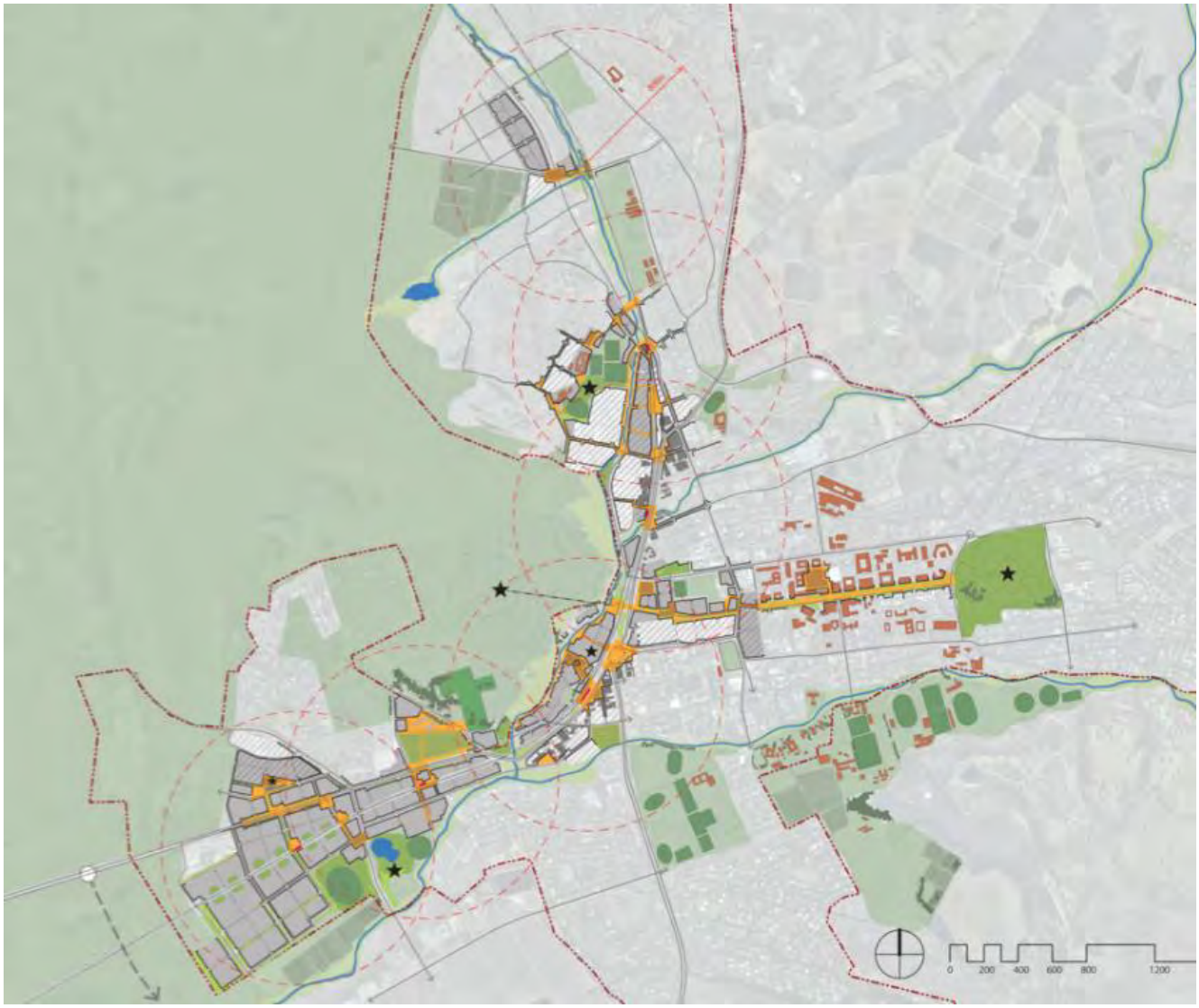
A formal agreement has not been reached with any of the land-owners (National Department of Public Works, Stellenbosch Municipality and private owners). An official letter has been submitted to the National Department of Public Works for the release of the land in favour of Stellenbosch Municipality to initiate mixed-use development.

Adam Tas Corridor which includes proposed projects such as the development of the Droë Dyke precinct, the Adam Tas precinct and the Northern Extension.

The Adam Tas Corridor focusses on the development of a mix of uses where buildings and services cater to the pedestrian accessing the area via alternate modes of transportation. This type of development typically incorporates compact development and dense activity centres within easy walking distance

of transit stops and generally includes a mix of residential, employment and shopping opportunities designed for transit riders, cyclists, and pedestrians.

Figure 3:23: Adam Tas Corridor concept as approved per Spatial Development Framework by Council on 11 November 2019



Specific areas identified for this development include the Stellenbosch and Du Toit Rail Stations, PRASA land holdings along the R44 corridor, George Blake Road, the Van der Stel Sports Complex, the Bergzicht Taxi Rank and Informal Traders Area and Open Space parcels around R44 / Adam Tas Road.

The Spatial Planning Department will advertise for a professional team to compile a local spatial development framework.

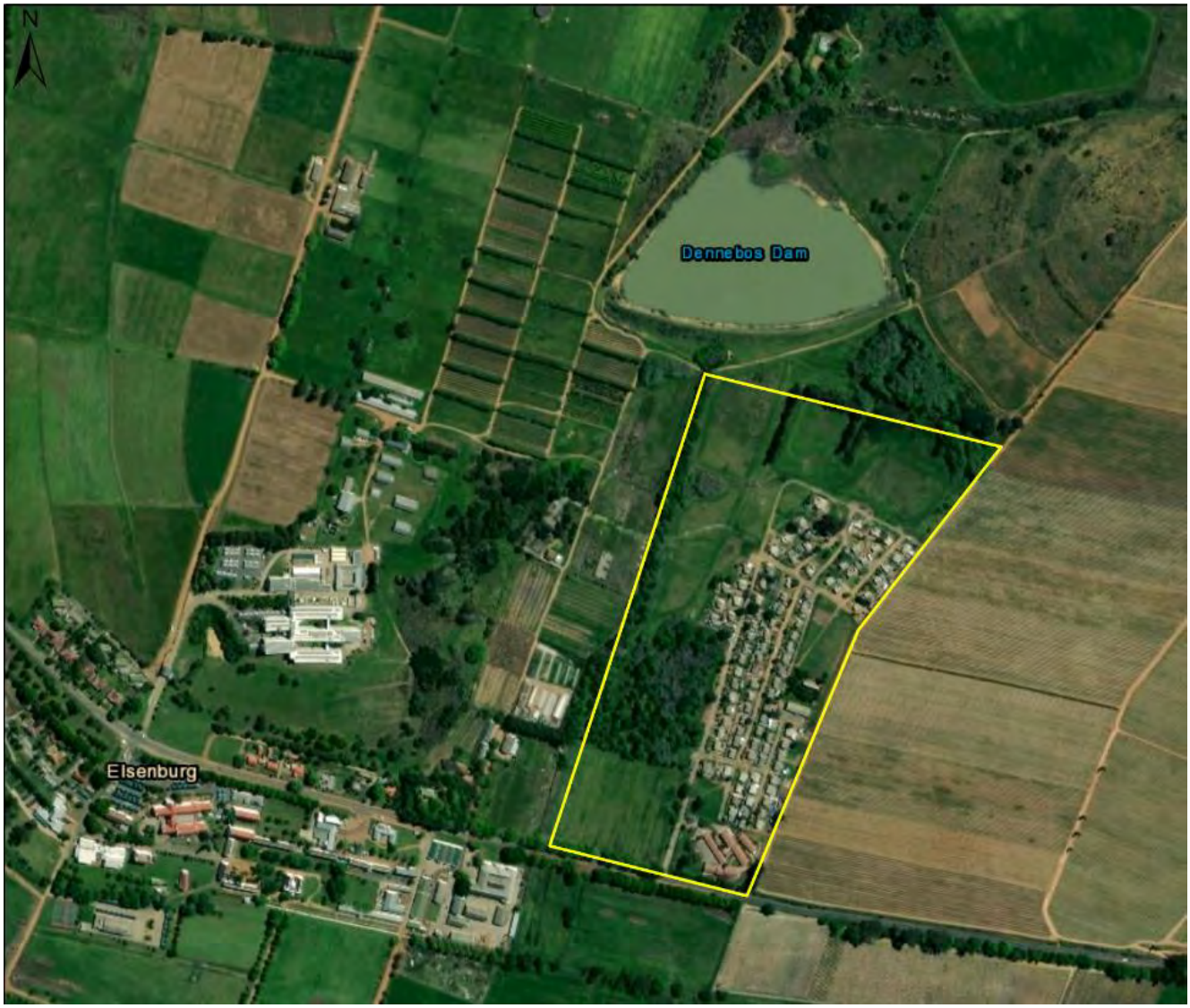
m) Farm 34, Vaaldraai, Elsenburg

In May 2019, Council resolved that a feasibility study must be undertaken for farm 34, Vaaldraai currently managed by Provincial Government. The study was requested to determine how developable the land is, before a final decision is made to transferring the land Stellenbosch Municipality to manage.

During August 2019, a site inspection was done in order to prepare specifications to appoint a service provider. The extent of the property in collaboration with Provincial Department of Public Works (PDoPW) is paramount for an accurate feasibility study.

The tender was awarded and the service provider concluded the brief. A feasibility study was submitted to Council for approval on 24 April 2020. Further discussions with Provincial Department of Public Works will now commence, given the fact that the said area is outside the urban edge.

Figure 3:24: Locality plan, Farm 34, Vaaldraai- Elsenburg



Construction

In terms of the approved organogram, the Department: Project Management Unit under the Directorate: Infrastructure Services is responsible for all installation of services and the building of top structures for Municipal Housing projects.

In accordance with the approved Housing Pipeline, the following projects for the 2019/20 financial year have commence as follows:

a) Ida's Valley Housing Project

Ida's Valley is a well-established traditional community and has been protected as a heritage site since 1976. During 1980, Council developed 'treintjiesdorp' in Newman Street for the poor community of Ida's Valley. Thereafter the development of Lindida was implemented to make provision for the middle income families in Ida's Valley. This development started in 1990 whereby families had an opportunity to buy properties in the Garden Cities development.

The municipality has tried for the past 25 years to get a new project started in Ida's Valley. The municipality went to tender in 2009 with an idea to create a development that will offer a range of housing options from subsidy to affordable housing, and which will be aesthetically pleasing.

Figure 3:25: Figure 17: Work in progress on Erf 11330, Ida's Valley with the construction of GAP houses.



The civil infrastructure for Erf 11330 also known as Hillside Village was completed in September 2019. This includes civil engineering services for 89 subsidy units as well as for the apartment site, bulk earthworks and storm water mitigation across the site, removal of all unsuitable material and resultant remedial action and the installation of retaining walls.

Another challenge was, during the construction phase of the GAP and subsidy housing, the COVID-19 pandemic brought all construction work to a halt for 2 months, thereby extending the anticipated construction period.

The marketing of the bonded houses commenced in January 2019 and 110 units on Hillside Village have been sold.

The construction of 113 affordable houses are at an advanced stage and will be handed over to the successful buyers when completed.

The subsidy houses commenced in November 2019, and the first units will be handed over to the qualifying beneficiaries in September 2020. Eighty-seven (87) units should be completed and handed over before the December 2020 Builders Holiday.

b) Erf 2181, Klapmuts (Upgrading of Mandela City, Klapmuts)

The Mandela City informal settlement is situated on Erf 2181, Klapmuts. Mandela City informal settlement consisted of approximately 500 informal structures on commencement of the project.

Figure 3:26: Site layout plan Erf 2181, Klapmuts (Upgrading of Mandela City, Klapmuts)



A service provider was appointed for the installation of services via a competitive bidding process. The construction of 20m² housing units using Alternative Building Technology (ABT) was conducted by an appointed service provider

The project is being implemented in three phases as per the approved site development plan. The first phase of the development has been completed.

It must be noted that the Mandela City project is an in-situ upgrade which requires households to be relocated in order to create space for construction.

Table 3:23: Construction progress

Area	Yield	Completed	Remaining
Phase 1	197	183	14
Phase 2	187	38	149
Total	**384**	**221**	**163**

The contractors are currently on site, constructing 76 units in phase 2.

Delays
The project has been affected by several major delays. The completion of the project is currently delayed by 7 months and can be attributed to the following:

(i) Community-related delays
The Mandela City community has expressed discontent with the initial designs for phase 1. The municipality had extensive engagements with the community and amended the designs to suit the beneficiaries' needs. The process of amending the designs and obtaining the community by-in caused delays on construction progress.

(ii) Contractor Repudiation / Non-performance
A service provider was appointed for the construction of the ABT housing units. At the commencement of phase 2, the service provider requested a price increase which was deemed to be unreasonable by the municipality. Subsequent to several negotiations, the municipality and the service provider could not reach consensus on the price increase.

Another service provider was then appointed to complete the ABT housing units in phase 2. The re-appointment of another service provider caused major delays on progress.

(iii) National Lockdown due to COVID-19
The project was further delayed due to the National Lockdown to prevent the spread of COVID-19. The contractors were unable to work for approximately two months.

Challenges
The construction area is currently occupied by informal structures. The installation of services in Mandela City is dependent on the relocation of these informal structures in order to create space for construction. There are no available land parcels, at this stage that can be used at temporary relocation areas. This also added to the delays.

3.8.7.2 Title Deeds

Faire Donne Estate, Franschhoek
In accordance with a Council decision, the municipality embarked on a marketing strategy for the Medium Cost Housing development.

Herewith below an extract of the approved Council Resolution:
"*(b) that the new proposed criteria outlined below, be approved;*
(i) *potential beneficiaries must reside or work in the Franschhoek Valley or be in the service of Stellenbosch Municipality for at least for 3 years;*
(ii) preferential treatment will be given to First Time Home Owners;
(iii) preferential treatment will begin to previously disadvantaged individuals in the allocation process, if they qualify in term of 3.3.1; and
(iv) *should the need (people who qualify) outweigh the demand, then the criteria listed above will be*

converted into a point system in determining the final list of qualifying beneficiary."

Thereafter, the Department: Housing Development received a number of 136 applications for the 50 available plots. In accordance with the Sales Agreements, the potential beneficiary has two (2) months to secure the necessary funding.

Table 3:24: Title Deeds status as at 30 June 2020

Total erven re-allocated (round 1, 2 and 3)	48
Vacant properties	8
Total erven	56

3.8.7.3 Informal Settlements

The Department: Informal Settlements is tasked with the monitoring of informal settlements in general, and obtaining demographic information of informal settlement and backyard dwellers and maintaining data registers of these groups by applying data management practices.

The Department: Informal Settlements also has vital role to play in community facilitation and to administer programmes and projects that have a direct bearing on the informal settlement inhabitants. This interaction can be expressed in figure below.

Figure 3:27: Informal Settlements value chain



Access to Basic Services Programme (ABS)

The Department: Informal Settlements ensures that all the informal settlements have access to basic services i.e. water, sanitation and where possible electricity. The Department undertakes regular site visits to the various informal settlements in order to report to the relevant Departments on the status of the respective services. It is imperative to the Department that a level of service is maintained that either meets the national criteria or is quite close to the national criteria.

Emergencies

The Department: Informal Settlements assists the Department Disaster Management in emergencies by verifying the data that is collected about the victims of the emergency. These emergencies are usually fire incidents in the informal settlements or flooding incidents and excessively strong winds.

Table 3:25: Disaster relief provided

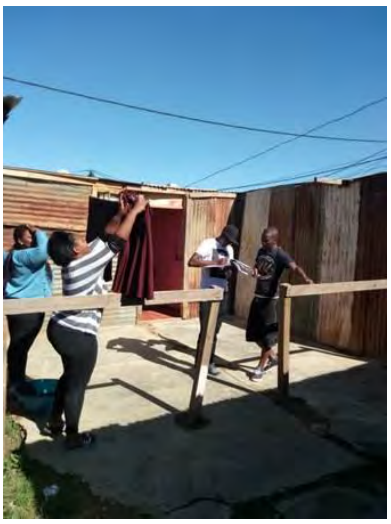
Fires reported in	Number of fires / flooding incidents verified	Number of informal new structures affected by fire (including backyard)	Number of formal structures affected by fire (Brick)	Number of structure affected by flooding	Performance comment
Formal settlements	11	13	11	0	All verifications completed within 48 hours
Informal settlements	13	53	0	28	All verifications completed within 48 hours
Total number of structures impacted by fires / flooding	24	66	11	28	129

Demographic Surveys

The Department: Informal Settlements undertakes regular surveys of the various informal settlements as well as backyard dwellers in order to update and maintain a demographic register and profile. The register is quarterly submitted to the Directorate: Financial Services.

Figure 3:28: Demographic survey being conducted





Upgrading Projects

The Department: Informal Settlements is involved in all upgrading projects in informal settlements. The Department plays a role in community facilitation and to administer programmes and projects that have a direct bearing on the informal settlement inhabitants.

Table 3:26: Total properties registered at deeds office (during 2019/20)

Total properties registered at deeds office (during 2019/20)	
Historical project title deeds registered	50
New project title deeds registered*	15
Beneficiaries that could not secure the necessary funding	15
Total erven	65

** Funding for the title deeds was provided through the Title Deed Restoration Programme. It is only given for houses of subsidies approved.*

3.8.7.4 Capital Expenditure – New Housing

Table 3:27: Capital Expenditure as at 30 June: New Housing

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Kayamandi Town Centre - Civil Infrastructure	1 960 000	665 571	-66.04%
Jamestown: Housing	600 000	23 000	-96.17%
Langrug Dam	500 000	-	-100%
Cloetesville IRDP Planning	260 000	-	-100%
Northern Extension: Feasibility	200 000	-	-100%
Only the 5 largest capital projects are listed			

New Housing spent, **23%** of the capital budget for the financial year.

3.8.7.5 Total Employees – New Housing

Table 3:28: New Housing Employee Totals

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	1	0	1	100%
9 – 13	0	0	0	0%
4 – 8	3	0	3	100%
3 – 0	0	0	0	0%
Total	**5**	**1**	**4**	**80%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.8.7.6 Housing Statistics

Table 3:29: Households with Access to Basic Housing

Year	Total households (including formal and informal settlements)	Households in formal settlements	Percentage of households in formal settlements
2017/18	52 374*	26 506	50.60%
2018/19	52 374*	34 071	65.1%
2019/20	52 374*	34 071	65.1%

**Data obtained from STATSA*

The following table shows an **increase** in the number of people on the housing waiting list. There are currently approximately **16 590** applicants on the waiting list.

Table 3:30: Housing waiting list as at 30 June

Year	No. of people on Housing waiting list	% Housing waiting list increase
2014/15	18 833	0.6% (Decrease due to sanitisation of the waiting list data).
2015/16	18 791	0.2% (Decrease due to sanitation of the waiting list data).
2016/17	18 953	7.7% (Increase based on the previous year's "sanitised" figures. This is as a result of new applications received).
2017/18	16 482	13.04% (Decrease due to sanitisation of the waiting list data).
2018/19	16 231	The Department rolled out an updating of the waiting list programme which resulted in all the deceased applicants being removed and duplicate applications removed and this has resulted in the decrease of the total number of active applicants on the waiting list.
2019/20	16 590	2.21% (Increase due to new applications received).

3.8.7.7 Housing Administration

Transfer of housing stock

During the period under review the municipality continued with the process to deal with historic backlog and transfer properties to beneficiaries of state subsidised houses. A process action plan was devised in terms of which administrative procedures would be streamlined. Panel attorneys were appointed to transfer the properties identified. A total of 109 title deeds were transferred for the period of the financial year. The transfers were in the following areas:

Table 3:31: Transfer of housing stock

Area	Total
Cloetesville	12
Kayamandi	37
Franschhoek	56
Klapmuts	14
Kylemore	2
Pniël	17
Ida's Valley	77
Total	**215**

The Department is conducting continuous Housing Consumer Education Programmes with affected beneficiaries and addressing issues around title deeds. The Municipality has also appointed temporary field workers to assist with beneficiary administration

which includes tracing of beneficiaries and conducting occupation surveys to ensure that title deeds are registered in the correct person. There is also a panel of attorneys appointed to specifically deal with the title deeds restoration programme

The municipality partnered with an NGO called Free Market Foundation which assists municipalities to deal with the historic backlog in terms of transfer of properties. The NGO provides funding for the temporary appointment of staff to enhance capacity and also provides funding to the municipality of R500 per title deed registered.

3.8.7.8 Waiting list administration

The municipality continues with the "data-cleaning" process pertaining to applications that appear on the waiting list where vital information is outstanding. The area-based approach which was used where staff members went out to the various areas and invited applicants to workshops during the course of which the applicant's information was updated. The whole of Stellenbosch Municipal Area was covered during this programme of the updating of the housing demand database.

The agreement with the Western Cape Department of Human Settlements to assist with the data clean-up of the Stellenbosch Municipal Waiting list continues. The waiting list is being updated and verified on a regular basis by the Western Cape Department of Human Settlements to ensure that the number of people deemed to be on a "waiting status" are a true reflection of those persons who still require housing assistance within the Greater Stellenbosch Area.

There are a total of **16 590** applicants in the system, there is an increase due to new application received and captured on the system.

The municipality continues to make use of the online housing demand database system which has I have a mobile app so that people can be able to submit applications via their smartphones in the comfort of their own homes. This new online database system and the mobile app was launched in August 2019. The App makes it easier for applicants to use their smartphones to submit applications to be placed on the Housing Demand Database and the Housing Demand Database System is being updated regularly to ensure that Council has credible data for planning for future housing projects to be implemented.

Administration of public rental stock

On 25th June 2014, Council adopted a Policy for the Administration of Public Rental Stock. This document was the culmination of collaboration between stakeholder departments within the municipality. The purpose of the policy is to ensure effective management of well-maintained assets that will improve the quality of life for residents. The Department is currently busy with the review of the Human Settlements Administration and Allocation Policy which will include the allocation and management of the Public Rental Stock and will be adopted in 2020/21 financial year by Council after due public participation processes have been completed to solicit comments from the public.

Housing consumer education (HCE)

A total of thirteen (13) workshops were held with mainly tenants in our rental stock. The HCE workshops are also used to address issues around anti-social behaviour in the public rental flats. HCE programmes were also held for beneficiaries of houses that were built between 1994 and 2010. These are houses that form part of the Title Deeds Restoration Programme. These beneficiaries are advised about security of tenure, issues of inheritance and drafting of a Will. HCE workshops were also held with beneficiaries of the Ida's Valley Housing Project to educate them about homeownership, writing of a Will and By-laws governing properties.

Job Creation

Housing Administration started the roll-out of a job creation programme via the EPWP project. 37 job opportunities were created as follows:

- 18 EPWP workers appointed to assist with cleaning of the rental units and this resulted in the decrease in complaints received from tenants as our grounds are in a neater state;
- 26 temporary field workers were also appointed to assist with the transfer of state subsidised houses and to eradicate the historic backlog in terms of transfer of these houses. The field workers assisted with beneficiary verification processes and occupancy verification due to the fact that the properties that we are currently busy transferring are historic and have many issues which some of these is missing beneficiaries and deceased estates; and
- 3 registration clerks were also appointed to assist with electronic filling of all documentation in the department.

3.8.7.9 Total Employees – Housing Administration

Table 3:32: Employee totals: Housing Administration

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0%
14 – 17	3	2	1	33.30%
9 – 13	10	9	1	10%
4 – 8	8	4	4	50%
3 – 0	9	7	2	22.20%
Total	**30**	**8**	**18**	**60%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.8.7.10 Total Employees – Informal Settlements

Table 3:33: Employee totals: Informal Human Settlements

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	0	0	0	0%
9 – 13	4	2	2	50%
4 – 8	12	4	8	66.70%
3 – 0	0	0	0	0%
Total	**17**	**7**	**10**	**58.70%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.8.8 PROPERTY MANAGEMENT

This Department is responsible for the management of municipal-owned land and buildings, i.e. acquisition, awarding of rights and disposal thereof, excluding any housing rental stock and housing projects. The management of office accommodation is also done by this department.

During the course of this financial year this Department was instrumental in facilitating the following transactions:

- Disposal of Erf 718, Kayamandi to the Provincial Government for the purposes of extending the clinic;
- Exchange of land, i.e offering of alternative site (Erf 523 to the Seventh Day Adventist Church in Kayamandi in exchange for erf 718, to enable the above transaction;
- Disposal of erf 111 Kayamandi to the United Reform Church of South Africa;
- Renewal of various Lease Agreements;
- Acquisition NPK Building; and
- Acquisition of Erf 9194, Technopark.

3.8.8.1 Facilities Management – Property Management

This Department is also responsible for the maintenance of all Council-owned buildings and the construction / project management of all upgrading and or new facilities. Some of the highlights of the past financial year include the following:

a) Completion of phase two of Cloetesville Flats (multi-year project valued at R10.8m);
b) Upgrade of La Motte Community Hall;
c) The planning phase of the following projects were finalised or started with:

- New public ablution facilities in Franschhoek;
- New sport Clubhouse in La Motte;
- Upgrade of Cloetesville Hall;
- Upgrade of Stellenbosch Townhall;
- Hard and Soft landscaping at Klapmuts MPC;
- Redevelopment of ex Kleine Libertas precinct;
- Upgrade of Traffic offices; and
- Upgrade / conversion of residential unit into office space in Simonsbergweg / Stellenbosch.

Table 3:34: Service Data Statistics – Property Management

Details	2015/16	2016/17	2017/18	2018/19	2019/20
Encroachment Agreements: New	23	22	16	2	0
Encroachment Agreements: Renewals	7	5	0	0	0
Lease Agreements: New	4	1	0	1	1
Lease Agreements: Renewals	-	2	2	0	1
Sales Agreements	2	3	0	0	3
Servitudes	29	-	0	5	2
Poster applications	81	30	25	35	8

3.8.8.2 Capital Expenditure – Property Management

Table 3:35: Capital Expenditure as at 30 June: Property Management

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Purchasing of land	112 750 000	66 320 561	-41.18%
La Motte Clubhouse	3 200 000	948 960	-70.35%
Flats: Interior Upgrading	3 000 000	2 936 683	-2.11%
Upgrading Fencing	1 748 730	1 330 670	-23.91%
Structural Upgrading: Community Hall La Motte	1 700 000	1 487 160	-12.52%
Only the 5 largest capital projects are listed			

Property Management have spent, **57.48%** of the capital budget for the financial year.

3.8.8.3 Total Employees – Property Management

Table 3:36: Employee Totals: Property Management

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	1	0	1	100%
9 – 13	13	10	3	23.10%
4 – 8	8	3	5	62.50%
3 – 0	3	3	0	0%
Total	**26**	**17**	**9**	**34.60%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.8.9 FREE BASIC SERVICES AND INDIGENT SUPPORT

The following table indicates the percentage of average registered indigent households that have access to free basic municipal services. The total indigent households exclude all informal households and include formal households that have been registered as indigent households. The total i.t.o. free basic electricity includes only indigent households claiming 100 kWh from the Stellenbosch Municipality. It also does not include the totals where the electricity distribution is conducted by ESKOM. In accordance with the approved indigent policy of the municipality, all households earning less than R6 500 per month will receive the free basic services as prescribed by national policy and in terms of Stellenbosch Municipality's Indigent Policy.

3.8.9.1 Access to Free Basic Services

Table 3:37: Access to Free Basic Services

Year	Number of Households							
	Total no. of HH	Free Basic Water		Free Basic Sanitation		Free Basic Electricity		Free Basic Refuse Removal	
		Access	%	Access	%	Access	%	Access	%
2013/14	33 974*	5 095*	26.20	5 117*	26.20	5 117*	12.07	5 095*	26.20
2014/15	43 420*	5 757	13.26	5 757	13.26	5 757	13.26	5 757	13.26
2015/16	48 008	6 486	13.51	6 486	13.51	7 042	14.66	6 486	13.51
2016/17	48 008#	5 686	11.84	5 686	11.84	3 801	7.92	5 686	11.84
2017/18	52 374	6 453	12.32	6 453	12.32	6 453	12.32	6 453	12.32
2018/19	52 374*	6 813	13.01	6 813	13.01	4 833	9.23	6 813	13.01
2019/20	52 374	7 012	13.38	7 012	13.38	4 932**	9.42	7 012	13.38

**Average for the year*
Calculations made for households earning less than R 6 000 per month during 2018/19
**Refer to formal Indigent consumers who claimed free basic units, excluding Eskom

The percentage is based on indigent household access compared to a total of 52 374 households.

Services subsidised are:

- Water - basic charge + 6 kl
- Electricity - basic charge + 100 kWh;
- Sanitation - based on a 250m² erf; and
- Refuse - one removal per week.

Free Basic Services per basic service

The provision of free basic services is summarised in the tables below:

Table 3:38: Free basic Electricity Services to Indigent Households

Electricity			
Financial year	Indigent Households		
	No. of HH	Unit per HH (kwh)	Value R'000
2013/14	5 117*	60	2 759
2014/15	5 757	60	3 218
2015/16	7 042	60	3 818
2016/17	7 537	60	4 740
2017/18	6 453	100	6 216
2018/19	6 813	100	8 415
2019/20	4932**	100	6 888

*Average for the year
**Only Indigent consumers who claimed free units

Table 3:39: Free Basic Water Services to Indigent Households

Water			
Financial year	Indigent Households		
	No. of HH	Unit per HH (kl)	Value R'000
2013/14	5 095*	6	2 949
2014/15	5 757	6	4 783
2015/16	6 486	10	7 760
2016/17	5 686	10	7 280
2017/18	6 453	10	2 391
2018/19	6 813	6	2 634
2019/20	6 666	6	2 741
*Average for the year			

Table 3:40: Free Basic Sanitation Services to Indigent Households

Sanitation			
Financial year	Indigent Households		
	No. of HH	Service per HH per week	Value R'000
2013/14	5 117*	73.36	10 016
2014/15	5 757	73.40	5 702
2015/16	6 486	87.48	6 808
2016/17	5 686	94.48	6 447
2017/18	6 453	102.98	8 330
2018/19	6 813	112.25	9 177
2019/20	6 666	135.99	9 518
*Average for the year			

Table 3:41: Free Basic Refuse Removal Services to Indigent Households

Refuse Removal			
Financial year	Indigent Households		
	No. of HH	Service per HH per week	Value R'000
2013/14	5 095*	1	10 147
2014/15	5 757	1	5 905
2015/16	6 486	1	7 250
2016/17	5 686	1	6 704
2017/18	6 453	1	8 662
2018/19	6 813	1	9 543
2019/20	6 666	1	10 878
*Average for the year			

3.9 COMPONENT A: ROADS AND TRANSPORT

This component includes: roads, transport, traffic engineering and waste water (storm water drainage).

3.9.1 ROADS

This component includes: roads, transport, traffic engineering and waste water (storm water drainage).

a) Transportation Planning and Traffic Engineering

The main road networks through Stellenbosch currently operate at capacity and at times beyond capacity, resulting in traffic congestion.

Analysis on the road networks and assessments of the public transport operations and facilities are periodically carried out to identify shortcomings and opportunities for improvements.

Through the compilation of the Draft Road Master Plan, analysis of the road networks was carried out (2019), shortcomings were identified and options for improvements to the road network were proposed.

The 2019/20 update of the Comprehensive Integrated Transport Plan (CITP updated every year and reviewed every five years) focused on better defining the Strategic Transport Framework for Stellenbosch, namely; towards car-free living, promoting sustainable transport travel demand management, infrastructure and operational enhancements and optimal land use. International case studies of similar University towns were carried out. Bus and taxi operations were analysed and assessed and recommendations has been made for improvements to public transport systems.

Traffic congestion remains a major challenge on main road intersections within Stellenbosch. To assist with the alleviation of congestion, Stellenbosch Municipality, in collaboration with Stellenbosch University, had commenced with research to develop and establish a real-time traffic control system for Stellenbosch. The research project will assist in addressing everyday congestion through the application of Smart Transportation technology namely Traffic-Adaptive-Signal-Control (TASC). TASC refers to the real-time control of signalised intersections and enables the real-time adjustment of traffic signal timing in order to increase vehicle flows through intersection and reduce congestion.

b) Road Construction and Intersection Upgrades

To improve traffic flow and increase traffic safety at intersections within Stellenbosch, numerous intersections were upgraded by the municipality through the intersection improvement programme that had commenced about 8 years ago.

The following has been completed in the 2019/20 financial year:

- Upgrading of the R44 and Trumali Street intersection including the construction of additional turning lanes on the R44 and widening of Trumali Street;
- The following Roads and Intersection upgrades are at construction phase;
  - Upgrading of Technopark Access Road; and
  - Upgrading of Technopark Intersection with R44;
- The following Roads and Intersection Upgrades are currently at planning and design phase;
  - Upgrading of R44 / Helshoogte;
  - Safety improvements at R45 / Le Roux Street; and

- Modification of R44 / Paradyskloof and extension of Skuilplaats Road.

c) Gravel Road Upgrading

The municipality had previously commenced with a gravel Road Upgrading Programme where gravel roads in the municipality's residential settlements are being upgraded to permanent asphalt standards. In the previous financial year Roads were upgraded in Kylemore, Pniël and Klapmuts. During 2019/20 financial year, the municipality has completed the upgrading of the following roads in Wemmershoek and La Motte.

Wemmershoek:
Prins Afrika; Wilger; Sonneblom; Adahlia; Leeubekkie; Skool; Gousblom; Lelie; Jakaranda; Petunia; Protea; Vygie; Angelier.

La Motte:
Akkerhout North; Akkerhout South; Geelhout; Olienhout; Ysterhout.

d) NMT

During the 2019/20 financial year, sidewalks have been constructed in the following areas, namely Stellenbosch CDB and Noordwal Oos Street, Paradyskloof, Ida's Valley and Onderpapagaai Berg. In line with our NMT Master Plan, NMT Infrastructure is annually rolled out and implemented to ensure continuous expansion of the NMT Network.

e) Public Transport

Planning and Design and procurement processes are underway for a new Taxi Rank in Groendal (Franschhoek). Planning and designs and procurement processes are underway for the installation of top structures at Klapmuts Taxi Rank and Kayamandi Taxi Rank. Improvements were also made at the Kayamandi Long Distance Taxi Stop.

f) Storm Water

The municipality's Storm Water Master Plan was updated in the 2018/2019 financial year. Improvements as identified in the Master Plan are implemented annually, and the system is periodically maintained to ensure preparedness for the winter season.

g) Bridges

Planning for the priority rehabilitation interventions proposed for the existing bridge on Distillery Road in Stellenbosch is in process. The Distillery Road Bridge is the only access road into Bosman's Crossing, a small mixed development area within Stellenbosch comprising of various commercial developments and apartment complexes.

Planning and design are in process for the designs of a pedestrian bridge that would link Kayamandi with Cloetesville. The proposed bridge would create a safe passage for pedestrians between the two communities, crossing the R304, the railway line and the Plankenbrug River.

Planning and design have been completed for the Lanquedoc Access Road and Bridge with implementation scheduled for the short term. It is proposed that the existing bridge be retained and will

function as a NMT facility, a new vehicular bridge will be constructed adjacent to the existing bridge, with the access road being aligned to tie-into the new bridge.

3.9.1.1 Roads Statistics

The following tables give an overview of the total kilometres of roads maintained and new roads tarred:

Table 3:42: Tarred (Asphalted) Roads

Financial year	Total km tarred roads	Km of new tar and paved roads	Km existing tar roads re-tarred	Km existing tar roads re-sheeted	Km tar roads maintained
2012/13	328	0	9	0	319*
2013/14	328	8	14	0	322*
2014/15	336	2	18	0	320*
2015/16	337	2	10	0	325*
2016/17	341	3	10	0	328*
2017/18	345	1	12	0	332*
2018/19	347	2	7	0	338*
2019/20	349	1	5	0	343*
*Note: * Total network maintained, maintenance carried out where required*					

Table 3:43: Gravelled Roads

Financial year	Total km gravel roads	Km new gravel roads constructed	Km gravel roads upgraded to tar / block paving	Km gravel roads graded / maintained
2012/13	30	0	0	30
2013/14	30	0	0	30
2014/15	30	0	1.5	28.5
2015/16	21.5	0	1.8	20
2016/17	19.7	0	1.2	18.5
2017/18	18.5	0	1	17
2018/19	17	0	2.5	14
2019/20	14	0	4	9

3.9.1.2 Capital expenditure: Roads and Storm Water

Table 3:44: Capital Expenditure as at 30 June: Roads and Storm water

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Adhoc Reconstruction of Roads (WC024)	8 370 906	7 754 256	-7.37%
Upgrade Gravel Roads - La Motte and Franschhoek	7 819 993	8 341 818	6.67%
Technopark Access Road	7 267 651	8 473 911	16.60%
R44 Access Upgrades	5 000 000	4 999 811	0%
Specialised Vehicle	2 878 321	865 098	-69.94%
Only the 5 largest capital projects are listed			

Roads and Storm water spent **97.03%** of the capital budget for the financial year.

3.9.1.3 Storm Water Infrastructure

The table below shows the total kilometres of storm water infrastructure maintained and upgraded as well as the kilometres of new storm water pipes installed:

Table 3:45: Storm water Infrastructure

Financial year	Total km storm water infrastructure	Km new storm-water infrastructure	Km storm water infrastructure upgraded	Km storm water infrastructure maintained
2013/14	128.1	6.1	0.01	128.1
2014/15	134.2	0	0	134.2
2015/16	134.2	2	0	136.2
2016/17	136.2	1	0	136.2
2017/18	137.2	0	0	137.2
2018/19	296*	1	0	296
2019/20	297	1	0	297
*km increase following reassessment				

3.9.1.4 Total Employees – Roads and Storm Water

Table 3:46: Total Employees – Roads and Storm water

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	3	3	0	0%
9 – 13	35	22	13	37.10%
4 – 8	26	17	9	34.60%
3 – 0	92	65	27	29.60%
Total	**157**	**108**	**49**	**31.20%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.9.2 DEVELOPMENT SERVICES AND PROJECT MANAGEMENT DEVELOPMENT SERVICES, ASSET MANAGEMENT AND SYSTEMS AND PROJECT MANAGEMENT UNIT (PMU)

The Development Services, Asset Management and Systems and Project Management Unit (PMU) is the newly established department responsible for Technical Information Management, Asset Management, Wayleave Management, Development Services and Project / Programme Management in the Infrastructure Services Directorate.

With the appointment of the *Senior Manager: Development Services, Asset Management and Systems and Project Management Unit (PMU)* – which took place in 2018/19 financial year – both the Infrastructure Asset Management and PMU Office were established in July 2019.

3.9.2.1 Project Management Unit (PMU)

Though the *Manager: Infrastructure Asset Management and Systems* post is still vacant, the *Manager: PMU* was filled in July 2019 together with four dedicated project managers. Over the 2019/20 financial year, the PMU managed a capital expenditure budget of R30.5M. Their 2020/21 capital expenditure budget is forecast at R29.2M. The PMU is also responsible for the administration of the newly established Integrated Urban Development Grant.

In April 2016 cabinet adopted the Integrated Urban Development Framework (IUDF) as the official national urban policy of government under the custodianship of the Department of Cooperative Governance (CoGTA). The IUDF marks a new deal for South Africa's cities and towns. It sets a policy framework to guide the development of inclusive, resilient and liveable urban settlements while addressing the unique conditions and challenges facing South Africa's cities and towns. The key outcome of the IUDF is spatial transformation and to create a growth model of compact, connected and coordinated cities and towns.

Within the IUDF the Intermediate City Municipality (ICM) programme, targeting 39 municipalities, support is provided for the municipalities in the middle size and density range of the continuum. The purpose of the ICMs support strategy is to help translate IUDF policy into practical programmes of action in the ICMs. Stellenbosch Municipality qualified for the 2019/20 Integrated Urban Development Grant (IUDG) and Intermediate City Municipality (ICM) programme in terms of which the municipality achieved 100% IUDG expenditure in the first year of the Integrated Development Grant's existence.

3.9.2.2 Asset Management and Systems

Infrastructure impacts the quality of the living environment and opportunities to prosper. The municipality is required to be effective at a strategic, tactical and operational level. The manner in which the municipality discharges its responsibilities as a public entity is also important. It is required to demonstrate sound stewardship over the significant inter-generational investment made in infrastructure and custodianship to care for current users appropriately. The processes adopted must be efficient, sustainable, and effectively communicated to internal and external stakeholders.

Key themes of national legislation relating to municipal infrastructure management include:

- Long-term sustainability and risk management;
- Service delivery efficiency and improvement;
- Performance monitoring and accountability;
- Community interaction and transparent processes;
- Priority development of minimum basic services for all; and
- The provision of financial support from central government in addressing the needs of the poor.
- Maximising municipal infrastructure management supports the current Strategic Focus Areas as well. Foremost is in Strategic Focus Area 5: Good Governance and Compliance. As the 13th largest economy nationally, the greater Stellenbosch area and the municipality is a significant seat of power and deliverer of services. Deciding what to do, when, where, and to whose benefit it is the difficult task that infrastructure asset management addresses. Enhanced infrastructure capabilities also augment the achievement of the other four Strategic Focus Areas, i.e. 1: Valley of Possibility, 2: Green and Sustainable Valley, 3: Safe Valley and 4: Dignified Living.

In support of these objectives, the Cape Winelands District Municipality appointed Aurecon to perform Asset Management Maturity Assessments for its seven Local Municipalities. The kick-off meeting for Stellenbosch Municipality was held on 12 November 2019 and 36 interviews with management (across

all directorates) were subsequently completed in January and February 2020. The report was delayed by the national lockdown and a draft Stellenbosch Municipality Asset Management Maturity Assessment report was received in June 2020. The report detailed six improvement projects recommended for implementation over the next three years. The report is due to be tabled at Director's meeting in the 2020/21 financial year.

Wayleave Management also falls under this section. The collective value of services infrastructure contained within the Public Road Reserve and the road itself amounts to a considerable value. This infrastructure needs to be maintained, periodically rehabilitated and replaced from time to time. Such activities can result in considerable delays, inconvenience, danger and additional costs to the road users and municipality itself if not well planned and coordinated. This activity is coordinated through the wayleave management function. Unfortunately, most of the posts in this function are vacant. This function is performed by staff seconded partially or entirely from within the Department. The monthly and annual applications are summarised in the Wayleave Applications table below.

Table 3:47: Wayleave Applications

Activity	2019/20												Total
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
Wayleave Applications - Received	18	13	37	28	28	4	19	19	21	0	18	11	216
Wayleave Applications - Commented on	10	12	6	14	10	13	3	5	21	4	0	35	133
% completion to date:													**61.6%**

3.9.2.3 Development Services

The *Manager: Development Services* comments on behalf of the Directorate: Infrastructure Services on all land-use applications, submitted to Council in terms of the Stellenbosch Land-Use Planning Bylaw of 2015. Land-use applications include land-use changes such as rezonings, subdivisions, consent uses, increase in bulk and departures and normally leads to further development of a property.

The approval of proposed land-use changes is evaluated in terms of the availability of bulk services. Should Council be in a position to supply such services, an application is supported. If not, then an application for a land-use change will not be supported by the Directorate: Infrastructure Services. It is essential that any planned development be brought under the attention of Development Services to determine if bulk services will be available and if not by when the budget will allow for such bulk infrastructure to be implemented.

To give perspective to the above the figures for the different functions for the 2019/20 financial year are outlined in the table below.

Table 3:48: Land-use Applications

Activity	2019/20												Total
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
Building Plans- Received	22	124	210	257	394	158	162	111	111	13	0	2	1 564
Building Plans- Commented on	22	124	199	173	299	151	25	85	83	12	0	0	1 175
Land-use Applications - Received	11	13	24	12	7	21	6	8	12	15	0	0	211
Land-use Applications - Commented on	1	6	12	6	1	8	3	4	6	13	0	0	99
DCs received for completed developments	***Excluding VAT - R6 396 623. 93***												
Total of aforementioned requests received													**1 775**
Total of aforementioned requests commented on													**1274**
% completion to date:													**71.8%**

The Development Services Section is responsible to co-ordinate and approve the final handover of newly serviced stands through the approval of engineering services clearance certificates. This section also performs a project management function by ensuring that developer created infrastructure is done according to Engineering Standards and guidelines.

Additionally, Development Charges (DCs) are calculated by this Department and set as a development condition for new developments. Social and economic development has a positive impact on the municipality's finances as it increases revenue from property rates, fees, service charges and tariffs by expanding the base of ratepayers. However, development associated with this economic growth has an impact on the demand for municipal infrastructure services as well as social infrastructure services such as clinics, schools and other public amenities. Therefore, infrastructure is needed to support sustainable social and economic development in Stellenbosch.

Development charges are a more targeted and more equitable way of ensuring that the main beneficiaries of infrastructure make an appropriate and fair contribution to that cost, without unduly burdening the municipality's ratepayers. Development Charges are thus an important form of capital contribution raised by the municipality to pay for infrastructure upgrades required in support of new developments. A summary of the annual DCs management in 2019/20 is:

- DCs Calculated: R238,7M (representing a 227% increase on 2018/19);
- DCs paid in: R6,4M;
- Assets created in lieu of DCs: R10,5M; and
- Total value created for the municipality in 2019/20: R16,9M.

3.10 COMPONENT B: PLANNING AND DEVELOPMENT

3.10.1 TOWN- AND SPATIAL PLANNING

Stellenbosch and an appropriate approach to spatial development and management

The Municipal Spatial development framework is a core component of, and part of the Integrated Development Plan as stipulated in Section 26(e)of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) and Section 20(2) of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013). The spatial planning system in the Republic of South Africa consists of the following components:

- Spatial development frameworks to be prepared and adopted by national, provincial and municipal spheres of government;
- Development principles, norms and standards that must guide spatial planning, land use management and land development;
- The management and facilitation of land use through the mechanisms of land use schemes, i.e. zoning scheme bylaws; and
- Procedures and processes for the preparation, submission and consideration of land development applications and related process.

Section 8 of SPLUMA stipulate that the norms and standards must, amongst others:

- Promote social inclusion, spatial equity, desirable settlement patterns, rural revitalisation, urban regeneration and sustainable development;
- Ensure that land development and land use management processes, including applications, procedures and timeframes are efficient and effective;
- Include: -
  - (i) A report on and on analysis of existing land use patterns;
  - (ii) A framework for desired land use patterns;
  - (iii) Existing and future land use plans, programmes and projects relative to key sectors of the economy; and
  - (iv) Mechanisms for identifying strategically located vacant or under-utilised land and for providing access to, and the use of land.

Based on the above it is clear that the Municipal SDF is not just mostly a technical document, but in fact the strategic spatial representation of the IDP, and also must determine a capital expenditure framework ("CEF") for the municipality's development programmes, depicted spatially. The Municipal SDF "as part of" and "a core component of" the IDP further "*must include sectoral requirements, including budgets and resources for implementation*", thereby guiding the municipal infrastructure and development budget. We present the critical underlying narrative here and argue that adhering to it, through numerous individual actions and decisions – across sectors of society – is at the core of managing development and land use in Stellenbosch better, at the heart of a better future for all.

"Stellenbosch Municipality is a special place; all of it … its various settlements, its nature areas, farms, education institutions, its innovative corporations, small businesses, its places to visit, its places to live, its festivals, its history … its people. In terms of its space – activities in space, landscapes, urban places, streets, and buildings – Stellenbosch Municipality continue to impress and bring opportunity, joy, and contentment; in different ways, to visitors and residents alike. Many would love to live here, work here, or visit more often. Stellenbosch Municipality has been judged as a place of high opportunity. Numerous

factors combine to a recognition that this place can contribute more to growing societal needs, in its region, and our country. If one lives here, the chances are that you can make a good livelihood. Stellenbosch Municipality is truly a place of opportunity.

Many who live within the municipal area do not have adequate shelter, or the opportunity to work. Others feel that the time has come to depart from farms, to give up farming. Many study here, but cannot enjoy university life to its full extent, because there is limited residential opportunity for students. Then again, many struggle in traffic every day, on congested roads, wasting time and money for fuel, even if privileged enough to own a private vehicle.

Stellenbosch Municipality's challenges increasingly impact on all, albeit in different ways. Citizens respond to challenges differently. Many owners of agricultural land have indicated a desire to develop their land for other, predominantly urban activities. These thoughts already involve a large land area, comparable to the size of Stellenbosch town. Others, tired of waiting for a housing opportunity here or elsewhere – and government support – invade land, staking a claim, the right to a place to live, on virgin land, even if the land is not suitable for development because of its agricultural and / or environmental value, is prone to risk, or allocated to someone else. Some, with the necessary material means, elect to close themselves off, to obtain a place to live in gated communities, secure from perceived threat to body and property.

The Stellenbosch Municipal Area grows, both naturally, and because more people are attracted here. Those drawn include the poor, middle- to higher income groups, and large corporations. Stellenbosch Municipality has a special quality of accommodating hope, good opportunities, and a better life; the perception is that your needs can be met faster, your children can get access to a school promptly, or, your journey to work will be less cumbersome.

However, Stellenbosch Municipality grows on top of unfinished business. It grows on top of ways of a past that had not been fixed, the separation of people, the focus on some as opposed to all; needs not met, exclusion. It also grows on top of limited public resources. While the municipality and other spheres of government collect and allocate funds for service delivery, it is not enough to address backlogs, fix the mistakes of the past, prepare for unexpected crisis (for example, in the form of fires), or meet anticipated future needs.

As Stellenbosch Municipality grows, things get worse. In terms of how we manage development and space, we know what direction to take. We know that we should adopt a precautionary approach to nature and agricultural land, we know that we should contain and compact settlements, we know that we should provide more choice in shelter and housing opportunity, and that we should focus on public and non-motorised transport.
This knowledge is also embedded in policy, from global conventions to national, provincial and local frameworks, including the Stellenbosch Municipal Integrated Development Plan that include the Stellenbosch Municipality Spatial Development Framework, 2019, the legal plan which directs the municipal budget and resource allocation. The issue is that we have not implemented what we believe the appropriate policy direction is well. We should ask why. We can answer that achieving in terms of new policy is not easy. It requires new ways of thinking, acting, living and doing. Higher densities, leaving the car, more interaction between groups of society sharing public space, more partnership in unlocking development opportunity, and so on.

Even if difficult, it is a matter of now or never. We cannot behave and live like before. We cannot afford to lose more nature and agricultural land, develop at low densities, and prioritise building roads for private cars more than public transport. If we do that, the system will fail. Despite difficulties, it appears

as if our approach is shifting. Land previously occupied by manufacturing enterprises in critical locations in the municipality have slowly become available for reuse. The potential of Klapmuts to accommodate enterprises, dependent on good intra- and inter-regional logistic networks is acknowledged. Landowners realise that overcoming the resource constraints, infrastructure constraints, and the cross-subsidisation required for more inclusive development – the extent of energy needed – necessitates joint work, joint planning, and implementation of a scale and nature not yet experienced in Stellenbosch. Corporations realise that they have broader responsibility – not only in contributing to good causes concerning nature, education, or the arts, but in actively constructing better living environments. We realise that we have to forge, establish and maintain active working partnerships to make our towns better. We also have the benefit of history. In times past, we have, as Stellenbosch Municipality, changed our destiny, did things for the better. Starting with an individual idea, a thought, often through an individual, great things were done. With such ideas and actions, the town established a university, saved historic buildings and places, launched cultural celebrations with broad reach, safeguarded unique nature areas, provided families with homes, begun corporations with global reach. When a fire destroyed homes, they were rebuilt promptly with collective energy and purpose. When children needed schooling, and government could not provide, some established schools.

Often, these initiatives started outside of government, albeit assisted by the government. They were started by those who thought beyond current challenges, without necessarily being able to project outcomes over time in full. They just understood that one step might lead to another. Not all the technical detail was resolved, not everything understood in its entirety. They merely acted in terms of core principles. As matters unfolded and new challenges emerged, the principles guided them.

The Municipal Spatial Development Framework, 2019 recognises that the spatial decisions and actions of many make what settlements are. It asks us to understand that plans cannot do everything, predict everything. It asks all to consider action with a few core beliefs, principles, or concepts, geared towards the common good.

Specifically, it asks us to consider seven principles:

1. ***First, maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas.***

Humanity depends on nature for physical and spiritual sustenance, livelihoods, and survival. Ecosystems provide numerous benefits or ecosystem services that underpin economic development and support human well-being. They include provisioning services such as food, freshwater, and fuel as well as an array of regulating services such as water purification, pollination, and climate regulation. Healthy ecosystems are a prerequisite to sustaining economic development and mitigating and adapting to climate change. The plan provides for activities enabling access to nature and for diversifying farm income in a manner which does not detract from the functionality and integrity of nature and farming areas and landscapes.

2. Second, respect and grow our cultural heritage, the legacy of physical artefacts and intangible attributes of society inherited from past generations maintained in the present and preserved for the benefit of future generations.

Cultural heritage underpins aspects of the economy and differentiates places. Culture is a dynamic construct; forever emerging in response to new challenges, new interactions and opportunity, and new interpretations. Spatially, we must organise Stellenbosch in a manner which also sets the stage for new expressions of culture.

3. Third, within developable areas – areas not set aside for limited development owing to its natural or cultural significance – allow future opportunity to build on existing infrastructure investment, on the opportunity inherent in these systems when reconfigured, augmented or expanded.

Infrastructure represents significant public investment over generations, not readily replicated over the short term. It represents substantial assets for enabling individual and communal development opportunity of different kinds. From a spatial perspective, movement systems are particularly significant. Elements of the movement system, and how they interconnect, have a fundamental impact on accessibility, and therefore economic and social opportunity. Specifically, important is places of intersection between movement systems – places which focus human energy, where movement flows merge – and where people on foot can readily engage with public transport.

4. Fourth, clarify and respect the different roles and potentials of existing settlements.

All settlements are not the same. Some are large, supported by significant economic and social infrastructure, offer a range of opportunity, and can accommodate growth and change. Others are small and the chance to provide for growth or change is minimal. Generally, the potential of settlements to help change and growth relates directly to their relationship with natural assets, cultural assets, and infrastructure. We must accommodate change and growth where existing assets will be impacted on the least or lend itself to generating new opportunity.

5. Fifth, address human needs – for housing, infrastructure, and facilities – clearly in terms of the constraints and opportunity related to natural assets, cultural assets, infrastructure, and the role of settlements.

We must meet human need in areas where the assets of nature will not be degraded, where cultural assets can be best respected and expanded, and where current infrastructure and settlement agglomeration offers the greatest opportunity. Generally, we can help human need in two ways. The first is through infill and redevelopment of existing settled areas. The second is through new green-field development. We need to focus on both while restricting the spatial footprint of settlements outside existing urban areas as far as possible.

6. Sixth, pursue balanced communities. All settlements should be balanced.

That means they should provide for all groups, and dependent on size, a range of services and opportunities for residents. It also says they should provide for walking and cycling, not only cars.

7. Finally, focus energy on a few catalytic areas that offer extensive opportunity and address present risk.

Planning cannot attempt to treat all areas equally. Some areas offer more opportunity for more people than others. We need to focus on the areas and actions where a significant number of people will benefit, where we will meet their needs. There is also a need to focus on areas of 'deep' need, notwithstanding location, where limited opportunity poses a risk to livelihoods. Some informal settlements and poorer areas may not be located to offer the best chance for inhabitants, yet services need to be provided and maintained here. However, significant new development should not occur in these places, exacerbating undesirable impacts or further limiting the opportunity for people to pursue sustainable livelihoods. Spatial plans are 'partial' frameworks for action. They deal with space. Command of space is not enough to develop or manage a settlement in the interest of all. Each spatial principle, each concept, requires parallel actions in other sectors, including how we form institutions for execution, how we transport people, how we fund things, where we focus resources, and so on. The

spatial principles must help us to think through these implications, action by action, decision by decision."

Future settlement along the Baden Powell Drive-Adam Tas-R304 corridor

As indicated above, over the longer term, Muldersvlei / Koelenhof and Vlottenburg along the Baden Powell-Adam Tas-R304 corridor could possibly accommodate more growth, and be established as inclusive settlements offering a range of opportunities. However, these settlements are not prioritised for development at this stage. Critical pre-conditions for significant development include:

- The measures required to ensure that settlements provide for a range of housing types and income groups (in a balanced manner);
- Establishing regular public transport services between settlements, including services between the expanded smaller settlements and Stellenbosch town; and
- Understanding to what extent settlements can provide local employment, in this way minimising the need for transport to other settlements.

Other local planning initiatives

Ideally, each of the settlements in SM should have a LSDF, applying the principles of the MSDF in more detail. The priority for LSDFs should be determined by the position and role of settlements in the SM settlement hierarchy, but should start with the Adam Tas Corridor Development Area and Klapmuts.

Institutional Arrangements

The SM has limited staffing resources within the Directorate: Planning and Economic Development, which include the departments of Development Management (Land Use Management and Building Development Management); Development Planning (Spatial Planning, Economic Development and Tourism, Development Information ("GIS") and Heritage Resource Management) and Integrated Human Settlements (Housing Development, Informal Settlements and Housing Administration) SM have appointed two (2) Senior Managers in the position for Development Management and Development Planning, and the position of the Senior Manager: Integrated Human Settlements is an unfunded post and remains vacant. Work occurs within the framework set by annually approved Service Delivery and Budget Implementation Plans (aligned with the IDP), decision-making processes and procedures set by Council, and a suite of legislation and regulations guiding spatial planning, land use management, and environmental management (including SPLUMA, LUPA, and the National Environmental Management Act).

The Planning and Economic Development Directorate will facilitate implementation of the *m*SDF in terms of institutional alignment, including:

- The extent to which the main argument and strategies of the MSDF are incorporated into annual reports, annual IDP reviews, future municipal IDPs, and so on;
- The annual review of the MSDF as part of the IDP review process;
- The extent to which the main argument and strategies of the MSDF inform sector planning and resource allocation;
- The extent to which the main argument and strategies of the MSDF inform land use management decision-making;
- Alignment with and progress in implementing the municipality's Human Settlement Plan and Comprehensive Integrated Transport Plan; and
- The mutual responsiveness of the *m*SDF and national, provincial and regional plans, programmes and actions (including the extent to which MSDF implementation can benefit from national and

provincial programmes and funding). Over and above institutional arrangements in place, it appears that two aspects require specific focus in support of the MSDF.

Inter-municipal planning

The first relates to inter-municipal planning. As indicated elsewhere in the MSDF, SM (and other adjoining municipalities) appears to experience increasing challenges related to development pressure in Cape Town. This pressure is of different kinds. The first is pressure on the agricultural edges of Stellenbosch Municipality through residential expansion within Cape Town. The second is migration to SM (whether in the form of corporate decentralisation, or both higher and lower income home seekers), leading to pressure on available resources, service capacity, and land within and around the settlements of SM. While municipal planners do liaise on matters of common concern, there appears to be a need for greater high-level agreement on spatial planning for "both sides" of municipal boundaries. The spatial implications of pressure related to migration to SM could be managed locally, should there be agreement to redevelop existing settlement footprints rather than enabling further greenfields development (as a general rule).

However, the municipality's increased resource needs to accommodate new growth – a non-spatial issue – should be acknowledged and addressed.

Private sector joint planning

The second relates to joint planning and action resourced by the private sector, increasingly needed for a number of reasons:

- The municipal human and financial resource base is simply too small to achieve the vision of the *m*SDF or implement associated strategies and plans;
- Many matters critical to implementing the MSDF fall outside the direct control or core business of the municipality, for example, the municipality does not necessarily own the land associated with projects critical to achieve MSDF objectives;
- It is increasingly evident that individual land owners are finding it difficult to develop – to make the most of what they have – individually. Specifically, the transport and movement implications of individual proposals require strong and dedicated integration;
- Individual land owners do not necessarily control the extent of land required to undertake inclusive development, focusing on opportunity for a range of income groups. Inclusive development often requires cross-subsidisation, in turn, enabled by larger land parcels and development yields; and
- The municipality's focus is often – and understandably so – on the "immediate", or shorter-term challenges. Much what is needed to implement the MSDF or catalytic projects requires a longer-term view, a committed focus on one challenge, and cushioning from the daily and considerable demands of municipal management.

Partnerships are needed, with different agencies and individuals working in concert with the municipality to implement agreed objectives. Further, partnerships are required between individual corporations and owners of land. The Adam Tas corridor is a prime example: making the most of the disused sawmill site, Bergkelder complex, Van der Stel Complex, Die Braak and Rhenish complex – in a manner which contributes to agreed objectives for developing Stellenbosch town – is only possible if various land owners, the municipality, University, and investors work together, including undertaking joint planning, the "pooling" of land resources, sharing of professional costs, infrastructure investment, and so on. The municipality simply does not have the resources – and is overburdened with varied demands in different locations – to lead the work and investment involved.

Land Use Management

Continually ensure timeous consideration of land-use applications in order to streamline development processes. Municipality to strengthen integrated development planning, spatial planning and economic planning. The Department: Development Management has made significant strides in addressing and reducing the backlog i.r.o. the processing of land use applications. The number of land use applications classified as backlog applications have been reduced significantly, which in turn has the resultant impact of creating economic development opportunities within the Stellenbosch Municipality.

3.10.1.1 Capital Expenditure – Planning and Development

Table 3:49: Planning and Development

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Informal Traders	200 548	153 085	-23.67%

Planning and Development have spent, **76.33%** of the capital budget for the financial year.

3.10.1.2 Total Employees – Planning

Table 3:50: Total Employees – Planning

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	3	3	0	0%
14 – 17	18	10	8	44.40%
9 – 13	25	20	5	20%
4 – 8	10	5	5	50%
3 – 0	0	0	0	0%
Total	**56**	**38**	**18**	**32.10%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.10.2 LOCAL ECONOMIC DEVELOPMENT (LED)

Table 3:51: Achievements within Local Economic Development

Achievement / Highlight	Description
Business Interventions	**Number of business interventions for the financial year:** 2017/18 — 2018/19 — 2019/20 Business registrations: 24 — 37 — 29 Municipal Database Registrations: 19 — 27 — N/A Advice to walk-ins: 387 — 1795 — N/A Workshops: 12 — 15 — 1 Business Licences: 13 — 2 — 22 Liquor licences applications received: 209 — 216 — 107 Comments forwarded to the Liquor Board: 193 — 166 — 22
Mentorship	No mentorship activities were completed for the first two quarters of the financial year, as it was planned for the latter part of the financial year, however this could not happen because of the pandemic and lockdown regulation that was in place.
Tendering Process Training	This was planned for the third quarter of the financial year; however, this could not take place due to the pandemic.
Informal Trading	The Unit has implemented various informal trading sites that will be completed in the new financial year including Cloetesville, Kayamandi, Klapmuts and a process to advertise for the sites to be occupied will be followed. The Informal trading by- law is in the process of being drafted and will be circulated for public comment in the new financial year for public comment.
Enterprise Development and Support	Training for Stellenbosch-based entrepreneurs has been hampered because of the pandemic however, virtual meeting was held with various sectors of the economy including tourism and agriculture to ascertain the impact of the pandemic on these sectors. Assistance was provided to SMME with PPE to ensure compliance with health protocols during the pandemic. The Unit has been very active with the processing of trading permits during the lockdown to ensure that these micro businesses could trade.
Vacant Agricultural Property	The vacant land that was advertised during the previous financial year be allocated in line with the Policy on the Management of Municipal Agricultural Land. An information session was held for all interested small farmers to receive all relevant information for them to complete their applications. 90 individuals attended the briefing.

3.10.2.1 LED Challenges

The table below gives a brief description of all the challenges within local economic development during 2019/20:

Table 3:52: Challenges within Local Economic Development

Description	Actions to address
Human Resources insufficient to drive a effective economic development and tourism programme.	Fill all vacant posts at an appropriate level to recruit competent professional people and review the organogram within the Directorate: Planning and Economic Development.
Slow processing of land use applications impacts negatively on new investments and economic growth in the municipal area.	Appointment of the Senior Manager: Development Management has resulted in a significant reduction of the amount of land use applications classified as backlog applications.
Non-permanency of EPWP administrative staff.	A number critical positions within the Section are vacant, also the Section has been tasked with implementing infrastructure development projects, which the section is not geared to undertake.
Current entrepreneurship development initiatives shows minimal or minor impact on new venture creation.	Establish partnerships with the private sector to ensure uptake of new entrants into the mainstream of the economy. The municipality's procurement must also be used to ensure local business are given opportunities to partner with big business to nurture and grow new businesses.

3.10.2.2 EPWP Job Creation 2019/20

The Expanded Public Works Programme grew in leaps and bounds of the last few years and the Stellenbosch Municipality consistently is one of the top 3 performers in the Western Cape. Below are the projects and number of jobs that have been created through EPWP.

Table 3:53: Job Creation through EPWP* Projects

EPWP Projects	Number of jobs created	
External EPWP Grant Projects		
LED	25	
Incentive Grant (IG): Ward Office	20	
IG: Cemeteries	8	
IG: School Safety	10	
IG: Community Development	8	
IG: Stellenbosch Trail Fund Guiding Academy	2	
IG: Cleaning and Greening	13	
IG: Fire and Disaster	9	
IG: Picnic Site	1	
IG: Cleaning of Halls	8	
IG: Parks and Franschhoek Wardens	15	
IG: Parks Stellenbosch	11	
Refurbishment and filters	10	
Cleaning of Jamestown	1	
Cleaning of Halls	8	
Total Projects	**Total Jobs**	**149**
Municipal Funded Projects		
Field Worker Title Deeds	26	
Archives Registration	4	
Neighbourhood Revitalisation	13	
Minor Landscaping	5	
Jan Marais Park	9	
Jonkershoek Picnic	10	
Medical Plants and Rare Species	2	
Mont Rochelle Hiking Trial	1	
Mountain Bike Routes	7	
Municipal Asset Stock	6	
Service Warriors	1	
Wheelie Bins	1	
Area Cleaning	462	
Integrated Fire	11	
Clerk Sport	1	
Biodiversity Support	11	

EPWP Projects	Number of jobs created	
Integrated River	21	
Cleaning of Sport field	12	
Cleaning of Storm Water	6	
Erf	18	
Service Warriors	11	
Cleaning and Greening / Million Trees	14	
IG Drought Alleviation	20	
Integrated Fire Management	12	
IG Cemeteries	7	
LED	34	
Amanzi Yimpilo	8	
New Merriman Outfall Sewer	9	
Plankenbrug Sewer	5	
Veld Rehabilitation	14	
Total Projects	**Total Jobs**	**761**
Total Projects Overall	**Total Projects Overall**	**910**

3.10.2.3 Total Employees – LED

Table 3:54: Total Employees – LED

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0%
14 – 17	1	1	0	0%
9 – 13	6	0	6	100%
4 – 8	3	2	1	33.30%
3 – 0	0	0	0	0%
Total	**10**	**3**	**7**	**70%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.10.2.4 Tourism

Aim and function of Tourism Section

- Contextualise the strategic goals of tourism promotion and development funding.
- Regularise the operational functioning of external bodies appointed or supported by the municipality in its constitutional mandate toward both tourism, and economic and social development.
- Ensure co-ordination of the activities of the funded entities.
- Ensure efficient oversight of funding and outcomes.
- Acknowledge and leverage private sector and independent initiatives.
- Develop sustainable tourism events and brands.
- Enable sponsorship opportunities for commercialisation of events, brands and other opportunities.

- Smooth cyclical tourism numbers by establishing developing and implementing off-peak tourism products and initiatives.
- Develop and package opportunities and venues for business tourism.
- Enable market participation for local business.
- Enable training, mentorship and employment opportunities for local citizens.
- Quantify return on investment into events and funded entities.

Highlights:

- The establishment of a new destination marketing organisation, Visit Stellenbosch, after Wine Routes (SWR) and Stellenbosch 360 (S360) agreed on a bold and ambitious plan to bring stakeholders together and grow the tourism and experience economy in Stellenbosch.
- Visit Stellenbosch unites all tourism stakeholders under a joint destination brand and a unified destination vision with a long-term tourism plan. Centralising the operational functions and resources of various tourism role-players, Visit Stellenbosch will enable stakeholders to invest more to improve service excellence, drive tourism innovation and enhance place product experiences.
- Memorandum of agreement were signed with Visit Stellenbosch and Franschhoek Wine Valley Tourism based on the policy to for funding of organisation rendering a municipal function with condition to integrate the sector and ensure new entrance into this sector are supported and developed.

Challenges: Tourism

- Impact of COVID-19 on the tourism industry has had a severe negative impact on the sector, especially as international travelling was to a large extent prohibited since the start of the lockdown on 27 March 2020.

3.10.2.5 Capital Expenditure – Local Economic Development and Tourism

Table 3:55: Capital Expenditure as at 30 June: Local Economic Development and Tourism

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Establishment of Informal Trading Sites: Kayamandi	5 337 505	2 543 827	-52.34%
Establishment of Informal Trading Sites: Groendal	3 467 117	2 189 882	-36.84%
Establishment of Informal Trading Sites: Klapmuts	2 085 015	1 559 303	-25.21%
Establishment of Informal Trading Markets Cloetesville	649 948	468 526	-27.91%
Establishment of Informal Trading Markets: Franschhoek	404 409	389 235	-3.75%
Only the 5 largest capital projects are listed			

Local Economic Development and Tourism have spent, **59.65%** of the capital budget for the financial year.

3.11 COMPONENT C: COMMUNITY AND SOCIAL SERVICES

3.11.1 LIBRARIES

Looking back at what we have accomplished over the last year seems strange. The global pandemic has forced the libraries department to re-look the way we work and the services we offer. It has also forced the municipality to re-evaluate priorities, and set in motion many new responses to access literacy programmes, recreational reading and educational information.

Unlike pre-20th century libraries, libraries are now more than just storage spaces for books, they are the important community hubs that serve as centres of learning, professional development, healthcare, and now, "idea labs".

Libraries are free public spaces that allow everyone to feel safe and to find opportunities. They offer free educational and recreational resources to everyone. It is a truly remarkable place where socioeconomic status is immaterial. It offers resources free of charge including books, internet access and educational, self-development and professional training programmes. Libraries are safe refuges for the homeless and underserved populations. Homeless men, women, and children visit the libraries every day, and most of the time all day, to take advantage of the resources the library has to offer. For the homeless or the very poor, libraries provide them with access to the internet for job searches, books for educational and job training, and essential programmes designed to bring them out of poverty.

Libraries have helped to boost local economies. Because libraries are not a revenue generating department of the municipality as they are free for patrons, its vital role in developing the economy is overlooked. Libraries play a key role in financially strengthening local community.

They provide a work space for telecommuters, supply free internet access for people looking for employment opportunities, help individual community members financially succeed in their lives and small businesses, libraries also help entire communities succeed at boosting their economy and growing their local wealth. More so than a community centre, town hall, or public park ever could.

Libraries connect their communities in a way that benefits everyone. "They pool local resources and put them all under one welcoming roof for everyone to share".

Libraries truly are remarkable places, and in today's world, cannot afford to underplay its importance to the educational, social and economic wellbeing of our citizens and communities. We cannot afford to ignore the fact that they are "opportunity institutions" opening its doors to and for the disenfranchised. No other department in the municipality reaches out to as many peoples in our communities who have been left behind in today's economy, those who are in the schooling system, or those just trying to find their way in an extremely demanding and harsh world. Delays in maintenance of Library buildings and the moratorium placed on filling staff vacancies have placed a huge strain on existing staff effectiveness and efficiency in the workplace. The upskilling and training of staff is a vital component if we are to remain relevant and deliver the service our communities have become used to receiving.

It is against this background that the Stellenbosch Public Libraries find themselves struggling to meet the demands placed on them by their communities.

We believe that we have grown and still continue to grow our libraries as the social hubs of our communities. We also believe that we are at the cusp of a very exciting new chapter of social development.

3.11.1.1 Libraries Future

As the Province and the country begin to ease into Level 1, libraries are trying to find ways to safely serve their communities again especially amidst the threat of an ongoing pandemic in which person-to-person transmission is riskiest in indoor spaces where people linger for a long time. We believe that we will be faced with a new set of challenges i.e. extended school closures and massive unemployment which will mean that communities will depend on their local libraries now more than ever for internet access, e-books and assistance in job searches. Students will need increased access to online resources. This means libraries will have to prioritise their resources, adapt existing programmes to what people need most and possibly even cut the ones that benefit the community the least. The moratorium placed on filling staff vacancies only serves to exacerbate the current library staff shortage situation. More partnerships will have to be developed, increased sponsorships will have to be sought and budgets increased if we are to increase literacy levels in the WCO2 Area. Budgets will have to be reviewed considering that we, especially libraries are on the brink of the 4IR and access to information is moving in this direction.

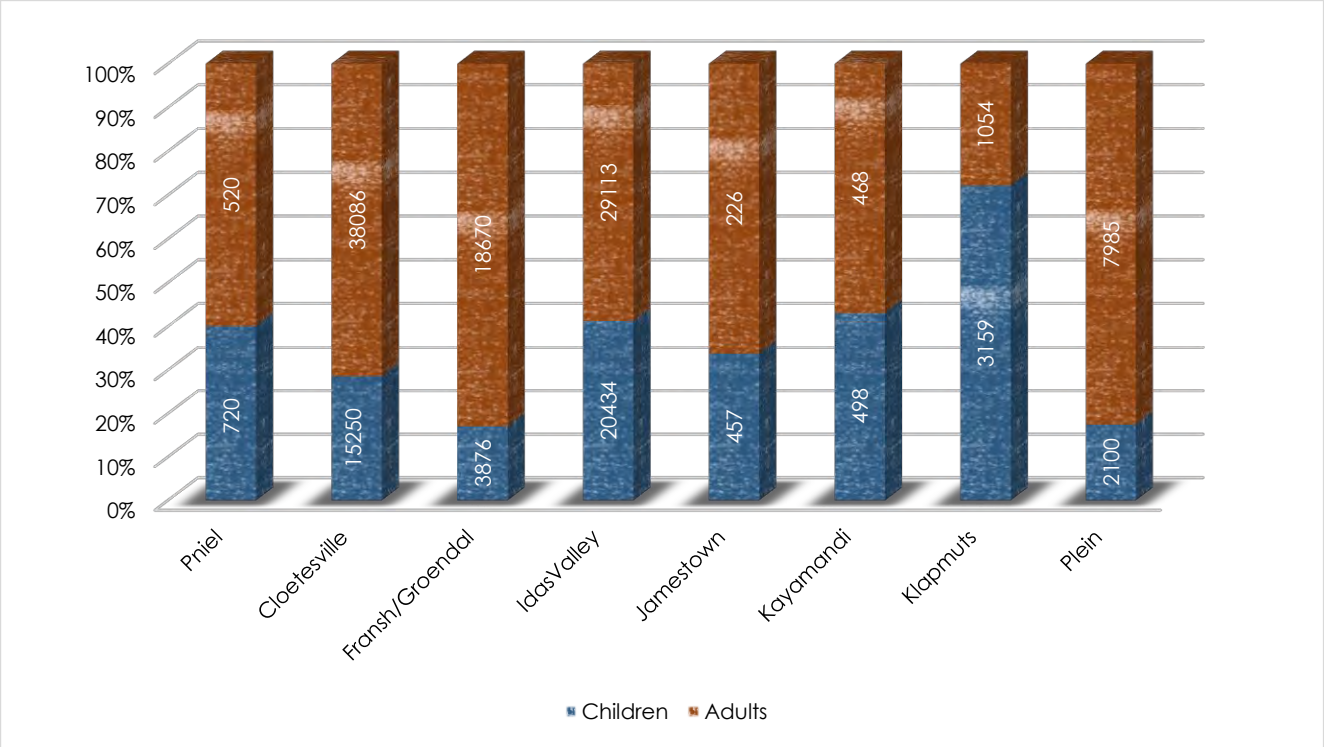
3.11.1.2 Service Statistics – Libraries

Table 3:56: Service Statistics: Libraries

Type of service	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Libraries						
Number of libraries	9	9	9	9	9	11
Library members	14 710	311 832	547 250	323 651	142 616	26 293
Books circulated	331 018	311 832	336 864	305 275	323 200	192 503
Exhibitions held: Adults	520	355	341	334	312	304
Exhibitions held: Children	0	269	799	257	316	232
Internet access points	32	32	32	32	32	36
Internet sessions granted to library users	0	44 892	52 413	43 790	53 013	17 818
Children's programmes	108	188	212	258	243	447
Number of children attending programmes	0	1 890	4 813	5 045	4 512	11 121
Visits by school groups	36	43	51	185	254	47
Book group meetings for adults – old age homes	324	410	745	1119	102	128
Primary and Secondary Book Education sessions	72	49	341	1 378	975	25
Patrons visits @ Library	N/A	N/A	590 985	403 219	398 200	271 621
Library Hall usage	N/A	N/A	425	387	356	545
Total number of Project and Pamphlet files developed	N/A	N/A	N/A	N/A	N/A	696
Total number of books reviewed	N/A	N/A	N/A	N/A	N/A	214
In-House usage	N/A	N/A	N/A	N/A	N/A	77 783
Book group meetings for adults – old age homes	N/A	N/A	N/A	N/A	N/A	128
Primary and Secondary Book Education sessions	N/A	N/A	N/A	N/A	N/A	25

The following graph shows registered users per library:

Figure 3:29: The following graph displays registered users per library



3.11.1.3 Libraries Partnerships

The Libraries Department over the last year has formed many public, private partnerships with the communities within the WCO2 Area.

Table 3:57: Libraries partnerships

Cloetesville		
Chennels Day care	Day Care	Teaching the children from an early stage the importance of libraries by presenting story hours, handcrafts, DVD shows and ECD programmes.
Little builders Crèche	Crèche	Assist the children to develop and grow by introducing them to books and other ECD activities
Kayamandi		
Signa Academy		Students taking academic practical at our Library for the period of six months.
Loxtion Foundation		Loxtion Foundation showcases and celebrates life in the townships surrounding Stellenbosch through Sport and Performing Arts. They create opportunities to discover talent amongst township youth and to give them a platform to grow.
Pniël		
Dwarsrivier Tourism		Partnering to bring services to the community of Dwarsrivier. Hosting the event to enrich the community.
Community development		Partnership aimed at bringing various services to the community of Dwarsrivier. Hosting the event to enrich the lives of the community.
Groendal Library 01 July 2019 – 30 June 2020		

Inceba Trust	Mother and Child Book sharing	Focus on training illiterate parents to do book sharing with their children / grandchildren by looking at the pictures and telling the story.
Inceba Trust	Training of ECD employees	Inceba Trust is responsible for the training, whilst Groendal library assist with storytelling and recommending books per theme.
Adopt-A-Crèche	Outreach to underprivileged children from an informal settlement	Teaching children, the basic hygiene, literacy and numeracy skills by exposing them to ECD / crèche activities. Inceba train the parent's w.r.t. the Parent and Child Book sharing programme.
Inceba Trust Toy Library	ECD Toy Library	Aim is to incorporate the Toys into the ECD section at Groendal Library. As part of this initiative, free training will be presented to Stellenbosch Library staff i.t.o. ECD programmes / activities and the usage of educational toys.
ECD / Crèches	Wemmershoek, La Motte, Groendal , Langrug, Bosbou areas	17 crèches are receiving block loans for books linked to their weekly theme. 2 visits per month for block loans and 1 storytelling / outreach per month is presented at each crèche.
CWP Community Work Programme	Unemployed people employed through CWP initiative	The Community Work Programme (CWP) is a government programme aimed at alleviating poverty and curbing unemployment. The work rendered by the CWP workers includes the cleaning of the Library, tidying of shelves, assist with preparing new library material (covering of books, tattle-tape etc.). The garden and outside areas are also maintained and cleaned by the workers.
Youth Book Week	Black Box Trolley project	The Black Box Trolley contains 10 books each with their own package (activity sheet, quiz, books etc.). The purpose of the trolley is to assist aftercare / schools centers to use the trolley with literacy projects. The books are in different categories as per reader level. Puppet shows.
Youth Book Week	Phendulani Reading Quiz	Seven (7) primary schools within the greater Franschhoek area compete against each other to be crowned as the winner. The team will consist of six Gr 7 learners, whom each will have to read 12 books and answer questions about these books.
Franschhoek Literacy Festival / Nali'Bali	Storytelling workshop	Workshop is aimed at exchanging ideas / guidelines for pre-school and primary educators / librarians. Nali'Bali and Librarians do storytelling at primary schools. (In 2019 we visited 18 classes and reached more than 1000 children).
Nali'Bali	Storytelling	Groendal Library registered as a FUNDA reader leader to promote storytelling and books. We make use of the Nali'Bali website to download activities and books. Groendal participate in the national membership drive for children.
Score Multi-Purpose Community Centre – Groendal	Seniors / Housebound adults	Aim is to combine outreach programmes / activities as we are both working with Seniors in the community.
ECD / Crèches	ECD area at Library: Educational toys, books etc.	ECD Centres / Crèches are invited to make use of the educational toys / books at the Groendal Library
Bridge House Private School	Community practical work	Assist Grade 7's with their community outreach project. Exposing them to the Library and the work done in a Library (holiday programmes, storytelling, spelling competitions etc.).
First Step Community Project	Unemployed youth	Students from "First Step Programme for Unemployed Youth" doing their practical work at the Library. In service training (library related work).
DCAS	Oral History Project	On hold due to COVID19 legislation. The aim is to keep the history of Groendal alive for the youth by means of oral history. Members of the community have been identified to participate in the oral history

		project – by telling the history of Groendal and capture it on DVD.
Groendal Housebound members	Book exchanges to housebound / elderly patrons	Bringing the Library to the community. Visits are done twice a month to deliver library material to the housebound. Visit new potential members to form part of the outreach.
Collaboration with Local / Provincial departments	PGWC: Environmental Affairs, community Safety Stellenbosch Municipality: Parks Dept.	Display and brochures to have an informed community. Combined Inter departmental activity effort for Arbor Week.
Community of Groendal	Friends of the Library	Currently in process of establishment: "Friends of the Groendal Library"
Maker-space	Children Gr R – Gr 12	Items have been procured. Currently in process of identifying taring for library staff. The focus will be on S.T.E.M (Science, technology, Electronics, Mathematics). The idea is to expose the children to science, mathematics, technology and electronics. The programme will be linked to the school curriculum.
Bongo Flepu (artist, Kayamandi)	Wall mural	Wall art for Groendal Library with the faces of people who made a positive contribution in the world. Finalisation of the mural will be the painting of the quote. Partnership with an artist from Kayamandi.
Hospice Stellenbosch		Partnering to bring services to the community of Dwarsrivier. Hosting activity events to enrich the lives of the Hospice community.
Stellenbosch Traffic Department		Partnership with traffic department to teach young children about the importance of road safety.
Read to rise		Partnering with Read to rise organisation to promote reading in young children.
Franschhoek		
Dennegeur Agri Village	Crèche	Bringing the Library to the farm children. Storytelling and activity are done 2 x month.
Franschhoek Museum	Combined programmes	Combined effort to do outreach and literacy programmes.

3.11.1.4 Capital Expenditure – Libraries

Table 3:58: Capital Expenditure as at 30 June: Libraries

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Libraries: CCTV	200 000	-	-100%
Library Books	150 000	110 989	-26.01%
Libraries: Small Capital	75 000	32 743	-56.34%

Libraries Services have spent, **34.45%** of the capital budget for the financial year.

3.11.1.5 Total Employees – Libraries

Table 3:59: Total Employees- Libraries

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0%
14 – 17	1	1	0	0%
9 – 13	13	13	0	0%
4 – 8	29	18	11	38%
3 – 0	1	1	0	0%
Total	**44**	**33**	**11**	**25%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.11.1.6 Cemeteries

Stellenbosch Municipality is responsible for the maintenance and management of six cemeteries in the greater Stellenbosch. Jamestown, Pniël and Groendal have reached their capacity, whilst Wemmershoek and Franschhoek South and North are fully operational. Onder Papegaaiberg Cemetery is also to capacity [only reserved graves available]. A new cemetery in Kylemore is currently being established.

Consultants were appointed (3-year project) during 2016 to assist Stellenbosch Municipality with the identification and planning of two regional cemetery sites to address the critical need for burial space within the municipality. This project is at an advanced stage of acquiring the required environmental-, water and land use approvals.

The objective of the cemeteries department is to provide adequate burial space and ensure a dignified burial service. A Notice of Intent to Develop has been lodged with the Department of Environmental Affairs and Development Planning during October 2017 with the pre-application public participation process to commence December 2017 / January 2018.

Our challenges remain to be:

- the shortage of burial space;
- to convert burial records to electronic soft copies (in progress as per the five-year plan); and
- to promote alternative burial methods such as cremations amongst various religious groups.

3.11.1.7 Service Statistics - Cemeteries

Table 3:60: Cemeteries Service Statistics

Type of service	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Pauper Burials	3	0	2	0	6	15

3.11.1.8 Income – Cemeteries

Table 3:61: Cemeteries Service – Income

Gravesite locations	2017/18		2018/19		2019/20	
	Number of Burials	Income	Number of Burials	Income	Number of Burials	Income
Onder Papegaaiberg	74	R33291	24	R50 389	103	R87 791
Jamestown	527	R775 831	356	R900 294	478	R1 321 781
Pniël	15	R9 615	11	R7 855	17	R13 676
Wemmershoek	17	R15 633	9	R7 650	26	R27 219
Franschhoek North Groendal	161	R105 489	38	R40 710	39	R11 052
Franschhoek South	16	R21 010	54	R45 580	140	R80 172

3.11.1.9 Capital Expenditure – Cemeteries

Table 3:62: Capital Expenditure as at 30 June: Cemeteries

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Extension of Cemetery Infrastructure	R 1 171 000	R 838 704	-28,38%

Cemeteries have spent, **34.45%** of the capital budget for the financial year.

3.11.1.10 Total Employees – Cemeteries

Table 3:63: Total Employees – Cemeteries

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0%
14 – 17	1	1	0	0%
9 – 13	5	4	1	20%
4 – 8	6	2	4	66.70%
3 – 0	11	11	0	0%
Total	**23**	**18**	**5**	**21.74%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.11.2 CHILD CARE; AGED CARE; SOCIAL PROGRAMMES– COMMUNITY DEVELOPMENT

3.11.2.1 Service Statistics – Child Care, Aged Care, Social Programmes

Table 3:64: Community Development

Type of service		
Early Childhood Development Services / Children	ECD Policy Capacity Building of ECD Practitioners Initiatives in awareness programmes (ECD children) ECD Registration Compliance Strengthening and Establishing ECD Forums Transversal committees / Adhoc committees Grant in Aid to ECDs	**ECD GIS Database updates:** • 99 ECD Facilities contact and registration status information were updated. **Capacity Building of ECD Practitioners** • Capacity Building and access to information related to ECD registration in collaboration with DSD and TEEC. • Working on Fire training was provided to 30 practitioners in Kayamandi • Collaboration with Ranyaka and Nedbank focusing on registration requirements. 20 local ECD's are now being mentored and supported. • 21 ECD practitioners received training on alcohol abuse and the manifestation thereof in ECD. • 19 Unregistered ECD's participated in a training workshop on the writing of internal policies governing the facilities. • Strengthening of ECD forums of namely Kayamandi, Klapmuts, Stellenbosch and Franschhoek in order to tackle challenges and uplift one another as a unit. This included preparation from opening up again, understanding the COVID-19 regulations and DSD requirements for safely opening up the sector again. **Awareness programmes for children** • Universal Children Day at Klapmuts Stadium for the Greater Stellenbosch ECD Forum reaching 2000 children awareness through sports. • Preparing and informing ECD centres on COVID-19 and the regulations necessitating closure during lockdown. 150 ECDs. • **Transversal / Adhoc programmes** • Various holiday programmes are supported by the department in different communities. • 300 Children participated in a spelling Bee competition in Kayamandi. • Building families: Foster family support project. • A one day "camp" for 30 youth from Ikaya Primary was conducted in collaboration with Inkuthazo Yesizwe to focus on self-discipline and responsibility.
Persons with Disabilities	Awareness programmes Universal Access Grant in Aid Donations	**International Day of Persons with Disabilities: 23 November 2019** Theme: WALK WITH DISABILITY • Focus was social inclusion and emphasis for everyone to walk with people with disabilities. A march was organised by the Stellenbosch Disability Network with supporting organisations and the municipality. • A memorandum was handed to Cllr Pietersen which focused on universal access for persons with disabilities.
Older Persons	Golden Games Transversal Committees / Adhoc programmes Older Persons Forums	**Golden Games** • The Stellenbosch official was elected as the team administrator for the National Golden Games which took place in Port Elizabeth. • The Cape Winelands regional games were attended by 230 elderlies from the different communities. **Older Persons Forums** • The forum still requires regular support, but attendance is good. 21 persons attended a capacity building workshop to strengthen individual elderly clubs.

Type of service		
		Awareness Programme: • Women's Day celebration for elderly women on farms (60 persons) • Inter-generational Heritage celebration bringing together 90 youth and elderly persons. • 16 Days of Activism: Dwarsrivier ladies reaching 50 women. • Financial Literacy programme. • A health and wellness day was attended by 54 elderly persons from the Dwarsriver Valley. • International Elderly Abuse day was attended by 56 persons.
Gender	Special Events	**Women's Week** • Franschhoek in partnership with SCORE benefiting 62 local ladies. • Pniël reaching 60 women. • Doornbosch Farms reaching 70 women. • Kayamandi with 60 participants. • 100 women from Cloetesville. • 50 ACVV and Child Welfare foster parents. • 100 ladies working with children from Klapmuts. **Awareness Programmes** • A Foster / Safety parent programme benefitting 42 persons was held in partnership with DSD. • Widow empowerment programme reaching 114 widows focussing on a celebration of heritage. • International Diabetes and Wellness was hosted for 70 ladies from Kayamandi. • World Aids Day was celebrated with @heart. • Help a Girl Child programme with a GBV focus reaching 438 children in Kayamandi. • 97 Young girls benefitted from the Sisi Subz programme in collaboration with BBF Safety Group, Sonke Gender Justice and the Western Cape Government Departments of Education and Health. • 150 Gr 7 learners attended a session on decision making promoting the concept of Ladies of the Future to guide them through their secondary school phase. • Help a girl Campaign in collaboration with Help a Girl Organisation and Provincial Safety launched a campaign to assist the girls of Makupula Secondary to receive pad donations. 460 learners received from the first programme and 230 from the second programme. **116 Days of Activism Launch and projects speaking to** • A launch of the campaign was hosted by the Executive Mayor. • The Safety of elderly women on farms reaching 50 women and in Cloetesville reaching 80.
Youth	Youth Empowerment programmes Youth Capacity Building Transversal committees / Adhoc programmes Grant in aid Donations	**JPI 27** • In collaboration with Department of Education and DCAS. • Two schools were chosen to pilot programme. Pniël Primary and Kayamandi Secondary. Progress is made at Pniël Primary School and Makapula when lock down brought all activities to a standstill. **Youth Capacity Building** The Mayoral Youth Skills Development programme originated from the high unemployment rate among local youth and the need for access to skills development. Stellenbosch also has employment opportunities for artisan trained persons in a number of local industries as evident in the research report produced by a Belgian student as part of her internship at the municipality. Successful candidates received free access to an accredited skill development programme after undergoing a recruitment process. As part of the recruitment and selection process they were introduced to the different

Type of service		
		industries. All courses included a practical placements component along with a job preparedness programme focussing on life-skills. 14 Youth participated in the General Building Maintenance training, 13 in the plumbing course, 37 youth were trained as Five Star table attendants, 20 as food service assistants and 12 as assistant chefs. **Transversal committees/ Adhoc programmes** • 1 300 youth were exposed to work opportunities and careers in the agricultural sector in collaboration with Kaap Agrimark, and Elsenburg College. • Pniël Youth 16 Days of Activism reaching 59 youth. • Accessing job portals with the Department of Labour. 76 youth participated. • Cape Winelands Drama Festival. Two groups from Franschhoek participated and came second in the finals. • Parenting workshop for parents of youth to address problems experienced by parents to reach out and connect to the youth. • 13 Youth from the Wemmershoek community participated in a Job Hunting workshop. • Youth and the IDP was attended by 27 youth. • Youth in Foster Care Programme: Career Guidance. • Job Preparedness: La Motte (49 youth), Cloetesville (30) participated in the workshops. • Youth attending a regional youth camp (10). • 10 Youth attended the script writing workshops. • EPWP Artisan placement in Maintenance Department = 4 local youth. • 59 youth participated in a dialogue session in Kayamandi.
People on the street	Municipal Policy Development, Awareness Raising through collaboration and Services	**Public Participation and Policy Development:** Street People policy approved. **Give Responsibly** The campaign gained momentum during the second part of 2019, but with COVID-19 and the lock down regulations came to a complete stand still. This did not stop the following from happening in the background to allow the campaign to be pushed to the forefront of people's minds once the lock down has been lifted: • The Cheese App (an electronic coupon) has been developed to assist with taking cash off the streets. This means that a resident can now assist some homeless persons without being in the vicinity of a retail partner selling coupons; • Currently we have 26 local businesses supporting the campaign through the sale of coupons; and • Five marketing videos has been developed in partnership with the university that can be used on different platforms to educate the public on the campaign. **Restorative Justice** A programme in collaboration with Community Safety to assist with the implementation of Street Bylaws that would not only provide a form of paying back for transgressions through manual labour, but also act as a referral system for social services. **Temporary Safe Space for Homeless Persons** With the start of lock down, the municipality established and managed a temporary shelter for homeless persons first at Klapmuts Sport Grounds and then at Van der Stel. The shelter provided the following services: • Regular referrals and transport to health services; • Ablution Facilities; • Opportunities to wash their cloths; • Bedding and blankets; and • Daily meals. **Mandela Day**

Type of service		
		The municipality partnered with Straatlig in a pop-up street store for homeless persons reaching 147 people.
Grant in Aid	Donations to community organisations serving among others: youth, gender, ECD's, Old Age Homes, Health Organisations and Sport Clubs	**Capacity Building** • One financial management workshop was conducted to assist emerging organisations to comply with the financial reporting requirements of the Grant in Aid policy. The workshop was attended by 76 persons. • Two compulsory workshops on the application process and policy were concluded. The workshops were attended by 220 prospective applicants. • 21 organisations also participated in a capacity building session hosted by the department to assist DSD with organisational compliance and NGO registrations. **Donations** • 119 applications were received. Table 3.61 indicates the number of approved donations.
Social Relief of Distress	Provision of basic needs to persons adversely affected by disaster incidences and the Temporary Homeless Shelter	75 incidences were responded to, supporting 434 persons The following resources were distributed: • Matrasses: 508; • Blankets: 479; • Food Parcels: 138; • Male Vanity Packs: 306; • Female Vanity Packs: 222; and • Baby Packs: 6.
Mobile Thusong	Assisting provincial government to reach persons in rural settings	On 21 and 22 October 2019, a Thusong programme was hosted in Pniël. Persons were bussed in from the surrounding areas reaching 754 people. The following departments were present on the days: Departments of Home Affairs, Water Affairs, Labour, Arts and Culture, Education and Health. Stellenbosch Municipality were represented through the Housing Department, Finance, Electricity and Community Development. The following were also present: SASSA, Boland College, CPUT, SEDA, SA Human Rights Commission, IEC and Stats SA.

Table 3:65: Number Grant In Aid Applications Recommended and Approved

Sub Category	Applications Recommended	Amount Approved
General Social Development	4	158 200
Early Childhood Development (ECD)	27	1 040 000
Disability	2	80 000
Elderly	3	120 000
Youth	8	320 000
Substance Abuse	2	80 000
Food Security	1	40 000
People living on the street	1	1 365 201
Skills Development	3	120 000
Physical and Psychological Health	2	80 000
Sport Clubs	10	400 000
Arts and Culture	5	185 000

3.12 COMPONENT D: ENVIRONMENTAL PROTECTION

3.12.1 POLLUTION CONTROL, BIO-DIVERSITY, LANDSCAPE, OPEN SPACES, PARKS

Stellenbosch Municipality is continuingly developing its capacity to protect the environment within its boundaries and to strive towards a municipality and communities that recognise the vital importance of their rich natural capital and manage these in a manner that ensures sustainability and fulfils the needs of all concerned. To this effect Stellenbosch Municipality has developed the Stellenbosch Environmental Management Framework, a municipal strategic environmental management policy that responds to and complies with the relevant statutes and directives. This document was adopted by Council during its June 2019 meeting.

Stellenbosch Municipality, through the Department Community Services is in the process of compiling dedicated Environmental Management Plans (EMPs) for all its declared nature reserves and nature areas. Papegaaiberg Nature Reserve has an approved EMP, currently under review along with Jan Marais Park's EMP. A first draft EMP for Mont Rochelle Nature Reserve has been completed and is ready for public input before being submitted to Council. The Paradyskloof Nature Area was accepted by Council during its May 2019 meeting. Stellenbosch Municipality has also completed an Invasive Alien Plant Management Plan, as required in terms of the National Environmental Management: Biodiversity Act (10 of 2004) and an Integrated Fire Management Plan to assist in the management of large vacant nature areas under the management of Council.

An Air Quality Control By-Law as well as a Noise Control Policy has been developed and adopted by Council. The latter is implemented by a dedicated Air Quality / Noise Control Officer appointed within the Department: Community Services.

Stellenbosch Municipality works closely with the Department of Environmental Affairs and Development Planning in reporting on illegal activities, as well as administering the rehabilitation action of Section 30 (National Environmental Management Act, 107 of 1998) Emergency Incidents.

Re: Noise complaints received and dealt with in 2018 and 2019 respectively:

Complaints are captured on a central database and dealt with within the required timeframes. The statistics included both air quality related matters and noise complaints. All noise complaints are investigated in terms of The Western Cape Noise Control Regulations PN200/2013.

Table 3:66: Air Quality Complaints 2018

2018 Complaints	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Fumes	2	2	3	3
Smoke	2	0	3	2
Dust	3	4	3	3
Burning of waste / tyres	0	0	0	0
Farm land burning	0	0	0	0
Crop spraying	0	0	0	0
Offensive odors	0	2	3	2
Unlicensed facilities	0	0	0	0
Noise	34	45	47	40
Other	1	0	0	0
Total	**42**	**53**	**59**	**50**

Table 3:67: Air Quality Complaints 2019

2019 Complaints	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Fumes	3	4	2	4
Smoke	2	3	4	4
Dust	5	4	3	5
Burning of waste / tyres	0	0	0	2
Farm land burning	2	2	3	3
Crop spraying	0	0	0	2
Offensive odors	2	2	3	3
Unlicensed facilities	0	0	0	0
Noise	40	45	48	45
Other	2	0	0	1
Total	**56**	**60**	**59**	**63**

- Total noise complaints for 2018 = **166**
- Total noise complaints for 2019 = **178**

3.12.1.1 Environmental Implementation

Table 3:68: Visitors Statistics – Environmental Implementation

Type of service	2019/20
Visitors Statistics: Nature Reserves	
Paradyskloof Nature Area	5 468
Jan Marais Nature Reserve	2 990
Eco Centre Visits – Training, Group Visits / Schools	1 419
Mont Rochelle Nature Reserve	3 836
Ida's Valley Protected Area	2 617
Onderpappegaaiberg Area	501

Table 3:69: EPWP Statistics – Environmental Management

Type of service	2019/20
EPWP Statistics	
Forest Guards	15
Fire Management	11
Mountain Trails	6
Jan Marias Nature Reserve	7
Integrated River	16
Biodiversity Veld Rehabilitation	12
Environmental Clerk	0
Urban Forestry Cleaning and Greening Project	11

3.12.1.2 Urban Forestry

The aim of the Urban Forestry Sub-section is to facilitate the planting, protection, blanking, maintenance and long term management of all trees located on municipal property through tree management (arboricultural) practices, thus promoting a sustainable development approach. This approach is geared towards making WC024 the greenest municipality in South Africa through Urban Forestry practices which guides investors towards future sustainable development.

Table 3:70: Management of trees in WC024 – Urban Forestry

Type of service	2019/20
Management Trees In WC024	
Trees planting programme	60
Pruning of trees	129
Felling of trees	16
Stump grinding of trees	5
Spraying of oak trees	3
Root barrier management	6
Wayleaves	65

3.13 COMPONENT E: SECURITY AND SAFETY

3.13.1 LAW ENFORCEMENT

Stellenbosch Municipality has a Control Room that is operational 24/7. Besides the function of call taking and dispatch, the Control Room is a fully fledged operational centre where CCTV/ LPR (Licence Plate Recognition) cameras are monitored daily. These cameras have been strategically placed to monitor hotspot areas for criminality within the WC024 area. The LPR cameras are linked to a cloud and send alerts of suspect vehicles or stolen vehicles which has been loaded and verified by SAPS to key role players such as the Control Room, law enforcement agencies and the local SAPS. The LPR cameras have in the past resulted in the successful arrest of wanted criminals by SAPS. It has also proven to be an effective crime deterrent.

Stellenbosch has an approved comprehensive safety plan that addresses all the aspects of safety, from road safety and crime, to dealing with disasters and fires. The safety plan was compiled with the input of the community and the respective safety disciplines. The plan is reviewed on an annual basis. Safety is the responsibility of all residents of Stellenbosch. The socio-economic challenges of inequality, poverty and unemployment are major contributors to unsafe environments in WC024.

With this Safety Plan the Stellenbosch Municipality, all the relevant role-players as well as the residents of the Greater Stellenbosch, commit themselves to maintain and promote a zero-tolerance approach to crime, through the Stellenbosch Safety Initiative (SSI). The SSI consists of operational members from SAPS, Traffic, Fire, Law Enforcement and Security partners.

Stellenbosch Municipality was also aided by the Department of Community Safety with the training and deployment of 18 Peace Officers in Stellenbosch and Franschhoek on a three-month contract.

Highlights:

- SSI task team members meet weekly to plan and execute joint operations with SAPS as key role-player.
- Special Operations Unit established in terms of Safety Plan.
- Centralised Control Room and CCTV monitoring at Fire Station (Phase 1 completed).
- The expansion of the Control Room is in progress (Phase 2).
- The LPR camera project (entrances and exits to Stellenbosch and Franschhoek) completed with LPR camera installations.

Challenges:

- To render a 24/7 Law Enforcement patrol service.
- Provide appropriate security of assets and facilities.
- Increase and maintain surveillance of key places.
- Prevent land invasions.
- Insufficient staff to fulfil operational requirements.
- Insufficient vehicle fleet to fulfil its mandate for a safer environment.
- Insufficient office space to accommodate departmental staff.

Law Enforcement attended to the following incidents:

Table 3:71: Law enforcement incidents responded to

–	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Arrest	0	1	12	5	1	0	14	0	0	0	0	0	**33**
Vagrants removed	406	627	301	861	914	1 031	580	140	407	54	131	100	**5 552**
Drinking in public	75	32	83	22	89	107	127	0	12	12	0	4	**563**
Illegal car guard	86	301	100	274	246	195	295	142	147	4	89	35	**1 914**
Beggars removed	106	138	42	124	147	159	180	0	0	0	0	0	**896**
Illegal hawkers	10	0	3	3	14	13	5	0	0	0	0	0	**48**
Warnings	34	113	15	148	31	219	92	0	0	0	0	0	**652**
Disorderly behaviour	0	11	0	2	3	7	2	0	0	0	0	0	**25**
Noise complaint	21	22	53	88	21	30	5	0	21	2	26	54	**343**
Dog complaints	8	2	13	20	13	10	0	0	8	1	4	9	**88**
Fines issued 56's	27	33	6	1	2	0	0	53	29	217	196	88	**652**
Illegal structures demolished	5	18	8	17	13	5	32	8	74	6	31	13	**230**
Illegal extensions	2	1	6	0	0	1	2	0	0	0	0	0	**12**
Illegal car washers	0	33	0	2	3	32	0	0	0	0	0	0	**70**
Others	89	226	14	7	80	65	180	275	412	350	254	62	**2 014**

3.13.1.1 Capital Expenditure – Law Enforcement

Table 3:72: Capital Expenditure as at 30 June: Law Enforcement

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Law Enforcement: Vehicle Fleet	2 135 000	1 912 008	-10.44%
Install and Upgrade CCTV Cameras In WC024	1 000 000	119 379	-88.06%
Install Computerised Access Security Systems and CCTV Cameras at Municipal Buildings	1 000 000	474 937	-52.51%
Law Enforcement Tools and Equipment	600 000	532 528	-11.25%
Furniture Tools and Equipment	350 000	294 838	-15.76%
Only the 5 largest capital projects are listed			

Law Enforcement have spent, **63.08%** of the capital budget for the financial year.

3.13.2 TRAFFIC LAW ENFORCEMENT

Traffic Services is performing its functions as guided by the National Road Safety Strategy with its main objectives being to achieve traffic safety on municipal roads including the functions as defined in the municipality's Integrated Development Plan.

The National Road Safety Strategy provides all year-round road safety initiatives. The department has increased its enforcement strategy in collaboration with stakeholders and affected parties. Operations like Automatic Number-plate Recognition operations are conducted to improve compliance with and payment of traffic fines.

On-going objectives are to improve road user behaviour; reduce the incidence of traffic offences; including speeding; drunk-driving and driving under the influence of narcotics; dangerous overtaking; the removal of unfit road users from traffic; roadworthiness of vehicles; public transport compliance with regard to vehicles and drivers; provide sufficient and coordinated regulation of traffic on strategic roads; pedestrian education and compliance, eradication of corruption; administrative compliance and overall improvement of enforcement systems.

The outbreak of COVID-19 during the period of March 2020 caused the whole country to go into lockdown as from 23 March 2020, which affected normal operations negatively. As a result, our administrative activities were not operational for more than 2 months. Since the implementation of the lockdown especially during levels 4 and 5, the Law Enforcement agencies were very much focussed on the task as laid down by the restrictions and were very effective. The working relationship improved as all security / policing / law enforcement role-players worked together under difficult conditions whereby good results were achieved. The Outbreak of COVID-19 did expose our challenges in terms of limited staff resources.

3.13.2.1 Highlights for Traffic Law Enforcement

The new approach in terms of Traffic Law Enforcement strategies has managed to yield good results; for example, in this financial year a total number of roadblocks held increased from 205 the previous year to 267. In terms of accidents reported, fewer casualties in terms of fatal accidents reported 15 versus 33, while the total number of culpable homicide cases reported during this this year came to 9, down from 18 recorded in the previous year.

This is achieved as a result of lockdown regulations that required coordinated deployment of law enforcement agencies to enforce lock down regulations that has put a total ban on the sale of alcohol during level 5 and level 4 and with declining restrictions on other levels. The curfew regulations further assisted by reducing movement of people on our roads and we managed to achieve good results. The improvement of Visible Crime Prevention and joint operations between enforcement agencies managed to deliver excellent results, for example during this period a total number of 16 993 moving violations were issued as compared to 10 644 on the previous financial year. Cognisance need to be taken that these include COVID-19 transgressions.

Stop and check done for the period 2019/20 = 943, during COVID- 19 the lockdown period our stop and check operations were increased for compliance purposes.

Awareness initiatives on Public Safety done for the period = 30.

A total number of 8 pedestrians' fatalities was recorded as compared to 11 in the previous financial year.

A total number of 19 vehicle fatal accidents were reported, a marginal decrease as compared to a total of 33 fatal accidents reported during the period 2018/19.

It is observed that due to lockdown regulations accidents statistics did decrease during the disaster period on our roads.

3.13.2.2 Service Statistics – Traffic Services

Table 3:73: Service Data for Traffic Services

Details	2016/17	2017/18	2018/19	2019/20
Number of Traffic Officers in the field on an average day	21	21	30	27
Number of Traffic Officers on duty on an average day	28	28	30	30
Motor vehicle licenses processed	153 119	80 472	77 374	69 338
Learner driver licenses processed	5 200	4 560	8 677	3273
R-value of fines collected	28 652 120	23 773 325	26 557 540	23 138 195
Roadblocks held	25	156	205	267
Special functions – escorts	144	157	170	42
Awareness initiatives on public safety	120	211	104	75

Table 3:74: Additional Service Data of Traffic Services

Description	2016/17	2017/18	2018/19	2019/20
Accidents				
Fatal	21	11	33	15
Serious injuries	76	66	71	60
Slight injuries	517	330	428	306
No injuries	2 551	3 145	2 979	2 450
Reckless / careless: case dockets	48	52	24	21
Culpable homicide: case dockets	17	18	18	9
Pedestrians: fatal	10	06	11	8
Pedestrians: serious injuries	29	34	21	42
Pedestrians: slight injuries	106	68	98	110
Learner's licences				
Appointments	5 200	4 560	4 915	3 464
Applications passed	2 958	2 829	2 829	2201
Duplicate request	112	136	110	96
Applicants tested	4 462	4 146	4 025	3 223
Applicants failed	1 890	1 601	1 465	1 072
Applicant absent	644	335	414	386
Driver's licences				
Appointments	2 382	2 323	1 739	1 442
Conversions	9 018	9 492	9 172	7 521
Applicants tested	1 615	1 640	1 348	1 276
Driving licenses issued (temp)	4 492	4 692	5 070	3 604
Applicants passed	824	729	594	564
Applicants failed	988	1 090	823	711
Applicants absent	374	284	264	340
Applications instructors	6	10	9	4
Issued instructors	5	6	10	4
Application / issued PRDP	1 686	1 697	1 720	1 428
Testing centre: roadworthy certificates				

Description	2016/17	2017/18	2018/19	2019/20
Motor vehicles	637	762	210	0
Light delivery vehicles	124	128	45	0
Heavy delivery vehicles (trucks)	78	45	22	0
Trailers	77	44	40	21
Taxis	65	41	18	0
Busses	10	17	0	0
Motorbikes	90	53	78	31
Motor vehicle registration				
Duplicate registrations cert.	1478	1639	1 557	1 150
Registration only	14 591	14 432	14 457	11 481
Licence fees (12%) (renew)	83 219	80 472	77 374	69 338
Temporary permits	236	212	220	194
Special permits	380	436	324	284
Specific registration number	702	711	581	488
RTMC	51 083	52 391	52 857	45 939
Traffic offences				
Vehicle defective / faulty	834	1 094	1 999	3663
Moving violations	19 994	14 661	1 369	16 993
Parking offences / violations/mobile	7 055	23 968	25 715	16 254
Speed camera / mobile / fixed and robot traffic - TMT	233 711	573 339	251 378	284 029

3.13.2.3 Capital Expenditure – Traffic Services

Table 3:75: Capital Expenditure as at 30 June: Traffic Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Replacement of Patrol Vehicles	927 293	968 434	4.44%
Furniture, Tools and Equipment	300 000	151 795	-49.40%
Mobile Radios	200 000	146 429	-26.79%

Traffic Services have spent, **88.75%** of the capital budget for the financial year.

3.13.2.4 Total Employees – Traffic and Law Enforcement Services

Table 3:76: Total Employees – Traffic and Law Enforcement

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	4	2	2	50%
9 – 13	70	45	25	35.70%
4 – 8	83	6	41	49.40%
3 – 0	0	0	0	0%
Total	**158**	**54**	**68**	**43%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.13.3 FIRE AND DISASTER MANAGEMENT

"Fire Services is a vital public service. It is part of the fabric of all our communities. The service it provides is essential in preventing fires from starting in the first place and in responding quickly and effectively to those incidents with which it has to deal. Increasingly, it is now developing a wider role. That role involves tackling new threats which we are now facing, including terrorism and threats such as flooding and other environmental disasters" (Prescott, Deputy Prime Minister, United Kingdom, 2003)

Stellenbosch also welcomes and endorses the vision for fire services in terms of the new White Paper on Fire Services –

A fire service that is proactive in preventing fires and other risks rather than simply reacting to fires through:

a) Acting in support of the wider developmental agenda as outlined in the NDP;
b) Establishing sound institutional and administrative capabilities
c) Demonstrating good governance and administration;
d) Adopting community-based approaches;
e) Putting people and their concerns first; and
f) Professionalisation of the function.

Disaster Management and its objectives:

a) Building of institutional capacity within the Stellenbosch Municipality;
b) Perform disaster risk reduction initiatives to ensure safer and resilient communities;
c) Ensure implementation of community safety programmes and campaigns to promote safe resilient sustainable communities;
d) Establishing of efficient early warning systems;
e) Improving emergency preparedness in vulnerable communities; and
f) Ensure appropriate response by relevant services to emergencies and disasters within the Stellenbosch Municipality.

Highlights:

- Launch of the new hydraulic ladder platform fire truck.
- Acceptance of a fully-geared new rapid response 4x4 fire truck.
- Replacement of fire gear (helmets, bunker gear and boots) for all fire personnel.
- Upgrading of centralised control centre at Stellenbosch fire station approved.
- Establishment of dedicated COVID-19 sanitising team.

Challenges:

a) Rapid expansion / density of informal settlements.

3.13.3.1 Service Statistics – Fire and Disaster Management

Table 3:77: Service Data for Fire and Disaster Management

Details	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Total fires attended in the year	425	817	794	647	1 011	1 043	947
Total of other incidents attended in the year	866	1 953	555	1 952	1 655	1 511	1 740
Average turnout time - urban areas (minutes)	8.25	8.25	8.25	8.25	8.25	8.25	8.25
Average turnout time - rural areas (minutes)	20.5	22.75	22.75	22.75	20.5	20	15
Fire fighters in post at year end	42	43	56	52	57	57	58
Total fire appliances at year end	9	11	9	10	11	13	15
Average number of appliances off the road during the year	4	2	2	3	2	2	2
Total operational callouts	1 291	2 770	1 349	2 704	2 666	2 556	2687
Immediate relief to victims	Not available	552	1 021	831	849	437	573
Emergency flood kits	567	116	411	300	184	118	372
Emergency housing kits	53	299	341	277	190	149	262
Meals (food parcels)	-	215	349	327	180	158	138
Blankets	-	297	699	315	526	473	479
COVID-19 Meals served at Temporary Homeless Shelter	-	-	-	-	-	-	14 544

3.13.3.2 Capital Expenditure – Fire and Disaster Management

Table 3:78: Capital Expenditure as at 30 June: Fire and Disaster Management

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Hydraulic Ladder Fire Truck	10 744 000	10 743 580	0.00%
Major Fire Pumper	4 500 000	-	-100.00%
Upgrading of Stellenbosch Fire Station	3 923 728	471 801	-87.98%
Specialised Vehicle	1 625 193	1 625 193	0.00%
Rescue equipment	869 000	852 091	-1.95%
Only the 5 largest capital projects are listed			

Fire and Disaster Management have spent, **63.36%** of the capital budget for the financial year.

3.13.3.3 Total Employees - Fire and Disaster Management

Table 3:79: Total Employees – Fire Services

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	5	5	0	0%
9 – 13	14	9	5	35.70%
4 – 8	70	17	53	75.70%
3 – 0	0	0	0	0%
Total	**90**	**32**	**58**	**64.40%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.14 COMPONENT F: SPORT AND RECREATION

3.14.1 HOLIDAY RESORTS AND CAMP SITES

The Stellenbosch Municipality is responsible for the management and maintenance of one picnic site. The Jonkershoek Picnic Site is situated in the Jonkershoek Valley on the banks of the Eerste River. The picnic site attracts up to 15 840 visitors per annum due to its natural beauty and tranquillity set at the foothills of the Jonkershoek mountains. The site provides outdoor leisure for visitors, catering for braai and picnics along the river course.

3.14.1.1 Service Statistics – Holiday Resorts and Campsites

Table 3:80: Service Statistics – Holiday Resorts and Campsites

Type of service	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Number of resorts	1	1	1	1	1	1
% Occupation for the year for Jonkershoek picnic site (open from 1 September to 30 April)	PAX: 17 248 CARS: 5 234 Income: R462 790	PAX:16 256 CARS:4687 Income: R459 197	PAX:15840 CARS:3372 Income: R448 701	PAX:13636 CARS:2434 Income: R403 579.74	PAX:20690 CARS:5246 Income: R648 115	PAX:12993 CARS:2063 Income: R462 832.73

The Stellenbosch Municipality is responsible for the management and maintenance of seventeen sports grounds in its municipal area. These grounds are surrounded by the scenic beauty of the Stellenbosch Mountains. Ten are located in the urban areas and seven in the rural areas.

It is the Municipality's goal to create active, healthy communities and to provide a sporting hub for all its residents and visitors by offering a wide range of well-maintained and well-managed sporting facilities.

Stellenbosch Municipality manages and maintains one swimming pool in the greater Stellenbosch area. The swimming pool is situated in Cloetesville and can accommodate two hundred and seventy-five (275) people at any time per day. The existing facility can host swimming galas and aims to further sports development and recreation.

3.14.1.2 Service Statistics Sport - Grounds and Swimming Pools

Table 3:81: Service Statistics Sport Grounds and Swimming Pool

Type of service	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Number of sport grounds / fields	17	17	17	17	17	17
Number of swimming pools	1	1	1	1	1	1
Number of stadiums	10	10	10	10	10	10

3.14.1.3 Capital Expenditure – Sport Grounds and Swimming Pools

Table 3:82: Capital Expenditure as at 30 June: Sport Grounds and Swimming Pools

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Vehicle Fleet	1 751 897	1 417 966	-19.06%
Upgrade of swimming pool	1 500 000	34 783	-97.68%
Building of Clubhouse and Ablution Facilities: Lanquedoc Sports Grounds	1 146 049	663 626	-42.09%
Upgrade of Sport Facilities	600 000	362 244	-39.63%
Upgrading of Lanquedoc Sports Grounds	600 000	600 246	0.04%
Only the 5 largest capital projects are listed			

Sport Grounds and Swimming Pools have spent, **49.68%** of the capital budget for the financial year.

3.14.1.4 Total Employees – Sport Grounds and Swimming Pools

Table 3:83: Total Employees – Sport Grounds and Swimming Pools

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0%
14 – 17	1	1	0	0%
9 – 13	11	6	5	45.50%
4 – 8	27	21	6	22.20%
3 – 0	11	8	3	27.30%
Total	**50**	**36**	**14**	**28%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.14.1.5 Community Halls and Facilities

Stellenbosch is the proud owner of two top-class town halls and nine community facilities that cater for local residents and national and international visitors.

The facilities are available throughout the year (365 days per annum) and can be booked for events such as meetings, weddings, training sessions, conferences and community and social events.

Table 3:84: Total functions: Community Halls and Facilities

Type of service	2019/20
Total functions at municipal halls	
Stellenbosch Town Hall	65
Klapmuts Centre	59
Eikestad Hall	142
Wemmershoek Hall	31
La Motte Community Hall	12
Franschhoek Town Hall	11
Groendal Community Hall	76

Type of service	2019/20
Kylemore Community Hall	20
Pniël Banquet Hall	44

Table 3:85: Total Revenue / Income: Community Halls and Facilities

Type of service	2019/20
Stellenbosch Town Hall	R1 047 814.66
Klapmuts Centre	R47 356
Eikestad Hall	R93 475
Wemmershoek Hall	R35 526
La Motte Community Hall	R23 731
Franschhoek Town Hall	R66 260.90
Groendal Community Hall	R61 394.10
Kylemore Community Hall	R11 260.70
Pniël Banquet Hall	R36 706.20

3.14.1.6 Total Employees - Community Halls and Facilities

Table 3:86: Total Employees – Community Halls and Facilities

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0%
14 – 17	0	0	0	0%
9 – 13	3	1	2	66.70%
4 – 8	1	0	1	100%
3 – 0	18	13	5	27.80%
Total	**22**	**14**	**8**	**36.40%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.15 COMPONENT G: CORPORATE POLICY OFFICES AND OTHER SERVICES

This component includes: corporate policy offices, financial services, human resource services, ICT services and property services.

3.15.1 FINANCIAL SERVICES

3.15.1.1 Service statistics

Table 3:87: Service Statistics for Financial Services

Details of the types of account raised and recovered	2019/20		
	Billed in Year	Actual for accounts billed in year	Proportion of value of accounts billed that were collected
	R		%
Property Rates	360 089 277	350 679 382	97.39%
Electricity	562 275 303	538 583 477	95.79%
Water	171 631 994	172 237 261	100.35%
Sanitation	83 261 986	95 886 699	115.16%
Refuse	62 956 545	65 908 062	104.69%

3.15.1.2 Total Employees – Finance

Table 3:88: Total Employees – Finance

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	2	1	1	50%
14 – 17	13	10	3	23.10%
9 – 13	56	49	7	12.50%
4 – 8	103	54	49	47.60%
3 – 0	0	0	0	0%
Total	**174**	**114**	**60**	**34.50%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.15.2 HUMAN RESOURCE SERVICES

Stellenbosch Municipality views the Human Resources Management component as the governance of the organisation's employees. More commonly, human resources per se refers to the people or human capital appointed or employed by the organisation whose skills are used to reduce risk and maximise return on investment. The vision of the Human Resources Department is undoubtedly to build partnerships with management at all levels of the organisation, to create a culture or working environment where employees are valued or appreciated and to ensure a diverse, qualified, healthy and highly motivated workforce focused on achieving the critical outcomes, through the development and administration of cost-effective and results-oriented human resources. Accordingly, the mission of the Human Resources Management Department is to address and achieve the goals and challenges of Stellenbosch Municipality by providing services that promote a work environment that is characterised by fair treatment of staff, open communications, personal accountability, trust and mutual respect. We will seek and provide solutions to workplace issues that support and optimise the operating principles of the organisation.

The Human Resources Management Department objectives for Stellenbosch Municipality include but are not limited to:

- Helping the organisation achieve its goals;
- Ensuring effective utilisation and maximum development of human resources;
- Ensuring respect for human beings;
- Identifying and satisfying the needs of individuals;
- Ensuring reconciliation of individual goals with those of the organisation;
- Achieving and maintaining high morale among employees;
- Providing the organisation with well-trained and well-motivated employees;
- Increasing employees job satisfaction and self-actualisation;
- Developing and maintaining quality of work life;
- Being ethically and socially responsive to the needs of the community;
- Developing overall personality of each employee in its multidimensional aspect;
- Enhancing employee's capabilities to perform the present job; and
- Ensuring service excellence for the broader Stellenbosch community.

The Human Resources services include:

- Strategic Human Resources Management,
- Labour Relations;
- Recruitment and Selection;
- Training and Development;
- Employee Assistance;
- Occupational Health and Safety;
- Employment Equity; and
- All Human Resources Administration.

Each director, manager, departmental head, superintendent, assistant superintendent and foreman are responsible for setting objectives, delegating responsibilities and tasks, motivating staff, disciplining staff, developing skills and career paths, measuring performance and generally guiding their staff. In these endeavours, management and line management are assisted by the Human Resource Department, who provides policies, guidelines, support, systems and specialised inputs.

Main focus priorities for HR Services in 2019/20 were:

- Implementation of the biometric time and attendance system:
  The system was implemented from November 2018 and most workplaces have a finger device installed where employees log in. The system worked and accurate records of movement and attendance could be monitored. However, due to the COVID-19 pandemic the system was disabled in March 2020 until further notice. Other options in terms of alternative registering methods are currently under investigation and consideration.
- Finalisation of Human Resources management policies;

The following policies were approved during 2019/20:

a) Measures to Recover Arrear Monies from Employees owing on their municipal accounts to Stellenbosch Municipality for a period of 90 plus – 01 August 2019.

- Implementation of the TASK Job Evaluation System:
  The policy was adopted and concluded and currently job descriptions are forwarded for evaluation to the CWJEU.
- Finalisation of historical human resources issues:
  The placement of permanent staff and some contract staff has been completed and the employees in the pool are currently being resolved.

The highlights for the Human Resources Department in 2019/20 were the following:

- 230 employees were trained;
- 1st online / virtual training for the Finance Department;
- 14 employees sent for Municipal Minimum Competency Level Training;
- During 2019/20 only 5 out of 19 SALGBC arbitrations were ruled against the Municipality;
- OHS Training were provided to 55 Health and Safety Representatives, 23 First Aider Training and 13 Fire Warden;
- 6 directorate specific recruitment email addresses for emailed job applications were created;
- Virtual shortlisting discussions were conducted via MS Teams;
- Virtual interviews and assessments were conducted via MS Teams; and
- Virtual induction sessions were conducted via Zoom and MS Teams.

The challenges for the Human Resources Department in 2019/20 were the following:

- Shortage of conducive training venues;
- The provision of staff wellness services to the employees of Stellenbosch Municipality; and
- Suitably qualified / trained Chairpersons and Initiators within the Stellenbosch Municipality.

The following was submitted within the 2019/20 year and is under consideration at the LLF:

a) Measures to recover arrear monies from employees;
b) TASK Evaluation policy; and
c) Employee Parking Policy.

3.15.2.1 Total Employees – Human Resources (HR)

Table 3:89: Total Employees – HR

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	3	2	1	33.30%
9 – 13	14	11	3	21.40%
4 – 8	4	2	2	50%
3 – 0	0	0	0	0%
Total	**22**	**16**	**6**	**27.30%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.15.2.2 Information and Communication Technology (ICT) Services

The ICT department committed its time in the 2019/20 financial year to purchasing and replacing computer software and hardware to improve the efficiency of the various municipal business units.

Highlights:

- Firewall Project was extended by way of procuring 2 additional firewall hardware devices for our DR site located at TERACO. These newly procured items will act as secondary firewalls synchronising with the main firewall at our Data Centre, that was implemented during the 2019/20 financial year.
- The municipality's Data Storage for ICT systems was further enhanced by procuring an additional Tintri VMstore T850 hybrid-flash solution. Tintri's VMware storage speeds performance 6x to save us time and packs storage 10x more densely to save us money.
- Telephony Voice Services was successfully moved from Liquid Telecom to Telkom / BCX with the aim of further reducing our monthly costs. This procurement included redundancy by way of making available a redundant service at our Traffic services that can provide a service in the event the main building's service fails.
- High site wireless hardware links were procured and delivered during this time with the plan to upgrade our network to the outer laying areas under the WC024 area. These are the larger high end wireless devices that will be installed at our high sites on the different mountain ranges where we have towers installed.
- The team further spent time on taking over the network support of the camera infrastructure by way of extending the Avalon contract to cover this critical service. This has reduced the cost of this service as the ICT network has been able to incorporate the camera Infrastructure. This has in turn saved the municipality and the public money in providing this critical service.
- The newly commissioned Server room saw us add additional server storage hardware to accommodate for the other law enforcement and traffic services moving into the server room. This included flexible high speed storage which is easily shared as and when required. Additional storage cabinets (x2) were further procured to accommodate for future growth in this space.
- The ICT Department spent a large amount of its effort on once again reducing costs by way of procuring printers via the National treasury RT3-2018 contract. Our costs for replacing toners had skyrocketed during the year and this change needed to happen soonest. This contract saw us reduce our printer footprint and begin to centrally manage usage across printers. The many office

printers were replaced with shared departmental printers further assisting in reducing costs.

- Successfully implemented the Housing Database System VOIS for Human Settlements.
- Software Audit Financial Year 2019/20 was conducted, and the report was submitted to the ICT Steering Committee.
- The upgrade of the Backup Infrastructure to accommodate and include all critical systems to ensure sustainability of the ICT services.
- A Geospatial Forum was established.
- Biometric project was revived and municipal officials are clocking in. The system ensured effective monitoring of staff attendance and movement but had to be disabled when lockdown was announced. We are currently investigation other options of electronic measurements.
- Biometric Morph software was upgraded to version 14 and is currently stable. There were 28 more clocks which were added at various municipal sites. Biometrics reports are currently distributed monthly to all departments.
- Microsoft System Center Configuration Manager (SCCM) was deployed to assist with Microsoft 365 upgrade.
- ICT developed an Enterprise Architecture Framework to show the view of the current ICT environment with regards to High-level business processes, ICT Governance, ICT Processes, Application and Data Architecture, Infrastructure Architecture and ICT Resources and Skill
- All existing ICT Policies were reviewed, and new ICT Policies were developed and approved by the ICT Steering Committee.
- ICT Governance, Risk and Compliance Management Framework was developed to institutionalise the Corporate Governance of ICT and ICT Risk Management as an integral part of corporate governance within municipalities in a uniform and coordinated manner.
- The Disaster Recovery and Colocation Services project including WAN and Internet Services were successfully implemented by First Technology and will remain in place till the 30 June 2022. The DR site is at TERACO in Claremont and meets all the AG requirements.

Challenges:

- ICT structure does not align to best practices and thus cannot be agile enough to support the municipality.
- Lack of system integration.
- After hours' system maintenance resources to ensure continued service provision, especially after load shedding / power failure.

3.15.2.3 Service Statistics – Information and Communication Technology (ICT) Services

Table 3:90: Service Statistics – ICT

Details	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
	%					
Ensure the availability of the network to ensure effective ICT systems for municipal processes	98	98	99.9	99.9	99	99
Provide ICT support to all municipal departments by attending to requests within 4 working days	97	98	98	98	98	98
Connecting all municipal sites to the ICT network	100	100	100	100	100	100

3.15.2.4 Capital Expenditure – Information and Communication Technology (ICT) Services

Table 3:91: Capital Expenditure as at 30 June 2019: ICT Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R		
Upgrade and Expansion of IT Infrastructure Platforms	8 439 969	8 343 315	-1.15%
Purchase and Replacement of Computer / software and Peripheral devices	1 230 230	534 915	-56.52%
Public WI-FI Network	548 400	547 658	-0.14%

ICT have spent, **92.24%** of the capital budget for the financial year.

3.15.2.5 Total Employees – Information and Communication Technology (ICT) Services

Table 3:92: Total Employees – ICT

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	5	5	0	0%
9 – 13	9	6	3	33.30%
4 – 8	0	0	0	0%
3 – 0	0	0	0	0%
Total	**15**	**12**	**3**	**20%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.15.3 LEGAL SERVICES

The Legal Services Department in conjunction with user departments ensures and manages the implementation, monitoring, evaluation and reporting on key service delivery objectives with respect to Legal Services.

The main objectives are the following:

- Advise and manage litigations instituted by the municipality and against it;
- Provide legal advice, opinions and input on policies, contracts, agreements, memorandums, legislation, by-laws and authorities;
- Advising Council on items submitted to meetings;
- Ensuring by-laws are promulgated after consultation with user departments and approval by Council; and
- Attend to new legislation and proclamations for comment as and when required.

Challenges:

- To deal with urgent requests for legal input to Portfolio and Council Committees.
- Lack of skilled administrative support to chief legal advisor.
- Availability of well-maintained legal library and reference resources.

3.15.3.1 Total Employees – Legal Services

Table 3:93: Total Employees – Legal Services

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0%
14 – 17	0	0	0	0%
9 – 13	0	0	0	0%
4 – 8	1	0	1	100%
3 – 0	0	0	0	0%
Total	**2**	**1**	**1**	**50%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

3.15.3.2 Municipal Court – Additional Court - Stellenbosch

The Municipal Court is responsible for the following prosecutions:

- Traffic by-laws;
- Provincial Traffic by-laws;
- SAPS by-laws;
- Law Enforcement by-laws;
- Fire by-laws;
- Building and Land Use Regulations, and all other By- Law contraventions;
- Electrical By-laws; and
- Noise pollution.

Mission Statement

Our aim is to: -

- promote Justice and service delivery;
- enhance revenue to invest in our community;
- "let Justice be seen to be done"; and
- minimise crime and have a safer Stellenbosch.

The Municipal Court was established to:

- Support and secure good governance;
- Ease the burden on regular courts;
- Increase the speed of services;
- Allow for more successful prosecutions by applying specialist knowledge;
- Improve communications between the by-law prosecutors and enforcers;

- Support by-law enforcement;
- Ensure a user friendly court; and
- Keeps members of the public who committed a minor crime (such as a traffic offence) away from hardened criminals.

Our revenue for the past financial year amounted to a healthy R3 957 980 with 13 859 cases on our court role.

We are also looking into having an Ad Hoc Court in Franschhoek / Klapmuts in the near future. This could be another boost for our Municipal Court service to the community. Prosecuting some of our cases in the Paarl Magistrate`s Court is also currently being considered.

The introduction of the Additional Municipal Court has definitely been an essential, strategic implementation that will benefit the whole community of Stellenbosch.

3.15.3.3 Statistical Report – Case Load

Table 3:94: Statistical Report Case load

Months:	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Cases on the role	656	1 255	1096	1 096	1 297	823	1 693	577	457	21	894	1 058
Withdrawn	6	0	0	10	4	1	6	8	2	0	0	38
Struck off the role	30	48	69	31	33	63	68	11	21	0	2	0
Warrants authorised	576	1 110	965	986	1 197	748	1 589	547	410	0	885	991
Deferment	0	14	7	4	29	0	0	0	0	0	0	0
Payments	40	73	53	65	34	10	5	2	20	0	4	1
Postponed	4	5	0	0	0	1	25	9	4	21	3	28
Mediations	0	5	2	0	0	0	0	0	0	0	0	0

3.15.3.4 Financial Report

Table 3:95: Financial Report of the Municipal Court

	Traffic Fines	SAPS Fines	Law Enforcement Fines	Contempt of Court Fines	Provincial Fines	Electricity	Building	Total Amount
Jul	R372 110	R0	R0	R0	R800	R7 500	R0	R38 0410
Aug	R291 070	R0	R0	R30 600	R300	R7 500	R0	R329 470
Sep	R393 880	R200	R250	R54 600	R0	R0	R5 000	R453 930
Oct	R385 430	R0	R0	R67 800	R0	R0	R1 500	R454 730
Nov	R312 320	R250	R0	R57 900	R1 000	R5 000	R12 000	R388 470
Dec	R251 780	R500	R0	R46 200	R0	R4 000	R3 500	R305 980
Jan	R395 470	R0	R0	R60 000	R0	R0	R0	R455 470
Feb	R387 130	R500	R0	R53 500	R0	R2 500	R3 500	R447 130
Mar	R445 560	R0	R2 600	R50 400	R250	R0	R12 500	R511 310
Apr	R32 740	R2 100	R0	R1 500	R0	R2 500	R0	R38 840
May	R20 300	R5 100	R4 500	R300	R0	R0	R4 000	R34 200
June	R73 430	R3 700	R1 600	R5 700	R0	R2 000	R0	R86 430

3.15.3.5 Total Employees – Municipal Court

Table 3:96: Total Employees – Municipal Court

Job Level*	Posts*	Employees*	Vacancies (full time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0%
14 – 17	2	1	1	50%
9 – 13	1	1	0	0%
4 – 8	3	3	0	0%
3 – 0	0	0	0	0%
Total	**6**	**5**	**1**	**16.70%**

* The previous tables were based on gradings of the maintenance phase where employees have been put on T-levels which skewed the true reflection of the grades of posts on the current organogram. The current table is based on the approved organogram of 2017/2019 and where posts would fit in in terms of the TASK grades currently being evaluated. It is further aligned to the number of posts on the 2017/2019 organogram.
The vacancy rate is based on the total amount of vacancies as per the organogram although the rate should only be based on funded vacancies existing within the section / department.

CHAPTER 4: ORGANISATIONAL DEVELOPMENT PERFORMANCE

4.1 NATIONAL KEY PERFORMANCE INDICATORS – MUNICIPAL TRANSFORMATION AND ORGANISATIONAL DEVELOPMENT

The following table indicates the municipality's performance in terms of the National Key Performance Indicators 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 Area – Municipal Transformation and Organisational Development.

Table 4:1: National KPIs – Municipal Transformation and Organisational Development

KPA and Indicators	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
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	4	13	4	50%*	33%*	66.67%
The percentage of a municipality's budget actually spent on implementing its workplace skills plan	0,83%	0.97%	0.94%	72%**	94.56%**	R2 262 082.24 / R1 778 283 844 x 100 = 0.13%
The unit of measurement changed from number to percentage for the employment equity target.* * Percentage was calculated using the total personnel budget as in terms of the Skills Development Act. The aforementioned percentage for the 2018/19 financial year is based on the Total Annual Payroll as depicted in the SDBIP.*						

4.2 INTRODUCTION TO THE MUNICIPAL WORKFORCE

Stellenbosch Municipality, as at 30 June 2020, employed **1 158** officials (excl. Councillors and excluding non-permanent positions), who individually and collectively contribute to the achievement of the municipality's objectives. The primary objective of Human Resource Management is to render an innovative HR service that addresses both skills development and an administrative function.

4.2.1 EMPLOYMENT EQUITY

The Employment Equity Act (1998), Chapter 3, section 15 (1), states that affirmative action measures are measures designed to ensure that suitable qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce of a designated employer. The national performance indicator also refers to 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" The following table provides clarity on the employment equity status as at 30 September 2020.

Table 4:2: EE Targets / Actual by Racial Classification

	African			Coloured			Indian			White		
	Target June	Actual June	Target reached	Target June	Actual June	Target reached	Target June	Actual June	Target reached	Target June	Actual June	Target reached
2015/16	334	361	92.52%	497	676	73.52%	28	3	9.33%	83	111	74.77%
2016/17	334	368	90.76%	497	671	74.06%	23	5	4.60%	75	103	72.81%
2017/18	334	378	113%	497	671	74.06%	23	4	17%	75	110	146%
2018/19	334	372	111.4%	497	651	131%	23	4	17%	75	94	125.3%
2019/20	334	383	111.4%	497	680	137%	23	4	17%	75	96	128%

Table 4:3: Targets / Actual by Gender Classification

	Male			Female			Disability		
	Target June	Actual June	Target reached	Target June	Actual June	Target reached	Target June	Actual June	Target reached
2015/16	425	783	54.27%	518	368	71.04%	0	0	n/a
2016/17	681	782	78.87%	670	363	54.18%	0	10	n/a
2017/18	681	785	115%	670	378	56%	10	10	100%
2018/19	681	750	110.1%	670	371	55.3%	10	10	100%
2019/20	681	760	111.6%	670	398	59.4%	10	10	100%

4.2.1.1 Occupational Categories - Race

The table below categorises the number of employees by race within the occupational levels:

Table 4:4: Occupational Categories – Race

Occupational Levels	Male				Female				Total
	A	C	I	W	A	C	I	W	
Top Management and Councillors	4	16	0	6	5	9	0	7	**47**
Senior management	2	11	0	9	1	3	0	0	**26**
Professionally qualified and experienced specialists and mid-management	9	25	2	11	9	15	1	9	**81**
Skilled technical and academically qualified workers, junior management, supervisors, foremen and superintendents	52	155	1	31	72	120	0	23	**454**
Semi-skilled and discretionary decision making	82	125	0	3	28	60	0	3	**301**
Unskilled and defined decision making	103	135	0	0	25	27	0	0	**290**
Total permanent	**252**	**467**	**3**	**60**	**140**	**234**	**1**	**42**	**1 199**
Non- permanent employees (incl. EPWP, Conditional Grants, Provincial Grants)	12	20	0	2	14	29	0	2	**79**
Grand total	**264**	**487**	**3**	**62**	**154**	**248**	**1**	**44**	**1 278**

4.2.1.2 Directorates by Race

The following table categorises the number of employees by race within the different Directorates:

Table 4:5: Directorates by Race

Directorate	Male				Female				Total
	A	C	I	W	A	C	I	W	
Office of the Mayor	4	13	0	5	5	8	0	6	41
Office of the Municipal Manager	0	2	0	1	3	5	0	2	13
Financial Services	7	31	1	3	21	48	0	6	117
Planning and Economic Development	7	26	0	6	15	19	0	6	79
Corporate Services	10	30	1	2	13	22	0	5	83
Community and Protection Services	81	128	1	25	62	99	1	13	410
Infrastructure Services	143	237	0	18	21	33	0	4	456
Total permanent	**252**	**467**	**3**	**60**	**140**	**234**	**1**	**42**	**1 199**
Non-permanent (incl. EPWP, Conditional Grants, Provincial Grants)	12	20	0	2	14	29	0	2	79
Grand total	**264**	**487**	**3**	**62**	**154**	**248**	**1**	**44**	**1 278**

4.2.2 VACANCY RATE

The approved organogram for the Municipality had **1 120** (funded) posts based on the 2017/18 financial year. On 1 July 2018 the approved organogram of 25th October 2017 was implemented which brought about a total post compliment of 1 873 posts and was further reviewed and revised with another 123 posts which made the total post compliment 1 996 posts on 27 February 2019. The actual positions filled in the 2019/20, financial year are indicated in the tables below by post level and by functional level. A total of 838 posts were vacant at the end of 2019/20, resulting in a vacancy rate of **41.98%.** Below is a table that indicates the vacancies within the municipality:

Table 4:6: Vacancy rate per post and functional level

Per Post Level		
Post level	**Filled**	**Vacant**
Top Management (MM and MSA section 57 Managers)	6	0
Senior Management	26	6
Middle management	81	21
Skilled technical and academically qualified workers, junior management, supervisors, foremen and superintendents	454	289
Semi-skilled	301	522
Unskilled and defined decision making	290	0
Total	**(Excluding Councillors) 1158**	**838**
Per Functional Level		
Functional area	**Filled**	**Vacant**
Office of the Mayor	41	0
Office of the Municipal Manager	13	12
Financial Services	117	60
Planning and Economic Development	79	55
Corporate	83	80
Community and Protection Services	410	205

Per Post Level		
Post level	Filled	Vacant
Infrastructure Services	456	426
Total	**(Including Councillors) 1158**	**838**

4.2.3 TURNOVER RATE

A high turnover may be costly to a municipality and might negatively affect productivity, service delivery and institutional memory / organisational knowledge. Below is a table that shows the turnover rate in the municipality.

The table below indicates the turn-over rate over the last five years:

Table 4:7: Turn-over Rate

Financial year	Total no appointments at the end of each Financial Year	New appointments	Number of terminations during the year	Turn-over Rate
2015/16	1 110	136	71	6.4%
2016/17	1 144	100	36	3.14%
2017/18	1 120	42	69	6.16%
2018/19	1 121	55	39	3.47%
2019/20	1 158	60	51	4.40%

4.2.4 MANAGING THE MUNICIPAL WORKFORCE

Managing the municipal workforce refers to analysing and coordinating employee behaviour.

4.2.4.1 Injuries

An occupational injury is a personal injury, disease or death resulting from an occupational accident. Compensation claims for such occupational injuries are calculated according to the seriousness of the injury/disease and can be costly to a municipality. An occupational injury will influence the loss of man hours and therefore financial and productivity performance.

The injury rate shows an increase for the 2019/20 financial year from 86 employees in 2018/19 to 96 employees in the 2019/20 financial year. The table below indicates the total number of injuries within the different directorates:

Table 4:8: Injuries as at 30 June

Directorates	2015/16	2016/17	2017/18	2018/19	2019/20
Office of the Municipal Manager	2	1	1	0	0
Financial Services	2	3	0	0	2
Planning and Economic Development Services	0	0	3	3	2
Corporate Services	2	1	1	1	7
Community and Protection Services	40	54	73	49	36
Infrastructure Services	86	64	42	32	42
Human Settlements and Property Management	4	7	5	1	3
Total	**136**	**130**	**120**	**86**	**92**

Injuries in the Operational Services are normally higher due to the nature of work and the constant handling of equipment and machinery.

4.2.4.2 Sick Leave

The number of days' sick leave taken by employees has service delivery and cost implications. The monitoring of sick leave identifies certain patterns or trends. Once these patterns are identified, corrective action can be taken.

The total number of employees that have taken sick leave during the 2019/20 financial year shows a decrease of 1 524 working days when comparing it to the 2018/19 financial year.

The table below indicates the total number of sick leave days taken within the different directorates:

Table 4:9: Sick Leave as at 30 June

Department	2015/16	2016/17	2017/18	2018/19	2019/20	2019/20 (%)
Office of the Municipal Manager	342	96	66	89	83.5	22.37
Financial Services	1339.5	908.50	631	692	679	21.76
Planning and Economic Development	1 244.5	501	267	393	425	20.43
Corporate Services	808.43	727	410	493	593.87	26.83
Community and Protection Services	3 758.5	2 726	1 562	2 958	1803.19	16.49
Infrastructure Services	5 230	3 633	2 730	2 765	2646	21.76
Total	**12 730.93**	**9 046.50**	**6 110**	**7 754**	**6 230.56**	**20.18**

Note: These Sections' figures will be incorporated in the Planning and Economic Development and Corporate Services Directorates respectively for the 2019/20 financial year. The Human Resources System will be modified to effect these organogram changes.

4.2.4.3 Human Resources Policies and Plans

Policies and plans provide guidance for fair and consistent staff treatment and a consistent approach to the managing of staff.

The table below shows the status of the Human Resources policies and plans:

Table 4:10: Approved Policies

Name of policy	Date approved / revised
Guidelines for Official Parking	August 2008
Staff Attraction and Retention Policy	August 2008
Smoking Policy	August 2008
Skills Development Policy	August 2008
Minimum Service Level Agreement on Essential Services	August 2008
Recruitment and Selection	29 November 2012
Leave Policy Guideline and Procedures	29 November 2012
Overtime and Standby Policy Guidelines and Procedures	29 November 2012
Occupational Health and Safety Policy	29 November 2012
HIV AIDS Policy	29 November 2012
Employee Assistance Programme	25 February 2015
Education, Training, Development Policy	25 February 2015
Attendance and Punctuality Policy	25 February 2015
Evaluation of Probationary Periods Policy	25 February 2015
Whistleblowing Policy	25 February 2015

Name of policy	Date approved / revised
New Occupational Health and Safety Policy	25 February 2015
Substance Abuse Policy	25 February 2015
Succession Planning and Career Patching Policy	25 February 2015
Unpaid leave policy	25 February 2015
Work Related Functions Policy	25 February 2015
Nepotism Policy	25 February 2015
External Bursary Aid Policy	25 February 2015
Smoking Policy (Review)	25 October 2017
Communication Policy	25 July 2018
Guidelines on Flexi-time	25 July 2018
Time and Attendance	26 September 2018
Employee Bursary Policy (Internal)	26 September 2018
Proposal on Appointment of Certain Temporary Employees during the Restructuring Process	26 September 2018
Firearms Policy	28 November 2018
Acting Allowance Policy	28 November 2018
Motor Vehicle Allowance Policy	28 November 2018
Guidelines on Negotiation in regard to Remuneration (Within the National Negotiated Framework) for the Retention and Attraction of Staff	24 April 2019
Additional Allowance Responsibility Policy	24 April 2019
MS;A: Essential Services	04 June 2019
TASK Implementation Policy	26 February 2020

Table 4:11: Policies still to be developed

Policies still to be developed	
Name of policy	**Proposed date of approval**
Measures to Recover Arrear Monies from Employees owing on their municipal accounts to Stellenbosch Municipality for a period of 90 days plus.	1 August 2019 (this policy was delegated for approval by the Municipal Manager)
HIV / AIDS Policy (Review).	30 June 2021
New Recruitment and Selection Policy.	30 June 2021 (policy currently at HR Sub-Committee for discussion).
Staff Parking Policy.	To be tabled at the October 2020 Council meeting for approval.
Consequence Management Policy.	To be tabled at the November 2020 Council meeting for approval.

The Human Resources Department submits policies to the Local Labour Forum on a regular basis for review purposes.

4.2.5 CAPACITY BUILDING OF THE MUNICIPAL WORKFORCE

Section 68(1) of the MSA states that a municipality must develop its human resource capacity to a level that enables it to perform its functions and exercise its powers in an economical, effective, efficient and accountable way. For this purpose, the human resource capacity of a municipality must comply with the Skills Development Act (SDA), 1998 (Act No. 81 of 1998), and the Skills Development Levies Act, 1999 (Act No. 28 of 1999).

4.2.5.1 Skills Matrix

The table below indicates the number of employees that received training in the year under review:

Table 4:12: Skills Matrix

Management level	Gender	Number of employees identified for training at start of the year	Number of employees that received training
MM and S57	Female	0	0
	Male	0	0
Legislators, senior officials and managers	Female	1	3
	Male	15	15
Professionals	Female	13	1
	Male	10	1
Associate professionals and Technicians	Female	15	3
	Male	72	23
Community and Personal Services	Female	0	0
	Male	0	0
Clerks	Female	75	6
	Male	10	2
Service and sales workers	Female	53	73
	Male	81	130
Plant and machine operators and assemblers	Female	0	0
	Male	17	17
Elementary occupations	Female	26	15
	Male	167	90
Sub-total	**Female**	**183**	**101**
	Male	**372**	**278**
Total		**555**	**379**

4.2.5.2 Skills Development – Training Provided

The Skills Development Act, 1998 (Act No. 97 of 1998) and the MSA, require that employers supply employees with the necessary training in order to develop its human resource capacity. Section 55(1)(f) states that as head of administration, the Municipal Manager is responsible for the management, utilisation and training of staff.

4.2.5.3 Skills Development - Budget Allocation

The table below indicates that a total amount of **R 4 493 705** was allocated to the workplace skills plan and that **37.5%** of the total amount was spent in the 2019/20 financial year:

Table 4:13: Budget allocated and spent for skills development

Year	Total personnel budget	Total Allocated	Total Spend	% Spent
	R	R	R	
2013/14	280 637 485	2 450 170	1 776 397	73%
2014/15	324 832 04	2 743 370	2 716 719	99%
2015/16	416 062 658	3 420 000	3 406 325	99%
2016/17	7 801 472	3 400 000	3 204 069	94%
2017/18	444 578 881	4 919 000	3 541 680	72%
2018/19	528 251 635	2 511 080	2 374 501	94%
2019/20	577 204 284	4 493 705	1 686 233	37.50%

4.2.6 MANAGING THE MUNICIPAL WORKFORCE EXPENDITURE

4.2.6.1 Personnel Expenditure

The percentage personnel expenditure is essential in the budgeting process as it reflects on current and future efficiency. The table below indicates the percentage of the municipal budget that was spent on salaries and allowance for the past three financial years and that the municipality is well below the national norm of between 35 to 40%:

Table 4:14: Personnel Expenditure as % of Total Operating Expenditure

Financial year	Total expenditure salary and allowances	Total operating expenditure	Percentage
	R		%
2014/15	282 932	1 047 586	27%
2015/16	313 819	1 150 240	27%
2016/17	367 463	1 254 937	29%
2017/18	407 801	1 307 335	31%
2018/19	444 711	1 508 629	29%
2019/20	481 583	1 661 441	29%

Below is a summary of Councillor and staff benefits for the year under review:

Table 4:15: Councillor and staff benefits

Financial year	2018/19	2019/20	2019/20	2019/20
Description	Actual	Original Budget	Adjusted Budget	Actual
	R'000			
Councillors (Political Office Bearers plus Other)				
Salary	11 509	11 322	12 934	12 263
Pension Contributions	557	132	800	559
Medical Aid Contributions	222	50	87	215
Motor Vehicle Allowance	4 136	4 139	4 667	4 331
Cell Phone and Other Allowances	1 849	1 740	1 263	1 754
Sub-Total - Councillors	**18 272**	**17 384**	**19 751**	**19 121**
% Increase / (Decrease) on Actual	**8.44%**	**9.11%**	**9.11%**	**4.64%**
Other Municipal Staff				
Basic Salaries and Wages	300 678	301 814	323 631	322 143
Pension and UIF Contributions	45 559	47 734	60 625	48 803
Medical Aid Contributions	21 652	21 652	25 249	23 337
Overtime	37 414	44 111	51 545	31 607
Performance Bonus	710	591	0	591
Motor Vehicle Allowance	9 781	9 519	13 959	10 048
Cellphone Allowance	1 342	1 342	1 003	1 631
Housing Allowances	2 853	2 853	2 875	2 916
Other benefits and allowances	6 615	30 766	76 738	30 951
Payments in lieu of leave	5 321	858	2 007	-1
Long service awards	4 840	-6	66	4 109
Post-retirement benefit obligations	7946	421	34	5 448
Sub-Total - Other Municipal Staff	**444 711**	**461 655**	**557 733**	**481 583**
% Increase/(Decrease)	8.58%	3.81%	25.41%	8.29%
Total Municipality	**462 984**	**626 465**	**580 988**	**500 745**
% Increase / (Decrease)	**8.77%**	**35.31%**	**25.49%**	**8.16%**

5 CHAPTER 5: FINANCIAL PERFORMANCE

5.1 COMPONENT A: STATEMENTS OF FINANCIAL PERFORMANCE

The Statement of financial performance provides an overview of the financial performance of the municipality and focuses on the financial health of the municipality.

5.1.1 FINANCIAL SUMMARY

The table below indicates the summary of the financial performance for the 2019/20 financial year:

Table 5:1: Financial Performance

Description	2018/19	2019/20			2019/20 Variance	
	Actual	Original Budget	Adjustment Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Financial Performance						
Property rates	330 960	356 122	356 122	360 089	1.11	1.11
Service charges	817 760	1 024 589	929 589	880 126	-14.10	-5.32
Investment revenue	44 272	44 171	42 171	40 472	-8.37	-4.03
Transfers recognised - operational	145 451	172 339	184 687	160 652	-6.78	-13.01
Other own revenue	190 191	181 426	177 103	166 608	-8.17	-5.93
Total revenue (excluding capital transfers and contributions)	**1 528 634**	**1 778 647**	**1 689 671**	**1 607 947**	**-9.60**	**-4.84**
Employee costs	444 711	603 268	557 733	481 583	-20.17	-13.65
Remuneration of councillors	18 272	19 936	19 936	19 121	-4.09	-4.09
Depreciation and asset impairment	193 789	206 956	206 956	197 275	-4.68	-4.68
Finance charges	41 788	39 877	29 877	56 004	40.44	87.45
Materials and bulk purchases	412 265	441 448	461 084	476 298	7.89	3.30
Transfers and grants	9 129	10 049	10 949	10 855	8.02	-0.85
Other expenditure	388 675	486 713	491 749	491 749	420 305	-13.64
Total Expenditure	**1 508 629**	**1 808 247**		**1 778 284**	**1 661 441**	**-8.12**
Surplus / (Deficit)	**20 005**	**-29 600**		**-88 613**	**-53 494**	**80.72**
Transfers recognised - capital	87 982	141 088	144 868	124 374	-11.85	-14.15
Contributions recognised - capital and contributed assets	13051	–	0	10 275	0	0
Surplus / (Deficit) after capital transfers and contributions	**121 038**	**111 488**	**56 255**	**81 155**	**-27.21**	**44.26**
Capital expenditure and funds sources						
Capital expenditure						
Transfers recognised - capital	87 982	141 088	144 386	124 374	-11.85	-13.86
Public contributions and donations	-	-	-	-	-	-

Description	2018/19	2019/20			2019/20 Variance	
	Actual	Original Budget	Adjustment Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Borrowing	122 904	160 000	37 096	33 365	-79.15	-10.06
Internally generated funds	286 825	257 189	396 423	248 192	-3.50	-37.39
Total sources of capital funds	**493 303**	**558 277**	**577 905**	**405 931**	**-27.29**	**-29.76**
Financial position						
Total current assets	910 210	780 320	733 365	710 439	-8.96	-3.13
Total non-current assets	5 468 752	5 907 057	5 926 685	4 679 141	-20.79	-21.05
Total current liabilities	435 473	352 300	352 300	407 397	15.64	15.64
Total non-current liabilities	596 463	743 814	743 814	554 003	-25.52	-25.52
Community wealth/equity	5 347 026	5 591 263	5 563 937	5 428 180	-2.92	-2.44
Cash flows						
Net cash from (used) operating	387 190	355 914	355 232	281 952	-20.78	-20.63
Net cash from (used) investing	-383 881	-558 277	-577 905	-314 371	-43.69	-45.60
Net cash from (used) financing	145 498	139 117	-20 883	-25 870	-118.60	23.88
Cash / cash equivalents at the year end	**169 491**	**423 733**	**433 363**	**111 202**	**-73.76**	**-74.34**
Cash backing / surplus reconciliation						
Cash and investments available	169 491	370 118	323 163	417 839 187	12.89	29.30
Application of cash and investments	380 386	271 759	257 572	335 206 798	23.35	30.14
Balance - surplus (shortfall)	-210 896	98 359	65 591	82 632 389	-15.99	25.98
Asset management						
Asset register summary (WDV)	5 464 543	5 900 562	5 920 191	5 673 990	-3.84	-4.16
Depreciation	193 789	197 184	197 184	197 275	0.05	0.05
Renewal of Existing Assets	46 361	218 416	196 864	17 171	-92.14	-91.28
Repairs and Maintenance	60 923	91 240	91 240	58292	-36.11	-36.11
Free Services						
Cost of Free Basic Services provided	96 808	49 768	49 768	92 406	85.67	85.67
Revenue cost of free services provided	66 773	84 568	84 568	-	-	-
Households below minimum service level						
Water:	2	1	1	-	-	-
Sanitation / sewerage:	2	1	1	-	-	-
Energy:	3	2	2	-	-	-
Refuse:	5	4	4	-	-	-
Variances are calculated by dividing the difference between actual and original/adjustments budget by the actual. This table is aligned.						

The table below shows a summary of performance against budgets:

Table 5:2: Performance against Budgets

Financial Year	Revenue				Operating expenditure			
	Budget	Actual	Diff.	%	Budget	Actual	Diff.	%
	R'000				R'000			
2015/16	1 349 945	1 416 703	66 758	4.95%	1 284 671	1 265 567	19 104	1.49%
2016/17	1 490 495	1 534 354	43 859	2.94%	1 450 845	1 316 387	134 458	9.27%
2017/18	1 629 546	1 609 729	-19 817	-1.22%	1 575 255	1 363 953	211 302	13.41%
2018/19	1 730 833	1 612 139	-118 694	-6.86%	1 719 105	1 487 578	231 527	13.47%
2019/20	1 834 539	1 742 596	-91 943	-5.01%	1 778 284	1 661 441	116 843	6.57%

5.1.1.1 Revenue Collection by Vote

The table below indicates the revenue collection performance by vote:

Table 5:3: Revenue collection performance by vote

Vote Description	2018/19	2019/20			2019/20 Variance	
	Actual	Original Budget	Adjusted Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Municipal Manager	0	387	387	-	- 100	-100
Planning and Development	67 693	96 045	98 418	25 044	- 73.92	-74.55
Infrastructure Services	188 011	147 702	149 721	143 842	- 2.61	-3.93
Community and Protection Services	931 339	1 196 525	1 166 183	1 072 412	- 10.37	-8.04
Corporate Services	10 431	10 396	13 710	51 062	391.16	272.43
Financial Services	432 193	468 680	461 120	450 236	-3.94	-2.36
Total Revenue by Vote	**1 612 139**	**1 919 735**	**1 889 539**	**1 742 596**	**-9.23**	**-7.78**

5.1.1.2 Revenue Collection by Source

The table below indicates the Revenue collection performance by source for the 2019/20 financial year:

Table 5:4: Revenue Collection by Source

Description	2018/19	2019/20			2019/20 Variance	
	Actual	Original Budget	Adjustments Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Property rates	330 960	356 122	356 122	360 089	1.11	1.11
Service Charges	817 760	1 024 589	929 589	880 126	-14.10	-5.32
Rentals of facilities and equipment	17 891	18 831	18 831	13 601	-27.78	-27.78
Interest earned - external investments	44 272	44 171	42 171	40 472	-8.37	-4.03
Interest earned - outstanding debtors	8 025	11 270	11 270	6 954	-38.30	-38.30
Dividends received	0	0	0	0	0	0
Fines	118 046	108 260	98 260	99 993	-7.64	1.76
Licences and permits	5 044	5 398	5 398	5 725	6.06	6.06
Agency services	4 400	2 852	2 852	2 664	-6.58	-6.58

Description	2018/19	2019/20			2019/20 Variance	
	Actual	Original Budget	Adjustments Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Transfers recognised - operational	145 451	172 339	184 687	160 652	-6.78	-13.01
Transfers recognised - capital	87 982	141 088	144 868	134 649	-4.56	-7.05
Other revenue	43 565	34 815	40 491	36 929	6.07	-8.80
Gains on disposal of PPE	6 271	0	0	742	100	100
Total Revenue (excluding capital transfers and contributions)	**1 629 667**	**1 919 735**	**1 834 539**	**1 742 596**	**-9.23**	**-5.01**

5.1.1.3 Operational Services Performance

The table below indicates the operational services performance for the 2019/20 financial year:

Table 5:5: Operational Services Performance: Expenditure

Description	2018/19	2019/20			2019/20 Variance	
	Actual	Original Budget	Adjustments Budget	Actual	Original Budget	Adjustment Budget
	R'000					%
Operating Cost						
Water	126 368	162 936	149 136	131 579	23.83	13.34
Waste Water (Sanitation)	106 838	113 539	100 415	124 338	-8.69	-19.24
Electricity	447 401	451 548	460 972	514 263	-12.20	-10.36
Waste Management	87 676	80 392	97 690	120 997	-33.56	-19.26
Housing	30 673	40 202	39 492	26 101	54.03	51.31
Component A: sub-total	**798 957**	**848 617**	**847 705**	**917 279**	**-7.49**	**-7.58**
Roads and Storm water	90 533	153 247	152 618	102 443	49.59	48.98
Component B: sub-total	**90 533**	**153 247**	**152 618**	**102 443**	**49.59**	**48.98**
Town Planning and Spatial Planning	18 993	17 100	16 420	19 789	-13.59	-17.02
Local Economic Development	10 755	13 325	12 799	10 574	26.02	21.04
Component C: sub-total	**29 748**	**30 425**	**29 219**	**30 363**	**0.21**	**-3.77**
Libraries	12 922	32 871	32 405	14 787	122.31	119.15
Cemeteries	3 759	4 925	5 799	5 333	-7.64	8.75
Community development	10 963	8 669	11 273	13 567	-36.10	-16.91
Component D: sub-total	**27 644**	**46 466**	**49 478**	**33 686**	**37.94**	**46.88**
Environmental Protection	–	–	–	–	0	0
Component E: sub-total	**0**	**0**	**0**	**0**	**0.00**	**0.00**
Traffic services	196 519	183 660	196 947	195 854	-6.23	0.56
Fire Services and Disaster Management	41 128	43 570	43 848	44 278	-1.60	-0.97
Component F: sub-total	**237 647**	**227 230**	**240 795**	**240 132**	**-5.37**	**0.28**
Holiday Resorts and Campsites	219	162	292	280	-42.12	4.33
Sport grounds, parks, swimming pools	63 324	73 774	65 891	59 013	25.01	11.65
Community Halls, Facilities and Thusong Centres	4 278	697	1 307	4 229	-83.52	-69.10
Component G: sub-total	**67 821**	**74 634**	**67 490**	**63 522**	**17.49**	**6.25**
Office of the MM	24 955	41 609	28 271	24 568	69.36	15.07
Financial Services	50 816	0	136 107	59 217	-100.00	129.84

Description	2018/19	2019/20			2019/20 Variance	
	Actual	Original Budget	Adjustments Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Administration	70 820	93 125	94 963	70 110	32.83	35.45
Property and contract management	30 215	0	38 887	31 590	-100.00	23.10
HR	29 038	78 913	23 624	33 799	133.48	-30.10
IT	26 979	32 738	30 846	32 535	0.62	-5.19
Internal Audit	10 118	15 075	12 982	11 384	32.43	14.04
Legal Services	13 339	0	15 527	10 816	-100	43.56
Component H: sub-total	**256 280**	**261 459**	**381 206**	**274 017**	**-4.58**	**39.12**
Total Expenditure	**1 508 629**	**1 642 079**	**1 768 512**	**1 661 441**	**-1.17**	**6.44**
In this table operational income is offset against operational expenditure leaving a net operational expenditure total for each service. Variances are calculated by dividing the difference between actual and original/adjustments budget by the actual.						

5.2 FINANCIAL PERFORMANCE PER MUNICIPAL FUNCTION

5.2.1 WATER SERVICES

Table 5:6: Financial Performance: Water Services

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(165 401)	(129 793)	(116 519)	(197 989)	34.44
Expenditure:					
Employees	27 669	31 531	31 881	30 116	-4.70
Repairs and Maintenance	6 650	12 961	12 961	3 929	-229.88
Other	92 049	118 444	104 294	97 534	-21.44
Total Operational Expenditure	126 368	162 936	149 136	131 579	-23.83
Net Operational (Service)	**(39 033)**	**33 143**	**32 617**	**(66 409)**	**149.91**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.2 SANITATION SERVICES

Table 5:7: Financial Performance: Sanitation Services

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(113 615)	(221 996)	(205 882)	(114 242)	-94.32
Expenditure:					
Employees	41 576	47 115	47 115	43 378	-8.62
Repairs and Maintenance	6 397	16 143	16 143	2 453	-558.21
Other	58 865	50 281	37 157	78 508	35.95
Total Operational Expenditure	106 838	113 539	100 415	124 338	8.69
Net Operational (Service)	**(6 777)**	**(108 457)**	**(105 467)**	**10 096**	**1174.26**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.3 ELECTRICITY SERVICES

Table 5:8: Financial Performance: Electricity Services

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(562 881)	(667 526)	(722 555)	(593 017)	-12.56
Expenditure:					
Employees	27 019	21 467	19 467	31 467	31.78
Repairs and Maintenance	8 022	12 540	12 540	7 851	-59.71
Other	412 360	417 541	428 965	474 945	12.09
Total Operational Expenditure	447 401	451 548	460 972	514 263	12.20
Net Operational (Service)	**(115 479)**	**(215 978)**	**(261 582)**	**(78 754)**	**-174.25**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.4 WASTE MANAGEMENT SERVICES (REFUSE COLLECTIONS, WASTE DISPOSAL AND RECYCLING)

Table 5:9: Financial Performance: Waste Management Services (Refuse Collections, Waste Disposal, and Recycling)

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(79 362)	(95 145)	(95 198)	(89 912)	-5.82
Expenditure:					
Employees	24 678	26 623	26 623	32 142	17.17
Repairs and Maintenance	2 438	5 581	5 581	2 381	-134.37
Other	60 560	48 188	65 486	86 474	44.27
Total Operational Expenditure	87 676	80 392	97 690	120 997	33.56
Net Operational (Service)	**8 314**	**(14 753)**	**2 492**	**31 086**	**147.46**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.5 HOUSING DEVELOPMENT

Table 5:10: Financial Performance: Housing Personnel Expenditure

Description	2018/19	2018/19			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(9 054)	(22 847)	(20 102)	(14 218)	-60.69
Expenditure:					
Employees	19 567	24 706	24 476	19 102	-29.33
Repairs and Maintenance	1 181	1 001	1 001	144	-597.31
Other	9 926	14 496	14 016	6 855	-111.46
Total Operational Expenditure	30 673	40 202	39 492	26 101	-54.03
Net Operational (Service)	**21 619**	**17 355**	**19 390**	**11 883**	**-46.05**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.6 ROADS AND STORM WATER

Table 5:11: Financial Performance: Roads and Storm water

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(4 295)	(2 003)	(2 028)	(3 823)	47.60
Expenditure:					
Employees	26 345	26 784	26 436	29 877	10.35
Repairs and Maintenance	10 279	12 170	12 170	20 367	40.24
Other	53 910	114 293	114 012	52 199	-118.96
Total Operational Expenditure	90 533	153 247	152 618	102 443	-49.59
Net Operational (Service)	**86 238**	**151 244**	**150 590**	**98 619**	**-53.36**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.7 TOWN AND SPATIAL PLANNING

Table 5:12: Financial Performance: Town Planning and Spatial planning

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(148)	(27 501)	(5 786)	(77)	-35 655.14
Expenditure:					
Employees	17 870	15 694	15 394	18 296	14.22
Repairs and Maintenance	6	–	–	–	0
Other	1 117	1 406	1 026	1 494	5.87
Total Operational Expenditure	18 993	17 100	16 420	19 789	13.59
Net Operational (Service)	**18 845**	**(10 401)**	**10 635**	**19 712**	**152.77**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.8 LOCAL ECONOMIC DEVELOPMENT (LED)

Table 5:13: Financial Performance: LED

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	–	(1 192)	(1 192)	(1 435)	16.99
Expenditure:					
Employees	5 257	5 369	5 369	4 882	-9.98
Repairs and Maintenance	24	60	60	0	-103943.22
Other	5 474	7 896	7 370	5 692	-38.73
Total Operational Expenditure	10 755	13 325	12 799	10 574	-26.02
Net Operational (Service)	**10 755**	**12 134**	**11 608**	**9 139**	**-32.77**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.9 LIBRARIES

Table 5:14: Financial Performance: Libraries

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(12 330)	(17 575)	(844)	(12 574)	-39.77
Expenditure:					
Employees	11 158	30 074	30 073	12 829	-134.41
Repairs and Maintenance	13	224	224	7	-2981.49
Other	1 751	2 574	2 108	1 950	-32
Total Operational Expenditure	12 922	32 871	32 405	14 787	-122.31
Net Operational (Service)	**591**	**15 296**	**31 561**	**2 212**	**-591.41**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.10 COMMUNITY DEVELOPMENT

Table 5:15: Financial Performance: Community Development

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(5 722)	–	(56)	(1 985)	100
Expenditure:					
Employees	3 640	234	534	4 076	94.26
Repairs and Maintenance	20	11	11	5	-127.47
Other	7 303	8 424	10 728	9 486	11.19
Total Operational Expenditure	10 963	8 669	11 273	13 567	36.10
Net Operational (Service)	**5 241**	**8 669**	**11 217**	**11 581**	**25.15**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.11 CEMETERIES

Table 5:16: Financial Performance: Cemeteries

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(859)	(7 817)	(7 206)	(1 246)	-527.37
Expenditure:					
Employees	2 778	2 778	2 778	3 166	12.25
Repairs and Maintenance	113	350	350	1 407	75.12
Other	868	1 798	2 672	760	-136.58
Total Operational Expenditure	3 759	4 925	5 799	5 333	7.64
Net Operational (Service)	**2 900**	**(2 892)**	**(1 406)**	**4 087**	**170.76**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.12 TRAFFIC SERVICES AND LAW ENFORCEMENT

Table 5:17: Financial Performance: Traffic Services

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(131 770)	(120 565)	(128 947)	(120 391)	-0.14
Expenditure:					
Employees	60 250	53 958	54 693	61 347	12.05
Repairs and Maintenance	2 215	2 037	2 037	1 208	-68.67
Other	134 054	127 666	140 217	133 299	4.23
Total Operational Expenditure	196 519	183 660	196 947	195 854	6.23
Net Operational (Service)	**64 750**	**63 096**	**67 999**	**75 463**	**16.39**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.13 FIRE SERVICES AND DISASTER MANAGEMENT

Table 5:18: Financial Performance: Fire Services and Disaster Management Personnel Expenditure

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(353)	(1 127)	(377)	(672)	-67.78
Expenditure:					
Employees	34 756	37 147	35 147	36 721	-1.16
Repairs and Maintenance	1 524	818	818	1 090	24.93
Other	4 848	5 605	7 883	6 467	13.33
Total Operational Expenditure	41 128	43 570	43 848	44 278	1.60
Net Operational (Service)	**40 745**	**42 443**	**43 471**	**43 606**	**2.67**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.14 HOLIDAY RESORTS AND CAMPSITES

Table 5:19: Financial Performance: Holiday Resorts and Campsites

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(293)	–	–	(398)	100
Expenditure:					
Employees	166	–	130	237	100
Repairs and Maintenance	–	64	64	4	0
Other	53	98	98	39	-152.71
Total Operational Expenditure	219	162	292	280	42.12
Net Operational (Service)	**(74)**	**162**	**292**	**(118)**	**236.75**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.15 SPORT GROUNDS, PARKS AND SWIMMING POOLS

Table 5:20: Financial Performance: Sport Grounds, Parks and Swimming Pools

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(410)	(2 569)	(2 854)	(1 543)	-66.52
Expenditure:					
Employees	34 979	35 815	35 283	38 089	5.97
Repairs and Maintenance	13 878	16 547	16 547	11 712	-41.29
Other	14 468	21 413	14 061	9 212	-132.45
Total Operational Expenditure	63 324	73 774	65 891	59 013	-25.01
Net Operational (Service)	**62 915**	**71 205**	**63 037**	**57 470**	**-23.90**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.16 COMMUNITY HALLS AND THUSONG CENTRES

Table 5:21: Financial Performance: Community Halls and Thusong Centres

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(4 159)	(155 369)	(766)	(3 599)	-4216.49
Expenditure:					
Employees	3 207	13	313	3 046	99.58
Repairs and Maintenance	3	164	164	162	-1.19
Other	1 068	521	831	1 022	49.03
Total Operational Expenditure	4 278	697	1 307	4 229	83.52
Net Operational (Service)	**119**	**(154 672)**	**541**	**630**	**24655.58**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.17 OFFICE OF THE MUNICIPAL MANAGER

Table 5:22: Financial Performance: Office of the Municipal Manager

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	–	(3 187)	(0)	–	-100
Expenditure:					
Employees	18 626	32 499	21 451	18 525	-75.43
Repairs and Maintenance	4	61	61	8	-691.43
Other	6 325	9 049	6 759	6 035	-49.95
Total Operational Expenditure	24 955	41 609	28 271	24 568	-69.36
Net Operational (Service)	**24 955**	**38 422**	**28 271**	**24 568**	**-56.39**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.18 HUMAN RESOURCE SERVICES

Table 5:23: Financial Performance: Human Resource Services

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(1 008)	(724)	(916)	(1 324)	45.32
Expenditure:					
Employees	6 445	70 048	16 678	13 538	-417.43
Repairs and Maintenance	2	50	50	–	-100
Other	22 592	8 814	6 895	20 261	56.50
Total Operational Expenditure	29 038	78 913	23 624	33 799	-133.48
Net Operational (Service)	**28 030**	**78 188**	**22 708**	**32 474**	**-140.77**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.19 INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) SERVICES

Table 5:24: Financial Performance: Information and Communication Technology (ICT) Services

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	0	0	0	0	0
Expenditure:					
Employees	7 643	9 359	7 359	8 384	-11.64
Repairs and Maintenance	30	503	503	215	-133.56
Other	19 306	22 876	22 984	23 936	4.43
Total Operational Expenditure	26 979	32 738	30 846	32 535	-0.62
Net Operational (Service)	**26 979**	**32 738**	**30 846**	**32 535**	**-0.62**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.20 LEGAL SERVICES

Table 5:25: Financial Performance: Legal Services

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(2)	–	(5)	(1)	100
Expenditure:					
Employees	4 316	5 491	5 491	4 636	-18.45
Repairs and Maintenance	–	29	29	–	0
Other	9 023	(5 520)	10 007	6 180	189.33
Total Operational Expenditure	13 339	–	15 527	10 816	100
Net Operational (Service)	**13 337**	**–**	**15 522**	**10 814**	**100**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.21 PROPERTY MANAGEMENT

Table 5:26: Financial Performance: Property and Contract Management

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(8 782)	(11)	(2 851)	(3 143)	99.64
Expenditure:					
Employees	7 728	9 982	6 982	8 159	-22.34
Repairs and Maintenance	6 848	8 174	8 174	5 233	-56.19
Other	15 639	(18 155)	23 731	18 197	199.77
Total Operational Expenditure	30 215	–	38 887	31 590	100
Net Operational (Service)	**21 432**	**(11)**	**36 036**	**28 446**	**100.04**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.22 FINANCIAL SERVICES

Table 5:27: Financial Performance: Financial Services

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(432 193)	(323 335)	(458 201)	(450 236)	28.19
Expenditure:					
Employees	30 050	66 497	91 065	30 219	-120.05
Repairs and Maintenance	1 240	1 334	1 334	53	-2 433.89
Other	19 526	(67 831)	43 708	28 945	334.34
Total Operational Expenditure	50 816	–	136 107	59 217	100
Net Operational (Service)	**(381 377)**	**(323 335)**	**(322 094)**	**(391 019)**	**17.31**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.23 INTERNAL AUDIT

Table 5:28: Financial Performance: Financial Services

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	0	0	0	0	0
Expenditure:					
Employees	3 838	5 307	5 307	4 548	-16.68
Repairs and Maintenance	0	0	0	0	0
Other	6 280	9 768	7 675	6 835	-42.91
Total Operational Expenditure	10 118	15 075	12 982	11 384	-32.43
Net Operational (Service)	**10 118**	**15 075**	**12 982**	**11 384**	**-32.43**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.2.24 ADMINISTRATION

Table 5:29: Financial Performance: Administration

Description	2018/19	2019/20			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(9 048)	12 531	(10 718)	(6 395)	295.96
Expenditure:					
Employees	25 151	48 038	50 961	24 801	-93.70
Repairs and Maintenance	37	418	418	64	-554.56
Other	45 632	44 669	43 584	45 245	1.27
Total Operational Expenditure	70 820	93 125	94 963	70 110	-32.83
Net Operational (Service)	**61 772**	**105 656**	**84 245**	**63 715**	**-65.83**
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.3 GRANTS

5.3.1 GRANT PERFORMANCE

The Municipality had a total amount of **R 172 million** for operational expenditure available that was received in the form of grants from the National and Provincial Governments during the 2019/20 financial year. The performance in the spending of these grants is summarised as follows:

Table 5:30: Grant Performance

Description	2018/19	2019/20			2019/20 Variance	
	Actual	Budget	Adjustment Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
National Government:	**131 719**	**144 704**	**143 410**	**143 254**	**100%**	**100**
Equitable Share	124 176	136 177	136 177	136 177	0	0
Financial Management Grant	1 550	1 550	1 550	1 550	0	0
EPWP	5 722	5 227	5 227	5 227	0	0
Municipal Systems Improvement Grant		1 750	0	0	100	0
Natural Resources Management Grant	271	0	247	91	0	63.16
Municipal Disaster Management Grant	0	0	209	209	0	0
Provincial Government:	**13 509**	**27 635**	**24 552**	**16 559**	**40.08**	**32.56**
Community Development Workers Operational Support Grant	56	0	56	19	0	66.07
Library Services: Conditional Grant	12 210	12454	12 454	12 454	0	0
WC Financial Management Support Grant	255	255	255	255	0	0
Local Government Support Grant	-	-	900	900	0	0
Housing Accreditation Grant	56	224	224	168	25	25
Financial Management Capacity Building Grant	139	380	740	380	0	48.65

Description	2018/19	2019/20			2019/20 Variance	
	Actual	Budget	Adjustment Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
LG Graduate Internship Grant	12		140	66	0	52.86
Human Settlements Development Grant	0	12 438	5 626	0	100	100
Regional Socio-Economic Project / violence through urban upgrading (RSEP / VPUU)	0	1 500	0	0	100	0
Maintenance and Construction of Transport Infrastructure	371	384	384	384	0	0
Title Deeds Restoration Grant	410	0	3773	1933	0	48.77
District Municipality:	**0**	**0**	**2 503**	**472**	**0**	**81.14**
Cape Winelands District Grant	0	0	2 503	472	0	81.14
Other Grant Providers:	**223**	**0**	**2 035**	**304**	**0**	**85.06**
LG SETA Discretionary	0	0	35	63	0	-80
Taipei donation COVID-19 Donation	0	0	0	132	0	100
Khaya Lam Free Market Foundation	223	0	0	0	0	100
DBSA Grant	0	0	2 000	172	0	91.40
Total Operating Transfers and Grants	**145 451**	**172 339**	**172 500**	**160 589**	**6.82**	**6.90**

5.3.2 LEVEL OF RELIANCE ON GRANTS AND SUBSIDIES

Table 5:31: Reliance on Grants

Financial year	Total grants and subsidies received	Total Operating Revenue	Percentage
	R'000		%
2015/16	227 268	1 411 274	16.10
2016/17	227 752	1 534 354	14.84
2017/18	211 190	1 609 728	13.12
2018/19	233 433	1 541 685	15.14
2019/20	285 026	1 618 222	17.61

Developers contributions have been excluded from the grant item to express only allocations and not policy related revenue which NT allocates to capital revenue. It would distort the reliance on grant calculation if excluded from the above ratio.

5.4 ASSET MANAGEMENT

Asset management is practised within the organisation based on a comprehensive Asset Management Policy. The Asset Management Policy provides direction for the management, accounting and control of property, plant and equipment (assets) owned or controlled by the municipality to ensure the following:

- Implementation of the approved Asset Management Policy as required in terms of section 63 of MFMA;
- Verify assets in possession of the Council annually, during the course of the financial year;
- Keep a complete and balanced record of all assets in possession of the Council;
- Report in writing all asset losses, where applicable, to Council; and
- Those assets are valued and accounted for in accordance with a statement of GRAP.

5.5 REPAIRS AND MAINTENANCE

Table 5:32: Repairs and Maintenance Expenditure

Description	2018/19	2019/20			2019/20 Variance
	Actual	Original Budget	Adjustment Budget	Actual	Budget variance
	R'000				%
Repairs and Maintenance Expenditure	60 923	91 240	91 240	58 292	36.11

5.6 FINANCIAL RATIOS BASED ON KEY PERFORMANCE INDICATORS

Table 5:33: Liquidity Ratio

Description	Basis of calculation	2015/16	2016/17	2017/18	2018/19	2019/20
Current Ratio	Current assets / current liabilities	2.72	2.18	2.02	2.09	1.74
Current Ratio adjusted for aged debtors	Current assets - debtors > 90 days / current liabilities	2.6	2.18	1.38	1.39	0.97
Liquidity Ratio	Monetary Assets / Current Liabilities	2.61	1.51	1.92	1.98	1.67

5.6.1 IDP REGULATION FINANCIAL VIABILITY INDICATORS

Table 5:34: IDP Regulation Financial Viability of Indicators

Description	Basis of calculation	2015/16	2016/17	2017/18	2018/19	2019/20
Cost Coverage	(Available cash + investments) / monthly fixed operational expenditure	1.4	5.71	4.59	4.70	2.41
Total Outstanding Service Debtors to Revenue	Total outstanding service debtors / annual revenue received for services	10.22%	18.09%	28.05%	30.66%	25.45%
Debt Coverage	(Total operating revenue - operating grants) / debt service payments due within financial year)	40.97	47.16	46.81	43.86	25.43

5.6.2 BORROWING MANAGEMENT

Table 5:35: Borrowing Management

Description	Basis of calculation	2015/16	2016/17	2017/18	2018/19	2019/20
Capital Charges to Operating Expenditure	Interest and Principal Paid / Operating Expenditure	1.60%	1.21%	2.31%	2.09%	3.43%

5.6.3 EMPLOYEE COSTS

Table 5:36: Employee Costs

Description	Basis of calculation	2015/16	2016/17	2017/18	2018/19	2019/20
Employee costs	Employee costs / (total revenue - capital revenue)	28.10%	26.84%	28.80%	29.09%	29.95%

5.7 COMPONENT B: SPENDING AGAINST CAPITAL BUDGET

5.7.1 CAPITAL EXPENDITURE

5.7.1.1 Capital Expenditure by Assets Programme

Table 5:37: Capital Expenditure by asset programme

Description	2019/20		
	Original Budget	Adjustment Budget	Actual Expenditure
	R'000		
Capital Expenditure by Asset Class			
Infrastructure	**360 706**	**359 593**	**258 784**
Roads Infrastructure	87 150	91 276	65 344
Roads	66 550	64 288	49 897
Road Structures	16 200	20 700	10 664
Road Furniture	3 400	3 750	3 949
Storm water Infrastructure	1 000	1 688	834
Storm water Conveyance	-	850	-
Electrical Infrastructure	**30 745**	**41 107**	**34 668**
Power Plants	-	5 800	28 364
HV Substations	500	500	2 015
MV Switching Stations	0	0	-
MV Networks	23 695	23 820	-
MV Substations	-	4 550	-
LV Networks	4 500	4 386	2 006
Capital Spares	2 050	2 050	2 283
Water Supply Infrastructure	**80 202**	**48 406**	**55 207**
Dams and Weirs	0	634	-
Boreholes	0	0	-
Reservoirs	21 500	8 608	6 063
Water Treatment Works	4 500	3 288	13 499
Bulk Mains	25 000	8 924	9 044
Distribution	26 702	24 452	26 601
Capital Spares	2500	2500	-
Sanitation Infrastructure	**128 300**	**142 080**	**80 753**
Pump Station	7000	7000	-
Reticulation	17 500	18 613	78 779
Waste Water Treatment Works	47 800	54 719	1 974
Outfall Sewers	55 500	61 155	-
Toilet Facilities	500	439	-
Capital Spares	-	154	0

Description	2019/20		
	Original Budget	Adjustment Budget	Actual Expenditure
	R'000		
Solid Waste Infrastructure	**33 300**	**35 714**	**22 078**
Landfill Sites	31 500	33 400	13 652
Waste Transfer Stations	1 000	287	359
Waste Drop-off Points	300	300	8 067
Waste Separation Facilities	0	1727	-
Capital Spares	500	0	-
Information and Communication Infrastructure	**1 010**	**1 010**	**734**
Data Centres	1 000	1 000	-
Capital Spares	10	10	734
Community Assets	36 825	34 867	13 697
Community Facilities	**24 325**	**23 673**	**11 326**
Halls	4 850	6 459	-
Centres	200	-420	-
Fire / Ambulance Stations	2 000	2 000	472
Testing Stations	0	0	-
Theatres	4 000	1 329	-
Libraries	1 475	275	377
Cemeteries / Crematoria	1 500	1 171	1 094
Police	500	-177	-
Public Open Space	2 500	2 000	2 621
Nature Reserves	1 500	1 945	-
Public Ablution Facilities	500	139	-
Stalls	4 500	8 074	-
Taxi Ranks / Bus Terminals	0	1 064	6 762
Capital Spares	800	-187	-
Sport and Recreation Facilities	**12 500**	**12 877**	**2 371**
Outdoor Facilities	12 500	12 877	2 371
Heritage assets			
Heritage assets	**2 500**	**2 201**	**0**
Historic Buildings	500	500	0
Conservation Areas	2 000	1 701	0
Investment properties	**13 300**	**9 011**	**0**
Revenue Generating	7 300	5 877	0
Improved Property	7 300	5 877	0
Unimproved Property	0	0	0
Non-revenue Generating	6 000	3 134	0
Improved Property	7 300	5 877	0
Unimproved Property	0	0	0
Other assets	**23 400**	**868**	**17 394**
Operational Buildings	11 300	1 620	-
Municipal Offices	1 100	1 100	17 394
Yards	200	200	-
Stores	0	0	-
Training Centres	5 000	-5 850	-

Description	2019/20		
	Original Budget	Adjustment Budget	Actual Expenditure
	R'000		
Manufacturing Plant	-	-	-
Depots	5 000	6 071	-
Capital Spares	800	348	-
Housing	9 260	-752	7
Social Housing	9 260	-1 100	7
Biological or Cultivated Assets	**0**	**0**	**0**
Biological or Cultivated Assets	0	0	0
Intangible Assets	**400**	**0**	**163**
Licences and Rights	200	0	-
Computer Software and Applications	200	0	163
Computer Equipment	**5 150**	**9 369**	**10 406**
Computer Equipment	5 150	9 369	10 406
Furniture and Office Equipment	**2 575**	**2 574**	**2 695**
Furniture and Office Equipment	2 575	2 574	2 695
Machinery and Equipment	**21 580**	**24 660**	**11 635**
Machinery and Equipment	21 580	24 660	11 635
Transport Assets	**17 230**	**22 603**	**30 204**
Transport Assets	17 230	22 603	30 204
Land	**77 650**	**113 010**	**60 946**
Land	77 650	113 010	60 946
Zoo's, Marine and Non-biological Animals	**-**	**-**	**0**
Zoo's, Marine and Non-biological Animals	-	-	0
Total Capital Expenditure	**558 277**	**577 905**	**405 931**

5.7.1.2 Sources of Finance

The table below indicates the capital expenditure by funding source for the 2019/20 financial year:

Table 5:38: Capital Expenditure by Funding Source

Details	2019/20			
	Original Budget (OB)	Adjustment Budget	Actual	Adjustment Budget Variance
	R'000			%
Source of finance				
External Loans	160 000	37 096	33 365	-10.06
Public Contributions and Donations	-	-	-	-
Grants and Subsidies	141 088	144 386	124 374	-13.86
Other	257 189	396 423	248 192	-37.39
Total	**558 277**	**577 905**	**405 931**	**-29.76**
External Loans	28.66	6.42	8.22	28.05
Public Contributions and Donations	0	0	0	-
Grants and Subsidies	25.27	24.98	30.64	22.63
Own Funding	46.07	68.60	61.14	-10.87

Details	2019/20			
	Original Budget (OB)	Adjustment Budget	Actual	Adjustment Budget Variance
	R'000			%
Water and Sanitation	194 400	167 973	135 126	-19.55
Electricity	35 090	46 493	34 668	-25.43
Housing	50	1 350	7	-99.48
Roads and Stormwater	80 120	82 303	834	-98.99
Other	248 617	279 786	235 296	-15.90
Total	**558 277**	**577 905**	**405 931**	**-29.76**
Water and Sanitation	34.82	29.07	33.29	14.53
Electricity	6.29	8.05	8.54	6.16
Housing	0.01	0.23	0.00	-99.26
Roads and Stormwater	14.35	14.24	0.21	-98.56
Other	44.53	48.41	57.96	19.73

5.8 CAPITAL SPENDING ON 5 LARGEST PROJECTS

Projects with the highest capital expenditure in 2019/20:

Table 5:39: Capital Expenditure on the 5 Largest Projects

Name of Project	2019/20			Variance 2019/20	
	Original Budget	Adjustment Budget	Actual Expenditure	Original Variance	Adjustment Variance
	R'000			%	
Purchasing of land	77 500	112 750	66 321	14.43	41.18
Upgrade of WWTW: Pniël and Decommissioning of Franschhoek	40 000	32 751	17 461	56.35	46.68
Bulk Sewer Outfall: Jamestown	30 000	31 578	29 914	0.29	5.27
Stellenbosch WC024 Material Recovery Facility	22 000	25 669	19 510	11.32	24
New Plankenburg Main Outfall Sewer	10 000	22 348	18 295	-82.95	18.13

5.9 BASIC SERVICES AND INFRASTRUCTURE BACKLOGS - OVERVIEW

Out of the various Master Plans revised, various infrastructure backlogs and upgrades were identified which will be required to meet current and future development needs. Budgetary provision will be made accordingly.

The service level below minimum standard can be interpreted as the backlogs to upgrade current households above minimum standard to households supplied with water inside dwelling.

In terms of the definition for backlogs for the minimum standard water supply, Stellenbosch Municipality has zero (0) backlogs. Major backlogs exist in terms of dilapidated infrastructure and the bulk services to provide for future development and current provision of water and sanitation.

5.10 INTEGRATED URBAN DEVELOPMENT GRANT (IUDG)

Table 5:40: Integrated Urban Development Grant (IUDG)

Details	Budget	Adjustment Budget	Actual	Variance Budgets
	R'000			%
Stellenbosch WC024 Material Recovery Facility	6 000	10 000	10 000	0
Transfer Station: Stellenbosch	1 000	-	-	0
Bulk Sewer Outfall: Jamestown	16 323	16 323	16 323	0
New Plankenburg Main Outfall Sewer	7 000	9 000	9 000	0
Bulk Water Supply Pipeline and Reservoir - Jamestown	1 000	-		0
Upgrade of Sport Facilities	4 000	-		0
Upgrade of WWTW: Pniël and Decommissioning of Franschhoek	11 563	11 563	11 563	0

5.11 CASH FLOW

Table 5:41: Cash Flow

Description	2018/19	2019/20		
	Audited Outcome	Original Budget	Adjusted Budget	Actual
	R'000			
Cash Flow from Operating Activities				
Receipts				
Ratepayers and Other	1 219 346	1 431 900	1 387 127	1 342 944
Government Grants	270 320	313 427	329 555	240 161
Interest	44 272	54 991	52 991	40 472
Employee Costs	-489 934	-603 268	-557 733	-530 498
Suppliers	-639 780	-801 259	-825 930	-779 977
Finance Costs	-17 033	-39 877	-30 777	-31 150
Net Cash from / (Used) Operating Activities	387 191	355 914	355 233	281 952
Cash Flow from Investing Activities				

Description	2018/19	2019/20		
	Audited Outcome	Original Budget	Adjusted Budget	Actual
	R'000			
Receipts				
Proceeds on Disposal of PPE	1 917	0	0	0
Proceeds on Disposal of Biological Assets	52	0	0	33
Movement in Non-Current Receivables	0	0	0	0
Payments				
Purchase of PPE	-493 304	-558 277	-577 905	-405 931
Movement in Non-Current Receivables	0	0	0	0
Movement in Investments	107 454	0	0	91 526
Net Cash from / (Used) Investing Activities	-383 881	-558 277	-577 905	-314 372
Cash Flow from Financing Activities				
Receipts				
Proceeds from other Financial Liabilities	160 000	160 000	0	0
Increase in consumer deposits	0	0	0	0
Payments				
Repayment of Borrowing	-14 502	-20 883	-20 883	-25 870
Prior period error	0	0	0	0
Net Cash from/(Used) Financing Activities	145 498	139 117	-20 883	-25 870
Net Increase / (Decrease) in Cash Held	**148 808**	**-63 246**	**-243 555**	**-58 290**
Cash / Cash Equivalents at the Year-Begin:	**20 683**	**433 363**	**566 719**	**169 491**
Cash / Cash Equivalents at the Year-End:	**169 491**	**370 117**	**323 164**	**111 201**

5.12 GROSS OUTSTANDING DEBTORS PER SERVICE

Table 5:42: Gross Outstanding Debtors per Service

Financial year	Rates	Trading services (Electricity and Water)	Trading services (Sanitation and Refuse)	Housing rentals	Other	Total
	(R'000)					
2017/18	37 123	199 311	42 441	24 242	194 296	497 413
2018/19	39 149	207 104	46 069	27 274	204 212	523 808
Difference	2 026	7 793	3 628	3 032	9 916	26 395
% growth year on year	**5%**	**4%**	**9%**	**13%**	**5%**	**5%**
2019/20	44 671	170 781	54 968	27 194	195 011	492 625
Difference	5 522	-36 323	8 899	-80	-9 201	-31 183
% growth year on year	**14%**	**-18%**	**19%**	**0%**	**-5%**	**-6%**

Note: Figures exclude provision for bad debt.

5.13 DEBTORS AGE ANALYSIS

Table 5:43: Debtors Age Analysis

Financial year	Less than 30 days	Between 30-60 days	Between 60-90 days	Between 90-120 days	More than 120 days	Total
	(R'000)					
2017/18	192 766	16 564	17 223	12 474	258 386	497 413
2018/19	184 334	18 591	16 417	12 897	291 570	523 809
Difference	-8 432	2 027	-806	423	33 184	26 396
% growth year on year	**-4%**	**12%**	**-5%**	**3%**	**13%**	**5%**
2019/20	136 577	204 867	197 197	13 439	302 403	854 483
Difference	-47 757	186 276	180 780	542	10 833	330 674
% growth year on year	**-26%**	**1002%**	**1101%**	**4%**	**4%**	**63%**

Note: Figures exclude provision for bad debt.

5.14 BORROWING AND INVESTMENTS

The Municipality's cash position is monitored on a daily basis and any cash not required immediately to meet cash flow requirements is invested on a monthly basis at approved institutions, strictly in accordance with Council's approved Cash and Investment Policy.

5.14.1 ACTUAL BORROWINGS

Table 5:44: Actual Borrowings

Instrument	2015/16	2016/17	2017/18	2018/19	2019/20
	R'000				
Long-Term Loans	198 294	186 386	173 302	318 800	292 930

5.14.2 MUNICIPAL INVESTMENTS

Table 5:45: Municipal Investments

Investment type	2015/16	2016/17	2017/18	2018/19	2019/20
	R'000				
Deposits - Bank	600 239	575 418	505 618	398 164	306 637

6 CHAPTER 6: AUDITOR GENERAL AUDIT FINDINGS

6.1 INTRODUCTION

This chapter provides the details on the audit outcomes for the past two financial years with the correctives steps implemented.

6.2 COMPONENT A: AUDITOR-GENERAL OPINION 2018/19

6.2.1 AUDITOR GENERAL REPORT 2018/19

Table 6:1: Auditor General Report 2018/19

2018/19	
Audit Report Status:	**Unqualified with findings**
2018/19	
Issue raised	**Corrective step implemented**
Emphasis of matter:	
Restatement of corresponding figures	
As disclosed in note 63 to the financial statements, the corresponding figures for 30 June 2018 were restated as a result of errors detected during the 2018-19 financial year in the financial statements of the Municipality at, and for the year ended, 30 June 2019.	The Municipality is allowed in terms of GRAP 3, to restate corresponding figures in the event of any misstatements being identified. The Municipality however is putting controls in place to identify the errors within the year they occur.
Material Impairments	
As disclosed in note 5 to the financial statements, the Municipality provided for the impairment of trade and other receivables from exchange transactions amounting to R125,5 million (2017-18: R104,7 million).	Writing off of irrecoverable debt is allowed in terms of GRAP 19 where the impairment will be utilised against the provision, also in terms of this standard.
As disclosed in note 6 to the financial statements, the Municipality provided for the impairment of trade and other receivables from non-exchange transactions amounting to R167,5 million (2017-18: R164,2 million).	The interpretation of the Standards of GRAP, IGRAP 1 became effective from the 2013/2014 financial year and the impact was that the Municipality had to account for all fines issued as revenue. As the payment rate of fines for the period was only 25%, the debt impairment for fines amounted to R142 321 642.
Material losses	
As disclosed in note 61 to the financial statements, material water losses of 28% (2017-18: 21,6%) were incurred.	The water losses are within the national norm of between 15% and 30%. The Municipality are implementing programmes to limit water losses.
Material Non-Compliance	
Annual financial statements	
The financial statements submitted for auditing were not prepared in all material respects in accordance with the requirements of section 122(1) of the MFMA. Material misstatements of non-current assets, current assets, liabilities, Revenue and disclosure items identified by the auditors in the submitted financial statements were subsequently corrected, resulting in the financial statements receiving an unqualified audit opinion.	The Municipality will compile Interim financial statements with a complete audit file for review by the AGSA. The annual financial statements process plan will be reviewed to allow for sufficient time to adequately review the AFS before submission to the AG.

6.2.2 COMPONENT B: AUDITOR-GENERAL OPINION 2019/20

At the time of compiling the Annual Report 2019/20, the audit for the 2019/20 financial year was not completed. The outcome of the audit will be reported after conclusion of the audit by the AGSA.

ANNEXURE A: ANNUAL FINANCIAL STATEMENTS 2019/20

Planning by	Reviewed	Performed by	Final review

Client details
Client name: Stellenbosch Municipality
Year end: 30 June 2020

Print details
Printed by
Date printed



Stellenbosch Municipality
Unaudited Annual financial statements
for the year ended 30 June 2020
Auditor-General of South Africa

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

General Information

Legal form of entity	Stellenbosch municipality is a high-capacity, category B local authority established in terms of section 151 of the Constitution of the Republic of South Africa.
The principle activities of the municipality are to:	Provide democratic and accountable govrnment to local communities; Ensure sustainable service delivery to communities; Promote social and economic development; Promote a safe and healthy environment; and Encourage the involvement of communities and community organisations in the matters of local government.
Mayoral committee	
Executive Mayor	G van Deventer
Deputy Executive Mayor	W Petersen
Speaker	N Jindela
Executive Councillors	F Badenhorst
	P Crawley
	A Frazenburg
	E Groenewald
	X Mdemka
	S Peters
	M Pietersen
	Q Smit
Councillors	F Adams
	F Bangani-Menziwa
	P Biscombe
	G Cele
	A Crombie
	Z Dalling
	R Du Toit
	A Florence
	J Fasser
	E Fredericks
	T Gosa
	J Hamilton
	A Hanekom
	D Hendrickse
	J Hendriks
	L Horsband
	M Johnson
	D Joubert
	N Mananga-Gugushe
	C Manuel
	M Mc Ombring
	C Moses
	R Nalumango
	N Olayi
	M Oliphant
	W Petersen
	W Pietersen
	S Schafer

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

General Information

	J Serdyn N Sinkinya P Sitshoti L Stander E Vermeulen
Accounting Officer	G Mettler
Chief Finance Officer (CFO)	K Carolus
Senior Management	A de Beer D Louw G Boshoff A Barnes
Registered office	Plein Street Stellenbosch 7600
Business address	Plein Street Stellenbosch 7600
Postal address	P O Box 17 Stellenbosch 7599
Bankers	ABSA NEDBANK
Auditors	Auditor-General of South Africa
Legislation Governing the Municipality	The Constitution of the Republic of South Africa,1996 The Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) The Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) The Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004) Municipal Fiscal Powers and Functions Act, 2007 (Act 12 of 2007) Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998) Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005) Division of Revenue Act (Act 1 of 2007)

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Index

The reports and statements set out below comprise the unaudited annual financial statements presented to the provincial legislature:

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Abbreviations

GRAP	Generally Recognised Accounting Practice
IAS	International Accounting Standards
MEC	Member of the Executive Council
MFMA	Municipal Finance Management Act
VAT	Value added Tax

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Accounting Officer's Responsibilities and Approval

The accounting officer is required by the Municipal Finance Management Act (Act 56 of 2003), to maintain adequate accounting records and is responsible for the content and integrity of the unaudited annual financial statements and related financial information included in this report. It is the responsibility of the accounting officer to ensure that the unaudited annual financial statements fairly present the state of affairs of the municipality as at the end of the financial year and the results of its operations and cash flows for the period then ended. The external auditors are engaged to express an independent opinion on the unaudited annual financial statements and was given unrestricted access to all financial records and related data.

The unaudited annual financial statements have been prepared in accordance with Standards of Generally Recognised Accounting Practice (GRAP) including any interpretations, guidelines and directives issued by the Accounting Standards Board.

The unaudited annual financial statements are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates.

I acknowledges that I am ultimately responsible for the system of internal financial control established by the municipality and place considerable importance on maintaining a strong control environment. To enable the accounting officer to meet these responsibilities, the accounting officer sets standards for internal control aimed at reducing the risk of error or deficit in a cost effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the municipality and all employees are required to maintain the highest ethical standards in ensuring the municipality’s business is conducted in a manner that in all reasonable circumstances is above reproach. The focus of risk management in the municipality is on identifying, assessing, managing and monitoring all known forms of risk across the municipality. While operating risk cannot be fully eliminated, the municipality endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

I am of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the unaudited annual financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or deficit.

I am responsible for the preparation of these financial statements in terms of Section 126(1) of the Municipal Finance Management Act, 2003 (Act 56 of 2003) and signed the Annual Financial Statements on behalf of the Municipality.

I certify that the salaries, allowances and benefits of Councillors as disclosed in note 34 and 35 of these annual financial statements are within the upper limits of the framework envisaged in Section 219 of the Constitution, read with the Remuneration of Public Officer Bearers Act and the Minister of Provincial and Local Government’s determination in accordance with this Act.

The external auditors are responsible for independently reviewing and reporting on the municipality's unaudited annual financial statements. The unaudited annual financial statements have been examined by the municipality's external auditors and their report is presented on page 5.

The unaudited annual financial statements have been prepared on the going concern basis, is hereby approved.

Accounting Officer
Geraldine Mettler

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Statement of Financial Position as at 30 June 2020

Figures in Rand	Note(s)	2020	2019 Restated*
Assets			
Current Assets			
Cash and cash equivalents	3	111 201 845	169 490 533
Short term investments	4	306 637 342	398 163 664
Receivables from exchange transactions	5	111 067 546	147 504 373
Receivables from non-exchange transactions	6	71 484 038	65 966 659
Other receivables from exchange transactions	7	12 887 565	14 727 247
Inventories	8	64 074 316	64 557 942
VAT receivable	9	30 285 689	48 168 490
Long term receivables	15	2 800 967	1 630 959
		710 439 308	**910 209 867**
Non-Current Assets			
Property, plant and equipment	10	5 244 686 578	5 032 725 092
Investment property	11	412 514 416	412 767 003
Intangible assets	12	9 694 174	11 956 450
Biological assets that form part of an agricultural activity	13	6 321 448	6 321 448
Heritage assets	14	774 002	774 002
Long term receivables	15	3 560 940	3 024 999
Other receivables from exchange transactions	7	1 589 255	1 182 720
		5 679 140 813	**5 468 751 714**
Total Assets		**6 389 580 121**	**6 378 961 581**
Liabilities			
Current Liabilities			
Consumer deposits	16	17 784 517	17 077 912
Employee benefit obligation	17	78 214 004	55 599 752
Operating lease liability	18	4 958 344	5 775 015
Other financial liabilities	19	26 752 931	25 869 707
Provisions	20	-	642 909
Payables from exchange transactions	21	270 824 226	271 462 272
Unspent conditional grants and receipts	22	8 862 622	59 045 639
		407 396 644	**435 473 206**
Non-Current Liabilities			
Other financial liabilities	19	266 177 508	292 930 440
Employee benefit obligation	17	166 519 386	201 830 792
Provisions	20	121 305 978	101 701 567
		554 002 872	**596 462 799**
Total Liabilities		**961 399 516**	**1 031 936 005**
Net Assets		**5 428 180 605**	**5 347 025 576**
Accumulated surplus	23	5 428 180 605	5 347 025 576

* See Note 61

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Statement of Financial Performance

Figures in Rand	Note(s)	2020	2019 Restated*
Revenue			
Revenue from exchange transactions			
Service charges	24	880 125 828	817 760 063
Construction contracts	25	5 317 560	1 044 546
Rental of facilities and equipment	26	13 601 431	17 890 921
Interest earned - outstanding receivables	27	6 954 471	8 024 881
Agency services	28	3 976 481	4 400 282
Licences and permits	29	4 413 324	5 043 854
Other income	30	40 061 672	40 523 549
Investment revenue	31	40 472 002	44 271 827
Gain on biological assets and agricultural produce		33 133	51 591
Reversal of inventories losses		709 539	6 218 654
Total revenue from exchange transactions		**995 665 441**	**945 230 168**
Revenue from non-exchange transactions			
Taxation revenue			
Property rates	32	360 089 277	330 959 681
Property rates - interest earned	32	1 822 264	1 998 219
Transfer revenue			
Government grants & subsidies	33	285 026 320	233 432 676
Fines, Penalties and Forfeits	34	99 992 810	118 046 132
Total revenue from non-exchange transactions		**746 930 671**	**684 436 708**
Total revenue		**1 742 596 112**	**1 629 666 876**
Expenditure			
Employee related costs	35	(481 583 056)	(444 711 089)
Remuneration of councillors	36	(19 121 037)	(18 272 420)
Contribution to/from provision	38	(8 828 974)	(6 025 885)
Depreciation and amortisation	39	(197 274 891)	(193 788 634)
Impairments loss	10	(72 977)	(1 705 912)
Finance costs	40	(56 003 899)	(41 787 542)
Lease rentals on operating lease	41	(11 837 555)	(2 666 984)
Bad debt written off	42	(123 186 856)	(105 207 214)
Contribution to allowance for doubtful debt	43	6 513 822	(23 536 375)
Bulk purchases	44	(445 620 997)	(380 670 630)
Contracted services	45	(183 452 999)	(151 817 580)
Transfers and Subsidies	46	(10 854 823)	(9 129 449)
Cost of housing sold		(700 000)	-
Loss on disposal of assets and liabilities		-	(5 111 906)
Fair value adjustments	48	(634 971)	(350 833)
Inventories losses/write-downs		-	(2 157 273)
General Expenses	47	(128 781 895)	(121 689 589)
Total expenditure		**(1 661 441 108)**	**(1 508 629 315)**
Surplus for the year		**81 155 004**	**121 037 561**

* See Note 61

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Statement of Changes in Net Assets

Figures in Rand	Accumulated surplus	Total net assets
Opening balance as previously reported	5 162 591 964	5 162 591 964
Adjustments		
Prior year adjustments	63 396 051	63 396 051
Balance at 01 July 2018 as restated*	**5 225 988 015**	**5 225 988 015**
Changes in net assets		
Surplus for the year	121 037 561	121 037 561
Total changes	121 037 561	121 037 561
Restated* Balance at 01 July 2019	**5 347 025 580**	**5 347 025 580**
Changes in net assets		
Surplus for the year	81 155 004	81 155 004
Total changes	81 155 004	81 155 004
Balance at 30 June 2020	**5 428 180 584**	**5 428 180 584**
Note(s)	23	

* See Note 61

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Cash Flow Statement

Figures in Rand	Note(s)	2020	2019 Restated*
Cash flows from operating activities			
Receipts			
Sale of goods and services		1 342 943 907	1 219 345 919
Grants		240 160 863	270 319 841
Interest income		40 472 002	44 271 827
		1 623 576 772	1 533 937 587
Payments			
Employee costs		(530 497 862)	(489 934 303)
Suppliers		(779 976 860)	(639 779 594)
Finance costs		(31 149 574)	(17 033 200)
		(1 341 624 296)	(1 146 747 097)
Net cash flows from operating activities	49	**281 952 476**	**387 190 490**
Cash flows from investing activities			
Purchase of property, plant and equipment	10	(405 767 711)	(487 925 718)
Proceeds from sale of property, plant and equipment	10	-	1 916 743
Purchase of other intangible assets	12	(163 200)	(5 377 971)
Proceeds from sale of biological assets that form part of an agricultural activity	13	33 133	51 591
Proceeds from sale of short term investments		91 526 322	107 454 008
Net cash flows from investing activities		**(314 371 456)**	**(383 881 347)**
Cash flows from financing activities			
Movement in other financial liabilities		(25 869 708)	145 498 009
Net cash flows from financing activities		**(25 869 708)**	**145 498 009**
Net increase/(decrease) in cash and cash equivalents		**(58 288 688)**	**148 807 152**
Cash and cash equivalents at the beginning of the year		169 490 533	20 683 383
Cash and cash equivalents at the end of the year	3	**111 201 845**	**169 490 535**

* See Note 61

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Statement of Comparison of Budget and Actual Amounts

Budget on Accrual Basis

Figures in Rand	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
Statement of Financial Performance						
Revenue						
Revenue from exchange transactions						
Service charges	929 588 845	-	**929 588 845**	880 125 828	**(49 463 017)**	BD1
Construction contracts	-	-	**-**	5 317 560	**5 317 560**	
Rental of facilities and equipment	18 831 474	-	**18 831 474**	13 601 431	**(5 230 043)**	BD2
Interest received (trading)	11 270 156	-	**11 270 156**	6 954 471	**(4 315 685)**	BD3
Agency services	2 851 504	-	**2 851 504**	3 976 481	**1 124 977**	
Licences and permits	5 398 023	-	**5 398 023**	4 413 324	**(984 699)**	
Other income - (rollup)	40 490 958	-	**40 490 958**	40 061 672	**(429 286)**	BD4
Interest received - investment	42 171 310	-	**42 171 310**	40 472 002	**(1 699 308)**	
Total revenue from exchange transactions	**1 050 602 270**	**-**	**1 050 602 270**	**994 922 769**	**(55 679 501)**	
Revenue from non-exchange transactions						
Taxation revenue						
Property rates	356 121 877	-	**356 121 877**	360 089 277	**3 967 400**	
Property rates - interest earned	-	-	**-**	1 822 264	**1 822 264**	
Transfer revenue						
Government grants & subsidies	329 554 667	-	**329 554 667**	285 026 320	**(44 528 347)**	BD5
Fines, Penalties and Forfeits	98 260 389	-	**98 260 389**	99 992 810	**1 732 421**	BD6
Total revenue from non-exchange transactions	**783 936 933**	**-**	**783 936 933**	**746 930 671**	**(37 006 262)**	
Total revenue	**1 834 539 203**	**-**	**1 834 539 203**	**1 741 853 440**	**(92 685 763)**	
Expenditure						
Employee related costs	(557 732 911)	-	**(557 732 911)**	(481 583 056)	**76 149 855**	BD8
Remuneration of councillors	(19 936 393)	-	**(19 936 393)**	(19 121 037)	**815 356**	
Contribution to/from provision	(3 154 539)	-	**(3 154 539)**	(8 828 974)	**(5 674 435)**	BD7
Depreciation and amortisation	(197 184 224)	-	**(197 184 224)**	(197 274 891)	**(90 667)**	BD9
Impairment loss/ Reversal of impairments	(9 772 000)	-	**(9 772 000)**	(72 977)	**9 699 023**	BD10
Finance costs	(29 877 000)	-	**(29 877 000)**	(56 003 899)	**(26 126 899)**	BD11
Lease rentals on operating lease	(15 448 818)	-	**(15 448 818)**	(11 837 555)	**3 611 263**	
Debt Impairment	(72 066 800)	-	**(72 066 800)**	(123 186 856)	**(51 120 056)**	BD12
Contribution to allowance for doubtful debt	(35 419 275)	-	**(35 419 275)**	6 513 822	**41 933 097**	BD13
Bulk purchases	(426 958 271)	-	**(426 958 271)**	(445 620 997)	**(18 662 726)**	
Contracted Services	(244 933 110)	-	**(244 933 110)**	(183 452 999)	**61 480 111**	BD14
Transfers and Subsidies	(10 948 600)	-	**(10 948 600)**	(10 854 823)	**93 777**	
Cost of housing sold	-	-	**-**	(700 000)	**(700 000)**	
General Expenses	(154 852 059)	-	**(154 852 059)**	(128 781 895)	**26 070 164**	BD15
Total expenditure	**(1 778 284 000)**	**-**	**(1 778 284 000)**	**(1 660 806 137)**	**117 477 863**	
Operating surplus	**56 255 203**	**-**	**56 255 203**	**81 047 303**	**24 792 100**	
Fair value adjustments	-	-	**-**	(634 971)	**(634 971)**	BD16

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Statement of Comparison of Budget and Actual Amounts

Budget on Accrual Basis

Figures in Rand	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
Gain on biological assets and agricultural produce	-	-	**-**	33 133	**33 133**	BD17
Inventories losses/write-downs	-	-	**-**	709 539	**709 539**	BD18
	-	**-**	**-**	**107 701**	**107 701**	
Surplus before taxation	**56 255 203**	**-**	**56 255 203**	**81 155 004**	**24 899 801**	
Actual Amount on Comparable Basis as Presented in the Budget and Actual Comparative Statement	**56 255 203**	**-**	**56 255 203**	**81 155 004**	**24 899 801**	

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Statement of Comparison of Budget and Actual Amounts

Budget on Accrual Basis

Figures in Rand	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
Statement of Financial Position						
Assets						
Current Assets						
Cash and cash equivalents	46 863 863	-	**46 863 863**	111 201 845	**64 337 982**	BD19
Short term investments	276 298 997	-	**276 298 997**	306 637 342	**30 338 345**	
Receivables from exchange transactions	97 770 026	-	**97 770 026**	111 067 546	**13 297 520**	BD20
Receivables from non-exchange transactions	71 917 266	-	**71 917 266**	71 484 038	**(433 228)**	
Other receivables from exchange transactions	183 168 565	-	**183 168 565**	12 887 565	**(170 281 000)**	BD21
Inventories	54 835 500	-	**54 835 500**	64 074 316	**9 238 816**	
VAT receivable	-	-	**-**	30 285 689	**30 285 689**	BD23
Long term receivables	2 511 098	-	**2 511 098**	2 800 967	**289 869**	BD24
	733 365 315	**-**	**733 365 315**	**710 439 308**	**(22 926 007)**	
Non-Current Assets						
Property, plant and equipment	5 487 327 612	-	**5 487 327 612**	5 244 686 578	**(242 641 034)**	
Investment property	417 347 980	-	**417 347 980**	412 514 416	**(4 833 564)**	
Intangible assets	5 577 295	-	**5 577 295**	9 694 174	**4 116 879**	BD25
Biological assets that form part of an agricultural activity	9 938 121	-	**9 938 121**	6 321 448	**(3 616 673)**	BD26
Heritage assets	2 617 922	-	**2 617 922**	774 002	**(1 843 920)**	BD27
Long term receivables	3 876 480	-	**3 876 480**	3 560 940	**(315 540)**	
Other receivables from exchange transactions	-	-	**-**	1 589 255	**1 589 255**	
	5 926 685 410	**-**	**5 926 685 410**	**5 679 140 813**	**(247 544 597)**	
Total Assets	**6 660 050 725**	**-**	**6 660 050 725**	**6 389 580 121**	**(270 470 604)**	
Liabilities						
Current Liabilities						
Consumer deposits	14 274 110	-	**14 274 110**	17 784 517	**3 510 407**	BD28
Employee benefit obligation	57 583 592	-	**57 583 592**	78 214 004	**20 630 412**	BD29
Operating lease liability	-	-	**-**	4 958 344	**4 958 344**	BD30
Other financial liabilities	26 310 979	-	**26 310 979**	26 752 931	**441 952**	
Payables from exchange transactions	254 131 473	-	**254 131 473**	270 824 226	**16 692 753**	
Unspent conditional grants and receipts	-	-	**-**	8 862 622	**8 862 622**	BD34
	352 300 154	**-**	**352 300 154**	**407 396 644**	**55 096 490**	
Non-Current Liabilities						
Other financial liabilities	449 590 720	-	**449 590 720**	266 177 508	**(183 413 212)**	BD31
Employee benefit obligation	247 334 744	-	**247 334 744**	166 519 386	**(80 815 358)**	BD29
Provisions	46 888 116	-	**46 888 116**	121 305 978	**74 417 862**	BD32
	743 813 580	**-**	**743 813 580**	**554 002 872**	**(189 810 708)**	
Total Liabilities	**1 096 113 734**	**-**	**1 096 113 734**	**961 399 516**	**(134 714 218)**	
Net Assets	**5 563 936 991**	**-**	**5 563 936 991**	**5 428 180 605**	**(135 756 386)**	

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Statement of Comparison of Budget and Actual Amounts

Budget on Accrual Basis

Figures in Rand	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
Net Assets						
Net Assets Attributable to Owners of Controlling Entity						
Reserves						
Accumulated surplus	5 563 936 991	-	**5 563 936 991**	5 428 180 605	**(135 756 386)**	

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Statement of Comparison of Budget and Actual Amounts

Budget on Accrual Basis

Figures in Rand	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
Cash Flow Statement						
Cash flows from operating activities						
Receipts						
Sale of goods and services	1 387 126 730	-	**1 387 126 730**	1 342 975 144	**(44 151 586)**	
Grants	329 554 698	-	**329 554 698**	240 160 863	**(89 393 835)**	CF1
Interest income	52 990 660	-	**52 990 660**	40 472 002	**(12 518 658)**	CF2
	1 769 672 088	**-**	**1 769 672 088**	**1 623 608 009**	**(146 064 079)**	
Payments						
Suppliers and employees	(1 373 614 512)	-	**(1 373 614 512)**	(530 497 862)	**843 116 650**	CF3
Transfers and grants	(10 048 600)	-	**(10 048 600)**	(779 976 893)	**(769 928 293)**	CF4
Finance costs	(30 777 000)	-	**(30 777 000)**	(31 149 574)	**(372 574)**	
	(1 414 440 112)	**-**	**(1 414 440 112)**	**(1 341 624 329)**	**72 815 783**	
Net cash flows from operating activities	**355 231 976**	**-**	**355 231 976**	**281 983 680**	**(73 248 296)**	
Cash flows from investing activities						
Purchase of property, plant and equipment	(577 904 845)	-	**(577 904 845)**	(405 798 847)	**172 105 998**	CF5
Purchase of other intangible assets	-	-	**-**	(163 200)	**(163 200)**	CF6
Proceeds from sale of biological assets that form part of an agricultural activity	-	-	**-**	33 133	**33 133**	
Movement in investments	-	-	**-**	91 526 322	**91 526 322**	CF7
Net cash flows from investing activities	**(577 904 845)**	**-**	**(577 904 845)**	**(314 402 592)**	**263 502 253**	
Cash flows from financing activities						
Repayment on other financial liabilities	(20 883 078)	-	**(20 883 078)**	(25 869 708)	**(4 986 630)**	
Net increase/(decrease) in cash and cash equivalents	(243 555 947)	-	**(243 555 947)**	(58 288 620)	**185 267 327**	
Cash and cash equivalents at the beginning of the year	566 718 807	-	**566 718 807**	169 490 533	**(397 228 274)**	
Cash and cash equivalents at the end of the year	**323 162 860**	**-**	**323 162 860**	**111 201 913**	**(211 960 947)**	

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Accounting Policies

Figures in Rand	Note(s)	2020	2019

1. Presentation of Unaudited Annual Financial Statements

The unaudited annual financial statements have been prepared in accordance with the Standards of Generally Recognised Accounting Practice (GRAP), issued by the Accounting Standards Board in accordance with Section 122(3) of the Municipal Finance Management Act (Act 56 of 2003).

These unaudited annual financial statements have been prepared on an accrual basis of accounting and are in accordance with historical cost convention as the basis of measurement, unless specified otherwise. They are presented in South African Rand. All figures are rounded to the nearest Rand.

In the absence of an issued and effective Standard of GRAP, accounting policies for material transactions, events or conditions were developed in accordance with paragraphs 8, 10 and 11 of GRAP 3 as read with Directive 5.

Assets, liabilities, revenues and expenses were not offset, except where offsetting is either required or permitted by a Standard of GRAP.

The principal accounting policies adopted in the preparation of these annual financial statements are set out below.

1.1 Going concern assumption

These unaudited annual financial statements have been prepared based on the expectation that the municipality will continue to operate as a going concern for at least the next 12 months.

1.2 Housing development fund

The Housing Development Fund was established in terms of the Housing Act, (Act No. 107 of 1997). Loans from national and provincial government used to finance housing selling schemes undertaken by the municipality were extinguished on 1 April 1998 and transferred to a Housing Development Fund. Housing selling schemes, both complete and in progress as at 1 April 1998, were also transferred to the Housing Development Fund. In terms of the Housing Act, all proceeds from housing developments, which include rental income and sales of houses, must be paid into the Housing Development Fund. Monies standing to the credit of the Housing Development Fund can be used only to finance housing developments within the municipal area subject to the approval of the Provincial MEC responsible for housing.

1.3 Internal reserves

Capital replacement reserve (CRR)

In order to finance the acquisition of infrastructure and other items of property, plant and equipment from internal sources, amounts are transferred from the accumulated surplus/(deficit) to the CRR in terms of the Annual Budget. The cash in the designated CRR bank account can only be utilised to finance items of property, plant and equipment. The CRR is reduced and the accumulated surplus/(deficit) is credited by a corresponding amount when the amounts in the CRR are utilised.

Self-insurance reserve

The municipality has a Self-insurance reserve to set aside amounts to offset potential losses or claims that cannot be insured externally. The balance of the self-insurance fund is invested in short-term investments.

Claims are settled by transferring a corresponding amount from the self-insurance reserve to the accumulated surplus.

Accounting Policies

1.3 Internal reserves (continued)

Accumulated surplus

The accumulated surplus/deficit represent the net difference between the total assets and the total liabilities of the municipality. Any surpluses and deficits realised during a specific financial year are credited/debited against accumulated surplus/deficit. Prior year adjustments, relating to income and expenditure, are debited/credited against accumulated surplus when retrospective adjustments are made.

1.4 Materiality

Material omissions or misstatements of items are material if they could, individually or collectively, influence the decisions or assessments of users made on the basis of the financial statements. Materiality depends on the nature or size of the omission or misstatement judged in the surrounding circumstances. The nature or size of the information item, or a combination of both, could be the determining factor.

Assessing whether an omission or misstatement could influence decisions of users, and so be material, requires consideration of the characteristics of those users. The Framework for the Preparation and Presentation of Financial Statements states that users are assumed to have a reasonable knowledge of government, its activities, accounting and a willingness to study the information with reasonable diligence. Therefore, the assessment takes into account how users with such attributes could reasonably be expected to be influenced in making and evaluating decisions.

Accounting Policies

1.5 Significant judgements and sources of estimation uncertainty

In preparing the unaudited annual financial statements, management is required to make estimates and assumptions that affect the amounts represented in the unaudited annual financial statements and related disclosures. Use of available information and the application of judgement is inherent in the formation of estimates. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are insignificant to the annual financial statements are set out below:

Sources of estimation uncertainty

The following are the key assumptions concerning the future, and other key sources of estimation uncertainty at the reporting date, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year:

Revenue recognition

Accounting Policy 1.16 on Revenue from Exchange Transactions and Accounting Policy 1.17 on Revenue from Nonexchange Transactions describes the conditions under which revenue will be recorded by the management of the municipality.

In concluding judgement, management considered the detailed criteria for recognition of revenue as set out in GRAP 9: Revenue from Exchange Transactions and, in particular, whether the municipality, when goods are sold, had transferred to the buyer the significant risks and rewards of ownership of the goods and when services are rendered, whether the service has been rendered. The management of the municipality is satisfied that recognition of the revenue in the current year is appropriate.

Impairment of financial assets

Accounting Policy 1.11: Financial Instruments, referring to the paragraph on impairment of financial assets, describes the process followed to determine the value with which financial assets should be impaired. In making the estimation of the impairment, the management of the municipality considered the detailed criteria of impairment of financial assets as set out in GRAP 104: Financial Instruments - Recognition and Measurement. The management of the municipality is satisfied that impairment of financial assets recorded during the year is appropriate. Details of the impairment loss calculation are provided in the applicable notes to the annual financial statements.

Useful lives of property, plant and equipment and intangible assets

As described in Accounting Policy 1.8 and 1.9 the municipality depreciates its property, plant and equipment and intangible assets over the estimated useful lives of the assets, taking into account the residual values of the assets at the end of their useful life, which is determined when the assets are brought into use. The useful life and residual values of the assets are based on industry knowledge.The review of useful life and residual values of assets are only reviewed if one of the indicators of potential review is triggered .

Employee benefit obligations

The municipality obtains actuarial valuations of its employee benefit obligations. The employee benefit obligations of the municipality that were identified are post-retirement health benefit obligations and long-service awards. The estimated liabilities are recorded in accordance with the requirements of GRAP 25. Details of the liabilities and the key assumptions made by the actuaries in estimating the liabilities are provided in the applicable notes to the annual Financial Statements.

Impairment of non-financial assets

The recoverable amounts of cash-generating units have been determined based on the higher of value-in-use calculations and fair values less costs to sell. These calculations require the use of estimates and assumptions.

The recoverable amounts of individual assets have been determined based on the higher of value-in-use calculations and fair values less costs to sell. These calculations require the use of estimates and assumptions.

It is reasonably possible that the assumptions may change which may then impact our estimations and would require a material adjustment to the carrying value of tangible assets.

Accounting Policies

1.5 Significant judgements and sources of estimation uncertainty (continued)

Value in use of cash generating assets

The municipality reviews and tests the carrying value of assets when events or changes in circumstances suggest that the carrying amount may not be recoverable. Assets are grouped at the lowest level for which identifiable cash flows are largely independent of cash flows of other assets and liabilities. If there are indications that impairment may have occurred, estimates are prepared of expected future cash flows for each group of assets. Expected future cash flows used to determine the value in use of tangible assets are inherently uncertain and could materially change over time. They are significantly affected by a number of factors including economic factors such as inflation and interest.

Value in use of non-cash generating assets

The municipality reviews and tests the carrying value of assets when events or changes in circumstances suggest that the carrying amount may not be recoverable. If there are indications that the impairment may have occurred, the remaining service potential of the asset is determined. The most appropriate approach selected to determine the remaining service potential is dependent on the availability of data and the nature of the impairment.

Allowance for slow moving, damaged and obsolete stock

An allowance for inventory to write inventory down to the lower of cost or net realisable value. Management have made estimates of the selling price and direct cost to sell on certain inventory items. The write down is included in the surplus/deficit.

Fair value estimation

The fair value of financial instruments traded in active markets (such as trading and available-for-sale securities) is based on quoted market prices at the end of the reporting period. The quoted market price used for financial assets held by the municipality is the current bid price.

The fair value of financial instruments that are not traded in an active market (for example, over-the counter derivatives) is determined by using valuation techniques. The municipality uses a variety of methods and makes assumptions that are based on market conditions existing at the end of each reporting period. Quoted market prices or dealer quotes for similar instruments are used for long-term debt. Other techniques, such as estimated discounted cash flows, are used to determine fair value for the remaining financial instruments. The fair value of interest rate swaps is calculated as the present value of the estimated future cash flows.

The carrying value less impairment provision of trade receivables and payables are assumed to approximate their fair values. The fair value of financial liabilities for disclosure purposes is estimated by discounting the future contractual cash flows at the current market interest rate that is available to the municipality for similar financial instruments.

Provisions

Provisions are raised and management determined an estimate based on the information available. Additional disclosure of these estimates of provisions are included in note 20 - Provisions.

Effective interest rate

The municipality uses the best estimate of the costs at the reporting date with reference to the inflation rate.

Allowance for doubtful debts

On receivables an impairment loss is recognised in surplus and deficit when there is objective evidence that it is impaired. The impairment is measured as the difference between the debtors carrying amount and the present value of estimated future cash flows discounted at the effective interest rate, computed at initial recognition.

Accounting Policies

1.5 Significant judgements and sources of estimation uncertainty (continued)

Impairment of statutory receivables

If there is an indication that a statutory receivable, or a group of statutory receivables, may be impaired, the municipality measures and impairment loss. The impairment loss is measured as the difference between the estimated future cash flows and the carrying amount. Where the carrying amount is higher than the estimated future cash flows, the carrying amount of the statutory receivable, or group of statutory receivables, are reduced, either directly or through the use of an allowance account. The amount of the loss is recognised in surplus or deficit.

In estimating the future cash flows, the municipality considers both the amount and timing of the cash flows that it will receive in future. Consequently, where the effect of the time value of money is material, the municipality discounts the estimated future cash flows using a rate that reflects the current risk free rate and, if applicable, any risks specific to the statutory receivable, or group of statutory receivables, for which the future cash flow estimates have not been adjusted.

An impairment loss recognised in prior periods for a statutory receivable are revised if there has been a change in the estimates used since the last impairment loss was recognised, or to reflect the effect of discounting the estimated cash flows.

1.6 Biological assets that form part of an agricultural activity

The municipality recognises biological assets that form part of an agricultural activity or agricultural produce when, and only when:

- the entity controls the asset as a result of past events;
- it is probable that future economic benefits or service potential associated with the asset will flow to the municipality; and
- the fair value or cost of the asset can be measured reliably.

Biological assets that form part of an agricultural activity are measured at their fair value less costs to sell.

A gain or loss arising on initial recognition of biological assets that form part of an agricultural activity or agricultural produce at fair value less costs to sell and from a change in fair value less costs to sell of biological assets that form part of an agricultural activity is included in surplus or deficit for the period in which it arises.

Where market determined prices or values are not available, the present value of the expected net cash inflows from the asset, discounted at a current market-determined pre-tax rate where applicable is used to determine fair value.

Where fair value cannot be measured reliably, biological assets are measured at cost less any accumulated depreciation and any accumulated impairment losses.

The municipality classifies biological assets as consumables which consist of timber in the form of pine trees. All biological assets are held for sale.

Item	Useful life
Trees in timber plantation - Consumable	indefinite

1.7 Investment property

Investment property is property (land or a building - or part of a building - or both) held to earn rentals or for capital appreciation or both, rather than for:

- use in the production or supply of goods or services or for
- administrative purposes, or
- sale in the ordinary course of operations.

Investment property is recognised as an asset when, it is probable that the future economic benefits or service potential that are associated with the investment property will flow to the municipality, and the cost or fair value of the investment property can be measured reliably.

Investment property is initially recognised at cost. Transaction costs are included in the initial measurement.

Depreciation is calculated at the straight line method over a period of 30 yearst

Where investment property is acquired through a non-exchange transaction, its cost is its fair value as at the date of acquisition.

Accounting Policies

1.7 Investment property (continued)

Costs include costs incurred initially and costs incurred subsequently to add to, or to replace a part of, or service a property. If a replacement part is recognised in the carrying amount of the investment property, the carrying amount of the replaced part is derecognised.

Cost model

Investment property is, subsequent to initial measurement, carried at cost less accumulated depreciation and any accumulated impairment losses.

Depreciation is provided to write down the cost, less estimated residual value by equal installments over the useful life of the property, which is as follows:

Item	Useful life
Property - land	indefinite
Property - buildings	30-99 years

Investment property is derecognised on disposal or when the investment property is permanently withdrawn from use and no future economic benefits or service potential are expected from its disposal.

Gains or losses arising from the retirement or disposal of investment property is the difference between the net disposal proceeds and the carrying amount of the asset and is recognised in surplus or deficit in the period of retirement or disposal.

Compensation from third parties for investment property that was impaired, lost or given up is recognised in surplus or deficit when the compensation becomes receivable.

When classification is difficult, the criteria used to distinguish investment property from owner-occupied property and from property held for sale in the ordinary course of operations, including the nature or type of properties classified as held for strategic purposes, are as follows:

Transfers to, or from, investment property shall be made when, and only when, there is a change in use, evidenced by:

- commencement of owner-occupation, for a transfer from investment property to owner-occupied property;
- commencement of development with a view to sale, for a transfer from investment property to inventories;
- end of owner-occupation, for a transfer from owner-occupied property to investment property; or
- commencement of an operating lease (on a commercial basis) to another party, for a transfer from inventories to investment property.

The municipality separately discloses expenditure to repair and maintain investment property in the notes to the unaudited annual financial statements (see note 11).

The municipality discloses relevant information relating to assets under construction or development, in the notes to the unaudited annual financial statements (see note 11).

1.8 Property, plant and equipment

Property, plant and equipment are tangible non-current assets (including infrastructure assets) that are held for use in the production or supply of goods or services, rental to others, or for administrative purposes, and are expected to be used during more than one period.

Property, plant and equipment is recognised as an asset when:

- it is probable that future economic benefits or service potential associated with the item will flow to the municipality; and
- the cost of the item can be measured reliably.

Measurement

Property, plant and equipment is initially measured at cost.

The cost of an item of property, plant and equipment is the purchase price and other costs attributable to bring the asset to the location and condition necessary for it to be capable of operating in the manner intended by management. Trade discounts and rebates are deducted in arriving at the cost. The cost also includes the necessary cost of dismantling and removing the asset and restoring the site on which it is located.

Accounting Policies

1.8 Financial instruments (continued)

Where an asset is acquired through a non-exchange transaction, its cost is its fair value as at date of acquisition.

Where an item of property, plant and equipment is acquired in exchange for a non-monetary asset or monetary assets, or a combination of monetary and non-monetary assets, the asset acquired is initially measured at fair value (the cost). If the acquired item's fair value was not determinable, it's deemed cost is the carrying amount of the asset(s) given up.

When significant components of an item of property, plant and equipment have different useful lives, they are accounted for as separate items (major components) of property, plant and equipment.

Costs include costs incurred initially to acquire or construct an item of property, plant and equipment and costs incurred subsequently to add to, replace part of, or service it. If a replacement cost is recognised in the carrying amount of an item of property, plant and equipment, the carrying amount of the replaced part is derecognised.

The initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located is also included in the cost of property, plant and equipment, where the entity is obligated to incur such expenditure, and where the obligation arises as a result of acquiring the asset or using it for purposes other than the production of inventories.

Recognition of costs in the carrying amount of an item of property, plant and equipment ceases when the item is in the location and condition necessary for it to be capable of operating in the manner intended by management.

Items such as spare parts, standby equipment and servicing equipment are recognised when they meet the definition of property, plant and equipment.

Major inspection costs which are a condition of continuing use of an item of property, plant and equipment and which meet the recognition criteria above are included as a replacement in the cost of the item of property, plant and equipment. Any remaining inspection costs from the previous inspection are derecognised.

Subsequent to initial measurement property, plant and equipment is carried at cost less accumulated depreciation and any impairment losses.

Incomplete construction work

Incomplete construction work is stated at historical cost. Depreciation only commences when the asset is available for use.

Impairment

Where the carrying amount of an item of property, plant and equipment is greater than the estimated recoverable service amount, it is written down immediately to its recoverable service amount and an impairment loss is charged to the statement of financial performance.

Depreciation

Property, plant and equipment are depreciated on the straight-line basis over their expected useful lives to their estimated residual value.

The useful lives of items of property, plant and equipment have been assessed as follows:

Item	Depreciation method	Average useful life
Land	Straight-line	indefinite
Machinery and equipment	Straight-line	1-25
Furniture and office equipment	Straight-line	2-24
Transport assets	Straight-line	4-20
Computer equipment	Straight-line	5-23
Community assets	Straight-line	4-30
Other property, plant and equipment	Straight-line	6-99
Capital restoration asset	Straight-line	5-30
Electrical infrastructure	Straight-line	10-50
Water supply infrastructure	Straight-line	10-100
Solid waste infrastructure	Straight-line	10-30
Roads infrastructure	Straight-line	10-100

Accounting Policies

1.8 Financial instruments (continued)

Information and communication infrastructure	Straight-line	3-15
Waste water network	Straight-line	10-100
Stormwater infrastructure	Straight-line	10-50

The depreciable amount of an asset is allocated on a systematic basis over its useful life.

Each part of an item of property, plant and equipment with a cost that is significant in relation to the total cost of the item is depreciated separately.

The depreciation method used reflects the pattern in which the asset's future economic benefits or service potential are expected to be consumed by the municipality. The depreciation method applied to an asset is reviewed at least at each reporting date and, if there has been a significant change in the expected pattern of consumption of the future economic benefits or service potential embodied in the asset, the method is changed to reflect the changed pattern. Such a change is accounted for as a change in an accounting estimate.

The municipality assesses at each reporting date whether there is any indication that the municipality expectations about the residual value and the useful life of an asset have changed since the preceding reporting date. If any such indication exists, the municipality revises the expected useful life and/or residual value accordingly. The change is accounted for as a change in an accounting estimate.

The depreciation charge for each period is recognised in surplus or deficit unless it is included in the carrying amount of another asset.

Items of property, plant and equipment are derecognised when the asset is disposed of or when there are no further economic benefits or service potential expected from the use of the asset.

The gain or loss arising from the derecognition of an item of property, plant and equipment is included in surplus or deficit when the item is derecognised. The gain or loss arising from the derecognition of an item of property, plant and equipment is determined as the difference between the net disposal proceeds, if any, and the carrying amount of the item.

The municipality separately discloses expenditure to repair and maintain property, plant and equipment in the notes to the financial statements (see note 10).

The municipality discloses relevant information relating to assets under construction or development, in the notes to the financial statements (see note 10).

1.9 Intangible assets

An asset is identifiable if it either:

- is separable, i.e. is capable of being separated or divided from an entity and sold, transferred, licensed, rented or exchanged, either individually or together with a related contract, identifiable assets or liability, regardless of whether the entity intends to do so; or
- arises from binding arrangements (including rights from contracts), regardless of whether those rights are transferable or separable from the municipality or from other rights and obligations.

A binding arrangement describes an arrangement that confers similar rights and obligations on the parties to it as if it were in the form of a contract.

An intangible asset is recognised when:

- it is probable that the expected future economic benefits or service potential that are attributable to the asset will flow to the municipality; and
- the cost or fair value of the asset can be measured reliably.

The municipality assesses the probability of expected future economic benefits or service potential using reasonable and supportable assumptions that represent management's best estimate of the set of economic conditions that will exist over the useful life of the asset.

Where an intangible asset is acquired through a non-exchange transaction, its initial cost at the date of acquisition is measured at its fair value as at that date.

Expenditure on research (or on the research phase of an internal project) is recognised as an expense when it is incurred.

Accounting Policies

1.9 Intangible assets (continued)

An intangible asset arising from development (or from the development phase of an internal project) is recognised when:

- it is technically feasible to complete the asset so that it will be available for use or sale.
- there is an intention to complete and use or sell it.
- there is an ability to use or sell it.
- it will generate probable future economic benefits or service potential.
- there are available technical, financial and other resources to complete the development and to use or sell the asset.
- the expenditure attributable to the asset during its development can be measured reliably.

Intangible assets are initially measured at cost.

Subsequent to initial measurement Intangible assets are carried at cost less any accumulated amortisation and any impairment losses.

The amortisation period and the amortisation method for intangible assets are reviewed at each reporting date.

Internally generated brands, mastheads, publishing titles, customer lists and items similar in substance are not recognised as intangible assets.

Internally generated goodwill is not recognised as an intangible asset.

Amortisation is provided to write down the intangible assets, on a straight-line basis, to their residual values as follows:

Item	Depreciation method	Average useful life
Internally generated: Capital development	Straight-line	5 - 7 years
Computer software	Straight-line	3 - 30 years
Service operating and land rights	Straight-line	5 - 30 years

Intangible assets are derecognised:

- on disposal; or
- when no future economic benefits or service potential are expected from its use or disposal.

The gain or loss arising from the derecognition of an intangible asset is the difference between the net disposal proceeds and the carrying amount and is included in surplus or deficit when the asset is derecognised.

1.10 Heritage assets

Heritage assets are assets that have a cultural, environmental, historical, natural, scientific, technological or artistic significance and are held indefinitely for the benefit of present and future generations.

The municipality separately discloses expenditure to repair and maintain heritage assets in the notes to the financial statements (see note 14).

Recognition

The municipality recognises a heritage asset as an asset if it is probable that future economic benefits or service potential associated with the asset will flow to the municipality, and the cost or fair value of the asset can be measured reliably.

Where the municipality holds a heritage asset, but on initial recognition it does not meet the recognition criteria because it cannot be reliably measured, information on such a heritage asset is disclosed in note 14 Heritage assets.

Initial measurement

Heritage assets are measured at cost.

Where a heritage asset is acquired through a non-exchange transaction, its cost is measured at its fair value as at the date of acquisition.

Accounting Policies

1.10 Heritage assets (continued)

Subsequent measurement

Subsequent to initial measurement classes of heritage assets are carried at cost less any accumulated impairment losses.

Impairment

The municipality assesses at each reporting date whether there is an indication that it may be impaired. If any such indication exists, the municipality estimates the recoverable amount or the recoverable service amount of the heritage asset.

Transfers

Transfers from heritage assets are only made when the particular asset no longer meets the definition of a heritage asset.

Transfers to heritage assets are only made when the asset meets the definition of a heritage asset.

Derecognition

The municipality derecognises heritage asset on disposal, or when no future economic benefits or service potential are expected from its use or disposal.

The gain or loss arising from the derecognition of a heritage asset is included in surplus or deficit when the item is derecognised (unless the Standard of GRAP on leases requires otherwise on a sale and leaseback).

1.11 Financial instruments

A financial instrument can broadly be defined as those contracts that results in a financial asset in one entity and a financial liability or residual interest in another entity. A key distinguishing factor between financial assets and financial liabilities and other assets and liabilities, is that they are settled in cash or by exchanging financial instruments rather than through the provision of goods or services.

The amortised cost of a financial asset or financial liability is the amount at which the financial asset or financial liability is measured at initial recognition minus principal repayments, plus or minus the cumulative amortisation using the effective interest method of any difference between that initial amount and the maturity amount, and minus any reduction (directly or through the use of an allowance account) for impairment or uncollectibility.

A concessionary loan is a loan granted to or received by an entity on terms that are not market related.

Credit risk is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation.

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates.

Derecognition is the removal of a previously recognised financial asset or financial liability from an entity’s statement of financial position.

The effective interest method is a method of calculating the amortised cost of a financial asset or a financial liability (or group of financial assets or financial liabilities) and of allocating the interest income or interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments or receipts through the expected life of the financial instrument or, when appropriate, a shorter period to the net carrying amount of the financial asset or financial liability. When calculating the effective interest rate, an entity shall estimate cash flows considering all contractual terms of the financial instrument (for example, prepayment, call and similar options) but shall not consider future credit losses. The calculation includes all fees and points paid or received between parties to the contract that are an integral part of the effective interest rate (see the Standard of GRAP on Revenue from Exchange Transactions), transaction costs, and all other premiums or discounts. There is a presumption that the cash flows and the expected life of a group of similar financial instruments can be estimated reliably. However, in those rare cases when it is not possible to reliably estimate the cash flows or the expected life of a financial instrument (or group of financial instruments), the entity shall use the contractual cash flows over the full contractual term of the financial instrument (or group of financial instruments).

Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable willing parties in an arm’s length transaction.

Accounting Policies

1.11 Financial instruments (continued)

A financial asset is:
- a residual interest of another entity; or
- a contractual right to:
  - receive cash or another financial asset from another entity; or
  - exchange financial assets or financial liabilities with another entity under conditions that are potentially favourable to the municipality.

A financial guarantee contract is a contract that requires the issuer to make specified payments to reimburse the holder for a loss it incurs because a specified debtor fails to make payment when due in accordance with the original or modified terms of a debt instrument.

A financial liability is any liability that is a contractual obligation to:
- deliver cash or another financial asset to another entity; or
- exchange financial assets or financial liabilities under conditions that are potentially unfavourable to the municipality.

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates.

Liquidity risk is the risk encountered by an municipality in the event of difficulty in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial asset.

Loan commitment is a firm commitment to provide credit under pre-specified terms and conditions.

Loans payable are financial liabilities, other than short-term payables on normal credit terms.

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency risk, interest rate risk and other price risk.

Other price risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices (other than those arising from interest rate risk or currency risk), whether those changes are caused by factors specific to the individual financial instrument or its issuer, or factors affecting all similar financial instruments traded in the market.

A financial asset is past due when a counterparty has failed to make a payment when contractually due.

Transaction costs are incremental costs that are directly attributable to the acquisition, issue or disposal of a financial asset or financial liability. An incremental cost is one that would not have been incurred if the municipality had not acquired, issued or disposed of the financial instrument.

Financial instruments at amortised cost are non-derivative financial assets or non-derivative financial liabilities that have fixed or determinable payments, excluding those instruments that:
- the municipality designates at fair value at initial recognition; or
- are held for trading.

Financial instruments at cost are investments in residual interests that do not have a quoted market price in an active market, and whose fair value cannot be reliably measured.

Financial instruments at fair value comprise financial assets or financial liabilities that are:
- derivatives;
- combined instruments that are designated at fair value;
- instruments held for trading. A financial instrument is held for trading if:
  - it is acquired or incurred principally for the purpose of selling or repurchasing it in the near-term; or
  - on initial recognition it is part of a portfolio of identified financial instruments that are managed together and for which there is evidence of a recent actual pattern of short term profit-taking;
  - non-derivative financial assets or financial liabilities with fixed or determinable payments that are designated at fair value at initial recognition; and
  - financial instruments that do not meet the definition of financial instruments at amortised cost or financial instruments at cost.

Accounting Policies

1.11 Financial instruments (continued)

Classification

The municipality has the following types of financial assets (classes and category) as reflected on the face of the statement of financial position or in the notes thereto:

Class	Category
Receivables from exchange transactions	Financial asset measured at amortised cost
Receivables from non-exchange transactions	Financial asset measured at amortised cost
Cash and cash equivalents	Financial asset measured at amortised cost
Other receivables from exchange transactions	Financial asset measured at amortised cost
Short term investments	Financial asset measured at amortised cost
Long term receivables	Financial asset measured at amortised cost

The municipality has the following types of financial liabilities (classes and category) as reflected on the face of the statement of financial position or in the notes thereto:

Class	Category
Payables from exchange transactions	Financial liability measured at amortised cost
Consumer deposits	Financial liability measured at amortised cost
Other financial liabilities	Financial liability measured at amortised cost

Initial recognition

The municipality recognises a financial asset or a financial liability in its statement of financial position when the municipality becomes a party to the contractual provisions of the instrument.

Initial measurement of financial assets and financial liabilities

The municipality measures a financial asset and financial liability initially at its fair value plus, in the case of a financial asset or a liability not subsequently measured at fair value, transaction costs that are directly attributable to the acquisition or issue of the financial asset or financial liability.

The municipality first assesses whether the substance of a concessionary loan is in fact a loan. On initial recognition, the municipality analyses a concessionary loan into its component parts and accounts for each component separately. The municipality accounts for that part of a concessionary loan that is:

- a social benefit in accordance with the Framework for the Preparation and Presentation of Financial Statements, where it is the issuer of the loan; or
- non-exchange revenue, in accordance with the Standard of GRAP on Revenue from Non-exchange Transactions (Taxes and Transfers), where it is the recipient of the loan.

Subsequent measurement of financial assets and financial liabilities

The municipality measures all financial assets and financial liabilities after initial recognition using the following categories:

- Financial instruments at amortised cost.

All financial assets measured at amortised cost, or cost, are subject to an impairment review.

Accounting Policies

1.11 Financial instruments (continued)

Fair value measurement considerations

The best evidence of fair value is quoted prices in an active market. If the market for a financial instrument is not active, the municipality establishes fair value by using a valuation technique. The objective of using a valuation technique is to establish what the transaction price would have been on the measurement date in an arm's length exchange motivated by normal operating considerations. Valuation techniques include using recent arm's length market transactions between knowledgeable, willing parties, if available, reference to the current fair value of another instrument that is substantially the same, discounted cash flow analysis and option pricing models. If there is a valuation technique commonly used by market participants to price the instrument and that technique has been demonstrated to provide reliable estimates of prices obtained in actual market transactions, the municipality uses that technique. The chosen valuation technique makes maximum use of market inputs and relies as little as possible on municipality-specific inputs. It incorporates all factors that market participants would consider in setting a price and is consistent with accepted economic methodologies for pricing financial instruments. Periodically, the municipality calibrates the valuation technique and tests it for validity using prices from any observable current market transactions in the same instrument (i.e. without modification or repackaging) or based on any available observable market data..

Short-term receivables and payables are not discounted where the initial credit period granted or received is consistent with terms used in the public sector, either through established practices or legislation.

Reclassification

The municipality does not reclassify a financial instrument while it is issued or held unless it is:

- combined instrument that is required to be measured at fair value; or
- an investment in a residual interest that meets the requirements for reclassification.

Where the municipality cannot reliably measure the fair value of an embedded derivative that has been separated from a host contract that is a financial instrument at a subsequent reporting date, it measures the combined instrument at fair value. This requires a reclassification of the instrument from amortised cost or cost to fair value.

If fair value can no longer be measured reliably for an investment in a residual interest measured at fair value, the municipality reclassifies the investment from fair value to cost. The carrying amount at the date that fair value is no longer available becomes the cost.

If a reliable measure becomes available for an investment in a residual interest for which a measure was previously not available, and the instrument would have been required to be measured at fair value, the entity reclassifies the instrument from cost to fair value.

Gains and losses

A gain or loss arising from a change in the fair value of a financial asset or financial liability measured at fair value is recognised in surplus or deficit.

For financial assets and financial liabilities measured at amortised cost or cost, a gain or loss is recognised in surplus or deficit when the financial asset or financial liability is derecognised or impaired, or through the amortisation process.

Accounting Policies

1.11 Financial instruments (continued)

Impairment and uncollectibility of financial assets

The municipality assess at the end of each reporting period whether there is any objective evidence that a financial asset or group of financial assets is impaired.

For amounts due to the municipality, significant financial difficulties of the receivable, probability that the receivable will enter bankruptcy and default of payments are all considered indicators of impairment.

Financial assets measured at amortised cost:

If there is objective evidence that an impairment loss on financial assets measured at amortised cost has been incurred, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows (excluding future credit losses that have not been incurred) discounted at the financial asset's original effective interest rate. The carrying amount of the asset is reduced through the use of an allowance account. The amount of the loss is recognised in surplus or deficit.

If, in a subsequent period, the amount of the impairment loss decreases and the decrease can be related objectively to an event occurring after the impairment was recognised, the previously recognised impairment loss is reversed by adjusting an allowance account. The reversal does not result in a carrying amount of the financial asset that exceeds what the amortised cost would have been had the impairment not been recognised at the date the impairment is reversed. The amount of the reversal is recognised in surplus or deficit.

The calculation in respect of the impairment of fines receivable (receivables from non-exchange transactions) is based on an assessment of the past history of fines per category.

Accounting Policies

1.11 Financial instruments (continued)

Derecognition

Financial assets

The municipality derecognises financial assets using trade date accounting.

The municipality derecognises a financial asset only when:

- the contractual rights to the cash flows from the financial asset expire, are settled or waived;
- the municipality transfers to another party substantially all of the risks and rewards of ownership of the financial asset; or
- the municipality, despite having retained some significant risks and rewards of ownership of the financial asset, has transferred control of the asset to another party and the other party has the practical ability to sell the asset in its entirety to an unrelated third party, and is able to exercise that ability unilaterally and without needing to impose additional restrictions on the transfer. In this case, the municipality:
  - derecognise the asset; and
  - recognise separately any rights and obligations created or retained in the transfer.

The carrying amounts of the transferred asset are allocated between the rights or obligations retained and those transferred on the basis of their relative fair values at the transfer date. Newly created rights and obligations are measured at their fair values at that date. Any difference between the consideration received and the amounts recognised and derecognised is recognised in surplus or deficit in the period of the transfer.

On derecognition of a financial asset in its entirety, the difference between the carrying amount and the sum of the consideration received is recognised in surplus or deficit.

Cash includes cash on hand and cash with banks. Cash equivalents are short-term highly liquid investments that are held with registered banking institutions with a maturity period of between three and twelve months and are subject to an insignificant risk of change in value. Cash and cash equivalents are carried in the balance sheet at amortised cost.
For the purposes of the cash flow statement, cash and cash equivalents comprise cash on hand and cash with bank, net of bank overdrafts.
Bank overdrafts are recorded based on the facility utilised. Finance charges on bank overdrafts are expensed as incurred.

Financial liabilities

The municipality removes a financial liability (or a part of a financial liability) from its statement of financial position when it is extinguished — i.e. when the obligation specified in the contract is discharged, cancelled, expires or waived.

An exchange between an existing borrower and lender of debt instruments with substantially different terms is accounted for as having extinguished the original financial liability and a new financial liability is recognised. Similarly, a substantial modification of the terms of an existing financial liability or a part of it is accounted for as having extinguished the original financial liability and having recognised a new financial liability.

The difference between the carrying amount of a financial liability (or part of a financial liability) extinguished or transferred to another party and the consideration paid, including any non-cash assets transferred or liabilities assumed, is recognised in surplus or deficit. Any liabilities that are waived, forgiven or assumed by another municipality by way of a non-exchange transaction are accounted for in accordance with the Standard of GRAP on Revenue from Non-exchange Transactions (Taxes and Transfers).

1.12 Leases

A lease is classified as a finance lease if it transfers substantially all the risks and rewards incidental to ownership. A lease is classified as an operating lease if it does not transfer substantially all the risks and rewards incidental to ownership.

When a lease includes both land and buildings elements, the municipality assesses the classification of each element separately.

Housing rental and instalments

Finance income from the sale of housing by way of instalment sales agreements or finance leases is recognised on a time proportion basis.

Accounting Policies

1.12 Leases (continued)

Operating leases - lessor

Operating lease revenue is recognised as revenue on a straight-line basis over the lease term. The difference between the amounts recognised as revenue and the contractual payments are recognised as an operating lease asset or liability.

Initial direct costs incurred in negotiating and arranging operating leases are added to the carrying amount of the leased asset and recognised as an expense over the lease term on the same basis as the lease revenue.

The aggregate cost of incentives is recognised as a reduction of rental revenue over the lease term on a straight-line basis.

Income for leases is disclosed under revenue in statement of financial performance.

Operating leases - lessee

Operating lease payments are recognised as an expense on a straight-line basis over the lease term. The difference between the amounts recognised as an expense and the contractual payments are recognised as an operating lease asset or liability.

The aggregate benefit of incentives is recognised as a reduction of rental expense over the lease term on a straight-line basis.

Any contingent rent are expensed in the period in which they are incurred.

1.13 Inventories

Inventories are initially measured at cost except where inventories are acquired through a non-exchange transaction, then their costs are their fair value as at the date of acquisition.

Subsequently inventories are measured at the lower of cost and net realisable value.

Inventories are measured at the lower of cost and current replacement cost where they are held for;

- distribution at no charge or for a nominal charge; or
- consumption in the production process of goods to be distributed at no charge or for a nominal charge.

Net realisable value is the estimated selling price in the ordinary course of operations less the estimated costs of completion and the estimated costs necessary to make the sale, exchange or distribution.

Current replacement cost is the cost the municipality incurs to acquire the asset on the reporting date.

The cost of inventories comprises of all costs of purchase, costs of conversion and other costs incurred in bringing the inventories to their present location and condition.

The cost of inventories of items that are not ordinarily interchangeable and goods or services produced and segregated for specific projects is assigned using specific identification of the individual costs.

The cost of inventories is assigned using the weighted average cost formula. The same cost formula is used for all inventories having a similar nature and use to the municipality.

When inventories are sold, the carrying amounts of those inventories are recognised as an expense in the period in which the related revenue is recognised. If there is no related revenue, the expenses are recognised when the goods are distributed, or related services are rendered. The amount of any write-down of inventories to net realisable value or current replacement cost and all losses of inventories are recognised as an expense in the period the write-down or loss occurs. The amount of any reversal of any write-down of inventories, arising from an increase in net realisable value or current replacement cost, are recognised as a reduction in the amount of inventories recognised as an expense in the period in which the reversal occurs.

Accounting Policies

1.14 Landfill site

Site restoration and dismantling cost - The municipality has an obligation to dismantle, remove and restore items of property, plant and equipment. Such obligations are referred to as 'decommissioning, restoration and similar liabilities'. The cost of an item of property, plant and equipment includes:

- the initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located;

- changes in the measurement of an existing decommissioning, restoration and similar liability that result from change in the estimated timing or amount of the outflow of resources embodying economic benefits or service potential required to settle the obligation, or a change in discount rate; and

- the obligation the municipality incurs for having used the items during a particular period for purposes other than to produce inventories during that period.

If the related asset is measured using the cost model:

(a) subject to (b), changes in the liability are added to, or deducted from, the cost of the related asset in the current period;
(b) if a decrease in the liability exceeds the carrying amount of the asset, the excess is recognised immediately in surplus or deficit; and
(c) if the adjustment results in an addition to the cost of an asset, the municipality considers whether this is an indication that the new carrying amount of the asset may not be fully recoverable. If it is such an indication, the asset is tested for impairment by estimating its recoverable amount or recoverable service amount, and any impairment loss is recognised in accordance with the accounting policy on impairment of cash-generating assets and/or impairment of non-cash-generating assets.

1.15 Impairment of cash-generating assets

Cash-generating assets are assets managed with the objective of generating a commercial return. An asset generates a commercial return when it is deployed in a manner consistent with that adopted by a profit-oriented entity.

Cash-generating assets are assets used with the objective of generating a commercial return. Commercial return means that positive cash flows are expected to be significantly higher than the cost of the asset.

Impairment is a loss in the future economic benefits or service potential of an asset, over and above the systematic recognition of the loss of the asset's future economic benefits or service potential through depreciation (amortisation).

Carrying amount is the amount at which an asset is recognised in the statement of financial position after deducting any accumulated depreciation and accumulated impairment losses thereon.

A cash-generating unit is the smallest identifiable group of assets used with the objective of generating a commercial return that generates cash inflows from continuing use that are largely independent of the cash inflows from other assets or groups of assets.

Costs of disposal are incremental costs directly attributable to the disposal of an asset, excluding finance costs and income tax expense.

Depreciation (Amortisation) is the systematic allocation of the depreciable amount of an asset over its useful life.

Fair value less costs to sell is the amount obtainable from the sale of an asset in an arm's length transaction between knowledgeable, willing parties, less the costs of disposal.

Recoverable amount of an asset or a cash-generating unit is the higher its fair value less costs to sell and its value in use.

Useful life is either:

- the period of time over which an asset is expected to be used by the municipality; or
- the number of production or similar units expected to be obtained from the asset by the municipality.

Management has judged all assets as non cash generating assets.

Accounting Policies

1.15 Impairment of cash-generating assets (continued)

Identification

When the carrying amount of a cash-generating asset exceeds its recoverable amount, it is impaired.

The municipality assesses at each reporting date whether there is any indication that a cash-generating asset may be impaired. If any such indication exists, the municipality estimates the recoverable amount of the asset.

Value in use

Value in use of a cash-generating asset is the present value of the estimated future cash flows expected to be derived from the continuing use of an asset and from its disposal at the end of its useful life.

When estimating the value in use of an asset, the municipality estimates the future cash inflows and outflows to be derived from continuing use of the asset and from its ultimate disposal and the municipality applies the appropriate discount rate to those future cash flows.

Discount rate

The discount rate is a pre-tax rate that reflects current market assessments of the time value of money, represented by the current risk-free rate of interest and the risks specific to the asset for which the future cash flow estimates have not been adjusted.

Recognition and measurement (individual asset)

If the recoverable amount of a cash-generating asset is less than its carrying amount, the carrying amount of the asset is reduced to its recoverable amount. This reduction is an impairment loss.

An impairment loss is recognised immediately in surplus or deficit.

After the recognition of an impairment loss, the depreciation (amortisation) charge for the cash-generating asset is adjusted in future periods to allocate the cash-generating asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

Accounting Policies

1.15 Impairment of cash-generating assets (continued)

Cash-generating units

If there is any indication that an asset may be impaired, the recoverable amount is estimated for the individual asset. If it is not possible to estimate the recoverable amount of the individual asset, the municipality determines the recoverable amount of the cash-generating unit to which the asset belongs (the asset's cash-generating unit).

If an active market exists for the output produced by an asset or group of assets, that asset or group of assets is identified as a cash-generating unit, even if some or all of the output is used internally. If the cash inflows generated by any asset or cash-generating unit are affected by internal transfer pricing, the municipality use management's best estimate of future price(s) that could be achieved in arm's length transactions in estimating:

- the future cash inflows used to determine the asset's or cash-generating unit's value in use; and
- the future cash outflows used to determine the value in use of any other assets or cash-generating units that are affected by the internal transfer pricing.

Cash-generating units are identified consistently from period to period for the same asset or types of assets, unless a change is justified.

The carrying amount of a cash-generating unit is determined on a basis consistent with the way the recoverable amount of the cash-generating unit is determined.

An impairment loss is recognised for a cash-generating unit if the recoverable amount of the unit is less than the carrying amount of the unit. The impairment is allocated to reduce the carrying amount of the cash-generating assets of the unit on a pro rata basis, based on the carrying amount of each asset in the unit. These reductions in carrying amounts are treated as impairment losses on individual assets.

In allocating an impairment loss, the entity does not reduce the carrying amount of an asset below the highest of:

- its fair value less costs to sell (if determinable);
- its value in use (if determinable); and
- zero.

The amount of the impairment loss that would otherwise have been allocated to the asset is allocated pro rata to the other cash-generating assets of the unit.

Where a non-cash-generating asset contributes to a cash-generating unit, a proportion of the carrying amount of that non-cash-generating asset is allocated to the carrying amount of the cash-generating unit prior to estimation of the recoverable amount of the cash-generating unit.

Accounting Policies

1.15 Impairment of cash-generating assets (continued)

Reversal of impairment loss

The municipality assesses at each reporting date whether there is any indication that an impairment loss recognised in prior periods for a cash-generating asset may no longer exist or may have decreased. If any such indication exists, the entity estimates the recoverable amount of that asset.

An impairment loss recognised in prior periods for a cash-generating asset is reversed if there has been a change in the estimates used to determine the asset's recoverable amount since the last impairment loss was recognised. The carrying amount of the asset is increased to its recoverable amount. The increase is a reversal of an impairment loss. The increased carrying amount of an asset attributable to a reversal of an impairment loss does not exceed the carrying amount that would have been determined (net of depreciation or amortisation) had no impairment loss been recognised for the asset in prior periods.

A reversal of an impairment loss for a cash-generating asset is recognised immediately in surplus or deficit.

After a reversal of an impairment loss is recognised, the depreciation (amortisation) charge for the cash-generating asset is adjusted in future periods to allocate the cash-generating asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

A reversal of an impairment loss for a cash-generating unit is allocated to the cash-generating assets of the unit pro rata with the carrying amounts of those assets. These increases in carrying amounts are treated as reversals of impairment losses for individual assets. No part of the amount of such a reversal is allocated to a non-cash-generating asset contributing service potential to a cash-generating unit.

In allocating a reversal of an impairment loss for a cash-generating unit, the carrying amount of an asset is not increased above the lower of:

- its recoverable amount (if determinable); and
- the carrying amount that would have been determined (net of amortisation or depreciation) had no impairment loss been recognised for the asset in prior periods.

The amount of the reversal of the impairment loss that would otherwise have been allocated to the asset is allocated pro rata to the other assets of the unit.

1.16 Impairment of non-cash-generating assets

Non-cash-generating assets are assets other than cash-generating assets.

Identification

When the carrying amount of a non-cash-generating asset exceeds its recoverable service amount, it is impaired.

The municipality assesses at each reporting date whether there is any indication that a non-cash-generating asset may be impaired. If any such indication exists, the municipality estimates the recoverable service amount of the asset.

Irrespective of whether there is any indication of impairment, the entity also tests a non-cash-generating intangible asset with an indefinite useful life or a non-cash-generating intangible asset not yet available for use for impairment annually by comparing its carrying amount with its recoverable service amount. This impairment test is performed at the same time every year. If an intangible asset was initially recognised during the current reporting period, that intangible asset was tested for impairment before the end of the current reporting period.

Accounting Policies

1.16 Impairment of non-cash-generating assets (continued)

Value in use

Value in use of non-cash-generating assets is the present value of the non-cash-generating assets remaining service potential.

The present value of the remaining service potential of a non-cash-generating assets is determined using the following approach:

Depreciated replacement cost approach

The present value of the remaining service potential of a non-cash-generating asset is determined as the depreciated replacement cost of the asset. The replacement cost of an asset is the cost to replace the asset's gross service potential. This cost is depreciated to reflect the asset in its used condition. An asset may be replaced either through reproduction (replication) of the existing asset or through replacement of its gross service potential. The depreciated replacement cost is measured as the current reproduction or replacement cost of the asset, whichever is lower, less accumulated depreciation calculated on the basis of such cost, to reflect the already consumed or expired service potential of the asset.

The replacement cost and reproduction cost of an asset is determined on an "optimised" basis. The rationale is that the municipality would not replace or reproduce the asset with a like asset if the asset to be replaced or reproduced is an overdesigned or overcapacity asset. Overdesigned assets contain features which are unnecessary for the goods or services the asset provides. Overcapacity assets are assets that have a greater capacity than is necessary to meet the demand for goods or services the asset provides. The determination of the replacement cost or reproduction cost of an asset on an optimised basis thus reflects the service potential required of the asset.

Recognition and measurement

If the recoverable service amount of a non-cash-generating asset is less than its carrying amount, the carrying amount of the asset is reduced to its recoverable service amount. This reduction is an impairment loss.

An impairment loss is recognised immediately in surplus or deficit.

After the recognition of an impairment loss, the depreciation (amortisation) charge for the non-cash-generating asset is adjusted in future periods to allocate the non-cash-generating asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

Reversal of an impairment loss

The municipality assesses at each reporting date whether there is any indication that an impairment loss recognised in prior periods for a non-cash-generating asset may no longer exist or may have decreased. If any such indication exists, the municipality estimates the recoverable service amount of that asset.

An impairment loss recognised in prior periods for a non-cash-generating asset is reversed if there has been a change in the estimates used to determine the asset's recoverable service amount since the last impairment loss was recognised. The carrying amount of the asset is increased to its recoverable service amount. The increase is a reversal of an impairment loss. The increased carrying amount of an asset attributable to a reversal of an impairment loss does not exceed the carrying amount that would have been determined (net of depreciation or amortisation) had no impairment loss been recognised for the asset in prior periods.

A reversal of an impairment loss for a non-cash-generating asset is recognised immediately in surplus or deficit.

After a reversal of an impairment loss is recognised, the depreciation (amortisation) charge for the non-cash-generating asset is adjusted in future periods to allocate the non-cash-generating asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

1.17 Employee benefits

Employee benefits are all forms of consideration given by the municipality in exchange for service rendered by employees.

A qualifying insurance policy is an insurance policy issued by an insurer that is not a related party (as defined in the Standard of GRAP on Related Party Disclosures) of the reporting municipality, if the proceeds of the policy can be used only to pay or fund employee benefits under a defined benefit plan and are not available to the reporting municipality's own creditors (even in liquidation) and cannot be paid to the reporting municipality, unless either:

Accounting Policies

1.17 Employee benefits (continued)

- the proceeds represent surplus assets that are not needed for the policy to meet all the related employee benefit obligations; or
- the proceeds are returned to the reporting municipality to reimburse it for employee benefits already paid.

Termination benefits are employee benefits payable as a result of either:

- an employee's decision to accept voluntary redundancy in exchange for those benefits.

Other long-term employee benefits are employee benefits (other than post-employment benefits and termination benefits) that are not due to be settled within twelve months after the end of the period in which the employees render the related service.

Vested employee benefits are employee benefits that are not conditional on future employment.

Composite social security programmes are established by legislation and operate as multi-employer plans to provide post-employment benefits as well as to provide benefits that are not consideration in exchange for service rendered by employees.

A constructive obligation is an obligation that derives from the municipality's actions where by an established pattern of past practice, published policies or a sufficiently specific current statement, the municipality has indicated to other parties that it will accept certain responsibilities and as a result, the municipality has created a valid expectation on the part of those other parties that it will discharge those responsibilities.

Short-term employee benefits

Short-term employee benefits are employee benefits (other than termination benefits) that are due to be settled within twelve months after the end of the period in which the employees render the related service.

Short-term employee benefits include items such as:

- wages, salaries and social security contributions;
- short-term compensated absences (such as paid annual leave and paid sick leave) where the compensation for the absences is due to be settled within twelve months after the end of the reporting period in which the employees render the related employee service;
- bonus, incentive and performance related payments payable within twelve months after the end of the reporting period in which the employees render the related service; and
- non-monetary benefits (for example, medical care, and free or subsidised goods or services such as housing, cars and cellphones) for current employees.

When an employee has rendered service to the entity during a reporting period, the entity recognises the undiscounted amount of short-term employee benefits expected to be paid in exchange for that service:

- as a liability (accrued expense), after deducting any amount already paid. If the amount already paid exceeds the undiscounted amount of the benefits, the municipality recognises that excess as an asset (prepaid expense) to the extent that the prepayment will lead to, for example, a reduction in future payments or a cash refund; and
- as an expense, unless another Standard requires or permits the inclusion of the benefits in the cost of an asset.

The expected cost of compensated absences is recognised as an expense as the employees render services that increase their entitlement or, in the case of non-accumulating absences, when the absence occurs. The municipality measures the expected cost of accumulating compensated absences as the additional amount that the entity expects to pay as a result of the unused entitlement that has accumulated at the reporting date.

The entity recognises the expected cost of bonus, incentive and performance related payments when the municipality has a present legal or constructive obligation to make such payments as a result of past events and a reliable estimate of the obligation can be made. A present obligation exists when the entity has no realistic alternative but to make the payments.

Accrued leave pay

Liabilities for annual leave are recognised as they accrue to employees. Liability is based on the total accrued leave days owing to employees and is reviewed annually.

Accounting Policies

1.17 Employee benefits (continued)

Post-employment benefits

Post-employment benefits are employee benefits (other than termination benefits) which are payable after the completion of employment.

Post-employment benefit plans are formal or informal arrangements under which an municipality provides post-employment benefits for one or more employees.

Multi-employer plans are defined contribution plans (other than state plans and composite social security programmes) or defined benefit plans (other than state plans) that pool the assets contributed by various entities that are not under common control and use those assets to provide benefits to employees of more than one entity, on the basis that contribution and benefit levels are determined without regard to the identity of the entity that employs the employees concerned.

Multi-employer plans

The municipality classifies a multi-employer plan and/or state plans and/or composite social security programmes as a defined contribution plan or a defined benefit plan under the terms of the plan (including any constructive obligation that goes beyond the formal terms).

Where a plan is a defined contribution plan, the municipality accounts for in the same way as for any other defined contribution plan.

Where a plan is a defined benefit plan, the municipality account for its proportionate share of the defined benefit obligation, plan assets and cost associated with the plan in the same way as for any other defined benefit plan.

When sufficient information is not available to use defined benefit accounting for a plan, that is a defined benefit plan, the municipality account for the plan as if it was a defined contribution plan.

Post-employment benefits: Defined contribution plans

Defined contribution plans are post-employment benefit plans under which an municipality pays fixed contributions into a separate entity (a fund) and will have no legal or constructive obligation to pay further contributions if the fund does not hold sufficient assets to pay all employee benefits relating to employee service in the current and prior periods.

When an employee has rendered service to the municipality during a reporting period, the municipality recognises the contribution payable to a defined contribution plan in exchange for that service:

- as a liability (accrued expense), after deducting any contribution already paid. If the contribution already paid exceeds the contribution due for service before the reporting date, an municipality recognises that excess as an asset (prepaid expense) to the extent that the prepayment will lead to, for example, a reduction in future payments or a cash refund; and
- as an expense, unless another Standard requires or permits the inclusion of the contribution in the cost of an asset.

Where contributions to a defined contribution plan do not fall due wholly within twelve months after the end of the reporting period in which the employees render the related service, they are discounted. The rate used to discount reflects the time value of money. The currency and term of the financial instrument selected to reflect the time value of money is consistent with the currency and estimated term of the obligation.

Accounting Policies

1.17 Employee benefits (continued)

Post-employment benefits: Defined benefit plans

Defined benefit plans are post-employment benefit plans other than defined contribution plans.

Actuarial gains and losses comprise experience adjustments (the effects of differences between the previous actuarial assumptions and what has actually occurred) and the effects of changes in actuarial assumptions. In measuring its defined benefit liability the entity recognises actuarial gains and losses in surplus or deficit in the reporting period in which they occur.

Current service cost is the increase in the present value of the defined benefit obligation resulting from employee service in the current period.

Interest cost is the increase during a period in the present value of a defined benefit obligation which arises because the benefits are one period closer to settlement.

Past service cost is the change in the present value of the defined benefit obligation for employee service in prior periods, resulting in the current period from the introduction of, or changes to, post-employment benefits or other long-term employee benefits. Past service cost may be either positive (when benefits are introduced or changed so that the present value of the defined benefit obligation increases) or negative (when existing benefits are changed so that the present value of the defined benefit obligation decreases). In measuring its defined benefit liability the entity recognises past service cost as an expense in the reporting period in which the plan is amended.

Plan assets comprise assets held by a long-term employee benefit fund and qualifying insurance policies.

The present value of a defined benefit obligation is the present value, without deducting any plan assets, of expected future payments required to settle the obligation resulting from employee service in the current and prior periods.

The return on plan assets is interest, dividends or similar distributions and other revenue derived from the plan assets, together with realised and unrealised gains or losses on the plan assets, less any costs of administering the plan (other than those included in the actuarial assumptions used to measure the defined benefit obligation) and less any tax payable by the plan itself.

The amount recognised as a defined benefit liability is the net total of the following amounts:

- the present value of the defined benefit obligation at the reporting date;
- minus the fair value at the reporting date of plan assets (if any) out of which the obligations are to be settled directly;
- plus any liability that may arise as a result of a minimum funding requirement

The amount determined as a defined benefit liability may be negative (an asset). The municipality measures the resulting asset at the lower of:

- the amount determined above; and
- the present value of any economic benefits available in the form of refunds from the plan or reductions in future contributions to the plan. The present value of these economic benefits is determined using a discount rate which reflects the time value of money.

Any adjustments arising from the limit above is recognised in surplus or deficit.

The municipality determines the present value of defined benefit obligations and the fair value of any plan assets with sufficient regularity such that the amounts recognised in the unaudited annual financial statements do not differ materially from the amounts that would be determined at the reporting date.

The municipality recognises the net total of the following amounts in surplus or deficit, except to the extent that another Standard requires or permits their inclusion in the cost of an asset:

- current service cost;
- interest cost;
- the expected return on any plan assets and on any reimbursement rights;
- actuarial gains and losses;
- past service cost;
- the effect of any curtailments or settlements; and
- the effect of applying the limit on a defined benefit asset (negative defined benefit liability).

Accounting Policies

1.17 Employee benefits (continued)

The municipality uses the Projected Unit Credit Method to determine the present value of its defined benefit obligations and the related current service cost and, where applicable, past service cost. The Projected Unit Credit Method (sometimes known as the accrued benefit method pro-rated on service or as the benefit/years of service method) sees each period of service as giving rise to an additional unit of benefit entitlement and measures each unit separately to build up the final obligation.

In determining the present value of its defined benefit obligations and the related current service cost and, where applicable, past service cost, the municipality shall attribute benefit to periods of service under the plan's benefit formula. However, if an employee's service in later years will lead to a materially higher level of benefit than in earlier years, the municipality shall attribute benefit on a straight-line basis from:

- the date when service by the employee first leads to benefits under the plan (whether or not the benefits are conditional on further service); until
- the date when further service by the employee will lead to no material amount of further benefits under the plan, other than from further salary increases.

Actuarial valuations are conducted on an annual basis by independent actuaries separately for each plan. The results of the valuation are updated for any material transactions and other material changes in circumstances (including changes in market prices and interest rates) up to the reporting date.

The municipality recognises gains or losses on the curtailment or settlement of a defined benefit plan when the curtailment or settlement occurs. The gain or loss on a curtailment or settlement comprises:

- any resulting change in the present value of the defined benefit obligation; and
- any resulting change in the fair value of the plan assets.

Before determining the effect of a curtailment or settlement, the municipality re-measure the obligation (and the related plan assets, if any) using current actuarial assumptions (including current market interest rates and other current market prices).

When it is virtually certain that another party will reimburse some or all of the expenditure required to settle a defined benefit obligation, the right to reimbursement is recognised as a separate asset. The asset is measured at fair value. In all other respects, the asset is treated in the same way as plan assets. In surplus or deficit, the expense relating to a defined benefit plan is presented as the net of the amount recognised for a reimbursement.

The municipality offsets an asset relating to one plan against a liability relating to another plan when the municipality has a legally enforceable right to use a surplus in one plan to settle obligations under the other plan and intends either to settle the obligations on a net basis, or to realise the surplus in one plan and settle its obligation under the other plan simultaneously.

Actuarial assumptions

Actuarial assumptions are unbiased and mutually compatible.

Financial assumptions are based on market expectations, at the reporting date, for the period over which the obligations are to be settled.

The rate used to discount post-employment benefit obligations (both funded and unfunded) reflect the time value of money. The currency and term of the financial instrument selected to reflect the time value of money is consistent with the currency and estimated term of the post-employment benefit obligations.

Post-employment benefit obligations are measured on a basis that reflects:

- estimated future salary increases;
- the benefits set out in the terms of the plan (or resulting from any constructive obligation that goes beyond those terms) at the reporting date; and
- estimated future changes in the level of any state benefits that affect the benefits payable under a defined benefit plan, if, and only if, either:
- those changes were enacted before the reporting date; or
- past history, or other reliable evidence, indicates that those state benefits will change in some predictable manner, for example, in line with future changes in general price levels or general salary levels.

Assumptions about medical costs take account of estimated future changes in the cost of medical services, resulting from both inflation and specific changes in medical costs.

Accounting Policies

1.17 Employee benefits (continued)

Other long term employee benefits

The municipality provides post-retirement health care benefits, housing subsidies and gratuities upon retirement to some retirees.

Long term serice awards is payable after 10 years of continious service and after every 5 years thereafter to employees. Additional to this employees shall be entitled to a 14th cheque for continious employement on their 30th and every 5th year onward. Furthermore a retirement gift is payable on retirement to employees with 10 years or more service. The provision is an estimate of the long service award based on historical staff turnover based on historical staff turnover. No other long service benefits are provided to emloyees.

The entitlement to post-retirement health care benefits is based on the employee remaining in service up to retirement age and the completion of a minimum service period. The expected costs of these benefits are accrued over the period of employment. Independent qualified actuaries carry out valuations of these obligations. The municipality also provides a gratuity and housing subsidy on retirement to certain employees. An annual charge to income is made to cover both these liabilities.

The amount recognised as a liability for other long-term employee benefits is the net total of the following amounts:

- the present value of the defined benefit obligation at the reporting date;
- minus the fair value at the reporting date of plan assets (if any) out of which the obligations are to be settled directly.

The municipality shall recognise the net total of the following amounts as expense or revenue, except to the extent that another Standard requires or permits their inclusion in the cost of an asset:

- current service cost;
- interest cost;
- the expected return on any plan assets and on any reimbursement right recognised as an asset;
- actuarial gains and losses, which shall all be recognised immediately;
- past service cost, which shall all be recognised immediately; and
- the effect of any curtailments or settlements.

Termination benefits

The municipality recognises termination benefits as a liability and an expense when the entity is demonstrably committed to either:

- terminate the employment of an employee or group of employees before the normal retirement date; or
- provide termination benefits as a result of an offer made in order to encourage voluntary redundancy.

The municipality is demonstrably committed to a termination when the entity has a detailed formal plan for the termination and is without realistic possibility of withdrawal. The detailed plan includes [as a minimum]:

- the location, function, and approximate number of employees whose services are to be terminated;
- the termination benefits for each job classification or function; and
- the time at which the plan will be implemented.

Implementation begins as soon as possible and the period of time to complete implementation is such that material changes to the plan are not likely.

Where termination benefits fall due more than 12 months after the reporting date, they are discounted using an appropriate discount rate. The rate used to discount the benefit reflects the time value of money. The currency and term of the financial instrument selected to reflect the time value of money is consistent with the currency and estimated term of the benefit.

In the case of an offer made to encourage voluntary redundancy, the measurement of termination benefits shall be based on the number of employees expected to accept the offer.

1.18 Provisions and contingencies

Provisions are recognised when:

- the municipality has a present obligation as a result of a past event;
- it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; and
- a reliable estimate can be made of the obligation.

Accounting Policies

1.18 Provisions and contingencies (continued)

The amount of a provision is the best estimate of the expenditure expected to be required to settle the present obligation at the reporting date.

Where the effect of time value of money is material, the amount of a provision is the present value of the expenditures expected to be required to settle the obligation.

The discount rate is a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the liability.

Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. Provisions are reversed if it is no longer probable that an outflow of resources embodying economic benefits or service potential will be required, to settle the obligation.

Where discounting is used, the carrying amount of a provision increases in each period to reflect the passage of time. This increase is recognised as an interest expense.

A provision is used only for expenditures for which the provision was originally recognised.

Provisions are not recognised for future operating surplus (deficit).

If the municipality has a contract that is onerous, the present obligation (net of recoveries) under the contract is recognised and measured as a provision.

Provision for the rehabilitation of landfill sites

At year end a provision is raised for the rehabilitation of landfill sites. The provision is the net present value of the future cash flows to rehabilitate damaged land at year end.

As the related asset is measured using the cost model:
- changes in the liability is added to, or deducted from, the cost of the related asset in the current period;
- the amount deducted from the cost of the asset does not exceed it carrying amount. If a decrease in the liability exceeds the carrying amount of the asset, the excess is recognised immediately in surplus or deficit;
- if the adjustments results in an addition to the cost of an asset, the municipality considers whether this is an indication that the new carrying amount of the asset may be fully recoverable. If there is such an indication, the municipality tests the asset for the impairment by estimating its recoverable amount or recoverable service amount, and accounts for any impairment loss, in accordance with the accounting policy on impairment of assets as described in the accounting policy on impairment of cash-generating assets and/ or impairment of non-cash generating assets.

The adjusted depreciable amount of the asset is depreciated over its useful life. Therefore, once the related asset has reached the end of its useful life, all subsequent changes in the liability is recognised in surplus or deficit as they occur.

Provision for constructive obligations

A constructive obligation to restructure arises only when an entity:
- has a detailed formal plan for the restructuring, identifying at least:
  - the activity/operating unit or part of an activity/operating unit concerned;
  - the principal locations affected;
  - the location, function, and approximate number of employees who will be compensated for services being terminated;
  - the expenditures that will be undertaken; and
  - when the plan will be implemented; and
- has raised a valid expectation in those affected that it will carry out the restructuring by starting to implement that plan or announcing its main features to those affected by it.

A restructuring provision includes only the direct expenditures arising from the restructuring, which are those that are both:
- necessarily entailed by the restructuring; and
- not associated with the ongoing activities of the municipality

Accounting Policies

1.18 Provisions and contingencies (continued)

No obligation arises as a consequence of the sale or transfer of an operation until the municipality is committed to the sale or transfer, that is, there is a binding arrangement.

After their initial recognition contingent liabilities recognised in entity combinations that are recognised separately are subsequently measured at the higher of:

- the amount that would be recognised as a provision; and
- the amount initially recognised less cumulative amortisation.

Contingencies

A contingent asset is a possible asset that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the municipality.

Contingent assets and contingent liabilities are not recognised. Contingencies are disclosed in note 53.

A contingent liability is a:

- possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the municipality;
- present obligation that arises from past events but is not recognised because: it is not probable than an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; the amount of the obligation cannot be measured with sufficient reliability.

Grant-in-aid contributions

Provision is made for any constructive obligations of the municipality. A constructive obligation arises through an established pattern of past practice, published policies or a sufficiently specific current standard, whereby the municipality has indicated to other parties that it will accept certain responsibilities and as a result, the municipality has created a valid expectation on the part of those other parties that it will discharge those responsibilities.

The municipality transfers money to individuals, organisations and other sectors of government from time to time. When making these transfers, the municipality does not:

- receive any goods or services directly in return, as would be expected in a purchase or sale transaction;
- expect to be repaid in future; or
- expect a financial return, as would be expected from an investment.

1.19 Revenue from exchange transactions

Revenue is the gross inflow of economic benefits or service potential during the reporting period when those inflows result in an increase in net assets, other than increases relating to contributions from owners.

An exchange transaction is one in which the municipality receives assets or services, or has liabilities extinguished, and directly gives approximately equal value (primarily in the form of goods, services or use of assets) to the other party in exchange.

Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties in an arm’s length transaction.

Measurement

Revenue is measured at the fair value of the consideration received or receivable, net of trade discounts and volume rebates.

Accounting Policies

1.19 Revenue from exchange transactions (continued)

Service charges

Service charges relating to electricity and water are based on consumption. Meters are read on a monthly basis and are recognised as revenue when invoiced. Provisional estimates of consumption, based on the consumption history, are made monthly when meter readings have not been performed. The provisional estimates of consumption are recognised as revenue when invoiced, except at year-end when estimates of consumption up to year-end are recorded as revenue without being invoiced. Adjustments to provisional estimates of consumption are made in the invoicing period in which meters have been read. These adjustments are recognised as revenue in the invoicing period. In respect of estimates of consumption between the last reading date and the reporting date, an accrual is made based on the billings done during July and August. The billing and invoiced amounts done in July are recognised in total as an accrual as all billing in July pertains to services rendered priot to 30 June. An estimate is then made based on August billing pertaining to services rendered up until 30 June
.
Service charges relating to refuse removal are recognised on a monthly basis in arrears by applying the approved tariff to each property that has improvements. Tariffs are determined per category of property usage, and are levied monthly based on the number of refuse containers on each property, regardless of whether or not all containers are emptied during the month.

Service charges from sewerage and sanitation are based on the number of sewerage connections on each developed property using the tariffs approved from Council and are levied monthly.

Rendering of services

When the outcome of a transaction involving the rendering of services can be estimated reliably, revenue associated with the transaction is recognised by reference to the stage of completion of the transaction at the reporting date. The outcome of a transaction can be estimated reliably when all the following conditions are satisfied:

- the amount of revenue can be measured reliably;
- it is probable that the economic benefits or service potential associated with the transaction will flow to the municipality;
- the stage of completion of the transaction at the reporting date can be measured reliably; and
- the costs incurred for the transaction and the costs to complete the transaction can be measured reliably.

When the outcome of the transaction involving the rendering of services cannot be estimated reliably, revenue is recognised only to the extent of the expenses recognised that are recoverable.

Service revenue is recognised by reference to the stage of completion of the transaction at the reporting date. Stage of completion is determined by surveys of work performed.

Pre-paid electricity

Revenue from the sale of electricity prepaid units is recognised when all the following conditions have been satisfied:

- The municipality has transferred to the buyer the significant risks and rewards of ownership of the goods.
- The municipality retains neither continuing managerial involvement to the degree usually associated with ownership nor effective control over the goods sold.
- The amount of revenue can be measured reliably.
- It is probable that the economic benefits or service potential associated with the transaction will flow to the municipality.
- The costs incurred or to be incurred in respect of the transaction can be measure reliably.

Accounting Policies

1.19 Revenue from exchange transactions (continued)

Interest earned

Interest earned on investments is recognised in the statement of financial performance on the time proportionate basis that takes into account the effective yield on the investment.

Dividends

Dividends are recognised on the date that the municipality becomes entitled to receive the dividend in accordance with the substance of the relevant agreement, where applicable.

Charges

Revenue arising from the application of the approved tariff of charges is recognised when the relevant service is rendered by applying the relevant approved tariff. This includes the issuing of licences and permits.

Sale of goods

Revenue from the sale of goods is recognised when all the following conditions have been satisfied:
- The municipality has transferred to the buyer the significant risks and rewards of ownership of the goods.
- The municipality retains neither continuing managerial involvement to the degree usually associated with ownership nor effective control over the goods sold.
- The amount of revenue can be measured reliably.
- It is probable that the economic benefits or service potential associated with the transaction will flow to the municipality.
- The costs incurred or to be incurred in respect of the transaction can be measured reliably.

Income from agency services

Income for agency services is recognised on a monthly basis once the income collected on behalf of principals has been quantified. The income recognised is in terms of the agency agreement.

Service fees included in the price of the product are recognised as revenue over the period during which the service is performed.

1.20 Revenue from non-exchange transactions

Revenue comprises gross inflows of economic benefits or service potential received and receivable by a municipality, which represents an increase in net assets, other than increases relating to contributions from owners.

Conditions on transferred assets are stipulations that specify that the future economic benefits or service potential embodied in the asset is required to be consumed by the recipient as specified or future economic benefits or service potential must be returned to the transferor.

Non-exchange transactions are transactions that are not exchange transactions. In a non-exchange transaction, a municipality either receives value from another municipality without directly giving approximately equal value in exchange, or gives value to another municipality without directly receiving approximately equal value in exchange.

Restrictions on transferred assets are stipulations that limit or direct the purposes for which a transferred asset may be used, but do not specify that future economic benefits or service potential is required to be returned to the transferor if not deployed as specified.

Stipulations on transferred assets are terms in laws or regulation, or a binding arrangement, imposed upon the use of a transferred asset by entities external to the reporting municipality.

The taxable event is the event that the government, legislature or other authority has determined will be subject to taxation.

Taxes are economic benefits or service potential compulsorily paid or payable to entities, in accordance with laws and or regulations, established to provide revenue to government. Taxes do not include fines or other penalties imposed for breaches of the law.

Accounting Policies

1.20 Revenue from non-exchange transactions (continued)

Transfers are inflows of future economic benefits or service potential from non-exchange transactions, other than taxes.

Recognition

An inflow of resources from a non-exchange transaction recognised as an asset is recognised as revenue, except to the extent that a liability is also recognised in respect of the same inflow.

As the municipality satisfies a present obligation recognised as a liability in respect of an inflow of resources from a non-exchange transaction recognised as an asset, it reduces the carrying amount of the liability recognised and recognises an amount of revenue equal to that reduction.

Revenue received from conditional grants, donations and funding are recognised as revenue to the extent that the municipality has complied with any of the criteria, conditions or obligations embodied in the agreement. To the extent that the criteria, conditions or obligations have not been met a liability is recognised. Government grants that are receivable as compensation for expenses or losses already incurred or for the purpose of giving immediate financial support to the municipality with no future related costs are recognised in the statement of financial performance in the period in which they become receivable.

Measurement

Revenue from a non-exchange transaction is measured at the amount of the increase in net assets recognised by the municipality.

When, as a result of a non-exchange transaction, the municipality recognises an asset, it also recognises revenue equivalent to the amount of the asset measured at its fair value as at the date of acquisition, unless it is also required to recognise a liability. Where a liability is required to be recognised it will be measured as the best estimate of the amount required to settle the obligation at the reporting date, and the amount of the increase in net assets, if any, recognised as revenue. When a liability is subsequently reduced, because the taxable event occurs or a condition is satisfied, the amount of the reduction in the liability is recognised as revenue.

Receivables that arise from statutory (non-contractual) arrangements are initially measured in accordance with this accounting policy, as well as the accounting policy on Statutory Receivables. The entity applies the accounting policy on Statutory Receivables for the subsequent measurement, derecognition, presentation and disclosure of statutory receivables.

Interest is recognised using the effective interest rate method for financial instruments, and using the nominal interest rate method for statutory receivables. Interest levied on transactions arising from exchange or non-exchange transactions is classified based on the nature of the underlying transaction.

Property rates

The municipality recognises an asset in respect of taxes when the taxable event occurs and the asset recognition criteria are met.

Resources arising from taxes satisfy the definition of an asset when the municipality controls the resources as a result of a past event (the taxable event) and expects to receive future economic benefits or service potential from those resources. Resources arising from taxes satisfy the criteria for recognition as an asset when it is probable that the inflow of resources will occur and their fair value can be reliably measured. The degree of probability attached to the inflow of resources is determined on the basis of evidence available at the time of initial recognition, which includes, but is not limited to, disclosure of the taxable event by the taxpayer.

The municipality analyses the taxation laws to determine what the taxable events are for the various taxes levied.

The taxable event for property tax is the passing of the date on which the tax is levied, or the period for which the tax is levied, if the tax is levied on a periodic basis.

Taxation revenue is determined at a gross amount. It is not reduced for expenses paid through the tax system.

Accounting Policies

1.20 Revenue from non-exchange transactions (continued)

Transfers

The municipality recognises an asset in respect of transfers when the transferred resources meet the definition of an asset and satisfy the criteria for recognition as an asset.

Transferred assets are measured at their fair value as at the date of acquisition.

Debt forgiveness and assumption of liabilities

The municipality recognise revenue in respect of debt forgiveness when the former debt no longer meets the definition of a liability or satisfies the criteria for recognition as a liability, provided that the debt forgiveness does not satisfy the definition of a contribution from owners.

Revenue arising from debt forgiveness is measured at the carrying amount of debt forgiven.

Fines

Fines are recognised as revenue when the receivable meets the definition of an asset and satisfies the criteria for recognition as an asset.

The municipality makes use of estimates to determine the amount of revenue that it is entitled to collect. Where settlement discounts or reductions in the amount payable are offered, the municipality considers past history in assessing the likelihood of these discounts or reductions being taken up by receivables.

Where the municipality collects fines in the capacity of an agent, the fine will not be revenue of the collecting entity.

Gifts and donations, including goods in-kind

Gifts and donations, including goods in kind, are recognised as assets and revenue when it is probable that the future economic benefits or service potential will flow to the municipality and the fair value of the assets can be measured reliably.

Services in-kind

Services in-kind that are significant to the municipality's operations and/or service delivery objectives are recognised as assets and the related revenue when it is probable that the future economic benefits or service potential will flow to the municipality and the fair value of the assets can be measured reliably.

Where services in-kind are not significant to the municipality’s operations and/or service delivery objectives and/or do not satisfy the criteria for recognition, the municipality disclose the nature and type of services in-kind received during the reporting period.

Collection charges and penalties

Collection charges and penalty interest is recognised when:
- it is probable that the economic benefits or service potential associated with the transactions will flow to the municipality; and
- the amount of revenue can be measured reliably; and
  to the extent that there has been compliance with the relevant legal requirements (if applicable).

1.21 Statutory receivables

Identification

Statutory receivables are receivables that arise from legislation, supporting regulations, or similar means, and require settlement by another entity in cash or another financial asset.

Carrying amount is the amount at which an asset is recognised in the statement of financial position.

The cost method is the method used to account for statutory receivables that requires such receivables to be measured at their transaction amount, plus any accrued interest or other charges (where applicable) and, less any accumulated impairment losses and any amounts derecognised.

Accounting Policies

1.21 Statutory receivables (continued)

Nominal interest rate is the interest rate and/or basis specified in legislation, supporting regulations or similar means.

The transaction amount for a statutory receivable means the amount specified in, or calculated, levied or charged in accordance with, legislation, supporting regulations, or similar means.

Recognition

The municipality recognises statutory receivables as follows:

- if the transaction is an exchange transaction, using the policy on Revenue from exchange transactions;
- if the transaction is a non-exchange transaction, using the policy on Revenue from non-exchange transactions (Taxes and transfers); or
- if the transaction is not within the scope of the policies listed in the above or another Standard of GRAP, the receivable is recognised when the definition of an asset is met and, when it is probable that the future economic benefits or service potential associated with the asset will flow to the entity and the transaction amount can be measured reliably.

Initial measurement

The municipality initially measures statutory receivables at their transaction amount.

Subsequent measurement

The municipality measures statutory receivables after initial recognition using the cost method. Under the cost method, the initial measurement of the receivable is changed subsequent to initial recognition to reflect any:

- interest or other charges that may have accrued on the receivable (where applicable);
- impairment losses; and
- amounts derecognised.

Accrued interest

Where the municipality levies interest on the outstanding balance of statutory receivables, it adjusts the transaction amount after initial recognition to reflect any accrued interest. Accrued interest is calculated using the nominal interest rate.

Interest on statutory receivables is recognised as revenue in accordance with the policy on Revenue from exchange transactions or the policy on Revenue from non-exchange transactions (Taxes and transfers), whichever is applicable.

Other charges

Where the municipality is required or entitled in terms of legislation, supporting regulations, by-laws or similar means to levy additional charges on overdue or unpaid amounts, and such charges are levied, the entity applies the principles as stated in "Accrued interest" above, as well as the relevant policy on Revenue from exchange transactions or the policy on Revenue from non-exchange transactions (Taxes and transfers).

Impairment losses

The municipality assesses at each reporting date whether there is any indication that a statutory receivable, or a group of statutory receivables, may be impaired.

In assessing whether there is any indication that a statutory receivable, or group of statutory receivables, may be impaired, the municipality considers, as a minimum, the following indicators:

- Significant financial difficulty of the debtor, which may be evidenced by an application for debt counselling, business rescue or an equivalent.
- It is probable that the debtor will enter sequestration, liquidation or other financial re-organisation.
- A breach of the terms of the transaction, such as default or delinquency in principal or interest payments (where levied).
- Adverse changes in international, national or local economic conditions, such as a decline in growth, an increase in debt levels and unemployment, or changes in migration rates and patterns.

Accounting Policies

1.21 Statutory receivables (continued)

If there is an indication that a statutory receivable, or a group of statutory receivables, may be impaired, the municipality measures the impairment loss as the difference between the estimated future cash flows and the carrying amount. Where the carrying amount is higher than the estimated future cash flows, the carrying amount of the statutory receivable, or group of statutory receivables, is reduced, either directly or through the use of an allowance account. The amount of the losses is recognised in surplus or deficit.

In estimating the future cash flows, an municipality considers both the amount and timing of the cash flows that it will receive in future. Consequently, where the effect of the time value of money is material, the entity discounts the estimated future cash flows using a rate that reflects the current risk-free rate and, if applicable, any risks specific to the statutory receivable, or group of statutory receivables, for which the future cash flow estimates have not been adjusted.

An impairment loss recognised in prior periods for a statutory receivable is revised if there has been a change in the estimates used since the last impairment loss was recognised, or to reflect the effect of discounting the estimated cash flows.

Any previously recognised impairment loss is adjusted either directly or by adjusting the allowance account. The adjustment does not result in the carrying amount of the statutory receivable or group of statutory receivables exceeding what the carrying amount of the receivable(s) would have been had the impairment loss not been recognised at the date the impairment is revised. The amount of any adjustment is recognised in surplus or deficit.

Derecognition

The municipality derecognises a statutory receivable, or a part thereof, when:

- the rights to the cash flows from the receivable are settled, expire or are waived;
- the municipality transfers to another party substantially all of the risks and rewards of ownership of the receivable; or
- the municipality, despite having retained some significant risks and rewards of ownership of the receivable, has transferred control of the receivable to another party and the other party has the practical ability to sell the receivable in its entirety to an unrelated third party, and is able to exercise that ability unilaterally and without needing to impose additional restrictions on the transfer. In this case, the entity:
  - derecognise the receivable; and
  - recognise separately any rights and obligations created or retained in the transfer.

The carrying amounts of any statutory receivables transferred are allocated between the rights or obligations retained and those transferred on the basis of their relative fair values at the transfer date. The entity considers whether any newly created rights and obligations are within the scope of the Standard of GRAP on Financial Instruments or another Standard of GRAP. Any difference between the consideration received and the amounts derecognised and, those amounts recognised, are recognised in surplus or deficit in the period of the transfer.

1.22 Accounting by principals and agents

Identification

An agent is an entity that has been directed by another entity (a principal), through a binding arrangement, to undertake transactions with third parties on behalf of the principal and for the benefit of the principal.

A principal is an entity that directs another entity (an agent), through a binding arrangement, to undertake transactions with third parties on its behalf and for its own benefit.

A principal-agent arrangement results from a binding arrangement in which one entity (an agent), undertakes transactions with third parties on behalf, and for the benefit of, another entity (the principal).

Identifying whether an entity is a principal or an agent

When the municipality is party to a principal-agent arrangement, it assesses whether it is the principal or the agent in accounting for revenue, expenses, assets and/or liabilities that result from transactions with third parties undertaken in terms of the arrangement.

The assessment of whether a municipality is a principal or an agent requires the municipality to assess whether the transactions it undertakes with third parties are for the benefit of another entity or for its own benefit.

Accounting Policies

1.22 Accounting by principals and agents (continued)

Binding arrangement

The municipality assesses whether it is an agent or a principal by assessing the rights and obligations of the various parties established in the binding arrangement.

Where the terms of a binding arrangement are modified, the parties to the arrangement re-assess whether they act as a principal or an agent.

Assessing which entity benefits from the transactions with third parties

When the municipality in a principal-agent arrangement concludes that it undertakes transactions with third parties for the benefit of another entity, then it is the agent. If the municipality concludes that it is not the agent, then it is the principal in the transactions.

The municipality is an agent when, in relation to transactions with third parties, all three of the following criteria are present:

- It does not have the power to determine the significant terms and conditions of the transaction.
- It does not have the ability to use all, or substantially all, of the resources that result from the transaction for its own benefit.
- It is not exposed to variability in the results of the transaction.

Where the municipality has been granted specific powers in terms of legislation to direct the terms and conditions of particular transactions, it is not required to consider the criteria of whether it does not have the power to determine the significant terms and conditions of the transaction, to conclude that is an agent. The municipality applies judgement in determining whether such powers exist and whether they are relevant in assessing whether the municipality is an agent.

Recognition

The municipality, as a principal, recognises revenue and expenses that arise from transactions with third parties in a principal-agent arrangement in accordance with the requirements of the relevant Standards of GRAP.

The municipality, as an agent, recognises only that portion of the revenue and expenses it receives or incurs in executing the transactions on behalf of the principal in accordance with the requirements of the relevant Standards of GRAP.

The municipality recognises assets and liabilities arising from principal-agent arrangements in accordance with the requirements of the relevant Standards of GRAP.

1.23 Borrowing costs

Borrowing costs are interest and other expenses incurred by an entity in connection with the borrowing of funds.

Borrowing costs are recognised as an expense in the period in which they are incurred.

1.24 Comparative figures

Where necessary, comparative figures have been reclassified to conform to changes in presentation in the current year. Refer to note 60 for detail.

1.25 Unauthorised expenditure

Unauthorised expenditure means:

- overspending of a vote or a main division within a vote; and
- expenditure not in accordance with the purpose of a vote or, in the case of a main division, not in accordance with the purpose of the main division.

All expenditure relating to unauthorised expenditure is recognised as an expense in the statement of financial performance in the year that the expenditure was incurred. The expenditure is classified in accordance with the nature of the expense, and where recovered, it is subsequently accounted for as revenue in the statement of financial performance.

Accounting Policies

1.26 Fruitless and wasteful expenditure

Fruitless expenditure means expenditure which was made in vain and would have been avoided had reasonable care been exercised.

All expenditure relating to fruitless and wasteful expenditure is recognised as an expense in the statement of financial performance in the year that the expenditure was incurred. The expenditure is classified in accordance with the nature of the expense, and where recovered, it is subsequently accounted for as revenue in the statement of financial performance.

1.27 Irregular expenditure

Irregular expenditure is expenditure that is contrary to the Municipal Finance Management Act (Act No.56 of 2003), the Municipal Systems Act (Act No.32 of 2000), and the Public Office Bearers Act (Act No. 20 of 1998) or is in contravention of the economic entity's supply chain management policy. Irregular expenditure excludes unauthorised expenditure.

All expenditure relating to irregular expenditure is recognised as an expense in the statement of financial performance in the year that the expenditure was incurred. The expenditure is classified in accordance with the nature of the expense, and where recovered, it is subsequently accounted for as revenue in the statement of financial performance.

1.28 Related parties

A related party is a person or an entity with the ability to control or jointly control the other party, or exercise significant influence over the other party, or vice versa, or an entity that is subject to common control, or joint control.

Control is the power to govern the financial and operating policies of an entity so as to obtain benefits from its activities.

Joint control is the agreed sharing of control over an activity by a binding arrangement, and exists only when the strategic financial and operating decisions relating to the activity require the unanimous consent of the parties sharing control (the venturers).

Related party transaction is a transfer of resources, services or obligations between the reporting entity and a related party, regardless of whether a price is charged.

Significant influence is the power to participate in the financial and operating policy decisions of an entity, but is not control over those policies.

Management are those persons responsible for planning, directing and controlling the activities of the municipality, including those charged with the governance of the municipality in accordance with legislation, in instances where they are required to perform such functions.

Close members of the family of a person are those family members who may be expected to influence, or be influenced by that person in their dealings with the municipality.

The municipality is exempt from disclosure requirements in relation to related party transactions if that transaction occurs within normal supplier and/or client/recipient relationships on terms and conditions no more or less favourable than those which it is reasonable to expect the municipality to have adopted if dealing with that individual entity or person in the same circumstances and terms and conditions are within the normal operating parameters established by that reporting entity's legal mandate.

Where the municipality is exempt from the disclosures in accordance with the above, the municipality discloses narrative information about the nature of the transactions and the related outstanding balances, to enable users of the entity's financial statements to understand the effect of related party transactions on its unaudited annual financial statements.

1.29 Changes in accounting policies, estimates and errors

Changes in accounting policies that are affected by management have been applied retrospectively in accordance with GRAP 3 requirements, except to the extent that it is impracticable to determine the period-specific effects or the cumulative effect of the change in policy. In such cases the municipality shall restate the opening balances of assets, liabilities and net assets for the earliest period for which retrospective restatement is practicable.

Changes in accounting estimates are applied prospectively in accordance with GRAP 3 requirements. Details of changes in estimates are disclosed in the notes to the annual financial statements where applicable.

Accounting Policies

1.29 Changes in accounting policies, estimates and errors (continued)

Correction of errors is applied retrospectively in the period in which the error has occurred in accordance with GRAP 3 requirements, except to the extent that it is impracticable to determine the period-specific effects or the cumulative effect of the error. In such cases the municipality shall restate the opening balances of assets, liabilities and net assets for the earliest period for which retrospective restatement is practicable.

1.30 Commitments

Items are classified as commitments when an entity has committed itself to future transactions that will normally result in the outflow of cash.

Disclosures are required in respect of unrecognised contractual commitments.

Commitments are not recognised in the statement of financial position as a liability, but are included in the disclosure notes in the following cases:

- approved and contracted commitments;
- where the expenditure has been approved and the contract has been awarded at the reporting date; and
- where disclosure is required by a specific standard of GRAP.

1.31 Value Added Tax

The municipality accounts for Value Added Tax on the cash (receipt) basis.

1.32 Budget information

The approved budget is prepared on a accrual basis and presented by economic classification linked to performance outcome objectives.

The approved budget covers the fiscal period from 2019/07/01 to 2020/06/30.

The unaudited annual financial statements and the budget are on the same basis of accounting therefore a comparison with the budgeted amounts for the reporting period have been included in the Statement of comparison of budget and actual amounts.

1.33 Events after reporting date

Events after reporting date are those events, both favourable and unfavourable, that occur between the reporting date and the date when the financial statements are authorised for issue. Two types of events can be identified:

- those that provide evidence of conditions that existed at the reporting date (adjusting events after the reporting date); and
- those that are indicative of conditions that arose after the reporting date (non-adjusting events after the reporting date).

The municipality will adjust the amount recognised in the financial statements to reflect adjusting events after the reporting date once the event occurred.

The municipality will disclose the nature of the event and an estimate of its financial effect or a statement that such estimate cannot be made in respect of all material non-adjusting events, where non-disclosure could influence the economic decisions of users taken on the basis of the financial statements.

1.34 Construction contracts and receivables

Construction contract is a contract, or a similar binding arrangement, specifically negotiated for the construction of an asset or a combination of assets that are closely interrelated or interdependent in terms of their design, technology and function or their ultimate purpose or use.

Contractor is an entity that performs construction work pursuant to a construction contract.

A contractor is an entity that enters into a contract to build structures, construct facilities, produce goods, or render services to the specifications of another entity either itself or through the use of sub-contractors. The term “contractor” thus includes a general or prime contractor, a subcontractor to a general contractor, or a construction manager.

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

2. New standards and interpretations

2.1 Standards and Interpretations early adopted

The municipality has not early adopted any GRAP standard that is not effective.

2.2 Standards and interpretations issued, but not yet effective

The municipality has not applied the following standards and interpretations, which have been published and are mandatory for the municipality's accounting periods beginning on or after 01 July 2020 or later periods:

Standard/ Interpretation:	Effective date: Years beginning on or after	Expected impact:
• GRAP 34: Separate Financial Statements	01 April 2020	Unlikely there will be a material impact
• GRAP 35: Consolidated Financial Statements	01 April 2020	Unlikely there will be a material impact
• GRAP 36: Investments in Associates and Joint Ventures	01 April 2020	Unlikely there will be a material impact
• GRAP 37: Joint Arrangements	01 April 2020	Unlikely there will be a material impact
• GRAP 38: Disclosure of Interests in Other Entities	01 April 2020	Unlikely there will be a material impact
• GRAP 110 (as amended 2016): Living and Non-living Resources	01 April 2020	Unlikely there will be a material impact
• GRAP 18 (as amended 2016): Segment Reporting	01 April 2020	Not expected to impact results but may result in additional disclosure

3. Cash and cash equivalents

Cash and cash equivalents consist of:

Cash on hand	14 220	19 220
Bank balances	21 452 795	169 368 979
Call accounts	89 236 885	-
Lamotte Trust	435 848	-
Trust and charitable bank	62 097	102 334
	111 201 845	**169 490 533**

Call accounts

ABSA	20 978 744	-
Nedbank	46 299 984	-
Standard bank	21 958 157	-
	89 236 885	**-**

Included in the call account with Nedbank is an amount of R46 224 000 that is held as a guarantee for a property purchase.

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

3. Cash and cash equivalents (continued)

The municipality had the following bank accounts

Account number / description	Bank statement balances			Cash book balances		
	30 June 2020	30 June 2019	30 June 2018	30 June 2020	30 June 2019	30 June 2018
Nedbank - primary account	45 327 087	167 107 031	10 498 115	21 888 643	169 368 979	10 250 972
ABSA bank - current account	1 260 126	1 277 273	1 569 981	-	-	-
Charitable fund	72 097	112 334	22 275	62 097	102 334	22 275
Total	**46 659 310**	**168 496 638**	**12 090 371**	**21 950 740**	**169 471 313**	**10 273 247**

The external loan amount of R 3 737 163 is an restriction on cash and cash equivalents.

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

4. Short term investments

Short term investments		
Fixed deposits	306 637 342	398 163 664

Short term investments include all other investments for a period of 1-12 months that are not included in cash and cash equivalents. The interest rates for these investments range between 7.650% (2months) and 9.050% (12months)

Short term investments consists of the following:

FNB - Investments		
Opening balance	-	203 467 342
Interest accrued	-	4 432 932
Withdrawals	-	(207 900 274)
Closing balance	**-**	**-**
Nedbank - Investments		
Opening balance	286 762 972	210 391 013
Deposits	356 656 567	330 000 000
Interest accrued	17 254 545	21 685 132
Withdrawals	(537 530 249)	(275 313 173)
Closing balance	**123 143 835**	**286 762 972**
Standard Bank - Investments		
Opening balance	50 362 773	102 156 301
Deposits	411 309 291	170 000 000
Interest accrued	12 993 844	5 757 167
Withdrawals	(392 583 717)	(227 550 695)
Closing balance	**82 082 191**	**50 362 773**
Investec - Investments		
Opening balance	61 037 918	-
Deposits	-	260 000 000
Interest accrued	101 260	4 880 932
Withdrawals	(61 139 178)	(203 843 014)
Closing balance	**-**	**61 037 918**
ABSA - Investments		
Deposits	179 021 256	160 000 000
Interest accrued	2 632 114	1 298 756
Withdrawals	(80 242 055)	(161 298 756)
Closing balance	**101 411 315**	**-**

5. Receivables from exchange transactions

Gross balances		
Electricity	46 755 366	40 181 151
Water	92 074 315	84 298 215
Sewerage	28 652 488	23 192 540
Refuse	26 315 014	22 876 061
Housing rental	27 194 339	27 274 194
Sundry	9 528 432	9 863 657
Electricity accrual	13 552 722	67 102 118
Water accrual	18 398 153	15 522 807
	262 470 829	**290 310 743**

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

5. Receivables from exchange transactions (continued)

Less: Allowance for impairment		
Electricity	(9 022 236)	(5 981 186)
Water	(70 800 550)	(66 846 818)
Sewerage	(17 196 507)	(16 152 217)
Refuse	(19 767 391)	(18 354 951)
Housing rental	(25 919 228)	(26 523 545)
Sundry	(8 697 371)	(8 947 653)
	(151 403 283)	**(142 806 370)**
Net balance		
Electricity	37 733 130	34 199 965
Water	21 273 765	17 451 397
Sewerage	11 455 981	7 040 323
Refuse	6 547 623	4 521 110
Electricity accrual	13 552 722	67 102 118
Water accrual	18 398 153	15 522 807
Housing rental	1 275 111	750 649
Sundry	831 061	916 004
	111 067 546	**147 504 373**
Electricity		
Current (0 -30 days)	35 776 566	32 624 115
31 - 60 days	1 854 127	1 148 130
61 - 90 days	968 501	639 783
91 - 120 days	474 067	277 050
121 - 365 days	2 608 777	1 066 801
> 365 days	5 073 328	4 425 272
	46 755 366	**40 181 151**
Water		
Current (0 -30 days)	18 388 855	13 810 713
31 - 60 days	4 470 012	3 070 258
61 - 90 days	4 197 477	2 208 391
91 - 120 days	2 965 459	2 171 375
121 - 365 days	9 205 500	18 687 754
> 365 days	52 847 012	44 349 724
	92 074 315	**84 298 215**
Sewerage		
Current (0 -30 days)	7 739 092	5 807 634
31 - 60 days	1 443 192	483 993
61 - 90 days	1 135 486	435 064
91 - 120 days	1 475 198	374 823
121 - 365 days	2 545 553	3 100 555
> 365 days	14 313 967	12 990 471
	28 652 488	**23 192 540**

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

5. Receivables from exchange transactions (continued)

Refuse		
Current (0 -30 days)	5 284 928	3 383 765
31 - 60 days	754 343	498 839
61 - 90 days	609 919	389 466
91 - 120 days	428 716	372 158
121 - 365 days	3 084 599	3 402 793
> 365 days	16 152 509	14 829 040
	26 315 014	**22 876 061**
Electricity accrual		
Current (0 -30 days)	13 552 722	67 102 118
Water accrual		
Current (0 -30 days)	18 398 153	15 522 807
Housing rental		
Current (0 -30 days)	504 690	259 533
31 - 60 days	167 935	143 963
61 - 90 days	1 016 980	135 487
91 - 120 days	121 477	1 016 963
121 - 365 days	628 666	937 822
> 365 days	24 754 591	24 780 426
	27 194 339	**27 274 194**
Sundry		
Current (0 -30 days)	497 945	685 070
31 - 60 days	79 498	132 050
61 - 90 days	166 344	145 872
91 - 120 days	268 495	115 192
121 - 365 days	970 687	614 853
> 365 days	7 545 463	8 170 620
	9 528 432	**9 863 657**
Reconciliation of allowance for impairment		
Balance at beginning of the year	(142 806 370)	(121 985 735)
Contributions to allowance	(8 596 913)	(20 820 635)
	(151 403 283)	**(142 806 370)**

Receivables from exchange transactions past due but not impaired

The Council regards receivables from exchange transactions to be due for outstanding amounts more than 30 days to be past due.

Debtors to the amount of R16 million have been ceded to the Development Bank of Southern Africa in providing security for a loan raised from them.

The water and electricity accrual is in respect of consumption between the last meter reading date and the reporting date, an accrual is made based on the average monthly consumption of consumers. The estimate of the consumption are being recorded as revenue without being invoiced.

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

5. Receivables from exchange transactions (continued)

Government debt as at 30 June 2020

Department responsible for debt	Services	Interest	Sundry	Total
Nat. dept of Public Works	3 918 892	81 029	11 497	4 011 418
Prov. dept of Transport and Public Works	19 298	541	550	20 389
Western Cape Education department	1 339 795	449	399	1 340 643
Department of Health	337 406	-	-	337 406
Dept of local government and housing	8 672	859	918	10 449
Other government departments	10 852	72	201	11 125
	5 634 915	**82 950**	**13 565**	**5 731 430**

Consumer debtors past due but not impaired

Consumer debtors which are more than 30 days past due but not impaired. At 30 June 2020, R 14 062 800 (2019: R 6 713 380) were past due but not impaired.

The ageing of amounts past due but not impaired is as follows:

2020	31-60 days	61-90 days	91-120 days	121-365 days	>365 days	Total
Electricity	949 267	537 786	209 660	327 155	88 701	2 112 569
Water	1 362 418	1 000 805	623 436	905 428	1 452 310	5 344 397
Sewerage	703 193	799 582	1 191 547	356 872	658 353	3 709 547
Refuse	307 193	199 527	97 200	370 113	621 305	1 595 338
Housing rental	44 456	767 264	19 141	32 237	76 992	940 090
Sundry	42 551	50 315	64 027	89 185	114 781	360 859
	3 409 078	**3 355 279**	**2 205 011**	**2 080 990**	**3 012 442**	**14 062 800**

2019	31-60 days	61-90 days	91-120 days	121-365 days	>365 days	Total
Electricity	429 510	100 721	63 293	206 123	139 000	938 647
Water	557 643	308 579	225 389	1 375 192	884 864	3 351 667
Sewerage	172 159	115 625	63 333	258 502	307 537	917 156
Refuse	124 433	68 557	52 974	237 042	309 063	792 069
Housing rental	29 621	18 130	277 371	72 463	93 533	491 118
Sundry	35 012	27 577	23 419	56 661	80 054	222 723
	1 348 378	**639 189**	**705 779**	**2 205 983**	**1 814 051**	**6 713 380**

6. Receivables from non-exchange transactions

Grant receivables represent funding that Council is awaiting from external institutions for capital expenditure incurred and claimed, but not yet received at year-end.

The average credit period for capital receivables is dependent on the government department involved and the nature of the claim. No interest is charged on outstanding capital receivables. The subsidies are payable to the municipality resulting from allocations made in the DORA or based on agreements between the municipality and the relevant departments.

Gross balances		
Grant receivables	18 301 323	15 297 872
Fines	160 924 858	178 242 746
Property rates	44 671 127	39 148 816
Other receivables	938 577	808 210
	224 835 885	**233 497 644**

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019
6. Receivables from non-exchange transactions (continued)		
Less: Allowance for impairment		
Fines	(127 937 315)	(142 321 642)
Property rates	(25 414 532)	(25 209 343)
	(153 351 847)	**(167 530 985)**
Net balance		
Grant receivables	18 301 323	15 297 872
Fines	32 987 543	35 921 104
Property rates	19 256 595	13 939 473
Other receivables	938 577	808 210
	71 484 038	**65 966 659**
Statutory receivables included in receivables from non-exchange transactions above are as follows:		
Property rates	19 256 595	13 939 473
Fines	32 987 543	35 921 104
	52 244 138	**49 860 577**
Financial asset receivables included in receivables from non-exchange transactions above	**19 239 900**	**16 106 082**
Total receivables from non-exchange transactions	71 484 038	65 966 659
Fines		
Current (0 -30 days)	6 213 085	16 915 892
31 - 60 days	9 319 628	12 135 462
61 - 90 days	10 393 840	11 927 257
91 - 120 days	6 997 599	8 029 964
121 - 365 days	37 278 511	61 530 102
> 365 days	90 722 195	67 704 069
	160 924 858	**178 242 746**
Grant receivable		
Current (0 -30 days)	5 012 756	12 119 045
121 - 365 days	9 549 740	-
> 365 days	3 738 827	3 178 827
	18 301 323	**15 297 872**
Property rates		
Current (0 -30 days)	19 890 575	16 047 171
31 - 60 days	2 397 437	978 421
61 - 90 days	1 230 845	535 796
91 - 120 days	707 787	539 047
121 - 365 days	5 109 347	5 178 110
> 365 days	15 335 136	15 870 271
	44 671 127	**39 148 816**
Other receivables from non-exchange revenue		
Current (0 -30 days)	-	56 000
> 365 days	938 577	752 210
	938 577	**808 210**

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

6. Receivables from non-exchange transactions (continued)

Reconciliation of allowance for impairment for Statutory receivables

Balance at beginning of the year	(167 530 985)	(164 256 148)
Contributions to allowance	14 179 138	(3 274 837)
	(153 351 847)	**(167 530 985)**

As at 30 June 2020, Statutory Receivables of R4 109 614 (2019: R1 764 383) were past due but not impaired.

2020	**31-60 days**	**61-90 days**	**91-120 days**	**121-365 days**	**>365 days**	**Total**
Property rates	1 559 532	576 868	243 640	719 761	1 009 812	4 109 614

2019	**31-60 days**	**61-90 days**	**91-120 days**	**121-365 days**	**>365 days**	**Total**
Property rates	434 142	165 413	132 038	576 796	455 994	1 764 383

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

6. Receivables from non-exchange transactions (continued)

Statutory receivables general information

Transaction(s) arising from statute

Property rates related transactions arise in terms of the Municpal Property Rates Act, 6 of 2004, Municipal Finance Management Act, 56 of 2003, as well as the Property Rates Policy of the municipality approved by Council as part of the Budget Process.

Traffic fines arise from the National Road Traffic Act 93 of 1996, National Road Traffic Regulations 2000, National Land Transport Act 5 of 2009 and Criminal Procedure Act 51 of 1971. Prosecutor performs prosecutorial functions in terms of a general delegation awarded by the National Prosecuting Authority and is subject to the control of the Control Prosecutor at the Magistrate's Court in Stellenbosch.

VAT transactions arise from the Value Added Tax Act 89 of 1991. VAT is an indirect tax on the consumption of goods and services in the economy. VAT is levied on all goods and services subject to certain exemptions, exceptions, deductions and adjustments provided for in the Value Added Tax Act 89 of 1991.

Determination of transaction amount

Property rates transaction amounts are determined in line with the Annual Tariff List of the municipality approved by Council as part of the Budget Process in terms of the Municipal Finance Management Act, 56 of 2003.

The municipality makes use of estimates to determine the amount of revenue that it is entitled to collect. Where settlement discounts or reductions in the amount payable are offered, the municipality considers past history in assessing the likelihood of these discounts or reductions being taken up by receivables.

VAT transactions amounts are determined in line with the Value Added Tax Act 89 of 1991. VAT increased from 14% to 15% from 1 April 2018.

Interest or other charges levied/charged

Interest or other charges levied on Property rates balances are in line with the Annual Tariff List of the municipality approved by Council as part of the Budget Process in terms of the Municipal Finance Management Act, 56 of 2003.
"Interest" means a charge levied, on all arear accounts calculated at an interest rate which is one percent higher than the prime interest rate.

Traffic fines: Additional charges includes contempt of court fees / warrant of arrest fee determined in terms of the Criminal Procedure Act.

The rates and interest charges are determined by the Value Added Tax Act 89 of 1991.

Basis used to assess and test whether a statutory receivable is impaired

The basis used to assess Property Rates receivables is to look at the extent to which debtors on an individual basis defaulted on payments already due and an assessment of their ability to make payments based on their historical collection trend.

The basis used to assess Traffic fine receivables is to look at the extent to which debtors per group of fines (Municipal fines, Provincial fines) defaulted on payments already due and an assessment of their ability to make payments based on their historical collection trend.

No impairment on VAT Receivable, balance expected to be fully recoverable.

Discount rate applied to the estimated future cash flows

Interest is calculated using the nominal interest rate as stipulated in the municipal by-laws (Prime plus 1%). This rate is also considered an appropriate discount rate.

Main events and circumstances that led to the recognition or reversal of impairment losses on statutory receivables

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

6. Receivables from non-exchange transactions (continued)

Significant impairment losses recognised or reversed

Property Rates: Impairment Recognised: The national lockdown resulted in many employers and employees not being able to generate sufficient income to pay their municipal accounts for April to June 2020.

Traffic Fines: Impairment Recognised: Annually the outstanding receivables are assessed in terms of the value of fines issued in comparison to the receipts generated from such fines. The remaining balance is considered recoverable based on this payment percentage.

7. Other receivables from exchange transactions

Prepayments	3 651 254	5 879 933
Deposits	1 589 255	1 182 720
Construction receivable	5 317 560	-
Public safety account	949 296	949 296
Special rating area debtor	444 588	337 827
Other receivable	1 259 053	7 104 935
Parking debtor	1 265 814	455 256
	14 476 820	**15 909 967**
Non-current assets	1 589 255	1 182 720
Current assets	12 887 565	14 727 247
	14 476 820	**15 909 967**

8. Inventories

Consumable stores	2 054 125	6 586 601
Maintenance materials	34 518 310	29 561 982
Water for distribution	1 805 053	1 896 630
Land inventory	14 146 828	14 262 729
Housing inventory	11 550 000	12 250 000
	64 074 316	**64 557 942**
Inventories recognised as an expense during the year	32 432 482	25 087 435

The amount of inventory reversed/ (written down) is R709 539 (2019: (R4 061 381)) and is recognised as an expense and a reduction in the carrying value of inventories. The circumstances relating to the write down is as a result of stock adjustments and shortages on general stock items as reported and approved accordingly.

No inventories were pledged as securities.

The comparative amounts were restated. Refer to note 61

9. VAT receivable

VAT	30 285 689	48 168 490

The municipality is registered for VAT on the payment/ cash basis.

VAT meets the definition of a statutory receivable as per the accounting policy. For statutory receivable information regarding VAT refer to note 6.

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

10. Property, plant and equipment

	2020			2019		
	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value
Capital restoration asset	13 510 984	(6 914 475)	6 596 509	11 141 169	331 285	11 472 454
Community assets	103 913 751	(15 768 421)	88 145 330	90 216 296	(12 466 626)	77 749 670
Computer equipment	57 228 268	(32 713 154)	24 515 114	46 821 941	(25 745 874)	21 076 067
Electrical infrastructure	1 310 228 437	(378 145 526)	932 082 911	1 275 773 390	(344 976 315)	930 797 075
Furniture and office equipment	44 292 344	(30 208 893)	14 083 451	41 602 672	(26 457 951)	15 144 721
Information and communication infrastructure	3 945 508	(2 301 090)	1 644 418	3 210 627	(1 870 556)	1 340 071
Land	483 845 564	(27 052 477)	456 793 087	422 899 301	(27 052 477)	395 846 824
Machinery and equipment	107 257 761	(49 955 747)	57 302 014	95 622 270	(43 783 517)	51 838 753
Other property, plant and equipment	508 334 507	(87 597 065)	420 737 442	490 940 067	(77 741 491)	413 198 576
Roads infrastructure	1 160 102 630	(389 089 524)	771 013 106	1 095 592 517	(342 206 402)	753 386 115
Solid waste infrastructure	66 399 111	(14 997 342)	51 401 769	44 321 124	(13 402 399)	30 918 725
Stormwater infrastructure	62 517 401	(45 958 182)	16 559 219	62 687 324	(46 229 048)	16 458 276
Transport assets	153 679 863	(56 880 434)	96 799 429	123 761 657	(47 250 549)	76 511 108
Wastewater network	1 088 234 167	(170 631 081)	917 603 086	1 007 541 993	(143 245 323)	864 296 670
Water supply infrastructure	1 769 425 922	(380 016 229)	1 389 409 693	1 717 548 936	(344 858 949)	1 372 689 987
Total	**6 932 916 218**	**(1 688 229 640)**	**5 244 686 578**	**6 529 681 284**	**(1 496 956 192)**	**5 032 725 092**

Notes to the Unaudited Annual Financial Statements

Figures in Rand

10. Property, plant and equipment (continued)

Reconciliation of property, plant and equipment - 2020

	Opening balance	Additions	Transfers	Other changes, movements	Depreciation	Impairment loss	Total
Land	395 846 824	60 946 263	-	-	-	-	456 793 087
Machinery and equipment	51 838 753	11 635 491	-	-	(6 172 230)	-	57 302 014
Furniture and office equipment	15 144 721	2 695 605	-	-	(3 756 761)	(114)	14 083 451
Transport assets	76 511 108	30 204 426	-	-	(9 844 550)	(71 555)	96 799 429
Computer equipment	21 076 067	10 406 328	-	-	(6 967 281)	-	24 515 114
Community assets	77 749 670	13 697 455	-	-	(3 301 795)	-	88 145 330
Other property, plant and equipment	413 198 576	17 394 439	-	-	(9 855 573)	-	420 737 442
Capital restoration asset	11 472 454	-	-	2 369 815	(7 245 760)	-	6 596 509
Electrical infrastructure	930 797 075	34 668 146	(1 634 778)	-	(31 747 463)	(69)	932 082 911
Water supply infrastructure	1 372 689 987	55 207 828	128 532	-	(38 616 654)	-	1 389 409 693
Solid waste infrastructure	30 918 725	22 077 986	-	-	(1 594 942)	-	51 401 769
Roads infrastructure	753 386 115	64 510 114	-	-	(46 883 123)	-	771 013 106
Information and communication infrastructure	1 340 071	734 880	-	-	(430 533)	-	1 644 418
Wastewater network	864 296 670	80 753 967	-	-	(27 447 314)	(237)	917 603 086
Stormwater infrastructure	16 458 276	834 783	-	-	(732 838)	(1 002)	16 559 219
	5 032 725 092	**405 767 711**	**(1 506 246)**	**2 369 815**	**(194 596 817)**	**(72 977)**	**5 244 686 578**

Notes to the Unaudited Annual Financial Statements

Figures in Rand

10. Property, plant and equipment (continued)

Reconciliation of property, plant and equipment - 2019

	Opening balance	Additions	Disposals	Depreciation	Impairment loss	Total
Land	395 846 824	-	-	-	-	395 846 824
Machinery and equipment	51 945 052	9 171 765	(1 546 065)	(7 731 999)	-	51 838 753
Furniture and office equipment	14 236 022	5 871 835	(597 600)	(4 365 536)	-	15 144 721
Transport assets	78 127 660	11 615 258	(2 482 307)	(9 260 221)	(1 489 282)	76 511 108
Computer equipment	21 579 280	7 801 310	(1 182 552)	(7 121 971)	-	21 076 067
Community assets	69 045 080	11 645 620	(36 222)	(2 904 808)	-	77 749 670
Other property, plant and equipment	335 739 527	87 218 129	(1 022 318)	(8 736 762)	-	413 198 576
Capital restoration asset	902 466	11 141 169	-	(571 181)	-	11 472 454
Electrical infrastructure	879 589 212	86 468 273	-	(35 260 410)	-	930 797 075
Water supply infrastructure	1 351 633 801	59 960 927	(465)	(38 718 334)	(185 942)	1 372 689 987
Solid waste infrastructure	31 780 973	728 316	-	(1 590 564)	-	30 918 725
Roads infrastructure	724 717 523	74 178 868	-	(45 510 276)	-	753 386 115
Information and communication infrastructure	705 637	907 873	(9 891)	(263 548)	-	1 340 071
Wastewater network	773 518 714	119 400 732	(151 229)	(28 440 859)	(30 688)	864 296 670
Stormwater infrastructure	15 850 555	1 815 643	-	(1 207 922)	-	16 458 276
	4 745 218 326	**487 925 718**	**(7 028 649)**	**(191 684 391)**	**(1 705 912)**	**5 032 725 092**

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

10. Property, plant and equipment (continued)

Work in progress

Community assets	15 666 098	10 178 755
Electrical infrastructure	148 532 720	121 819 635
Furniture and office equipment	-	217 315
Roads infrastructure	91 545 608	50 556 698
Stormwater infrastructure	1 669 565	834 783
Solid waste infrastructure	25 676 215	4 138 445
Sanitation infrastructure	171 079 963	86 577 738
Water infrastructure	142 694 382	100 454 478
Machinery and equipment	157 653	744 489
Other property, plant and equipment	95 081 840	86 743 406
	692 104 044	**462 265 742**

The comparative amounts were restated. Refer to note 61.26

Expenditure incurred to repair and maintain property, plant and equipment

Expenditure incurred to repair and maintain property, plant and equipment included in Statement of Financial Performance		
Community assets	8 147 815	6 409 076
Electrical infrastructure	1 230 754	7 790 204
Furniture and office equipment	9 461 229	10 066 464
Other property, plant and equipment	532 552	6 737 392
Roads infrastructure	8 007 709	3 862 340
Sanitation infrastructure	1 951 783	5 186 700
Solid waste infratructure	1 125 464	530 467
Stormwater infrastructure	11 762 052	4 621 149
Transport assets	15 634 122	9 630 001
Water supply infrastructure	438 915	6 089 595
	58 292 395	**60 923 388**

A register containing the information required by section 63 of the Municipal Finance Management Act is available for inspection at the registered office of the municipality.

Stellenbosch Municipality
Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

11. Investment property

	2020			2019		
	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value
Investment property	424 977 732	(12 463 316)	412 514 416	424 977 732	(12 210 729)	412 767 003

Reconciliation of investment property - 2020

	Opening balance	Additions	Depreciation	Total
Investment property	412 767 003	-	(252 587)	412 514 416

Reconciliation of investment property - 2019

	Opening balance	Additions	Depreciation	Total
Investment property	413 018 897	-	(251 894)	412 767 003

A register containing the information required by section 63 of the Municipal Finance Management Act is available for inspection at the registered office of the municipality.

Amounts recognised in surplus or deficit

Rental revenue from Investment property	8 756 326	9 018 353

The comparative amounts were restated. Refer to note 61.7.

Notes to the Unaudited Annual Financial Statements

Figures in Rand

12. Intangible assets

	2020			2019		
	Cost / Valuation	Accumulated amortisation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated amortisation and accumulated impairment	Carrying value
Computer software	18 985 754	(9 291 580)	9 694 174	18 822 554	(6 866 104)	11 956 450

Reconciliation of intangible assets - 2020

	Opening balance	Additions	Amortisation	Total
Computer software	11 956 450	163 200	(2 425 476)	9 694 174

Reconciliation of intangible assets - 2019

	Opening balance	Additions	Amortisation	Total
Computer software	8 430 823	5 377 971	(1 852 344)	11 956 450

13. Biological assets that form part of an agricultural activity

	2020			2019		
	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value
Trees in timber plantation - Consumable	6 321 448	-	6 321 448	6 321 448	-	6 321 448

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

13. Biological assets that form part of an agricultural activity (continued)

Reconciliation of biological assets that form part of an agricultural activity - 2020

	Opening balance	Total
Trees in timber plantation - Consumable	6 321 448	6 321 448

Reconciliation of biological assets that form part of an agricultural activity - 2019

	Opening balance	Total
Trees in timber plantation - Consumable	6 321 448	6 321 448

Financial information

2020 **Nature and quantities of each biological asset**	Opening Balance	Decrease due to Harvest	Fair value (decrease) /increase	Closing balance
Botmanskop Plantation	861 605	-	-	861 605
Paradyskloof Plantation	5 459 843	-	-	5 459 843
	6 321 448	**-**	**-**	**6 321 448**

2019 **Nature and quantities of each biological asset**	Opening Balance	Decrease due to Harvest	Fair value (decrease) /increase	Closing balance
Botmanskop plantation	861 605	-	-	861 605
Paradyskloof Plantation	5 459 843	-	-	5 459 843
	6 321 448	**-**	**-**	**6 321 448**

The determination of fair value was as follow:

Principle:

Price determination: was done on the basis of current sale value of the tender for the current year i.e. R602.10/m3 excluding 15% VAT . This value was given to all trees as the estimated yield takes into consideration the age of the trees. The harvestable age starts from 20 years old where the minimum estimated yield would be 100m3/ha.

It must also be noted that this yield is based on optimum growing conditions and the existing microclimates, and thus the yield might vary per compartment. Refer to the Forestry Handbook p204 which can be obtained at the municipal offices.

Description of the Biological Assets

1. Botmanskop plantation (Block E)	Some compartments remain which can be harvested at a later stage due to the age of the trees.
2. Paradyskloof plantation (Block G)	Some compartments remain which can be harvested at a later stage due to the age of the trees.

Strategy to mitigate risks

The strategy to mitigate risks attached to this category of assets is to prevent the spread of runaway veld fires by maintaining fire breaks.

Notes to the Unaudited Annual Financial Statements

Figures in Rand

14. Heritage assets

	2020			2019		
	Cost / Valuation	Accumulated impairment losses	Carrying value	Cost / Valuation	Accumulated impairment losses	Carrying value
Collections of rare books, manuscripts and records	143 945	-	143 945	143 945	-	143 945
Historical monuments	630 057	-	630 057	630 057	-	630 057
Total	**774 002**	**-**	**774 002**	**774 002**	**-**	**774 002**

Reconciliation of heritage assets 2020

	Opening balance	Total
Collections of rare books, manuscripts and records	143 945	143 945
Historical monuments	630 057	630 057
	774 002	**774 002**

Reconciliation of heritage assets 2019

	Opening balance	Total
Collections of rare books, manuscripts and records	143 945	143 945
Historical monuments	630 057	630 057
	774 002	**774 002**

Stellenbosch Municipality

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Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

14. Heritage assets (continued)

Heritage assets used for more than one purpose

A significant portion of the following heritage assets are used for office accomodation and is therfore included in the balance of property, plant and equipment:

The following heritage assets are used by the municipality for more than one purpose		
Neethlingshuis and De Withuis	63 560 055	67 350 000
58 - 60 Andringa Street	1 892 985	2 000 000
35B Mark Street	3 152 616	3 250 000
127 Dorp Street, Transvalia, Alma & Bosmanshuis flats	12 723 603	13 050 000
116 - 118 Dorp Street, Voorgelegen - offices	5 585 970	5 800 000
4 Reservoir West, Mooiwater	2 084 388	2 170 000
34 Mark Street, Rynse Komplex; Toy Museum, Tourism	8 223 604	8 550 000
PMU Building, Alexander Street, Burger Huis	1 580 440	1 650 000
Merriman, Bergzight Training Centre, Oude Libertas Theatre & Restaurant	62 310 290	64 350 000
Die Laan, Landbou Saal	4 352 765	5 950 000
	165 466 716	**174 120 000**

15. Long term receivables

At amortised cost		
Arrangement debtors	6 200 897	4 464 106
Officials: Erven loans	-	116
Farmers: Water Schemes	161 010	191 736
	6 361 907	**4 655 958**
Non-current assets		
At amortised cost	3 560 940	3 024 999
Current assets		
At amortised cost	2 800 967	1 630 959

16. Consumer deposits

Electricity	10 750 546	10 374 233
Water	6 314 304	6 005 431
Housing rental	719 667	698 248
	17 784 517	**17 077 912**

17. Employee benefit obligations

The amounts recognised in the statement of financial position are as follows:

Carrying value		
Salary Control	6 011 417	5 458 796
Leave gratuity	30 056 890	26 391 625
Bonus accrual	13 044 083	11 918 177
Post-Retirement Medical Obligation	169 099 000	187 508 063
Long Service Awards	26 522 000	26 153 883
Net liability	**244 733 390**	**257 430 544**

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

17. Employee benefit obligations (continued)

Non-current assets	-	-
Current assets	-	-
Non-current liabilities	166 519 386	201 830 792
Current liabilities	78 214 004	55 599 752
	244 733 390	**257 430 544**

17.1 Post- retirement healthcare benefit liability

The municipality provides certain post-retirement health care benefits by funding the medical aid contributions of qualifying retired members of the municipality. According to the rules of the Medical Aid Funds, with which the municipality is associated, a member (who is on the current Conditions of Service) is entitled to remain a continued member of such medical aid fund on retirement, in which case the municipality is liable for a certain portion of the medical aid membership fee. The municipality operates an unfunded defined benefit plan for these qualifying employees. The plan is treated as a defined benefit plan under GRAP 25. No other post-retirement benefits are provided to these employees.

The most recent actuarial valuations of the present value of the defined benefit obligation were carried out at 30 June 2020 by C Weiss, Fellow of the Actuarial Society of South Africa. The present value of the defined benefit obligation, and the related current service cost and past service cost, were measured using the Projected Unit Credit Method.

The members of the Post-employment Health Care Benefit Plan are made up as follows:

The members of the post-employment health care benefit plan are made up as follows:

In-service members (Employees)	668	653
Continuation members (Retirees, widow(ers) and orphans)	162	171
Total members	**830**	**824**

The liability in respect of past service has been estimated as follows:

In-service members	63 812 000	74 392 000
In-service non-members	6 777 000	-
Continuation members	98 510 000	113 116 000
Total liability	**169 099 000**	**187 508 000**

The Non-member take up rate increased from previous estimate of 0% to 15%. This change was implemented after reviewing the actual trend of take up rate. The Non-member take up rate refers to the proportion of in-service non-members joining a scheme by retirement and continuing with the subsidy thereafter.

The principal assumptions used for the purposes of the actuarial valuations were as follows:

i) Rates of Interest

Discount rate	10,22 %	9,33 %
Health care cost inflation rate	6,30 %	6,79 %
Net effective discount rate	3,69 %	2,38 %

ii) Normal retirement age

Expected retirement age - females	62	63
Expected retirement age - males	62	63

The PA (90) ultimate mortality table was used by the actuaries
Pre-retirement: The SA 85-90 ultimate table, adjusted for female lives, was used.

Movements in the present value of the Defined Benefit Obligation were as follows:

Balance at the beginning of the year	187 508 063	198 749 139

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Figures in Rand	2020	2019
17. Employee benefit obligations (continued)		
Current service costs	5 448 228	7 945 828
Interest cost	17 096 614	18 580 276
Actual employee benefits payments	(8 767 265)	(8 231 483)
Actuarial (losses) / gains	(32 186 640)	(29 535 697)
Present Value of Fund Obligation at the end of the Year	**169 099 000**	**187 508 063**
Current liability	8 870 000	8 723 730
The amounts recognised in the Statement of Financial Position are as follows		
Net Liability	169 099 000	187 508 063
The amounts recognised in the Statement of Financial Performance are as follows:		
Current service cost	5 448 228	7 945 828
Interest cost	17 096 614	18 580 276
Actuarial (gain)/ loss recognised in profit and loss	(32 186 640)	(29 535 697)
	(9 641 798)	**(3 009 593)**
Amounts for the current and previous four periods are as follows:		
Present value of unfunded defined benefit		
2020		169 099 000
2019		187 508 063
2018		198 749 139
2017		201 981 567
2016		192 290 959

Stellenbosch Municipality

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Figures in Rand	2020	2019

17. Employee benefit obligations (continued)

Sensitivity analysis on the Accrued Liability (R Millions)

Assumption	Change	In-service	Continuation	Total	% change
Central assumptions		70,589	98,510	169,099	
Health care inflation	1 %	84,833	107,988	192,821	14 %
	(1)%	59,276	90,309	149,585	(12)%
Discount rate	1 %	59,726	90,648	150,374	(11)%
	(1)%	84,407	107,716	192,123	14 %
Post-retirement mortality	1 yr	68,814	95,328	164,142	(3)%
	(1)	72 341	101 695	174 036	3
Average retirement age	-1 yr	76,890	98,510	175,400	4 %
Continuation of membership at retiremnet	(10)%	58,244	98,510	156,754	(7)%

Sensitivity analysis on Current-service and Interest Costs

Assumption	Change	Current-service Cost	Interest cost	Total	% change
Central assumptions		5 448 200	17 096 600	22 544 800	
Health care inflation	1 %	6 841 000	19 766 800	26 608 700	18 %
	(1)%	4 387 000	14 929 900	19 316 900	(14)%
Discount rate	1 %	4 457 300	16 598 800	21 056 100	(7)%
	(1)%	6 756 900	17 611 400	24 368 300	8 %
Post-retirement mortality	-1 year	5 601 400	17 664 400	23 265 800	3 %
Average retirement age	-1 year	5 756 800	17 644 400	23 401 200	4 %
Continuation of membership at retirement	(10)%	4 808 300	16 251 200	21 059 500	(7)%

Mortality Rates

Post retirement: PA (90) ultimate Mortality table was used.
Pre-retirement: The SA 85-90 ultimate table adjusted for female lives, was used.

Continuation of Membership

With the appointment of ARCH Actuarial Consulting for the year ending 30 June 2020.

17.2 Long Service Awards

Total Liability		
Opening balance	26 153 883	29 621 885
Additions	4 103 046	4 845 730
Utilised during the year	(3 090 886)	(2 436 254)
Actuarial (gains) losses	(644 043)	(5 877 479)
	26 522 000	**26 153 882**
Current Liability	3 135 000	3 107 424
Non Current Liability	23 387 000	23 046 458
	26 522 000	**26 153 882**

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Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

17. Employee benefit obligations (continued)

Movement in the present value of Long Service Awards were as follows:

Opening balance	26 153 883	29 621 885
Current service cost	2 088 254	2 388 150
Interest cost	2 014 792	2 457 580
Actuarial (gains) losses	(644 043)	(5 877 479)
Benefits paid	(3 090 886)	(2 436 254)
Total included in employee related costs	**26 522 000**	**26 153 882**

The amount recognised in the Statement of Financial Position are as follows:

Present value of long service awards	26 522 000	26 153 882

The amount recognised in the Statement of Financial Performance are as follows:

Current service cost	2 088 254	2 388 150
Interest cost	2 014 792	2 457 580
Actuarial gains (losses)	(644 043)	(5 877 479)
Closing balance	**3 459 003**	**(1 031 749)**

Under the plan, a Long-service Award is payable after 10 years of continuous service and every 5 years thereafter to employees. Additional to this employees shall be entitled to a 14th cheque for continuous employment on their 30th and every 5th year onward. Furthermore a retirement gift is payable on retirement to employees with 10 years or more service. The provision is an estimate of the long service award based on historical staff turnover. No other long service benefits are provided to employees.

Key assumptions used

Assumptions used at the reporting date:

Discount rates used	7,46 %	8,18 %
General salary inflation	4,03 %	5,57 %
Net effective discount rate	3,30 %	2,47 %

Stellenbosch Municipality

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Figures in Rand	2020	2019

17. Employee benefit obligations (continued)

Other assumptions

Assumed healthcare cost trends rates have a significant effect on the amounts recognised in surplus or deficit. A one percentage point change in assumed healthcare cost trends rates would have the following effects:

Amounts for the current and previous four years are as follows:

	2020	2019	2018	2017	2016
	R	R	R	R	R
Accrued liabilities	26 522 000	26 153 882	29 621 885	28 469 818	27 719 640

Sensitivity analysis on the Unfunded Accrued Liability (in R Millions)

Assumption	Change	Liability	% change
Central assumptions		26,522	
General salary inflation	1 %	28,278	7 %
	(1)%	24,941	(6)%
Discount rate	1 %	24,897	(6)%
	(1)%	28,358	7 %
Average retirement age	+ 2 years	29,923	13 %
	- 2 years	22,291	(16)%
Withdrawal rates	(50)%	29,920	13 %

Sensitivity analysis on Current-service and Interest Costs

Assumption	Change	Current-service Cost	Interest Cost	Total	% change
Central assumptions		2 088 300	2 014 800	4 103 100	
General salary inflation	1 %	2 276 100	2 158 700	4 434 800	8 %
	(1)%	1 922 200	1 885 000	3 807 200	(7)%
Discount rate	1 %	1 935 800	2 110 700	4 046 500	(1)%
	(1)%	2 263 200	1 901 300	4 164 500	1 %
Average retirement age	+2 years	2 308 300	2 277 400	4 585 700	12 %
	-2 years	1 804 600	1 678 000	3 482 600	(15)%
Withdrawal rates	(50)%	2 534 100	2 300 700	4 834 800	18 %

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18. Operating lease liability

Operating Leases are recognised on the straight-line basis as per the requirement of GRAP 13. In respect of non-cancellable Operating Leases the following liabilities have been recognised:

Balance at beginning of year	5 775 015	173 234
Operating lease expenses recorded	(1 070 046)	(882 280)
Operating lease revenue realised	(40 195)	(133 039)
Operating lease payments effected	293 570	6 617 100
	4 958 344	**5 775 015**

Leasing Arrangements

The Municipality as Lessee:

Operating Leases relate to Property, Plant and Equipment with lease terms not longer than 5 years, with an option to extend for a further period. All operating lease contracts contain market review clauses in the event that the municipality exercises its option to renew. The municipality does not have an option to purchase the leased asset at the expiry of the lease period.

Amounts Payable under Operating Leases

At the reporting date, the municipality had outstanding commitments under non-cancellable Operating Leases for Property, Plant and Equipment, which fall due as follows:

Buildings:		
Up to 1 year	5 751 175	4 098 225
2 to 5 years	7 717 777	13 468 952
	13 468 952	**17 567 177**

The following payments have been recognised as an expense in the Statement of Financial Performance:

Total operating lease expenses		
Lease rentals on operating lease	11 837 555	2 666 984

The following amounts have been recognised as revenue in the Statement of Financial Performance:

Total operating lease income		
Minimum lease income	(40 195)	(133 039)

No restrictions have been imposed on the municipality in terms of the operating lease agreements.

The comparative figures were restated. Refer to note 61.10

19. Other financial liabilities

At amortised cost		
Other financial liability	292 930 439	318 800 147

Annuity loans from the Development Bank of South Africa have settlement periods of 14 to 15 years with fixed interest varying from 9.25% to 11.10% per annum.

The municipality entered into a loan agreement with Nedbank limited during the 2019 financial year for a period of 10 years at a fixed interest rate of 9.7%.

Non-current liabilities		
At amortised cost	266 177 508	292 930 440

Stellenbosch Municipality
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Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

19. Other financial liabilities (continued)

Current liabilities

At amortised cost	26 752 931	25 869 707

20. Provisions

Reconciliation of provisions - 2020

	Opening Balance	Additions	Total
Environmental rehabilitation	102 344 476	18 961 502	121 305 978

Reconciliation of provisions - 2019

	Opening Balance	Additions	Current portion	Total
Environmental rehabilitation	79 165 186	22 536 381	642 909	102 344 476

Non-current liabilities	121 305 978	101 701 567
Current liabilities	-	642 909
	121 305 978	**102 344 476**

Environmental rehabilitation provision

In terms of the licensing of the landfill refuse sites, the municipality will incur licensing and rehabilitation costs of R121 305 978 (2019: R102 344 476) to restore the site at the end of its useful life, estimated to be in the December 2020/ January 2021 financial year. Provision has been made for the best estimate of costs at the reporting date with reference to the inflation rate.

The unwinding of the provision for landfill site for the current year was R7 757 711 (2019: R6 174 066) was included in the finance cost in the statement of financial performance.

No expenditure was incurred for the year under review.

Cells 1 and 2 have reached full capacity and must be rehabilitated. Cell 3 has come into use at the end of 30 June 2013 financial year and is the current landfill site in use.

The provision has been determined based on an independent valuation performed by a firm of consulting engineers as at 30 June 2020

Key cost parameters:

- Estimated post closure rehabilitation time 3 years
- Inflation rate 4.8% (2019: 5.3%%)
- Discount rate 7.75% (2019: 7.58%)

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21. Payables from exchange transactions

Trade and other payables	165 428 391	176 718 928
Construction advances	-	1 425 745
Khaya Lam free market foundation	47 540	32 780
Collection fees	190 664	190 664
Deposit sale of land	11 114 923	1 297 302
Don and Pat Bilton	256 056	256 056
Ex gratia pension fund (BDM)	123 541	123 541
Housing beneficiary contribution	115 787	115 787
Grouplife	2 423 664	2 423 664
Impounded vehicles	-	29 100
Libraries	54 561	59 815
Payments received in advanced	12 187 830	12 926 302
Prepaid electricity	6 332 743	8 383 071
Retention	45 557 346	46 838 439
Other creditors	25 010 709	18 852 743
Sundry deposits	1 972 753	1 780 617
Bond Warranties and MTO Forestry	7 718	7 718
	270 824 226	**271 462 272**

The comparative figures were restated. Refer to note 61.8

22. Unspent conditional grants and receipts

Unspent conditional grants and receipts comprises of:

Unspent conditional grants and receipts		
Cape Winelands District grant	2 030 541	-
Charitable fund	72 097	112 334
Community development support grant	37 296	-
Development of sport and recreational facilities	67 669	67 669
Fire services capacity building grant	-	3 003 000
Housing consumer education	68 010	68 010
Housing settlement agreement	220 103	220 103
Human settlement grant - capital	315 027	45 859 611
Khaya Lam free market foundation	102 000	-
Lamotte trust fund	3 080 872	2 417 404
Local government graduate internship and capacity building	433 752	520 590
Municipal accreditation and capacity building grant	-	167 980
National lottery	307 361	458 775
Natural resources management grant	-	2 088 828
Other sources	288 184	288 184
Title deed restoration grant	1 839 710	3 773 151
	8 862 622	**59 045 639**

The nature and extent of government grants recognised in the unaudited annual financial statements and an indication of other forms of government assistance from which the municipality has directly benefited; and

Unfulfilled conditions and other contingencies attaching to government assistance that has been recognised.

See note 33 for reconciliation of grants from National/Provincial Government.

These amounts are invested in a ring-fenced investment until utilised.

The comparative amounts were restated. Refer to note 61.9

Stellenbosch Municipality

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Figures in Rand	2020	2019

23. Accumulated surplus

Ring-fenced internal funds and reserves within accumulated surplus - 2020

	Capital replacement reserve	Self insurance reserve	Housing development fund	Accumulated surplus	Total
Opening balance	160 497 338	9 885 492	(9 396 229)	5 186 039 005	5 347 025 606
Surplus for the year	-	-	-	81 155 004	81 155 004
Transfer to capital replacement reserve	336 762 309	-	-	(336 762 309)	-
Property, plant and equipment purchases	(247 535 390)	-	-	247 535 390	-
	249 724 257	**9 885 492**	**(9 396 229)**	**5 177 967 090**	**5 428 180 610**

Ring-fenced internal funds and reserves within accumulated surplus - 2019

	Capital replacement reserve	Insurance reserve	Housing development fund	Accumulated surplus	Total
Opening balance	116 134 076	9 885 492	(9 396 229)	5 109 364 695	5 225 988 034
Surplus for the year	-	-	-	121 037 561	121 037 561
Transfer to capital replacement reserve	310 518 232	-	-	(310 518 232)	-
Property, plant and equipment purchases	(266 154 970)	-	-	266 154 970	-
	160 497 338	**9 885 492**	**(9 396 229)**	**5 186 038 994**	**5 347 025 595**

The capital replacement reserve is a reserve to finance future capital expenditure and is fully invested in ring-fenced Financial Instrument Investments.

The self insurance reserve is used to offset potential losses or claims of assets that cannot be insured externally.

The housing development fund is depleted. There is no cash or surplus generated from the fund. Therefore any additional cost must be carried by the municipality as part of its operations.

Refer to statement of changes in net assets for more detail and the movement on accumulated surplus.

24. Service charges

Sale of electricity	562 275 303	531 494 348
Sale of water	171 631 994	147 275 947
Solid waste	62 956 545	55 127 852
Sewerage and sanitation charges	83 261 986	83 861 916
	880 125 828	**817 760 063**

The amounts disclosed above for service charges are in respect of services rendered which are billed to the consumers on a monthly basis according to approved tariffs.

25. Construction revenue

Topstructure		
Idasvalley housing project	5 317 560	-
Watergang housing project	-	1 044 546
	5 317 560	**1 044 546**

The comparative amounts were restated. Refer to note 61.12 .

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Notes to the Unaudited Annual Financial Statements

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26. Rental of facilities and equipment

Premises		
Rental revenue from other facilities	3 363 768	7 400 169
Rental revenue from buildings	136 656	134 805
Rental revenue from housing schemes	7 208 972	7 652 197
	10 709 396	**15 187 171**
Facilities and equipment		
Rental revenue from land	2 892 035	2 703 750
	13 601 431	**17 890 921**

Included in the above rentals are rentals received from Investment Property of R8 756 325.51 (2019: R9 018 352.70)

27. Interest earned- outstanding receivables

Sundry	-	147
Electricity	677 176	796 089
Water	4 116 971	4 768 050
Waste water management	1 050 384	1 407 150
Waste management	1 109 940	1 053 445
	6 954 471	**8 024 881**

28. Agency services

Vehicle Registration	3 976 481	4 400 282

The municipality collects lisence fees on behalf of the Provincial Government Western Cape and receives a 12% agency fee.

The municipality, as an agent, recognises only the portion of the revenue and expenses it receives or incurs in executing the transactions on behalf of the principal in accordance with the requirements of the relevant Standards of GRAP.

No resources are held by the municipality on behalf of the principle.

29. Licences and permits (exchange)

Licences and permits	4 413 324	5 043 854

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

30. Other income

Application fees	387 648	552 457
Building clause	56 291	176 674
Building plan fees	4 171 623	6 569 688
Cemetery and burial	937 472	859 210
Clearance certificates	242 747	348 522
Collection fees	1 601 270	1 220 121
Entrance fees	559 140	380 480
Flamable substance	206 771	352 862
Merchandising, jobbing and contracts	1 949 293	2 714 189
Parking revenue	10 224 268	5 878 274
Removal of restrictions	1 589 031	798 036
Skills development levy	769 889	800 235
Special rating area	5 585 885	5 365 090
Staff recoveries	724 737	562 661
Sundry	780 264	894 022
Development charges	10 275 343	13 051 028
	40 061 672	**40 523 549**

The amounts disclosed above are in respect of services, other than described in notes 24 and 25 rendered which are billed to or paid for by users as the services are reclaimed according to approved tariffs or offers received in terms of supply chain procedures, i.e wood sales.

31. Investment revenue

Interest revenue		
Bank	7 490 240	6 216 908
Investment deposits	32 981 762	38 054 919
	40 472 002	**44 271 827**

Stellenbosch Municipality

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Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

32. Property rates

Rates received

Residential	173 866 187	160 102 576
Commercial	164 553 707	149 669 221
Agricultural	21 669 383	21 187 884
	360 089 277	330 959 681
Property rates - interest earned	1 822 264	1 998 219
	361 911 541	**332 957 900**

Assessment Rates are levied on the value of land and improvements, which valuation is performed every four years. Interim valuations are processed on an annual basis to take into account changes in individual property values due to alterations and subdivisions. The last valuation came into effect on 1 July 2017. With reference to S78 of the Municipal Property Rates Act four reviews hhave been finalised and one interim valuation was performed during the financial year and implemented accordingly.

The following assessment rates were charged for the period ending June 2020:
R 0.011175 - Non Residential (2019: R0.010493)
R 0.005080 - Residential (2019: R 0.004770)
R 0.001271 - Agricultural (2019: R 0.001193)

Rates are levied monthly on property owners and are payable the 7th of each month. Property owners can request that the full amount for the year be raised in July in which case the amount has to be paid by 7 October. Interest is levied as per council's Credit Control and Debt Collection Policy on outstanding rates amounts.

Valuations

Relief measures

The relief measures on property rates are generally described in paragrapgh 8 of the approved Rates Policy of the municipality. This includes the specific under mentioned relief measures:

Rebate and gross monthly household income for Qualifying senior citizens and Disabled persons

Gross monthly household income	% Rebate
Up to R8 000	100%
From R8 001 to R 10 000	75%
From R10 001 to R12 000	50%
From R12 001 to R15 000	25%

Municipal valuation threshold value

On qualifying residential properties, up to a maximum value of R200 000, which amount includes the R15 000 as per Section 17(1)(h) of the MPRA and the R185 000 reduction granted as per paragraph 8.2.1(ii) of the approved Rates policy. Paragraph 8.2.1 (ii) is only applicable on properties with valuations up to R5 000 000.

Stellenbosch special rebate

A rebate of 20% may be granted as per paragrapgh 8.6 of the approved Rates policy of the municipality.

Other rebates

Rebates have also been granted to qualifying non-profit organisations and to organisations who qualified for the rebate as defined in paragraph 8.11 of the approved Rates policy. Any other exclusions or exemptions have been granted in accordance with the Local Government Property Rates Act.

Stellenbosch Municipality

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Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

33. Government grants and subsidies

Operating grants		
Equitable share	136 177 000	124 176 000
Khaya Lam free market research foundation	-	222 500
Title deeds restoration grant	1 933 440	410 000
Cape Winelands disaster grant	472 126	-
Local government financial management grant	1 550 000	1 550 000
Community development workers	18 704	56 000
Housing accreditation grant	167 980	56 020
Municipal disaster management grant	209 000	-
Library services support grant	12 454 000	12 210 000
Local government support grant	900 000	-
Maintenance and construction of transport infrastructure	384 000	371 000
Taipie COVID-19 donation	132 023	-
Local government graduate internship and capacity building	446 248	151 410
Expanded public workers programme support grant	5 227 000	5 722 000
Local government financial management support grant	255 000	255 000
LG SETA Discretionary grant	62 706	-
Natural resources management grant	90 870	270 672
Development bank of South Africa	172 147	-
	160 652 244	**145 450 602**
Capital grants		
Integrated urban development grant	46 886 000	-
National lottery	151 414	200 000
Municipal infrustructure grant	-	35 107 000
Integrated national electrification programme grant	15 640 000	5 000 000
Integrated transport planning grant	600 000	600 000
Shared economic infrastructure facility	-	3 561 097
Human settlement development grant	56 593 662	43 513 977
Fire services capacity building grant	3 003 000	-
Regional socio-economic project/violence through urban upgrading	1 500 000	-
	124 374 076	**87 982 074**
	285 026 320	**233 432 676**

Conditional and Unconditional

Included in above are the following grants and subsidies received:

Conditional grants received	148 849 320	109 256 676
Unconditional grants received	136 177 000	124 176 000
	285 026 320	**233 432 676**

Equitable Share

In terms of the Constitution, this grant is used to subsidise the provision of basic services to indigent community members. Bulk basic services are also provided free of charge to informal settlements to ensure that these communities have access to basic services.

Municipal disaster management grant

Current-year receipts	209 000	-
Conditions met - transferred to revenue	(209 000)	-
	-	**-**

To provide for the immediate release of funds for disaster response.

Stellenbosch Municipality

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33. Government grants and subsidies (continued)

Taipei covid-19 donation

Current-year receipts	132 023	-
Conditions met - transferred to revenue	(132 023)	-
	-	-

Personal Protective equipment was donated to Stellenbosch Municipalit form the Cape Town Taiwanese Chamber of Commerce.

Development bank South Africa

Current-year receipts	172 147	-
Conditions met - transferred to revenue	(172 147)	-
	-	-

Funding provided for the update the capital expenditure framework..

Regional socio-economic project/ violence through urban upgrading

Current-year receipts	1 500 000	-
Conditions met - transferred to revenue	(1 500 000)	-
	-	-

To implement and enhance programmes to interact with stakeholders and empower communities to partner with government in implementing socio-economic and urban upgrading programmes.

Title deeds development grant

Balance unspent at beginning of the year	3 773 151	2 701 901
Current-year receipts	-	1 481 250
Conditions met - transferred to revenue	(1 933 441)	(410 000)
	1 839 710	**3 773 151**

To provide funding for the eradication of the Pre-2014 title-deeds registration backlog and the professional fees associated with it, including beneficiary verification. Refer to note 22.

The municipality, as an agent, receives a grant from the Department of Human Settlements (principle) to register properties on behalf of the beneficiaries for low cost housing projects.

Title deeds development grant could not be fully spent due to the complexity of the programme. The grant funding provided is utilized for the registration of properties which were built before 2004 up to 2010. The municipality is grappling with deceased estates which take longer to register, missing beneficiaries, houses that were built but wrongly allocated on the subsidy system. The above obstacles encountered have been raised at the quarterly meetings with the Department of Human Settlements.

The municipality is not a custodian of any assets of the principle.

The municipality does not recognise any compensation for the services provided on behalf of the principle.

Local government financial management grant

Current-year receipts	1 550 000	1 550 000
Conditions met - transferred to revenue	(1 550 000)	(1 550 000)
	-	-

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

33. Government grants and subsidies (continued)

To promote and support reforms in financial management by building capacity in municipalities to implement the Municipal Finance Management Act (MFMA).

Natural resource management grant

Balance unspent at beginning of the year	2 088 828	-
Current-year receipts	-	2 359 500
Conditions met - transferred to revenue	(90 870)	(270 672)
Other	(1 997 958)	-
	-	**2 088 828**

Conditions still to be met - remain liabilities (see note 22).

To ensure that responsibilities relating to water resource management, biological diversity and the functioning of natural systems whilst ensuring meaningful livelihood opportunities are supported for those employed on these programmes.

The reason for unspent for 2018/19 comparative year is due to the grant agreement commencing in February 2019 and allocation runs in accordance with the transferee's financial year. The municipality has appointed EPWP workers as well as service providers for the clearing of the alien vegetation. The project will continue during the 2019/20 financial year.

Integrated national electrification programme grant

Current-year receipts	15 640 000	5 000 000
Conditions met - transferred to revenue	(15 640 000)	(5 000 000)
	-	**-**

To implement the Integrated National Electrification Programme (INEP) by providing capital subsidies to municipalities to address the electrification backlog of all existing and planned residential dwellings (including upgrade of informal settlements, new, and normalisation),and the installation of relevant bulk infrastructure.

Integrated urban development grant

Current-year receipts	46 886 000	-
Conditions met - transferred to revenue	(46 886 000)	-
	-	**-**

To provide funding for public investment in infrastructure for the poor and to promote increased accessto municipal own sources of capital finance in order to increase funding for public investment in economic infrastructure. To ensure that public investments are spatially aligned and to promote the sound management of the assets delivered.

Expanded public workers programme

Current-year receipts	5 227 000	5 722 000
Conditions met - transferred to revenue	(5 227 000)	(5 722 000)
	-	**-**

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33. Government grants and subsidies (continued)

To incentivise municipalities to expand work creation efforts through the use of labour intensive delivery methods in the following identified focus areas, in compliance with the EPWP Guidelines:
- road maintenance and the maintenance of buildings
- low traffic volume roads and rural roads
- basic services infrastructure, including water and sewer reticulation, sanitation, pipelines and dams (excluding bulk infrastructure)
- other economic and social infrastructure
- tourism and cultural industries
- waste management
- parks and beautification
- sustainable land-based livelihoods.

Municipal accreditation and capacity building grant

Balance unspent at beginning of the year	167 980	224 000
Conditions met - transferred to revenue	(167 980)	(56 020)
	-	**167 980**

Conditions still to be met - remain liabilities (see note 22).

To fund the establishment of a human settlement unit within the accreditation priority municipality as well as enhancing the existing human settlements unit.

To finance the municipal institutional capacity requirements.

The reason for the unspent balance in 2018/19 is due to the capacity clerk who was appointed at Stellenbosch municipality for the period 1 April 2019 - 31 March 2020. Salary payments for 3 months were therefore expensed against the grant. The contract will continue during the 2019/20 financial year.

Municipal infrastructure grant

Current-year receipts	-	35 107 000
Conditions met - transferred to revenue	-	(35 107 000)
	-	**-**

To provide specific capital finance for basic municipal infrastructure backlogs for poor households, micro enterprises and social institutions servicing poor communities

National lottery

Balance unspent at beginning of the year	458 775	658 775
Conditions met - transferred to revenue	(151 414)	(200 000)
	307 361	**458 775**

Conditions still to be met - remain liabilities (see note 22).

Provide support to be able to bring growth and change within impoverished communities.

Multi-year project for which the unutilized funding will be utilized during the 2020/21 financial year. The COVID 19 lock down regulatins adversely affected the implementation of projects.

Other sources

Balance unspent at beginning of the year	288 184	288 184

Conditions still to be met - remain liabilities (see note 22).

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33. Government grants and subsidies (continued)

The funding pertains to different funding contributors for various projects. The unutilised funding relates to prior year funding which have not been assigned to a current year project. The latter will be attended to during the 2020/21 financial year.

Cape Winelands District grant

Current-year receipts	2 502 667	-
Conditions met - transferred to revenue	(472 126)	-
	2 030 541	**-**

Conditions still to be met - remain liabilities (see note 22).

To implement the COVID 19 lockdown regulations.

To address safety in the Stellenbosch municipal area.

Aimed at augmenting and supporting the current humanitarian relief initiatives, which will be implemented during the 2020/21 financial year.

Human settlement grant - capital

Balance unspent at beginning of the year	45 859 611	15 788 558
Current-year receipts	11 049 077	73 585 032
Conditions met - transferred to revenue	(56 593 661)	(43 513 979)
	315 027	**45 859 611**

Conditions still to be met - remain liabilities (see note 22).

To provide funding for the creation of sustainable human settlements.
A service provider has been appointed as the implementing agent for the Longlands project. The land-use rights are in place for the services to be installed. The project is a multi-year project. The COVID 19 lock down regulatins adversely affected the implementation of projects.

The land acquired (R45 710 000) is in terms of an agreement entered into between the Department of Human Settlements (DoHS) for subsidised housing development. The land acquired is deemed to be Property, plant and equipment, until such time as the land is designated for housing and approval is obtained from the Municipal Planning Tribunal (MPT), in which case the portions of and so designated should be reclassified to inventory.

Development of sport and recreational facilities

Balance unspent at beginning of the year	67 669	67 669

Conditions still to be met - remain liabilities (see note 22).

To transform urban and rural community library infrastructure, facilities and services (primarily targeting previously disadvantaged communities) through recapitalised programme at provincial level in support of local government and national initiatives. The unutilised funding relates to prior year funding which have not been assigned to a current year project. The latter will be attended to during the 2020/21 financial year.

Housing settlement agreement

Balance unspent at beginning of year	220 103	220 103

Conditions still to be met - remain liabilities (see note 22).

To provide a financial contribution towards the reallocation of the informal settlement residents which were fire victims. The unutilised funding relates to prior year funding which have not been assigned to a current year project. The latter will be attended to during the 2020/21 financial year.

Stellenbosch Municipality

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Figures in Rand	2020	2019

33. Government grants and subsidies (continued)

Local government graduate internship and capacity building

Balance unspent at beginning of the year	520 590	405 031
Current-year receipts	460 000	432 000
Conditions met - transferred to revenue	(446 248)	(151 410)
Other	(100 590)	(165 031)
	433 752	**520 590**

Conditions still to be met - remain liabilities (see note 22).

Financial Management Capacity Buidling Grant: Stellenbosch Municipality advertised the bursaries as part of their Annual Mayoral Bursary to save advertisement cost in the 2016/2017 financial year. Unfortunately, the response was very poor and we could not find any applications that met the requirements. Consequently, we contacted various Universities during the 2016/2017 and 2017/2018 financial years to obtain CV's of students studying in the designated areas as specified in the circular. After 3 attempts, we obtained 6 CV's of students, 5 of which reside outside the municipal area. The challenge however was that the applicants did not meet all of the required minimum criteria and deviating from the conditions of the grant is not permissible. Stellenbosch municipality could not obtain a list of students from the faculties at the tertiary institutions and placed reliance on the administration officers to indicate possible candidates for the bursaries. A total of R139 410.30 was paid during the 2018/19 financial year which relates to the roll over of 2017/18. R100 589.70 will be repaid as it relates to a roll over of 2017/18. The R360 000 will be spent during the 2019/20 financial year.

Stellenbosch municipality has continuously contacted the tertiary institutions to obtain suitable candidates for the bursary campaign. The tertiary institutions are not willing to provide the list of enrolled student which prohibits the municipality from contacting all enrolled candidates therefore posing a challenge in obtaining suitable candidates whom reside within the municipal area. Stellenbosch municipality will continue liaising with the tertiary institutions to obtain possible candidates for the payment of bursaries. The municipality will also pursue the option of continuing the payment of bursary funding of the successful candidates which were availed bursaries during the 2019/20 financial year, as per the memorandum of agreement, once the new academic year of 2021 commences. A robust social media drive will be embarked upon to ensure that suitable candidates are identified in order to ensure spending of the grant.

With reference to 2018/19 unspent a student commenced employment on 1 May 2019 in terms of the Municipal Graduate Internship Programme Grant.
With reference to 2019/20 unspent an intern was appointed for the period 1 June 2020 – 31 May 2021. The unspent funding of the Local Government Graduate Internship grant will be utilised for the salary payment.

To provide financial assistance to municipalities in support of capacity building for the future by means of a graduate internship programme
To develop financial human capacity within municipal areas to enable a sustainable local financial skills pipeline that is responsive to municipalities' requirements to enable sound and sustainable financial management and good financial governance1.

Libraries support grant

Current-year receipts	12 454 000	12 210 000
Conditions met - transferred to revenue	(12 454 000)	(12 210 000)
	-	**-**

To transform urban and rural community library infrastructure, facilities and services (primarily targeting previously disadvantaged communities) through recapitalised programme at provincial level in support of local government and national initiatives.

Khaya Lam free market foundation

Balance unspent at beginning of the year	-	59 500
Current-year receipts	102 000	163 000
Conditions met - transferred to revenue	-	(222 500)
	102 000	**-**

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

33. Government grants and subsidies (continued)

Conditions still to be met - remain liabilities (see note 22).

To assist municipalities to issue freehold title deeds to registered tenants and recognised resident of municipal properties.

All administration costs for the basic salaries and wages for the title deeds restoration programme have been funded by the Title Deeds Restoration grant. The unutilised funding will be used during the 2020/21 financial year.

Housing consumer education

Balance unspent at beginning of the year	68 010	68 010

Conditions still to be met - remain liabilities (see note 22).

To fund housing within municipalities that demonstrated capacity to plan and deliver housing rapidly, with emphasis on rural areas. The unutilised funding relates to prior year funding which have not been assigned to a current year project. The latter will be attended to during the 2020/21 financial year.

Community development support grant

Current-year receipts	56 000	56 000
Conditions met - transferred to revenue	(18 704)	(56 000)
	37 296	**-**

Conditions still to be met - remain liabilities (see note 22).

To provide financial assistance to municipalities to cover the operational costs pertaining to the line functions of the community development workers including regional coordinators.

Due to the Covid-19 lockdown regulations the activities as per the business plan could not be executed. Provisional concept approval for the activities listed above have been obtained from the transferring department.

Fire services capacity building grant

Balance unspent at beginning of the year	3 003 000	-
Current-year receipts	-	3 003 000
Conditions met - transferred to revenue	(3 003 000)	-
	-	**3 003 000**

The grant has been fully committed by 30 June 2019. The specialized vehicle was handed over to the Municipality on 26 July 2019. Payment was done on 14 August 2019.

To provide financial assistance to municipalities to ensure functional emergency communication, mobilisation systems and fire services.

Local government financial management support grant

Current-year receipts	255 000	255 000
Conditions met - transferred to revenue	(255 000)	(255 000)
	-	**-**

To provide financial assistance to municipalities to improve overall financial governance within municipalities inclusive of optimising and administration of revenue, improving credibility and responsiveness of municipal budgets, improving of municipal audit outcomes and addressing institutional challenges.

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

33. Government grants and subsidies (continued)

LG SETA bursary fund

Current-year receipts	62 706	-
Conditions met - transferred to revenue	(62 706)	-
	-	-

To develop skilled and capable workforce supporting a responsive, accountable, efficient and effective local government system, through a range of learning programmes that focus on scarce and critical skills in the sector.

Maintenance and construction of transport infrastructure

Current-year receipts	384 000	371 000
Conditions met - transferred to revenue	(384 000)	(371 000)
	-	-

To financially assist/subsidise municipalities with the maintenance/construction of proclaimed municipal main roads, where the municipality is the Road Authority (Section 50 of Ordinance 19 of 1976).

Shared economic infrastructure facility

Current-year receipts	-	3 561 097
Conditions met - transferred to revenue	-	(3 561 097)
	-	-

A programme of the National Informal Business Upliftment Strategy (NIBUS) aimed at contributing to a radical economic transformation through the provisioning of business infrastructure to rural township based enterprises.

Integrated transport planning

Current-year receipts	600 000	600 000
Conditions met - transferred to revenue	(600 000)	(600 000)
	-	-

To review and update municipal integrated transport plans in terms of the National Land Transport Act, 2009 (Act No. 5 of 2009).

34. Fines, Penalties and Forfeits

Municipal Traffic Fines	99 921 917	117 772 670
Other fines	70 893	273 462
	99 992 810	**118 046 132**

Stellenbosch Municipality

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35. Employee related costs

Acting allowances	674 466	1 019 414
Actuarial (Gain) /Loss)	(32 830 683)	(35 413 176)
Bargaining council	291 210	251 400
Basic	322 142 811	300 678 426
Bonus	23 078 364	21 211 131
Car allowance	10 048 311	9 780 788
Cellphone allowance	1 630 691	1 341 747
Contribution to Long service awards	4 109 076	4 839 830
Contribution to Post-Retirement Benefits	5 448 228	7 945 828
Contribution to Leave gratuity	5 758 369	5 320 881
Entertainment	4 979	4 933
Group insurance	3 631 774	3 116 552
Housing benefits and allowances	2 916 315	2 853 349
Medical aid - company contributions	23 336 863	21 652 139
Overtime payments	37 414 315	31 607 382
Pension fund contribution	48 802 560	45 558 717
Performance bonus	710 284	590 923
Standby allowance	14 676 603	12 480 849
Sundry allowances	4 262 333	4 607 808
Travel, motor car, accommodation, subsistence and other allowances	256 942	719 369
UIF	2 449 723	2 175 228
Workmen compensation	2 769 522	2 367 571
	481 583 056	**444 711 089**

The comparative amounts were restated. Refer to Note 61.18

Stellenbosch Municipality

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35. Employee related costs (continued)

Remuneration of Municipal Manager

Annual Remuneration	1 394 549	1 393 726
Car Allowance	127 798	123 762
Performance Bonuses	257 839	244 629
Contributions to UIF, Medical and Pension Funds	341 082	334 363
Telephone allowance	22 800	22 800
	2 144 068	**2 119 280**

Remuneration of Chief Finance Officer

Annual Remuneration	957 249	950 700
Car Allowance	248 612	117 860
Performance Bonuses	25 457	-
Contributions to UIF, Medical and Pension Funds	222 781	50 948
Leave	19 659	136 205
Telephone allowance	22 800	7 600
Other	18 000	3 000
	1 514 558	**1 266 313**
Acting allowance paid to acting Chief Financial Officer	-	19 424

Remuneration of the Director Planning and Development

Annual Remuneration	825 323	1 029 334
Car Allowance	80 000	128 974
Performance Bonuses	69 429	118 569
Contributions to UIF, Medical and Pension Funds	189 838	246 716
Telephone allowance	17 100	22 800
Other	6 134	-
	1 187 824	**1 546 393**
Acting allowance paid to acting Director Planning and Development	10 225	-

Remuneration of the Director Community & Protection Services

Annual Remuneration	1 352 200	868 611
Car Allowance	63 267	65 000
Performance Bonuses	23 143	-
Contributions to UIF, Medical and Pension Funds	25 830	97 563
Telephone allowance	22 800	13 300
	1 487 240	**1 044 474**
Acting allowance paid to acting Director(s) Community and Protection Services	-	13 227

Remuneration of the Director Infrastructure Services

Annual Remuneration	1 293 925	1 254 593
Car Allowance	122 640	265 652
Performance Bonuses	152 744	144 918
Contributions to UIF, Medical and Pension Funds	24 105	24 066
Telephone allowance	22 800	22 800
	1 616 214	**1 712 029**

Stellenbosch Municipality

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35. Employee related costs (continued)

Remuneration of the Director Corporate Services

Annual Remuneration	1 275 371	1 235 507
Car Allowance	139 200	139 200
Performance Bonuses	152 744	65 872
Contributions to UIF, Medical and Pension Funds	25 055	24 653
Telephone allowance	22 800	22 800
	1 615 170	**1 488 032**

36. Remuneration of councillors

Councillors	19 121 037	18 272 420

Stellenbosch Municipality

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37. Councillors Renumeration per class of councillor

Executive Mayor

Allowance and service related benefits		
Basic Salary	662 704	636 472
Travel Allowance	223 457	214 868
Cell Phone Allowance	40 800	40 800
Data Card Allowance	3 600	3 600
Skills Development Levy	7 667	8 131
	938 228	**903 871**

Deputy Executive Mayor

Allowance and service related benefits		
Basic Salary	537 403	474 213
Travel Allowance	189 782	171 894
Cell Phone Allowance	42 743	40 800
Data Card Allowance	3 771	3 600
Pension Fund Contribution	15 461	35 631
Skills Development Levy	6 194	5 837
Medical Aid Benefits	10 080	-
	805 434	**731 975**

Speaker

Allowance and service related benefits		
Basic Salary	464 648	484 403
Travel Allowance	166 214	171 844
Cell Phone Allowance	38 533	40 626
Data Card Allowance	3 400	3 600
Pension Fund Contribution	21 569	2 850
Skills Development Levy	5 538	6 663
Medical Aid Benefits	7 200	15 840
	707 102	**725 826**

Chief Whip

Allowance and service related benefits		
Basic Salary	446 623	430 856
Travel Allowance	167 593	161 182
Cell Phone Allowance	40 800	40 722
Data Card Allowance	3 600	3 600
Pension Fund Contribution	33 497	29 615
Skills Development Levy	5 377	5 701
Medical Aid Benefits	17 280	17 280
	714 770	**688 956**

Executive Committee

Allowances and service related benefits		
Basic salary	3 525 755	3 298 068
Cellphone allowance	311 990	301 281
Data card allowance	27 529	26 530
Travelling allowance	1 281 513	1 187 835
Medical aid benefits	86 400	64 800
Pension fund contributions	191 000	146 067

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Figures in Rand	2020	2019
37. Councillors Renumeration per class of councillor (continued)		
Skills development levy	40 986	42 239
	5 465 173	**5 066 820**
All Other Councillors		
Allowances and service related benefits		
Basic salary	6 457 034	6 184 940
Cellphone allowance	1 279 533	1 276 246
Date card allowance	112 900	112 628
Travelling allowance	2 309 681	2 228 199
Medical aid benefits	110 880	123 840
Pension fund contributions	281 448	297 689
Skills development levy	79 940	81 503
	10 631 416	**10 305 045**
38. Contribution to/from provision		
Landfill site	8 828 974	6 025 885
39. Depreciation and amortisation		
Property, plant and equipment	194 596 842	191 688 581
Investment property	252 587	251 894
Intangible assets	2 425 462	1 848 159
	197 274 891	**193 788 634**
40. Finance costs		
Employee benefits	17 096 614	18 580 276
Current borrowings	31 049 766	17 033 200
Interest costs non-current provisions	7 757 711	6 174 066
Other interest paid	99 808	-
	56 003 899	**41 787 542**

The comparative amounts were restated. Refer to note 61.21

41. Lease rentals on operating lease		
Operating leases		
Contractual amounts	9 225 916	1 824 382
Equipment		
Contractual amounts	2 035 900	410 164
Plant and equipment		
Contractual amounts	575 739	432 438
	11 837 555	**2 666 984**

The comparative amounts were restated. Refer to note 61.24

Stellenbosch Municipality

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42. Bad debt written off

Electricity	443 505	173 753
Refuse	2 576 062	1 198 997
Sewerage	2 135 635	1 089 710
Water	19 414 877	11 219 869
Housing rental	1 261 985	2 092 463
Rates	3 222 192	894 282
Traffic fines	94 132 600	88 538 140
	123 186 856	**105 207 214**

43. Contribution to allowance for doubtful debt

Receivable from exchange allowance contribution	7 657 579	20 261 578
Receivable from non-exchange allowance contribution	(14 171 401)	3 274 837
	(6 513 822)	**23 536 415**

44. Bulk purchases

Electricity	414 765 005	350 008 266
Water	30 855 992	30 662 364
	445 620 997	**380 670 630**

45. Contracted services

Outsourced Services		
Animal Care	4 250	7 031
Catering Services	2 113 721	261 490
Cleaning Services	1 265 831	992 892
Clearing and Grass Cutting Services	1 827 439	3 110 929
Litter Picking and Street Cleaning	4 200 546	3 200 529
Medical Services [Medical Health Services & Suppor	-	110 889
Personnel and Labour	595 337	501 328
Professional Staff	353 227	391 419
Refuse Removal	36 052 981	18 087 629
Security Services	26 740 306	16 065 250
Translators, Scribes and Editors	9 567	26 067
Traffic Fines Management	9 424 022	9 836 651
Transport Services	508 011	748 163
Drivers Licence Cards	734 542	770 882
Consultants and Professional Services		
Business and Advisory	20 153 500	13 212 149
Infrastructure and Planning	389 363	7 358 943
Laboratory Services	1 735 428	1 177 925
Legal Cost	6 578 813	9 777 392

Stellenbosch Municipality

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45. Contracted services (continued)

Contractors		
Artists and Performers	243 225	48 000
Bore Waterhole Drilling	53 648	61 641
Catering Services	399 899	1 221 984
Employee Wellness	112 349	219 645
Event Promoters	137 253	-
First Aid	-	80
Gardening Services	924 242	699 291
Graphic Designers	120 644	28 781
Interior Decorator	523 624	292 421
Maintenance of Buildings and Facilities	10 025 728	15 561 852
Maintenance of Equipment	1 906 557	1 797 796
Maintenance of Unspecified Assets	33 672 495	29 535 189
Management of Informal Settlements	1 050 699	513 343
Medical Services	8 846	83 453
Pest Control and Fumigation	29 696	14 696
Plants, Flowers and Other Decorations	365 042	292 560
Prepaid Electricity Vendors	7 801 057	8 229 782
Preservation/Restoration/Dismantling/Cleaning Serv	652 874	415 305
Tracing Agents and Debt Collectors	1 809 741	1 869 475
Transportation	5 167 403	4 524 212
Sewerage Services	5 311 095	467 377
Stage and Sound Crew	449 998	303 139
	183 452 999	**151 817 580**

46. Transfers and subsidies paid

Other subsidies		
Grant-in-aid tourism	4 600 000	4 124 338
Grant-in-aid animal welfare	1 113 000	1 050 000
Grant-in-aid sundries	3 861 920	3 815 701
Bursary Scheme	379 903	139 410
Grants-in-aid COVID-19 Humanitarian Relief	900 000	-
	10 854 823	**9 129 449**

The comparative amounts were restated. Refer to note 61.23

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

47. General expenses

Advertising, publicity and marketing	1 935 556	2 943 163
Assets less than capitalisation threshold	362 236	922 109
Auditors remuneration	6 703 882	6 295 797
Bank charges, facility and card fees	1 222 864	1 022 289
Bursaries (Employees)	401 598	407 918
Communication	5 624 569	5 649 956
Commission paid	2 944 923	2 685 445
Domestic subsistance and travel	1 084 614	892 224
Drivers lisences and permits	20 565	20 924
Entertainment	48 463	126 275
External computer services	15 238 716	13 512 829
Foreign subsistance and travel	38 438	53 094
Full time union representative	103 917	133 508
Hire charges	11 331 736	12 214 934
Honoraria (voluntary workers)	4 500	12 600
Indigent relief	4 855 792	4 317 298
Insurance	5 357 969	4 327 956
Inventory - materials and supplies	13 749 289	12 442 636
Inventory - standard rated	2 953 561	5 153 285
Inventory - zero rated	13 120 184	13 700 724
Inventory consumed water	114 000	296 630
Licences: motor vehicle licence and registrations	1 212 251	1 225 229
Management fees	10 587 548	8 129 979
Municipal services	8 172 424	8 000 613
Office decorations	41 389	53 165
Other expenses	78 322	200 173
Printing, publications and books	441 250	458 536
Professional bodies, membership and subscription	7 869 951	3 879 060
Samples and specimens	180 745	378 953
Seminars, conferences, workshops and events	1 857 032	2 968 702
Skills development levy	3 669 220	3 998 884
Supplier development programme	577 200	942 126
Title deed search fees	20 100	7 860
Uniform and protective clothing	6 236 877	3 582 350
Vehicle tracking	620 214	732 365
	128 781 895	**121 689 589**

The comparative figures were restated. Refer to note 61.25

Pay@ (Agent) provides the Municipality with payment service solutions on behalf of the Municipality. Pay@ pays over the monies generated from the payment services to the Municipality. The municipality recognises 100% of the money's collected as revenue from exchange transactions and the fee to be paid to Pay@ (as stipulated in the relevant service schedule or based on Pay@'s standard prevailing rates),is recognized as an expense.

EasyPay (Agent) is a payment platform used to collect municipal service payments from third parties. These payments are accepted by EasyPay on behalf of the Municipality (Principal), from third parties. A service charge is levied by EasyPay for collection of the payments. This fee is recognised as commisions paid.

SPS (Agent) collects parking tariffs from motorists on behalf of the Municipality. SPS pays over the tariffs collected to the Municipality, minus the service charge levied. The municipality recognises 100% of the tariff as revenue from exchange transactions and the service charges incurred to SPS is recognized as an expense.

Syntell (Agent) sells and collects money from the sale of prepaid electricity on behalf of the Municipality. SPS pays over the monies collected to the Municipality, minus the collection fee levied, determined at a rate specific in the Service Level Agreement. The municipality recognises 100% of the money's collected as revenue from exchange transactions and the collection fee paid to Syntell (which includes costs incurred on debit or credit card electricity sales and cash handling fees incurred),is recognized as an expense.

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

47. General expenses (continued)

TMT (Agent) manages the collection of traffic fines (both legacy fines issue before 1 July 2017 and fines issued after this date), on behalf of the Municipality. TMT pays over the monies collected to the Municipality. The municipality recognises 100% of the money's collected as revenue from non - exchange transactions and the fee incurred to TMT is recognized as an expense.

These arrangements are subject to standard terms and conditions upon termination.

None of the municipalities assets are under the custodianship of the agents.

48. Fair value adjustments

Other financial assets		
• Discounting of long term receivables	(634 971)	(350 833)
Movement in discounting of long term receivables		
Opening balance	(2 264 321)	(1 913 488)
Discounting	(634 971)	(350 833)
	(2 899 292)	**(2 264 321)**

49. Cash generated from operations

Surplus	81 155 004	121 037 561
Adjustments for:		
Depreciation and amortisation	197 274 891	193 788 634
(Loss) gain on sale of assets and liabilities	(33 133)	5 060 315
Fair value adjustments	634 971	350 833
Other non-cash adjustments	(863 567)	-
Impairment deficit	72 977	1 705 912
Debt impairment	123 186 856	105 207 214
Contribution to debt impairment	(6 521 559)	23 536 415
Movements in operating lease liability	(816 671)	5 360 661
Movements in retirement benefit assets and liabilities	(12 697 154)	(9 644 159)
Movements in provisions	18 961 502	23 179 290
Changes in working capital:		
Inventories	483 626	(10 617 630)
Other receivables from exchange transactions	1 433 147	(9 700 929)
Receivables from exchange transactions	(275 008)	(26 939 431)
Receivables from non-exchange transactions	(85 470 841)	(102 518 755)
Payables from exchange transactions	(638 034)	27 721 923
VAT	17 882 801	6 103 839
Unspent conditional grants and receipts	(50 183 017)	33 402 936
Consumer deposits	706 605	1 403 987
Long term receivables	(2 340 920)	(1 248 126)
	281 952 476	**387 190 490**

50. Financial instruments disclosure

Categories of financial instruments

2020

Financial assets

		At amortised cost	Total
Cash and cash equivalents	3	111 201 845	111 201 845
Receivables from exchange transactions	5	111 067 546	111 067 546

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

Figures in Rand		2020	2019
50. Financial instruments disclosure (continued)			
Other receivables from exchange transactions	7	10 825 566	10 825 566
Receivables from non-exchange transactions	6	19 239 900	19 239 900
Investments	4	306 637 342	306 637 342
Long term receivables	15	6 361 907	6 361 907
		565 334 106	**565 334 106**

Financial liabilities

		At amortised cost	Total
Consumer deposits	16	17 784 517	17 784 517
Other financial liabilities	19	292 930 439	292 930 439
Payables from exchange transactions	21	252 303 653	252 303 653
		563 018 609	**563 018 609**

2019

Financial assets

		At amortised cost	Total
Cash and cash equivalents	3	169 490 533	169 490 533
Receivables from exchange transactions	5	147 504 373	147 504 373
Other receivables from exchange transactions	7	10 030 034	10 030 034
Receivables from non-exchange transactions	6	16 106 082	16 106 082
Investments	4	398 163 664	398 163 664
Long term receivables	15	4 655 958	4 655 958
		745 950 644	**745 950 644**

Financial liabilities

		At amortised cost	Total
Consumer deposits	16	17 077 912	17 077 912
Other financial liabilities	19	318 800 147	318 800 147
Payables from exchange transactions	21	250 152 899	250 152 899
		586 030 958	**586 030 958**

Notes to the Unaudited Annual Financial Statements

51. Risk management

Liquidity risk management

Ultimate responsibility for liquidity risk management rests with the Council, which has built an appropriate liquidity risk management framework for the management of the municipality's short, medium and long-term funding and liquidity management requirements. The municipality manages liquidity risk by maintaining adequate reserves, banking facilities and reserve borrowing facilities, by continuously monitoring forecast and actual cash flows and matching the maturity profiles of financial assets and liabilities.

The table below analyses the municipality's financial liabilities into relevant maturity groupings based on the remaining period at the statement of financial position to the contractual maturity date. The amount disclosed in the table are the contractual undiscounted cash flows. Balances due within 12 months equal their carrying balances as the impact of discounting is not significant.

At 30 June 2020	Less than 1 year	Between 1 and 2 years	Between 2 and 5 years	Over 5 years
Consumer deposits	17 784 517	-	-	-
Other financial liabilities	13 382 735	26 752 932	90 975 235	175 202 273
Payables from exchange transactions	252 303 653	-	-	-

At 30 June 2019	Less than 1 year	Between 1 and 2 years	Between 2 and 5 years	Over 5 years
Consumer deposits	17 077 912	-	-	-
Other financial liabilities	17 266 702	26 888 845	84 793 625	189 850 975
Payables from exchange transactions	250 152 899	-	-	-

Risk from biological assets

The municipality is exposed to financial risks arising from changes in wood prices. The municipality does not anticipate that wood prices will decline significantly in the foreseeable future. The municipality has not entered into derivative contracts to manage the risk of a decline in wood prices. The municipality reviews its outlook for wood prices regularly in considering the need for active financial risk management.

Interest rate risk management

Interest Rate Risk is defined as the risk that the fair value or future cash flows associated with a financial instrument will fluctuate in amount as a result of market interest changes.

Potential concentrations of interest rate risk consist mainly of variable rate deposit investments, long-term receivables, consumer debtors, other debtors, bank and cash balances.

The municipality limits its counterparty exposures from its money market investment operations by only dealing with well-established financial institutions of high credit standing. No investment with a tenure exceeding twelve months shall be made without consultation with the councillor responsible for financial matters.

In the case of receivables whose accounts become in arrears, it is endeavoured to collect such accounts by "levying of penalty charges", "demand for payment", "restriction of services" and, as a last resort, "handed over for collection", whichever procedure is applicable in terms of Council's Credit Control and Debt Collection Policy.

Long-term receivables and other debtors are individually evaluated annually at the reporting date for impairment or discounting. A report on the various categories of receivables are drafted to substantiate such evaluation and subsequent impairment / discounting, where applicable.

The municipality is not exposed to interest rate risk as the municipality borrows funds at fixed interest rates.

The municipality's exposures to interest rates on Financial Assets and Financial Liabilities are detailed in the Credit Risk Management section of this note.

Interest Rate Sensitivity Analysis

The municipality had no variable rate long-term financial instruments at year-end requiring an Interest Rate Sensitivity Analysis.

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

51. Risk management (continued)

Credit risk

Credit risk refers to the risk that a counterparty will default on its contractual obligations resulting in financial loss to the municipality. The municipality has a sound credit control and debt collection policy and obtains sufficient collateral, where appropriate, as a means of mitigating the risk of financial loss from defaults. The municipality uses other publicly available financial information and its own trading records to assess its major customers. The municipality's exposure of its counterparties are monitored regularly.

Potential concentrations of credit rate risk consist mainly of long-term receivables, consumer debtors, other debtors, bank and cash balances.

The municipality limits its counterparty exposures from its investment operations (financial assets that are neither past due nor impaired) by only dealing with well-established financial institutions of high credit standing. The credit exposure to any single counterparty is managed by setting transaction / exposure limits, which are included in the municipality's Investment Policy. These limits are reviewed annually by the Chief Financial Officer and authorised by the Council.

Receivables from exchange transactions comprise of a large number of ratepayers, dispersed across different industries and geographical areas within the jurisdiction of the municipality. Ongoing credit evaluations are performed on the financial condition of these receivables. Receivables from exchange transactions are presented net of the allowance for impairment.

Receivables from non-exchange transactions comprise of a large number of ratepayers, dispersed across different industries and geographical areas within the jurisdiction of the municipality. Ongoing credit evaluations are performed on the financial condition of these receivables. Receivables from exchange transactions are presented net of the allowance for impairment.

The municipality establishes an allowance for impairment that represents its estimate of anticipated losses in respect of receivables. Receivables are provided for based on estimated irrecoverable amounts, determined by reference to a non payment rate.

In the case of debtors whose accounts become in arrears, it is endeavoured to collect such accounts by "levying of penalty charges", "demand for payment", "restriction of services" and, as a last resort, "handed over for collection", whichever procedure is applicable in terms of Council's Credit Control and Debt Collection Policy.

Long-term Receivables and Other Debtors are individually evaluated annually at reporting date for impairment or discounting. A report on the various categories of debtors is drafted to substantiate such evaluation and subsequent impairment / discounting, where applicable.

Payment to accounts of consumer debtors who are unable to pay, are renegotiated as an ongoing customer relationship in response to an adverse change in the circumstances of the customer.

The municipality does not have any significant credit risk exposure to any single counterparty or any group of counterparties having similar characteristics. The municipality defines counterparties as having similar characteristics if they are related entities. The credit risk on liquid funds is limited because the counterparties are banks with high credit-ratings.

There is no collateral held for security in respect of consumer debtors.

The impact of the Covid-19 pandemic was taken into account with the allowance for impairment calculation of consumer debtors.

The maximum credit and interest risk exposure in respect of the relevant financial instruments is as follows:		
Cash and cash equivalents	111 201 845	169 490 533
Short term investments	306 637 342	398 163 664
Receivables from exchange transactions	111 067 546	161 402 873
Other receivables from exchange transactions	10 825 566	4 276 034
Receivables from non-exchange transactions	19 239 900	16 106 082
Long term receivable	6 361 907	4 655 958
	565 334 106	**754 095 144**

Foreign currency risk management

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

51. Risk management (continued)

The municipality's activities do not expose it to the financial risks of foreign currency and therefore has no formal policy to hedge volatilities in the interest rate market.

Other price risks

The municipality is not exposed to equity price risks arising from equity investments as the municipality does not trade these investments.

52. Commitments

Authorised capital expenditure

Already contracted for but not provided for		
• Property, plant and equipment	295 630 010	229 338 793
• Intangible assets	35 839 625	71 146 289
	331 469 635	**300 485 082**
Total capital commitments		
Already contracted for but not provided for	331 469 635	300 485 082

This committed expenditure relates to property, plant and equipment and will be financed by available bank facilities, retained surpluses, existing cash resources, funds internally generated.

The amounts as disclosed are VAT inclusive.

53. Contingencies

2019/2020 Contingent liabilities

State / Matanise CAS NR 98/03/2015/ Stellenbosch Municipality

A traffic officer made a U-turn on the R44 pursuant to obtaining an instruction from his superintendent that he need to attend to a complaint in Klapmuts. The claimant, alleged that he had to turn into another lane to prevent an accident to occur, losing control over the vehicle and overturning the vehicle in the process.

Management estimate of the financial exposure is R100 000 in respect of costs and disbursements.

Labour court review - MATUSA on behalf of an employee / Stellenbosch Municipality

MATUSA on behalf of an former employee obtained an arbitration award against Stellenbosch Municipality in terms of which the former employee was reinstated and certified the arbitration award in terms of section 143(3) of the LRA. They instructed the sheriff to attached the movable properties of the Municipality to be sold in execution.

The Municipality instituted review proceedings against the arbitration award and stay the execution of the arbitration award.

Managements estimate of the financial exposure is approximately R380 000 in respect of costs and disbursements including compensation of 12 months of approximately R230 000.00 if reinstatement is not granted.

Ricmal Green (Pty) Ltd & another / The unlawful occupiers and others

Ricmal Green (Pty) Ltd applied for an interdict that the National Minister of Agriculture, Deputy Minister of Agriculture and the National Government be interdicted and restrained from placing any third parties in occupation of the Property or in any way encouraging, promoting, supporting and or allowing any persons to come onto the farm to occupy the Property.

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

That the persons attempting to occupy the Property be interdicted and restrained from entering onto or remaining on the Property and erecting or attempting to erect any form of structure, be it temporary, permanent or semi-permanent of nature on the Property.

Ricmal Green (Pty) Ltd also applied for an urgent eviction application in terms of rule 6(12) against all unlawful occupiers of the Property listed in Annexure A to be ordered to vacate the Property and should they fail/refuse that the Sheriff be ordered to evict them from the Property.

Stellenbosch Municipality is sited as Seventh Respondent to the matter. No relief is sought against the Municipality unless the Municipality oppose the application. The Municipality was joined as the Property is situated within its jurisdiction and its statutory and/or constitutional obligations as regards the occupiers.

The Municipality is supporting the application of the Applicants and filed an explanatory affidavit.

Managements estimate of the financial exposure is approximately R200 000 in respect of costs and disbursements

Anonymous Employee / Stellenbosch Municipality

An employee applied for default judgment against Stellenbosch Municipality for alleged unfair labour practice in relation to failure to promote and/or demotion and alleged that he/she is being unfairly discriminated against.

Managements estimate of the financial exposure is approximately R100 000 in respect of costs and disbursements

SPS / Stellenbosch Municipality

MZ Loghdey t/a Street Parking Solutions submitted a tender, which was awarded to him. The tender was implemented on or about 1 April 2019. A dispute arose between the parties around various issues in terms of the tender. Clause 27.1 of the GCC provides that if any dispute or difference of any kind whatsoever arises between the purchaser and the supplier in connection with or arising out of the contract, the parties shall make every effort to resolve amicably such dispute or difference by mutual consultation. Clause 27.2 provides further if, after thirty (30) days, the parties have failed to resolve their dispute or difference by such mutual consultation, then either the purchaser or the supplier may give notice to the other party of his intention to commence with mediation. No mediation in respect of this matter may be commenced unless such notice is given to the other party. Clause 27.3 provides that should it not be possible to settle a dispute by means of mediation, it may be settled in a South African court of law. Notwithstanding the above clause 27.4 provides that notwithstanding any reference to mediation and/or court proceedings herein the parties shall continue to perform their respective obligations under the contract unless they otherwise agree and the purchaser shall pay the supplier any monies due for goods delivered and/or services rendered according to the prescripts of the contract.

Both SPS and the Municipality alleged that certain conditions of the tender/contract was breached and that mediation is required to solve the dispute. A mediator was appointed and a date for the mediation need to be set to argue the matter.

Managements estimate of the financial exposure is approximately R100 000 in respect of costs and disbursements

Anonymous Employee / Stellenbosch Municipality

Review application instituted by Stellenbosch Municipality setting aside the Arbitration Award made under WCP121702 under the South African Local Bargaining Council to pay the employee compensation for additional work done.

Managements estimate of the financial exposure is R300 000. This amount represents the legal costs and disbursements that the municipality may be liable for in order to finalise the matter and the amount claimed should the employee be successful.

Former Employee / South African Local Government Bargaining council and others

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

Review application instituted by an former employee to have the arbitration award dated 18 July 2019 under case numbers WCP 071722 and 01719 reviewed and set aside and in the alternative should the court elect not to correct the award that the dispute be remitted and referred back to the Bargaining Council for adjudication before an arbitrator.

Managements estimate of financial exposure is approximately R200 000. This amount represents the legal costs and disbursements that the Municipality may be liable in order to finalise the matter.

Stellenbosch Municpality / Urlan Groenewaldt & Jacques Francois Swart

Motor vehicle collision in which the municipal traffic lights were damaged.

Managements estimate for financial exposure is approximately R50 000.00 in respect of costs and disbursements.

Stellenbosch Municipality / Sliyazama CP Constructions (Pty) Ltd

Stellenbosch Municipality have to institute eviction proceedings against the illegal occupiers of the property, which the Municipality is leasing to Kindersorg to operate a crèche in Kayamandi. The eviction application is pending.

The founding affidavit of the Municipality needs to be finalised, whereafter the municipality can proceed with the institution of the eviction application. The municipality has received the founding affidavit and is in the process of proposing amendments thereto.

Managements estimate of financial exposure is approximately R200 000 in respect of costs and disbursements.

Stellenbosch Municipality / Klapmuts mediation

Stellenbosch Municipality is under obligation to provide emergency housing to evictees of various eviction orders in Klapmuts. The Klapmuts community has threatened violence against evictees and destruction of property should the municipality proceed to utilise Klapmuts housing facilities for evictees rather than for members of the Klapmuts community. Independent expert mediator appointed to facilitate mediation which is currently pending. The mediator had meetings with the community and a committee was elected to discuss the matter and proposals made. The chairperson of the Committee was not available for a period to attend meetings and new proposed dates were arrangde by the mediator for such meetings. The community still refuse the Municipality to implement emergency housing.

The mediation needs to be finalised to obtain the buy-in of the community to relocate evictees to Klamputs.

Managements estimate of the financial exposure is approximately R250 000 in respect of costs and disbursements.

Stellenbosch Municipality / NE Properties (Pty) Ltd

Application to declare the dissolution of NE Industries void in terms of section 83(4) of the Companies Act and to direct the Companies and Intellectual Property Commission of South Africa to restore NE Industries' name to the register of companies. NE Industries was deregistered and its name was removed from the register of companies on 16 July 2010 due to its failure to file its annual returns. NE Industries is the single largest debtor on the Municipality's debtor's book. The Municipality wants to collect the outstanding amount due to it but established that NE Industries was deregistered as a result of its failure to file its annual returns and its name was removed from the register of companies.

Managements estimate of the financial exposure is approximately R200 000. This amount represents the legal costs and disbursements that the Municipality may be liable for in order to obtain the Final Court Order.

Stellenbosch Municipality / IMATU on behalf of Employee

Review application instituted against the arbitrator's award by Commissioner Der Vlieger-Seynhaeve including application for condonation and to oppose the application for contempt of court proceedings instituted by IMATU obo employee.

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

Managements estimate of financial exposure is approximately R200 000. This amount represents the legal costs and disbursements that the Municipality may be liable for in order to obtain the Final Court Order.

Stellenbosch Municipality / E Ross and Others

Stellenbosch Municipality have to institute eviction proceedings against Respondents of the property at 609 Lavanda Flats, Jan Cillier Street, Stellenbosch due to the Respondents actions. The eviction application is still pending.

Managements estimate of the financial exposure is approximately R200 000. This amount represents the legal costs and disbursements that the Municiplaity may be liable in order to finalise the matter.

Stellenbosch Municipality / L Bailey and Another

Stellenbosch Municipality is in the process instituting eviction proceedings against the Respondents of the property at 108 Aurora Flats, Jan Cilliers Street, Stellenbosch, due to the Respondents actions. The eviction application is still pending.

Managements estimate of the financial exposure is approximately R200 000. This amount represents the legal costs and disbursements that the Municiplaity may be liable in order to finalise the matter.

Stellenbosch Municipality / J Morgan and Others

Stellenbosch Municipality is in the process of instituting eviction proceeding against the Respondents of the property at 12 Weber Street, Idas Valley, Stellenbosch, due to the Respondents actions. The eviction is still pending.

Managements estimate of the financial exposure is approximately R200 000. This amount represents the legal costs and disbursements that the Municiplaity may be liable in order to finalise the matter.

Stellenbosch Municipality / A De Ruiter and Others

Stellenbosch Municipality have to institute eviction proceedings against the Respondents of Erf 5281 Cloetesville, due to the Respondents actions.

Managements estimate of the financial exposure is approximately R200 000. This amount represents the legal costs and disbursements that the Municiplaity may be liable in order to finalise the matter.

Stellenbosch Municipality / Francois Jansen

Application for eviction of unlawful occupants from municipal property.

Managements estimate of the financial exposure is approximately R50 000. This amount represents the legal costs and disbursements that the Municipality may be liable in order to obtain the Final Court Order.

Stellenbosch Municipality / Tania Wasmuth and Others

Application for eviction of unlawful occupants from municipal property.

Managements estimate of the financial exposure is approximately R50 000. This amount represents the legal costs and disbursements that the Municipality may be liable in order to obtain the Final Court Order.

Stellenbosch Municipality / Cobus Visagie

Approximately R684 000.00 owed by Cobus Visagie for a tender to harvest wood.

Managements estimate of the financial exposure is approximately R50 000. This amount represents the legal costs and disbursements that the Municipality may be liable in order to obtain the Final Court Order.

Fusion Properties 233 CC / The Municipality of Stellenbosch

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

This matter involves a summons issued against the Municipality for alleged damages pursuant to the sale of certain immovable property belonging to the Municipality.The amount claimed is R32 115 000.00 together with interest calculated at the rate of 9% per annum from 28 July 2015. The Municipality is defending the action. Pleadings have now closed and the Plaintiff is in the process of applying for a court date.

The application that the Plaintiff has to provide security for costs was granted and the interlocutory application to strike out certain allegations was also successful. The Plaintiff made application for leave to appeal against the judgment, which application was refused with costs. The Plaintiff has delivered a petition to the Supreme Court of Appeal ("SCA") in terms of which it is now seeking leave to appeal either to the SCA or the full bench of the Western Cape Division of the High Court.

Should the litigation against the Municipality be successful, the estimate of financial exposure will be the R32 115 000.00 together with interest calculated at the rate of 9% per annum from 28 July 2015 including legal costs and disbursements of approximately R1 350 000.00.

Independent Schools Association of Southern Africa / Ethekwini Municipality / Stellenbosch Municipality &Others

This matter involves an application on behalf of the Municipality to be joined as co-applicant together with eThekwini Municipality in an application for the review and setting aside of the Amended Municipal Property Rates Regulations promulgated on 12 March 2010. The Municipality has been joined successfully as co-applicant.

The matter was set down and heard during the first week in June 2019. Judgment was granted against the Municipality with costs. The Municipality successfully sought leave to appeal the judgment and leave to appeal to the Supreme Court of Appeal ("SCA") was granted. The Municipality has lodged its notice of appeal and has also lodged the record of the proceedings, together with eThekwini Municipality as the first appellant. The appellants have also filed their heads of argument and now await the respondents' heads of argument. This matter does not involve any amounts claimed

Managements estimate of the financial exposure is approximately R250 000.This amount represents the legal costs and disbursements that the Municipality may be liable for if the review application is unsuccessful.

De Zalze Golf Club / Valuation Appeal Board for Stellenbosch Municipality

De Zalze Golf Club applied to have the Valuation Appeal Board for the Stellenbosch Municipality’s decision dated 5 September 2018 to place a value of R26 500 000.00 on the leasehold rights in respect of remainder Erf 296 De Zalze reviewed and set aside and to replace the decision with an order valuing the property at R1 000.00 alternatively R4 900 000.00. In the alternative, and in the event that the Court is not prepared to grant the relief sought indicated above, remitting the matter to the Valuation Appeal Board and directing it, within a reasonable period and in accordance with the Court’s directions, to make a fresh decision as to the value of the property. De Zalze Golf Club also applied that the Valuation Appeal Board and Stellenbosch Municipality pay De Zalze’s costs jointly and severally, including the costs of two counsel (save that costs are only sought against Stellenbosch Municipality in the event of it opposing the application). The matter was heard on 13 August 2020 and judgment has been reserved.This matter does not involve any amounts claimed.

Managements estimate of the financial exposure is approximately R500 000.This amount represents the legal costs and disbursements that the Municipality may be liable for if the review application is successful.

Stellenbosch Municipality / LJ Turnkey Investments (Pty) Ltd

The owner of Portion 9 of Farm 100 Stellenbosch (“the Property”) applied for a declaratory order that the zoning of the Property is general residential and allows them to utilise the Property for student accommodation.The Municipality opposed the declaratory order and filed its answering affidavit.

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

The Municipality is in the process of instituting a counter-application for, amongst others, a declaratory order regarding the zoning of the Property and interdictory relief regarding the utilisation of the Property for student and/or any other rental accommodation in contravention of the Municipality's Zoning Scheme By-law. This matter does not involve any amounts claimed.

Managements estimate of the financial exposure is approximately R250 000.This amount represents the legal costs and disbursements that the Municipality may be liable for if the review application is successful.

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

2018/2019 Contingent liabilities

Anonymous / Stellenbosch Municipality

A municipal employee intituted legal procedings against Stellenbosch Municipality and a municipal employee for alleged sexual harassment and unfair discrimination in the Labour Court. The Municipality has filed its Statement of Response to the Plaintiff's Statement of Claim and awaits a court date to have the matter argued. At reporting date this matter is pending

Management estimates financial exposure to approximately R200 000 in respoect of costs and disbursements. The amount of the claim has not been included as the plaintiff's prospects of success are unlikely.

Stellenbosch Municipality / Herman Pheiffer

Monetary claim by the former Speaker, Herman Pheiffer against the Municipality. The Municipality defended the case succesfully against Mr Pheiffer and obtained a cost order. At reporting date the matter is pending.

Management estimates financial exposure to mount to approximately R50 000 in respect of costs and disbursements. The amount of the claim has not been included as the plaintiff's prospects of success are unlikely.

Stellenbosch Municipality / Anonymous Employee

Review application instituted by Stellenbosch Municipality settingaside the Arbitration Award made under WCP121702 under the South African Local Goverment Bargaining Council to pay Thato compensation for additional work. At reporting date this matter is pending

Managment estimates financial exposure to amount to approxomately R200 000 - this amount represents the legal costs and disbursements that the Municipality may be liable in order to finalize this matter.

Stellenbosch Municipality / Siyazama CP Constructions (Pty) Ltd

Stellenbosch Municipality is in the process of instituting eviction proceedings against illegal occupiers of the property, which the Municipality is leasing to Kindersorg to operate a creche in Kayamandi. The eviction application is pending. The founding affidavit of the Municipality needs to be finalised, where after the Municipality can proceed with the institution of the eviction application. The Municipality has received the founding affidavit and is in the process of proposing amendments thereto. At the reporting date the matter is pending,

Management estimates financial exposure to amount to be approxomately R50 000 in respect of costs and disbursements.

Stellenbosch Municipality / Klapmuts Mediation

The Municipality has an obligation to provide emergency housing to evictees of various eviction orders in Klapmuts. The Klapmuts community has threatened violent action against evictees and destruction of property should the Municipality proceed to use Klapmuts housing facilities for evictees rather than for members of the Klapmuts community.

An independent expert mediator has been appointed to facilitate mediation which is currently pending. The mediator had meetings woth the community and a committe was elected to discuss the matter and proposals made. The chairperson of the committe was not available for a period to attend meetings and new proposed dates were arranged by the mediator for such meetings. At reporting date this matter is pending. Reference: KVDBERG/S613.

Mediation needs to be finalised to obtain buy-in of the community to Klapmuts. Management estimates financial exposure to amount to approxomately R250 000 in respect of costs and disbursements.

Franklin Adams/ The Speaker/ Stellenbosch Municipality

Councillor Adams insituted legal proceedings against the Speaker of the Municipality in the Equality Court. The Municipality served and filed its opposing affidavit in the matter. The matter was subsequently postponed to 9 July 2019 for the inter alia Councillor Franklin Adams to apply for legal assistance from Stellenbosch Municipality. The matter was postponed until 5 September 2019 to allow councillor Adams' attorney to come on record to attend to the directive hearing. Thus, at reporting date this matter is pending

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

Management estimates financial exposure to amount to approximately R50 000 in respect of costs and disbursements.

Stellenbosch Municipality/ E Ross & Others

Stellenbosch Municipality is in the process of instituting eviction proceedings against the Respondents of the property at 609 Lavanda Flats, Jan Cilliers Street, Stellenbosch, due to the Respondents actions. The respondents did not oppose the application whithin the required time, as a result the Municipality submitted a Chamberbook application to oblige the respondents to submit their opposing affidavit, which they negleted to do. The matter will be enrolled on the unopposed roll.

Management estimates financial exposure to amount to approxomitely R200 000 - this amount represents the legal costs and disbursements that the municipality may be liable to finalise this matter.

Stellenbosch Municipality / L Baily & Another

Stellenbosch Municipality is in the process instituting eviction proceedings against the Respondents of the property at 108 Aurora Flats, Jan Cilliers Street, Stellenbosch, due to the Respondents actions. The eviction application is still pending. Thus, at reporting date this matter is pending and the Municipality awaits for the Writ from the Registrar of the High Court

Management estimates financial exposure to amount to approximately R200 000 - this amount represents the legal costs and disbursements that the Municipality may be liable to finalize this matter.

Stellenbosch Municipality / J Morgan & Others

Stellenbosch Municipality is in the process of instituting eviction proceeding against the Respondents of the property at 12 Weber Street, Idas Valley, Stellenbosch, due to the Respondents actions. The attorneys are currently in the process to finalise affidavit. At reporting date, the eviction application is still pending and the Municipality is in the process of finalising the affidavit.

Management estimates financial exposure to amount to approximately R200 000 - this amount represents the legal costs and disbursements that the Municipality may be liable to finalize this matter.

Stellenbosch Municipality / A De Ruiter & Others

An eviction application was instituted by Stellenbosch Municipality to have the Respondents evicted from the property, Erf 5281 Cloetesville, due to the Respondents actions. At reporting date, the eviction application is still pending, and the Affidavit still needs to be signed by the Municipal Manager.

Management estimates financial exposure to amount to approximately R200 000 - this amount represents the legal costs and disbursements that the Municipality may be liable to finalize this matter.

Stellenbosch Municipality / Franscois Jansen

An application has been instituted by the Stellenbosch Municipality for the eviction of unlawful occupants from municipal property. This matter is still pending at the reporting date.

Management estimates financial exposure to amount to approximately R50 000 - this amount represents the legal costs and disbursements that the Municipality may be liable to obtain for the Final Court Order.

Stellenbosch Municipality / Tania Wasmuth & Others

An application for eviction of unlawful occupants from municipal property has been instituted by Stellenbosch Municipality. This matter is still pending at the reporting date.

Management estimates financial exposure to amount to approximately R50 000 - this amount represents the legal costs and disbursements that the Municipality may be liable to obtain the Final Court Order.

Stellenbosch Municipality / Cobus Visagie

Approximately R684 000 was owed by Cobus Visagie for a tender to harvest wood. Summary judgement was obtained but the money still needs to be collected.

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

Management estimates financial exposure to amount to approximately R50 000 - this amount represents the legal costs and disbursements that the Municipality may be liable to obtain to Final Court Order.

Metro City Protection Services / Stellenbosch Municipality

Metro City Protection Services instituted legal proceedings against Stellenbosch Municipality, pursuant to them not being awarded the tender for the rendering of security services. They applied for the Municipality to be interdicted to implement the tender with Securitem (Pty) Ltd and applied to have the tender award reviewed and set aside.

The matter was argued and the interdict was denied. The Review application is currently pending and a timetable was agreed upon in terms of which the matter will be argued on 12 September 2019. The Municipality had to file its Rule 53 record on 27 May 2019. The Applicant must file its supplementary affidavit by 13 June 2019 and the Municipality must file its answering affidavit by 4 July 2019. The parties are in the process of settling the matter. At reporting date this matter is pending.

Management estimates financial exposure to amount to approximately R250 000 - this amount represents the legal costs and disbursements that the Municipality may be liable for to obtain the final court order.

La Concorde South Africa (Pty) Ltd / The Stellenbosch Municipality & Others

La Concorde raised an objection to the constitutional validity of Section 24(1)(e) of the Stellenbosch Municipal Planning By-law, 2015 read with Section 61(2)(c) of the Western Cape Land Use Planning Act, 3 of 2014. La Concorde alleged that the Section 24 exempts an owner from applying for a subdivision in the circumstances listed therein, any reference in both the By-law and LUPA to “application” or “approval” cannot apply to a request to a municipality to issue an exemption certificate and the issuing of the exemption certificate is not an “approval” or a “decision” for the purposes of the By-law and LUPA.Pursuant to providing the information/documents requested in terms of La Concorde’s Rule 30(1)(A) notice, La Concorde served another Rule 30(1)(A) notice requesting further additional information/documents. The Municipality provided the information, (except for the Planning Department) requested to our attorneys of record who is attending compiling the additional Rule 53 record. At year end this matter was still pending.

Management estimates financial exposure to amount to approximately R250 000 - this amount represents the legal costs and disbursements that the Municipality may be liable for in order to obtain the final court order.

Stellenbosch Municipality / Stellenbosch Golf Club

Stellenbosch Municipality entered into a long term notarial lease agreement with Stellenbosch Golfklub (“the Golfklub”) on or about 20 December 1994, which lease agreement was notarial registered under reference number K199/95L on 14 March 1995. In terms of clause 4.6 of the notarial lease agreement the Golfklub is responsible for payment of the rates and taxes levied by the Municipality. The Municipality is involved in a dispute with the Stellenbosch Golfklub regarding outstanding rates the municipality claims from the Golfklub. The Golfklub leases the property on which the golf course is situated from the Municipality and for that reason is alleging that they do not have to pay rates and taxes to the Municipality.

The Municipality has finalised amendments to the draft Arbitration agreement as well as its Heads of Arguments and have forwarded the same to Stellenbosch Golf Club’s attorneys. Stellenbosch Golfklub indicated that they want to make amendments to the Arbitration Agreement and Statement of Case and as a result the scheduled arbitration could not proceed on 31 May 2019. We are still awaiting the proposed amendments from Stellenbosch Golfklub and new dates on which the arbitration can proceed. At year end this matter was still pending.

Management estimates financial exposure to amount to approximately R300 000 - this amount represents the legal costs and disbursements that the Municipality may be liable to finalize this matter.

Gerhard Schalk van Niekerk N.O and Others / Stellenbosch Municipality

Gerhard Schalk van Nieker N.O & Others (“the Applicants”) instituted review proceedings against Stellenbosch Municipality’s resolution of 31 October 2018, which resolved the owners to be instructed to demolish all structures/boundary fences impeding public access to the Millstream, and to move all boundary fencing to their own ERF boundaries, within a period of 3 (three) months of receipt of the notice (“the Council resolution”), be reviewed and set aside.

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

Furthermore, that the decision of the Municipality on or about 22 November 2018, alternatively on or about 14 May 2019, to issue notices pursuant to the Council's resolution to the First to Fourth Applicants and the Fifth to Seventh Applicants, respectively ("the decision to issue the notices"), be reviewed and set aside. One of the Applicants prayers is that the Municipality pay the Applicants costs of the application, including costs of two counsel.

The Applicants erven, i.e. the Alabama Trust as registered owner of ERF 1629, Stellenbosch and the Gillomee Trust as registered owner of ERF 1726 Stellenbosch abut ERF 1771 Stellenbosch of which Stellenbosch Municipality is the owner. ERF 1771 Stellenbosch is zoned as Public Open Space. The Applicants erected structures, which structures encroached on ERF 1771 Stellenbosch, without any prior approval of Stellenbosch Municipality. The Stellenbosch Municipal Council inter alia resolved on 31 October 2018 that the owners be given notices that any and all agreements that may exist with them in writing, or allowances made over the years, in regard to the use of land across the Millstream, is cancelled/revoked and that the owners be informed to demolish all structures/boundary fences not allowing public access to the Millstream and move any and all boundary fencing to their own erf boundaries within a period of 3 months of receipt of the notice.

Fusion Properties 233 CC / The Municipality Of Stellenbosch

This matter involves a summons issued against the Municipality for alleged damages pursuant to the sale of certain immovable property belonging to the Municipality. The Municipality is defending the action. The application that the Plaintiff has to provide security for costs was granted and the interlocutory application to strike out certain allegations was also successful. The Plaintiff made application for leave to appeal against the judgment, for which the application was refused with costs.At reporting date this matter is pending. : Reference RB Africa / S Kgomo / 3006430.

Should the litigation against the Municipality be successful, management estimates financial exposure will be the R32 115 000 together with interest calculated at the rate of 9% per annum from 28 July 2015 including legal costs and disbursements of approximately R1 350 000.00.

Independant Schools Association of Southern Africa / EThekwini Municipality / Stellenbosch Municipality & Others

This matter involves an application on behalf of the Municipality to be joined as co-applicant together with eThekwini Municipality in an application for the review and setting aside of the Amended Municipal Property Rates Regulations promulgated on 12 March 2010. The Municipality has been joined successfully as co-applicant.

The matter was argued in June 2019 and judgment was subsequently granted against the Municipality with a costs order. The Municipality submitted its leave to appeal against the judgment on 24 July 2019. The appeal was subsequently argued and leave to appeal was granted. This matter does not involve any amounts claimed. Reference: RB Africa / AE Esterhuizen / 2083835.

Management estimates financial exposure to amount to approximately R250 000 - this amount represents the legal costs and disbursements that the Municipality may be liable for if the review application is unsuccessful.

De Zalze Golf Club / Valuation Appeal Board Fof Stellenbosch Municipality

De Zalze Golf Club applied to have the Valuation Appeal Board for the Stellenbosch Municipality's decision dated 5 September 2018 to place a value of R26 500 000 on the leasehold rights in respect of remainder ERF 296 De Zalze reviewed and set aside. To replace the decision with an order valuing the property at R1000 alternatively R4 900 000. In the alternative, and in the event that the Court is not prepared to grant the relief sought indicated above, remitting the matter to the Valuation Appeal Board and directing it, within a reasonable period and in accordance with this Court's directions, to make a fresh decision as to the value of the property. De Zalze Golf Club also applied that the Valuation Appeal Board and Stellenbosch Municipality pay De Zalze's costs jointly and severally, including the costs of two counsel. Reference: AE Esterhuizen / SK Jacobs / 3032533.

The Municipality filed its Rule 53 record, where after De Zalze Golf Club served and filed its supplementary affidavit. The Municipality is in the process of finalising its answering affidavit and have arrange consultations for 15 July 2019 and 19 August 2019 respectively. At reporting date this matter is pending.

Management estimates financial exposure to amount to approximately R500 000 - this amount represents the legal costs and disbursements that the Municipality may be liable for if the review application is unsuccessful.

Stellenbosch Municipality/ Mandisi Parscal Jejane

Notes to the Unaudited Annual Financial Statements

53. Contingencies (continued)

The matter concerns the removal of an illegal structure which was erected without building plans, for which the occupants need to be evicted.

Management estimates financial exposure to amount to approximately R50 000 - this amount represents the legal costs and disbursements that the Municipality may be liable for if the review application is unsuccessful.

Stellenbosch/ Urlan Groenewald & Jacques Francois Swart

The matter concerns a claim regarding a motor vehicle collision where the municipal traffic lights were damaged.

Management estimates financial exposure to amount to approximately R50 000 - this amount represents the legal costs and disbursements that the Municipality may be liable for if the review application is unsuccessful.

Stellenbosch Municipality/ The Municipal Manager/ Franklin Adams

The matter concerns a claim by Councillor Adams against the Speaker and Municipal Manager in the Equality Court.

The matter was withdrawn by Franklin Adams on 15 October 2019. Court judgement stated that each party is responsible for their own costs. The municipality is currently deciding whether an appeal will be launched.

Management estimates financial exposure to amount to approximately R50 000 - this amount represents the legal costs and disbursements that the Municipality may be liable for if the review application is unsuccessful.

Stellenbosch Municipality/ April & Another

The matter concerns the institution of eviction proceedings by the municipality against the respondents of the property.

Management estimates financial exposure to amount to approximately R200 000 - this amount represents the legal costs and disbursements that the Municipality may be liable for if the review application is unsuccessful.

54. Related parties

Loans granted to related parties

In terms of the MFMA, the municipality may not grant loans to its councillors, management, staff and public with effect from 01 July 2004. Loans, together with conditions thereof granted prior to this date are disclosed in note 15 in the annual financial statements.

Remuneration of management

Compensation of key management and personnel is set out in notes 34, 35 and 36 respectively in the annual financial statements.

All Councillors and Employees have disclosed their interest in related parties and no one has the ability to control or exercise significant influence over Council in making financial and operating decisions.

Notes to the Unaudited Annual Financial Statements

55. Awards to close family members in the service of the state

The detail listed below is disclosed in terms of Regulation 45 of the Municipal Supply Chain Regulations 2005 that determines that the municipality must disclose particulars of any awards of more than R2 000 to a person who is a spouse, child or parent of a person in service of the state or has been in service of the state in the previous twelve months.

Supplier	Name	State Department	Spouse, Child or Parent	2020	2019
Aurecon South africa (Pty) Ltd	Refer to detail below	Refer to detail below	Spouse, Child and Parent	7 864 895	8 767 802
ARB Electrical Wholesalers (Pty) Ltd	J Modise	Eskom Holdings: Non Executive Director and Road Accident Fund (RAF) CEO	Spouse	26 203	1 388
Bergstan South Africa	C Beukes	Department of Social Development	Spouse	-	73 600
Kemanzi (Pty) Ltd	J N Du Toit	City of Cape Town	Spouse	480 920	115 438
CSM Consulting Services	A Vancoillie	Department of Environmental affairs and Development Planning	Child	84 051	27 600
Exeo Khokela Civil	T Meyer	Department of Education	Child	-	5 999 461
Red Hills Electronics	L Hartley	Department of Education	Spouse	1 823 316	3 793 770
Milhon HVAC	J Sampson	Stellenbosch Municipality	Spouse	10 941	-
NCC Environmental Servicess (Pty) Ltd	C Rhode	City of Cape Town	Spouse	3 600	9 775
Helderberg Business	N Hitchert	Department of Agriculture	Spouse	-	1 750
Rhode Bros Steel Pro	D Rhode	South African Police Service	Child	16 100	62 315
Flowers in the Foyer	E Gunter	Other Government department	Spouse	-	2 700
Silver Solutions 1765	D Simpson	Department of Education	Spouse	14 000	-
Element Consulting	S Pienaar	Department of Local Government	Spouse	-	275 476
Idas Valley Cleaning Solutions	G Jonkers C Jonkers	Stellenbosch Municipality Department of Local Government	Child	12 000	-
IKapa Reticulation and flow	S Davids	Department of Education	Spouse	3 202 534	1 232 505
Isuzu Truck Centre (Pty) Ltd	E Jacobs	Department of Local Goverment	Spouse	-	1 603 199
Smec South Africa (Pty) Ltd	Y Phosa	Department of the Premier	Spouse	1 804 142	234 255
AECOM SA (Pty) Ltd	Refer to detail below	Refer to detail below	Spouse, Child and Parent	9 900 413	2 549 515
Conlog (Pty) Ltd	N Moodley	Department of Health	Spouse	1 465 045	1 861 204
Rhotec	P Rhode	Department of Education	Spouse	-	44 789
Steven Happie	F Happie	City of Cape town		28 779	142 210
G and G Maintenance	GB Gabriels	Department of Local Government	Parent	42 780	103 987
Novus3 (Pty) Ltd	M De Vries J Scheepers	Department of Education Council for Medical Services		1 615 267	1 723 120

Notes to the Unaudited Annual Financial Statements

55. Awards to close family members in the service of the state (continued)

Landfill Consult (Pty) Ltd	MM Dube	DICRO	Spouse	2 985 554	1 248 792
Man 4 Trading (Pty) Ltd	MS Samuels	Department of Education	Spouse	7 530	-
ARCUS GIBB	B September	City of Cape Town	Spouse	6 619 848	374 448
Stellenbosch Hospice	L Esau	Department of Local Government	Spouse	-	40 000
Mpumamanzi Group CC	E Bouwers	Department of Health	Parent	793 792	705 434
EAM 73 Enterprises	Ms Meyer	Department of Education	Spouse	-	30 910
Sowerby Engineering	J Scheepers	Department of Education	Spouse	-	77 780
SMS ICT CHOCE (Pty) Ltd	Mrs Maqula	Department of Health	Spouse	500 279	352 674
Mindspring Computing	R Loghdey	Other Government Departments	Spouse	-	5 336
HJ Productions	Director	Department of Agriculture	Spouse	-	56 550
Mubesko Africa (Pty) Ltd	J Niehaus	Department of Health	Spouse	478 092	677 219
Vuyani Electrical Supplies	M Agulhas	City of Cape Town	Child	-	39 460
Du Toit Environmental	F Shariff	Department of Local Government	Spouse	105 225	307 686
Helderberg Maintenance cc	L Laurens	Environment Education and Superintendant Nature Conservation	Spouse	-	61 325
Red Ants Security Services	N Lesiela	Mogale City Local Municipality	Spouse	2 545 646	-
				42 430 952	**32 603 473**

Notes to the Unaudited Annual Financial Statements

55. Awards to close family members in the service of the state (continued)

The following are the close family names of Aurecon South Africa (Pty) Ltd.

Name	State Department	Spouse, Child or Parent
HC Ahlschlager	Special investigation unit; Legal representative	Spouse
B Alheit	Denel Dynamics; Executive Manager	Parent
CMM Barnard	Gauteng Department of Education, Deputy Principle	Spouse
CJ Barry	City of Cape Town; Head Finance	Spouse
Prof CJG Bender	University of Johannesburg, Professor	Spouse
J Blackmore	Department of Public Works; Project Manager	Parent
T Botha	Oudtshoorn Municipality; Technical Manager	Parent
Councillor JJJ Daniels	West Coast District Municipality; Deputy Mayor	Parent
MC Dunga	South African Navy; Engineer in Training	Spouse
WZ Erasmus	Cape Nature; Programme Manager	Spouse
HG Esterhuysen	West Coast District Municipality; Senior Manager Roads	Spouse
N Geldenhuys	Transnet Port Terminals; Mechatronic Engineer	Child
T Govender	Umgeni Water: Fleet Management Administrator - Asset Management	Child
N Grobbelaar	Central University of Technology; Programme Manager	Spouse
SM Grobbelaar	Northern Cape Education Department of Cooperative Governance: Human Settlements and Traditional Affairs; Town Regional Planner	Parent
Cr B Groenewald	Twaing Municipality: Councillor	Parent
Cr CP Herbst	Dr S Mompati District Municipality; Councillor	Parent
E Herlodt	Manager Investigation Services; Limpopo Department of Economic Development and Tourism	
A Heyns	Stellenbosch Municipality; Assistant Superintendent	Parent
JH Higgs	SARS; Regional Manager	Spouse
A Hougaard	Department of Correctional Services; Principle Network Controller	Spouse
J Jacobs	Eastern Cape Department of Education; Personal assistant to Chief Director	Spouse
T Kholoanyane	Naledi Local Municipality; Tourism Manager	Spouse
B Kleynhans	Hessequa Municipality; Accountant	Parent
Cr BJ Kriegler	Cape Winelands District Municipality and Breede Valley Municipality; Councillor	Parent
M Marques	Department of Home Affairs; Deputy Director	Spouse
RT Mehlala	Eastern Cape Arts and Culture Council; Chief Executive Officer	Parent
R Meyer	Telkom SA; Project Manager	Parent
AJ Moore	Department of Water affairs; Chief Engineer	Spouse
K Nadasen	National Department of Public Works; Director Key Account Management	Spouse
R Nair	eThekwini Municipality; Building Inspector	Parent
D Ntsebeza	Buffalo City Metropolitan Municipality	Spouse
NH Ntsebeza	Eastern Cape Department of Health	Parent
SM O'Connell	Sol Plaaitjie Municipality; Librarian	Spouse

Notes to the Unaudited Annual Financial Statements

55. Awards to close family members in the service of the state (continued)

JF Phillps	Northern Cape Department of Economic Development and Tourism; Manager - Township Revitalisation	Spouse
PS Pretorius	Sol Plaaitjie Municipality; Chief Officer	Parent
JH Riekert	SA Reserve Bank; Engineering	Spouse
JM Robertson	Ekurhuleni Metropolitan Municipality; Roads Engineer	Parent
G Saaiman	Auditor General Kimberley; Manager	Child
JJ Saaiman	Armscor; Quality Manager	Parent
J Scheepers	Council for Medical Schemes; Chief Financial Analysts	Spouse
EM Schon	Northern Cape Department of Co-operative Governance; Human Settlements and Traditional affairs; Assistant Manager	Spouse
Dr M Skead	Nelson Mandela Bay Metropolitan University; Senior Manager- Staff Development	Spouse
R Tebane	Ekurhuleni Metropolitan Municipality; Executive Manager	Parent
J Theron	Nelson Mandela Bay Metropolitan University; Head: Graduate School Relations	Spouse
GJ Tong	North West Department of Finance; Deputy Director	Parent
N Towers	Department of Mineral Resources; Inspectorate of Mines	Parent
J Tredoux	Department of Water Affairs; Deputy Director Accounts Payable	Spouse
A Treurnich	Umjindi Municipality; Community Services Assistant Director	Parent
AN van Taak	Stellenbosch Municipality; Director Water and Sewerage	Parent
ZC Venter	Eastern Cape Department of Health; Deputy Director Employment Relations	Spouse
PC Vermeulen	City of Cape Town; Superintendent - Building Maintenance	Parent
J Wilkins	Correctional Services; Vice Director-Provincial	Parent
NS Wolmarans	IDC; Senior Accounts Manager	Spouse
NS Wolmarans	University of Johannesburg; Professor	Spouse
SW Zulu	Kwazulu Natal Department of Health; Human Resources Manager	Parent

The following are the close family names of AECOM South Africa (Pty) Ltd.

Name	State Department	Spouse, Child or Parent
Sandra	Bloem water	Parent
A Powell	Department of Education	Spouse
L Wolff	Department of Education	Spouse
M Breytenmbach	Eendracht Primary School	Spouse
A Rossouw	Eskom	Child
A Mahomed	eThekwini Municipality	Spouse
R Meyer	Grey College	Parent
E Venter	Gauteng Education Department	Spouse
C van der Merwe	Protea Park Primary School	Spouse
JHS Viljoen	SA Air Force- Waterkloof	Spouse
JC van der Walt	SANRAL	Parent
T Liversage	Transnet	Spouse
P de Waal	University of Pertoria	Spouse
A De Wet	UNISA	Spouse

Notes to the Unaudited Annual Financial Statements

56. Unauthorised expenditure

No unauthorised expenditure for the year under review.

57. Fruitless and wasteful expenditure

No fruitless and wasteful expenditure for the year under review.

58. Irregular expenditure

Opening balance as previously reported	39 223 925	34 736 802
Add: Irregular Expenditure - current year	-	43 654 015
Add: Irregular Expenditure identified in respect of prior year	-	4 223 363
Opening balance as restated	**39 223 925**	**82 614 180**
Add: Irregular Expenditure - current	30 781 737	-
Less: Amount written off - current	(6 457 186)	(43 390 255)
Closing balance	**63 548 476**	**39 223 925**

59. Additional disclosure in terms of Municipal Finance Management Act

Contributions to organised local government

Opening balance	220 945	547 648
Council subscriptions	6 293 349	6 093 195
Amount paid - current year	(5 484 586)	(6 427 581)
Early settlement discount	(314 282)	(213 262)
Additional invoice	-	220 945
Credit note	(520 506)	-
Balance Unpaid (included in Creditors)	**194 920**	**220 945**

Material losses through criminal conduct

Audit fees

Opening balance	24 612	6 755
Current year audit fee	7 545 695	6 398 348
Amount paid - current year	(7 517 859)	(6 380 491)
Balance Unpaid (included in Creditors)	**52 448**	**24 612**

Audit fee pertainig to 2018/19 has been adjusted to reflect the correct amount.

PAYE and UIF

Current year payroll deductions	79 360 357	72 034 057
Amount paid - current year	(79 360 357)	(72 034 057)
Balance Unpaid (included in Creditors)	**-**	**-**

Pension and Medical Aid Deductions

Current year payroll deductions and Council contributions	115 603 507	107 199 175
Amount paid - current year	(115 603 507)	(107 199 175)
Balance Unpaid (included in Creditors)	**-**	**-**

Notes to the Unaudited Annual Financial Statements

59. Additional disclosure in terms of Municipal Finance Management Act (continued)

VAT

VAT receivable	47 119 788	48 196 249
VAT payable	(16 834 099)	(27 759)
	30 285 689	**48 168 490**

All VAT returns have been submitted by the due date throughout the year.

Councillors' arrear consumer accounts

The following Councillors had arrear accounts outstanding for more than 90 days at 30 June 2020:

During the year the following Councillors' had arrear accounts outstanding for more than 90 days.

Distribution losses

In terms of section 125(2)(d)(i) of the Municipal Finance Management Act, the municipality experienced the following distribution losses for the year under review.

Electricity (KWH)		
System input	381 810 592	379 353 123
Sales	(346 076 786)	(350 725 915)
Distribution loss	**35 733 806**	**28 627 208**

Electricity losses are calculated as 9.68% (2019: 7.55%). Electricity losses are within the industry norm.

Water (KL)		
System input	8 015 027	9 050 653
Sales	(6 374 474)	(6 515 365)
	1 640 553	**2 535 288**

Water losses are calculated as 20.5% (2019: 28%). Water losses are within the industry norm.

60. Multi-employer retirement benefit information

The Municipality makes provision for post-retirement benefits to eligible Councillors and employees who belong to different pension schemes. These funds are governed by the Pension Funds Act and include both defined benefit and defined contribution schemes.

The only obligation of the municipality with respect to the retirement benefit plans is to make the specified contributions. Where councillors / employees leave the plans prior to full vesting of the contributions, the contributions payable by the municipality are reduced by the amount of forfeited contributions.

The total expense recognised in the Statement of Financial Performance of **R48 802 560** (2019: **R 45 558 717**) represents contributions payable to these plans by the municipality at rates specified in the rules of the plans.

These schemes are subject to either a tri-annual, bi-annual or annual actuarial valuation, details which are provided below.

DEFINED BENEFIT SCHEMES

SALA Pension Fund

The SALA Pension Fund operates both as a defined benefit and defined contribution scheme.

The statutory valuation performed as at 1 July 2016 revealed that the assets of the fund amounted to R13,700,300.00 (30 June 2015 : R13,231,200.00), with funding levels of 100% (30 June 2015: 100%). The highest contribution rate paid by the members was 7.92% and by Council 20.78%.

Notes to the Unaudited Annual Financial Statements

60. Multi-employer retirement benefit information (continued)

It is the actuary's opinion that:
- They are satisfied with the investment strategy of the Fund;
- the nature of the assets is, in their opinion, suitable for the nature of the liabilities of the Fund as defined in the rules of the Fund;
- the matching of assets with the liabilities of the Fund is adequate; and
- the insurance arrangements are appropriate compared to the cover provided can be regarded as financially sound at the valuation date.

LA retirement Fund (Previously Cape Joint Pension Fund)

The LA RETIREMENT FUND operates both as a defined benefit and defined contribution scheme.

Notes to the Unaudited Annual Financial Statements

60. Multi-employer retirement benefit information (continued)

DEFINED CONTRIBUTION SCHEMES

LA Retirement Fund (Previously Cape Joint Pension Fund)

Defined benefit scheme

The contribution rate payable is under the defined benefit section is 27%, 9% by the members and 18% by their councils. The actuarial valuation report at 30 June 2019 disclosed an actuarial valutation amounting to R1,655,893,000 (30 June 2018 : R1,776,181,000), with a nett accumulated surplus of R63,423,000 (2017 : R46,989,000), with a funding level of 103.7% (30 June 2017 : 102.6%).

Defined contribution scheme

The actuarial valuation report at 30 June 2019 indicated that the defined contribution scheme of the fund is in a sound financial position, with a assets amounting to R1,960,090,000 (30 June 2018 : R2,018,237,000), net investment reserve of R0 (30 June 2018 : R0) and with a funding level of 100% (2018 : 100%).

The actuary concluded that:

- The Pensioner account has a funding level of 103.7% with n surplus of R63.4 million and is in a sound financial condition as at the valuation date.

- There is a surplus of R63.4 million in The DB Section excluding The surplus in The Pensioner Account. The surplus has been allocated to The Pensioner Account.

- The overall funding level in respect of the DB Section including the Pensioner Account is 101.7% with a surplus of R63.0 million.

- The Defined Contribution Section has a funding level of 100% and is in sound Financial condition.

- Overall the fund is in a sound financial condition with a surplus of R63.0 million and the overall funding level of 101.7%.

- The Trustees awarded a 3.22% pension increase effective 1 January 2019.

It is to be noted that:

- All the active members have now all been converted to the Defined Contribution Section.

- There is no longer any contribution rate shortfall as this only applied to 29 residual Defined Benefit Section active members, that have now also converted to the Defined Contribution Section and

- Both the Defined Contribution Section and the Defined Benefit Section were fully funded as at the valuation date.

The nature of the assets is suitable for the Fund, except that the proportion of direct property underlying the pensioner liabilities may represent an over-concentration of assets in this class. The assets are appropriately matched relative to the term and nature of the active member liabilities. The Fund's investment strategy is suitable. Finally the risk benefits are partially re-insured and this is appropriate for the size and nature of the Fund.

Cape Joint Retirement Fund

The last statutory valuation performed as at 30 June 2019 revealed that the assets of the fund amounted to R26,128,000,000 (30 June 2018: R23,318,184,000), with funding levels of 100.4% and 100% (30 June 2017 127.3% and 100%) for the Pensions Account and the Share Account respectively. The Presevation Pension Account showed a suplus of R0 and was 100% funded for both 2019 & 2018. The contribution rate paid by the members (7,50%) and the municipalities (7.50%/19.50%) is sufficient to fund the benefits accruing from the fund in the future. The actuary certified that the structure of the assets is appropriate relative to the nature of the liabilities, given normal circumstances and that the Fund is in a sound financial condition as at the valuation date.

SALA pension fund

Notes to the Unaudited Annual Financial Statements

60. Multi-employer retirement benefit information (continued)

The SALA Pension Fund operates both as a defined benefit and defined contribution scheme.

The statutory valuation performed as at 1 July 2018 revealed that the assets of the fund amounted to R14,298,600.00 (30 June 2015 : R13,231,200.00), with funding levels of 96.0% (30 June 2015: 100%). Recommended that employers continue to contribute at the current rate of 19.18% of pensioners salaries.

It is the actuary's opinion that :

- They are satisfied with the investment strategy of the Fund;

- the nature of the assets is, in their opinion, suitable for the nature of the liabilities of the Fund as defined in the Rules of the Fund;

- the matching of assets with the liabilities of the Fund is adequate; and

- the insurance arrangements are appropriate compared to the cover provided can be regarded as financially sound at the valuation date.

Municipal Councillors Pension Fund

The Municipal Councilors Pension Fund operates as a defined contribution scheme. The statutory valuation performed as at 30 June 2015 revealed that the assets of the fund amounted to R2,551,861,000 (30 June 2014 : R2,229,410,000), with funding levels of 101.08% (30 June 2014: 98.83%). The contribution rate paid by the members (13,75 %) and council (15 %) is sufficient to fund the benefits accruing from the fund in the future. The Acturay certified that the Fund was in a sound financial condition as at 30 June 2015, in that the assests of the fund were sufficient to cover the accrued service liabilities including the recommended contingency reserves in full.

The appointment of a Curator in terms of section 5(1) of the Financial Institutions (protection of funds) Act 2001 for the whole of the business of the Municipal Councillors Pension Fund was done in December 2017. Due to the provisional curatorship, a short monatorium has been placed on the payment of benefits to members/beneficiaries. In terms of the curatorship order, the Court ordered as follows: 1. The provisional Curatorship order of the 19th December 2017 is made a final; 2. The Curator shall furnish the Registrar of the Pension Fund with progress report; 3. The Curator must deliver a further progress report to the Court by no later than 31st October 2018 which report deals with the status of curatorship as at the 30th September 2018; on the curatorship once every two months

The Municipal Workers Retirement Fund (Previously South African Municipal Workers Union National Provident Fund)

The Municipal Workers Retirement Fund is a defined contribution scheme. Members contribute at a rate of not less than 7.5% of salaries, as required by the Rules. The employers contribute at a total rate of not less than 18%.From 1 July 2017, members and employers that fall under other bargaining councils or forums are not bound by the above minimum contribution rates. The statutory valuation performed as at 30 June 2017 revealed that the assets of the fund amounted to R7,720,948.000 (30 June 2014 : R6,574,75.00), with funding levels of 102.0% (30 June 2014: 111.7%). As a percentage of members' Fund Credits, the investment smoothing reserve has decreased from 5.6% to 4.9% over the valuation period. As a percentage of the market value of assets, it has decreased marginally from 4.6% to 4.4%.The Fund's assets are sufficient to cover the members' Fund Credits, the targeted levels of the risk benefits reserve and the data and processing error reserve, and an investment smoothing reserve of 4.9% of members' Fund Credits as at 30 June 2017. In addition, there is brought-forward surplus of some R152.8 million which has been allocated to former members and is awaiting payment. The Fund is therefore in a sound financial position.

National Fund for Municipal Workers

The fund operates as a defined contribution fund and in terms of the rules of the fund category A and category C members contribute at a rate as agreed upon by the Local Authority and the member, subject to an absolute minimum contribution of 2% and 5% of their remuneration respectively.

Category C-Members, appointed after 1 July 2012, who are not part of the Schedule shall make monthly contributions to the Fund equal to 7.5% of their Remuneration.

Notes to the Unaudited Annual Financial Statements

60. Multi-employer retirement benefit information (continued)

The last statutory valuation performed as at 30 June 2018 revealed that the assets of the fund amounted to R15,393,671,000 (30 June 2015 : R10,050,029,000), with funding levels of 100.46% (30 June 2015: 100.42%). The actuary certified that the assets of the fund are sufficient to cover 100.46% of the members' liabilities, also that it can be expected that the funding level of a fund of this nature will fluctuate around 100%, for example due to timing differences in investment and receipt of monies, slight mismatching of assets and liabilities and processing errors.

Stellenbosch Municipality

Unaudited Annual Financial Statements for the year ended 30 June 2020

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications

Below is a summary of the total effect that the prior period errors and reclassifications had on the amount previously disclosed in the annual financial statements, followed by a description of each individual prior period error with the amount involved.

Statement of Financial Position

	Audited	Prior year adjustments	Reclassifying adjustments	Restated
Assets				
Current Assets				
Cash and cash equivalents	169 490 533	-	-	169 490 533
Short term investments	398 163 664	-	-	398 163 664
Receivables from exchange transactions	161 402 873	(13 898 500)	-	147 504 373
Receivables from non-exchange transactions	65 966 659	-	-	65 966 659
Other receivables from exchange transactions	10 155 967	5 754 000	-	15 909 967
Inventories	52 307 942	12 250 000	-	64 557 942
VAT receivable	47 420 470	748 020	-	48 168 490
Long term receivables	1 630 959	-	-	1 630 959
	906 539 067	**4 853 520**	**-**	**911 392 587**
Non-Current Assets				
Property, plant and equipment	5 057 061 066	(24 335 974)	-	5 032 725 092
Investment property	420 777 174	(8 010 171)	-	412 767 003
Intangible assets	6 534 960	5 421 490	-	11 956 450
Biological assets that form part of an agricultural activity	6 321 448	-	-	6 321 448
Heritage assets	774 002	-	-	774 002
Long term receivables	3 024 999	-	-	3 024 999
	5 494 493 649	**(26 924 655)**	**-**	**5 467 568 994**
Total Assets	**6 401 032 716**	**(22 071 135)**	**-**	**6 378 961 581**
Liabilities				
Current Liabilities				
Payables from exchange transactions	269 021 012	2 553 594	(112 334)	271 462 272
Unspent conditional grants and receipts	148 233 956	(89 300 651)	112 334	59 045 639
Employee benefit obligation	55 599 752	-	-	55 599 752
Other financial liabilities	25 869 707	-	-	25 869 707
Consumer deposits	17 077 912	-	-	17 077 912
Operating lease liability	971 080	4 803 935	-	5 775 015
Provisions	642 909	-	-	642 909
	517 416 328	**(81 943 122)**	**-**	**435 473 206**
Non-Current Liabilities				
Employee benefit obligation	201 830 792	-	-	201 830 792
Other financial liabilities	292 930 440	-	-	292 930 440
Provisions	101 701 567	-	-	101 701 567
	596 462 799	**-**	**-**	**596 462 799**
Total Liabilities	**1 113 879 127**	**(81 943 122)**	**-**	**1 031 936 005**
Net Assets	**5 287 153 589**	**59 871 987**	**-**	**5 347 025 576**
Net Assets				
Accumulated surplus	5 287 153 581	59 871 995	-	5 347 025 576

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications (continued)

61.1 Receivables from exchange transactions

Balance previously reported	161 402 873
Accumulated surplus	(15 680 831)
Contribution to allowance for doubtful debt	(1 584 254)
Rental of facilities and equipment	3 366 585
	147 504 373

Accounting for the assets and liabilities transpiring from the agreement entered into between TCTA and Stellenbosch municipality, whereby 80 houses were donated to the municipality for the benefit of housing development within the specified area.

61.2 Other receivables from exchange transactions

Balance previously reported	10 155 967
Operating lease liability	5 754 000
	15 909 967

The receivable was recognised for the advance payment relating to the use of a municipal parking area, for a period of five years in terms of the signed agreement.

61.3 Inventories

Balance previously reported	52 307 942
Accumulated surplus (Housing inventory)	12 250 000
	64 557 942

The municipality incorrectly accounted for capital spares that must be classified as property plant and equipment.

The VAT relating to store purchases were not accounted for correctly.

Additional text

61.4 VAT receivable

Balance previously reported	47 420 470
Operating lease liability	748 020
	-
	48 168 490

The municipality had to account for deferred VAT in terms of the parking agreement with the client.

61.5 Property, plant and equipment

Balance previously reported	5 057 061 065
Depreciation	(16 310 625)
Accumulated surplus	132 812
Accumulated surplus	(8 158 160)
	5 032 725 092

The work in progress previously reported was incorrect and included infrastructure that should have been commissioned and depreciation calculated accordingly.

The accumulated depreciation per asset class was not accounted for correctly.

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications (continued)

61.6 Intangible assets

Balance previously reported	6 534 960
Accumulated surplus	5 421 490
	11 956 450

The accumulated depreciation per asset class was not accounted for correctly.

61.7 Investment property

Balance previously reported	420 777 174
Accumulated surplus	2 060 279
Accumulated Surplus - La Motte	(10 189 085)
Depreciation	118 635
	412 767 003

The accumulated depreciation per asset class was not accounted for correctly.

The initial and subsequent recognition of Investment Property relating to the 80 La Motte houses was incorrect, as well as the related depreciation.

61.8 Payables from exchange transactions

Balance previously reported	269 021 019
Unspent conditional grants (Charitable fund)	(112 334)
Employee related cost (Workmen compensation)	903 595
Unspent conditional grants (Khaya Lam free market foundation)	(255 280)
Unspent conditional grants (Khaya Lam free market foundation)	32 780
Unspent conditional grants (Construction advances)	1 425 745
Accumulated surplus	446 747
	271 462 272

The Charitable fund was reclassified to unspent conditional grants and receipts in terms of the mSCOA chart of accounts and the nature of the funds.

Workmen compensation was not accrued for the previous reporting period.

Khaya Lam free market foundation - The municipality entered into an agreement with Khaya Lam (Free market foundation) during November 2016 to the effect that for each title deed transferred the Municipality will be availed R500 per transfer to be utilised for field workers within the title deeds program.

Construction advances was incorrectly accounted for as unspent conditional grants and receipts.

During the 2017/18 financial year services were rendered by the supplier but the funds were not accrued for.

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications (continued)

61.9 Unspent conditional grants and receipts

Balance previously reported	148 233 956
Government grants and subsidies (Khaya Lam free market foundation)	(222 500)
Government grants and subsidies (Municipal accreditation grant)	(56 020)
Payables from exchange transactions	222 500
Government grants and subsidies (National resource management grant)	135 798
Accumulated surplus (National lottery)	(373 993)
Government grants and subsidies (National lottery)	(200 000)
Accumulated surplus (Accounting error)	695 512
Payables from exchange transactions (Charitable fund)	112 334
Accumulated surplus (Development charges)	(77 442 579)
Other income (Development charges)	(13 051 029)
Payables from exchange transactions (Construction advances)	(1 425 744)
Accumulated surplus	2 417 404
	59 045 639

Khaya Lam free market foundation - The municipality entered into an agreement with Khaya Lam (Free market foundation) during November 2016 to the effect that for each title deed transferred the Municipality will be availed R500 per transfer to be utilised for field workers within the title deeds program.

Municipal accreditation grant - Funds were gazetted for the 2019/20 financial year but received early during June 2019. The correction relates to the salary expenditure for the capacity clerk seconded from the Provincial Department of Human Settlements. The capacity clerk commenced operations at Stellenbosch municipality on 1 April 2019. Salary payments for three months therefore needs to be expensed against the grant.

National lottery - Correction of funding source for capital assets funded by the National Lottery funds but own municipal funding was used.

An accounting error was made when the human settlement capital debtor that was raised during the 2017/18 financial year.

National resource management grant - The management fees for the project was not claimed timeously and therefor had to be reversed.

The Charitable fund was reclassified to unspent conditional grant in terms of the msCOA chart of accounts and the nature of the funds.

The municipality has incorrectly accounted for development charges as unspent conditional grants in terms of GRAP 23, Revenue from non-exchange transactions.

Development charges levied during the year under review was recognised as revenue.

Construction advances was incorrectly accounted for as unspent conditional grants and receipts.

Accounting for the assets and liabilities transpiring from the agreement entered into between TCTA and Stellenbosch municipality, whereby 80 houses were donated to the municipality for the benefit of housing development within the specified area.

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications (continued)

61.10 Operating lease liability

Balance previously reported	971 080
Other receivables from exchange transactions	5 754 000
VAT receivable	748 020
Other income	(767 200)
Accumulated surplus	(664 806)
Lease rentals	(266 079)
	5 775 015

The receivable was recognised for the advance payment relating to the use of a municipal parking area, for a period of five years in terms of the signed agreement.

The municipality had to account for deferred VAT in terms of the parking agreement with the client.

Recognition of rental income for a period of eight months.

Correction of an accounting error relatng to the Operating lease liability in the comparative year, as well as the opening balance of the preceding year.

61.11 Accumulated surplus

Balance previously reported	5 287 153 581
Unspent conditional grants (National lottery)	373 957
Unspent conditional grants (Accounting error)	(695 512)
Operating lease liability	664 806
Unspent conditional grants (Development charges)	77 442 608
Payables from exchange transactions	(446 742)
Statement of Financial Performance - surplus for the year	(886 227)
Receivables from exchange transactions	(15 680 831)
Investment Property	(10 189 084)
Intangible assets	5 421 490
Investment property	2 060 280
Inventory	12 250 000
Unspent conditional grants and receipts	(2 417 398)
Property, plant and equipment	132 812
Property, plant and equipment	(8 158 164)
	5 347 025 576

Refer to the nature of the adjustments in the financial statement line items as indicated above.

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications (continued)

Statement of Financial Performance

	Audited	Prior year adjustments	Reclassifying adjustments	Restated
Revenue				
Revenue from exchange transactions				
Service charges	817 760 063	-	-	817 760 063
Construction contracts	-	1 044 546	-	1 044 546
Rental of facilities and equipment	14 524 336	3 366 585	-	17 890 921
Interest received (trading)	8 024 881	-	-	8 024 881
Agency services	2 833 175	-	1 567 107	4 400 282
Licences and permits	6 610 961	-	(1 567 107)	5 043 854
Other income	26 705 321	13 818 228	-	40 523 549
Investment revenue	44 271 827	-	-	44 271 827
Gains on disposal of assets	51 591	-	-	51 591
Inventories losses/write-downs	6 218 654	-	-	6 218 654
Total revenue from exchange transactions	**927 000 809**	**18 229 359**	**-**	**945 230 168**
Revenue from non-exchange transactions				
Taxation revenue				
Property rates	332 957 900	(1 998 219)	-	330 959 681
Property rates - interest earned	-	1 998 219	-	1 998 219
Transfer revenue				
Government grants & subsidies	234 134 499	(701 823)	-	233 432 676
Fines, Penalties and Forfeits	118 046 132	-	-	118 046 132
Total revenue from non-exchange transactions	**685 138 531**	**(701 823)**	**-**	**684 436 708**
Total revenue	**1 612 139 340**	**17 527 536**	**-**	**1 629 666 876**
Expenditure				
Employee related costs	(461 114 130)	(903 594)	(17 306 637)	(444 711 089)
Remuneration of councillors	(18 272 420)	-	-	(18 272 420)
Contribution to/from provisions	(6 025 885)	-	-	(6 025 885)
Contribution to employee benefits	(1 273 639)	-	1 273 639	-
Depreciation and amortisation	(174 958 815)	(18 829 819)	-	(193 788 634)
Impairment of non cash generating assets	(1 705 912)	-	-	(1 705 912)
Finance costs	(23 207 266)	-	(18 580 276)	(41 787 542)
Lease rentals on operating lease	(2 933 062)	266 078	-	(2 666 984)
Debt impairment	(105 207 214)	-	-	(105 207 214)
Contribution to allowance for doubtful debt	(21 952 121)	(1 584 254)	-	(23 536 375)
Bulk purchases	(380 670 630)	-	-	(380 670 630)
Contracted services	(151 817 580)	-	-	(151 817 580)
Transfers and subsidies	(8 990 039)	-	(139 410)	(9 129 449)
Loss on disposal of assets	(5 111 906)	-	-	(5 111 906)
Fair value adjustments	(350 833)	-	-	(350 833)
Inventories losses/write-downs	(2 157 273)	-	-	(2 157 273)
General Expenses	(121 828 999)	-	139 410	(121 689 589)
Total expenditure	**(1 487 577 724)**	**(21 051 589)**	**2 547 278**	**(1 508 629 315)**
Operating surplus	**124 561 616**	**(3 524 053)**	**2 547 278**	**121 037 561**
Surplus for the year	**124 561 616**	**(3 524 053)**	**2 547 278**	**121 037 561**

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications (continued)

61.12 Construction contracts

Balance previously reported	-
Government grants and subsidies	1 044 566
	1 044 566

Construction contracts in terms of GRAP 11 were incorrectly accounted for as revenue from non-exchange trasactions.

61.13 Rental of facilities and equipment

Balance previously reported	14 524 336
Receivables from exchange transactions	3 366 585
	17 890 921

Accounting for the assets and liabilities transpiring from the agreement entered into between TCTA and Stellenbosch municipality, whereby 80 houses were donated to the municipality for the benefit of housing development within the specified area.

61.14 Other Income

Balance previously reported	26 705 321
Operating lease liability	767 200
Unspent conditional grants	13 051 028
	40 523 549

Recognition of rental income for a period of eight months.

Development charges levied during the year under review was recognised as revenue.

61.15 Property rates

Balance previously reported	332 957 900
Property rates- interest earned	(1 998 219)
	330 959 681

Interest levied on transactions arising from non-exchange transactions was classified based on the nature of the underlying transaction.

61.16 Property rates - interest earned

Property rates	1 998 219

Interest levied on transactions arising from non-exchange transactions was classified based on the nature of the underlying transaction.

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications (continued)

61.17 Government grants & sudsidies

Balance previously reported	234 134 499
Unspent conditional grants (Khaya Lam free market foundation)	222 500
Unspent conditional grants (Municipal accreditation grant)	56 020
Unspent conditional grants (National resource management grant)	(135 798)
Unspent conditional grants (National Lottery)	200 000
Construction contracts	(1 044 545)
	233 432 676

Khaya Lam free market foundation - The municipality entered into an agreement with Khaya Lam (Free market foundation) during November 2016 to the effect that for each title deed transferred the Municipality will be availed R500 per transfer to be utilised for field workers within the title deeds program.

Municipal accreditation grant - Funds were gazetted for the 2019/20 financial year but received early during June 2019. The correction relates to the salary expenditure for the capacity clerk seconded from the Provincial Department of Human Settlements. The capacity clerk commenced operations at Stellenbosch municipality on 1 April 2019. Salary payments for three months therefore needs to be expensed against the grant.

National resource management grant - The management fees for the project was not claimed timeously and therefor had to be reversed.

National lottery - Correction of funding source for capital assets funded by the National Lottery funds but own municipal funding was used.

Construction contracts in terms of GRAP 11 were incorrectly accounted for as revenue from non-exchange trasactions.

61.18 Employee related costs

Balance previously reported	(461 114 130)
Payables from exchange transactions	(903 594)
Contribution to employee benefits (reclassification)	17 306 635
	(444 711 089)

Workmen compensation was not accrued for the previous reporting period.

Contribution to employee benefits were reclassified in terms of the nature of the expenditure and to ensure fair presentation of the financial statements.

61.19 Contribution to Employee benefits

Balance previously reported	(1 273 639)
Finance cost	18 580 276
Employee related costs	(17 306 637)
	-

Contribution to employee benefits were reclassified in terms of the nature of the expenditure and to ensure fair presentation of the financial statements.

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications (continued)

61.20 Depreciation and amortisation

Balance previously reported	(174 958 815)
Property, plant and equipment	(16 310 626)
Investment property	118 635
Property, plant and equipment	(2 637 828)
	(193 788 634)

The work in progress previously reported was incorrect and included infrastructure that should have been commissioned and depreciation calculated accordingly. Assets with zero book values were correctly accounted for.

Reversal of depreciation relating to Investment Property. Asset was correctly classified as Housing inventory.

61.21 Finance costs

Balance previously reported	(23 207 266)
Contribution to employee benefits	(18 580 276)
	(41 787 542)

Contribution to employee benefits were reclassified in terms of the nature of the expenditure and to ensure fair presentation of the financial statements.

61.22 Contribution to allowance for doubtful debt

Balance previously reported	(21 952 121)
Receivables from exchange transactions	(1 584 254)
	(23 536 375)

Accounting for the assets and liabilities transpiring from the agreement entered into between TCTA and Stellenbosch municipality, whereby 80 houses were donated to the municipality for the benefit of housing development within the specified area.

61.23 Transfers and subsidies

Balance previously reported	(8 990 039)
General expenses	(139 410)
	(9 129 449)

The bursaries for non-employees were reclassified to transfers and subsidies.

61.24 Lease rentals on operating lease

Balance previously reported	(2 933 062)
Operating lease liability	-
	(2 933 062)

Correction of an accounting error relating to the Operating lease liability in the comparative year.

Notes to the Unaudited Annual Financial Statements

61. Prior period errors and Reclassifications (continued)

61.25 General Expenses

Balance previosly reported	(121 828 999)
Transfers and subsidies	139 410
	(121 689 589)

The bursaries for non-employees were reclassified to transfers and subsidies.

61.26 Work-in-progress

Balance previously reported	1 246 095 355
Assets commisioned	(656 579 513)
	589 515 842

The work in progress previously reported was incorrect and included infrastructure that should have been commissioned and depreciation calculated accordingly.

Notes to the Unaudited Annual Financial Statements

Figures in Rand

62. Deviations from, and ratification of minor breaches of procurement process

In accordance with paragraph 4.36 (a) of the Supply Chain Management Policy the deviations from, and ratifications of minor breaches of procurement per directive are listed below:

The D/SM acronym refers to the deviation number as approved by the Accounting Officer.

Deviation no:	Date of adjudication	Supplier	Reason	Rate of recurrence	Contract/ Order Amount
DSM 01/20	2019/07/11	The Vissershok Waste Management Facility (Pty) Ltd	Exceptional case and it is impractical or impossible to follow the official procurement process	Per Ton	421
DSM 02/20	2019/07/15	Tyanco SA Pty Ltd	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	15 370
D/SM 03/20	2019/08/01	Nejeni Construction and project management	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	104 136
D/SM 04/20	2019/07/31	Adapt IT (Pyt) Ltd	Goods or services are produced or available from a single provider	Total D/SM amount	155 945
D/SM 05/20	2019/08/08	Re A Letamisa	Emergency	Total D/SM amount	660 000
D/SM 06/20	2019/09/30	Liquid Telecom	Exceptional case and it is impractical or impossible to follow the official procurement processes	Per month	100 000
D/SM 07/20	2019/11/01	E Dreyer t/a Dreyer cleaning Solutions	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	2 675 244
D/SM 08/20	2019/11/25	Red Ants Security Services	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Rates per month	-
D/SM 09/20	2019/11/29	Verso Financial services	Exceptional case and it is impractical or impossible to follow the official procurement process	Rates	-
D/SM 10/20	2019/12/24	TMT Services and Supplies (Pty) Ltd	Exceptional case and it is impractical or impossible to follow the official procurement processes	Total D/SM amount	5 677 615
D/SM 11/20	2019/12/12	Avalon Technology Group	Emergency	Total D/SM amount	82 810
D/SM 12/20	2019/11/29	Rufus Dercksen Attorneys	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	71 587
D/SM 13/20	2020/03/02	Ibhunga Cleaning Bricks Paving and Painting Pty Ltd Klaassen Cleaning Pty Ltd	The possibility that failure to take necessary action may result in the municipality not being able to render an essential community service	Rates	-
D/SM 14/20	2019/03/10	Fairbridges	Exceptional case and it is impractical or impossible to follow the official procurement processes	Total D/SM amount	150 000

Notes to the Unaudited Annual Financial Statements

Figures in Rand

62. Deviations from, and ratification of minor breaches of procurement process (continued)

D/SM 15/20	2020/03/13	The Environmental Partnership	The interruption of essential services, including transportation and communication facilities or support services critical to the effective functioning of the municipality as a whole	Total D/SM amount	285 000
D/SM 16/20	2020/03/13	CK Rumboll and Partners	Exceptional case and it is impractical or impossible to follow the official procurement processes	Total D/SM amount	464 826
D/SM 17/20	2020/03/20	Hidro- Tech Systems (Pty) Ltd	The possibility of serious damage occurring to the natural environment	Total D/SM amount	197 851
D/SM 18/20	2020/03/16	Various suppliers	The interruption of essential services, including transportation and communication facilities or support services critical to the effective functioning of the municipality as a whole	Rates	-
D/SM 19/20	2020/04/13	Ibhunga Cleaning Bricks Paving and Painting Pty Ltd Klaassen Cleaning Pty Ltd	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	910 250
D/SM 20/20	2020/04/29	Trautmann trading and KSB Pumps	Exceptional case and it is impractical or impossible to follow the official procurement processes	Total D/SM amount	94 418
D/SM 21/21	2020/05/06	Various suppliers	Exceptional case and it is impractical or impossible to follow the official procurement process	Rates	-
D/SM 22/20	2020/05/21	Waste Carriers (Pty) Ltd	The possibility that failure to take necessary action may result in the municipality not being able to render an essential community service	Rates	-
D/SM 23/20	2020/06/18	Rufus Dercksen Attorneys	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	198 061
D/SM 24/20	2020/06/26	Chennells Albertyn Attorneys	Exceptional case and it is impractical or impossible to follow the official procurement processes	Total D/SM amount	137 625
D/SM 25/20	2020/06/29	LJA Construction	Emergency	Total D/SM amount	1 422 364
D/SM 26/20	2020/06/30	Coral Clean	Exceptional case and it is impractical or impossible to follow the official procurement processes	Rates	-
D/SM 27/20	2020/06/30	The Sustainability Institute Innovation Lab (SIIL)	Exceptional case and it is impractical or impossible to follow the official procurement processes.	Total D/SM amount	220 000
D/SM 28/20	2020/06/30	TMT Services and Supplies (Pty) Ltd	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Rates	-
D/SM 29/20	2020/06/30	Verso Financial services	Exceptional case and it is impractical to follow the official procurement processes.	Rates	-
D/SM 30/20	2020/06/30	Nedbank Limited	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	816 607

Notes to the Unaudited Annual Financial Statements

Figures in Rand

62. Deviations from, and ratification of minor breaches of procurement process (continued)

D/SM 31/20	2019/03/19	Webber Wentzel	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	1 041 744
D/SM 32/20	2020/03/26	AON	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	730 049

In accordance with paragrapgh 4.36(a) of the Supply Chain Management Policy the deviations from, and ratifications of minor breaches of procurement per directive are listed below for the comparative year:

Deviation no:	Date of adjudication	Supplier	Reason	Rate of recurrence	Contract/ Order amount
D/SM 1/19	11/07/2018	Abedare Cables	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	228 073
D/SM 2/19	13/07/2018	Xaba Engineering & Consulting	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	138 745
D/SM 3/19	25/07/2018	Avalon Tchnology Group	Emergency	Total D/SM amount	70 822
D/SM 4/19	03/08/2018	JVZ Construction	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	3 445 713
D/SM 5/19	09/08/2018	Liquid Telecom	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	515 960
D/SM 6/19	07/08/2018	Interwaste Environmental Solutions	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	7 838 976
D/SM 7/19	03/08/2018	Resource Innovations	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	1 780 669
D/SM 8/19	21/08/2018	Aurecon Consulting Engineers	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	526 082
D/SM 9/19	07/08/2018	Naele's Hydraulics	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	29 321
D/SM 10/19	09/10/2018	Telkom SA SOC	Goods or services are produced or available from a single provider	Total D/SM amount	2 061 220
D/SM 11/19	01/08/2018	Sowerby Engineering WEC Projects	Goods or services are produced/available from a single provider and an exceptional case which made it impossible to follow the standard procurement process	Total D/SM amount	96 907
D/SM 15/19	22/08/2018	TSU Protection Services	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	1 701 828

Notes to the Unaudited Annual Financial Statements

Figures in Rand

62. Deviations from, and ratification of minor breaches of procurement process (continued)

D/SM 17/19	09/10/2018	Livewire Engineering and Consulting (Pty) Ltd	Emergency	Rates	-
D/SM 19/19	21/09/2018	Advocate Vermaak	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	76 500
D/SM 20/19	21/09/2018	GLS Consulting	Goods or services are produced or available from a single provider	Rates	
D/SM 21/19	28/09/2018	Metro City Protection Services	Exceptional case and it is impractical or impossible to follow the official procurement process	Rates	-
D/SM 23/19	15/10/2018	Transmission Gear Services MAN Engineering Services Gorman Rupp	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	198 055
D/SM 26/19	16/10/2018	Kings Catering	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	97 300
D/SM 27/19	19/10/2018	I Bester Staal	Emergency and goods or services are produced or available from single provider	Total D/SM amount	11 696
D/SM 28/19	03/12/2018	Weber Wentzel	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	363 200
D/SM 29/19	26/11/2018	Microsoft Corporation	Goods or services are produced or available from a single provider	Rates	-
D/SM 30/19	14/12/2018	Hydro-Tech System (Pty) Ltd	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM Amount	1 520 028
D/SM 31/19	21/12/2018	I Bester Staal	Emergency and goods or services are produced or available from single provider	Total D/SM amount	4 025
D/SM 32/19	21/12/2018	Leelyn Management	Exceptional case and it is impractical or impossible to follow the official procurement process	Rates	-
D/SM 33/19	27/12/2018	Liquid Telecom	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	515 960
D/SM 34/19	27/12/2018	Farm Gaurd	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	197 373
D/SM 35/19	25/01/2019	Farm Gaurd Security	Emergency and exceptional case and it is impractical or impossible to follow the official procurement process	Rates	-
D/SM 36/19	18/02/2019	Gateway Metal Works (Pty)(Ltd)	Emergency	Total D/SM amount	2 068 395
D/SM 38/19	28/02/2019	Genadendal Jackies Bazaar Wate Mart (Pty) Ltd	Exceptional case and it is impractical or impossible to follow the official procurement process	Rates	2 463 300
D/SM 39/19	07/03/2019	Plan Associates Town and Regional Planners	Exceptional case and it is impractical or impossible to follow the official procurement process.	Total D/SM amount	553 500

Notes to the Unaudited Annual Financial Statements

Figures in Rand

62. Deviations from, and ratification of minor breaches of procurement process (continued)

D/SM 41/19	19/03/2019	Smith Tabata Buchanan Boys Attorneys	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	287 500
D/SM 42/19	19/03/2019	Rufus Dercksen Inc	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	179 837
D/SM 43/19	29/03/2019	Total Cooling Solutions Pty Ltd	Emergency	Total D/SM amount	77 121
D/SM 44/19	29/03/2019	John Macrobert Attorneys	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	22 078
D/SM 45/19	29/03/2019	APEX	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	114 770
D/SM 46/19	06/05/2019	Smith Tabata Muchanan Boyes (STBB)	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	25 872
D/SM 47/19	28/06/2019	Liquid Telecom	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	310 500
D/SM 48/19	28/06/2019	Avalon Technology Group	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	91 500
D/SM 49/19	19/06/2019	Interwaste	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	2 920 746
D/SM 50/19	07/06/2019	Van der Spuy	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	490 000
D/SM 51/19	24/12/2018	Andre Swart of Smit of tabata Buchanan Boyes Attorneys	Exceptional case and it is impractical or impossible to follow the official procurement process	Total D/SM amount	200 000

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

63. Budget differences

Material differences between budget and actual amounts

The materiality framework of the municipality informs the determining base ranges. The framework outlines all principles and guiding practices to allow management to enforce a consistent application of the framework's guidelines. With regard to reporting, the understandability and transparency to users of the financial statements was a determining factor when deciding on the base %.

Statement of Financial Performance

Revenue

The determining base range used was 1 % of total revenue.

Service charges (BD1)

The projection was based on the prior period's collection and also as a result of the reversal of the electricity and water income estimate accrual that was substantially higher in the comparative year.

Rental of facilities and equipment (BD2)

The revenue for rental of facilities and equipment declined due to factors such as social change, which is a cultural and economic change.

Interest earned - outstanding receivables (BD3)

The budget projection increase was based on historic performance.

Agency services (BD3)

The projected collection was based on historic performance.

Other income (BD4)

The decrease is due to the national lockdown, as a result of the covid-19 pandemic.

Government grants & subsidies (BD5)

Delays were experienced with the implementation of capital projects due to the national lockdown enforced, as a result of the covid-19 pandemic.

Fines, Penalties and Forfeits (BD6)

The budget projection for fines was based on previous performance.

Expenditure

The determining base range was 2% of total expenditure.

Contribution to / from provisions (BD7)

The variance emanates from the rehabilitation of the landfill site which is calculated based on information as at year end and subject to certain unpredictable assumptions. This information is not available when the budget is drafted.

Employee related costs (BD8)

The municipality reclassified the Contribution to Employee Benefits that was separately disclosed on the face of the financial statements to Employee related cost.

Finance costs (BD11)

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

63. Budget differences (continued)

The variance pertains to the unwinding of the interest of the provision for landfill sites.

The municipality reclassified the Contribution to Employee Benefits that was separately disclosed on the face of the financial statements to Employee related cost.

Depreciation and amortisation (BD9)

The capital projects that were expected to be completed in the financial year was impacted due to the national lockdown, as a result of the Covid-19 pandemic.

Impairment loss/ Reversal of impairments (BD10)

No assets were impaired/ reversed for impairment during the year.

Debt Impairment (BD12)

The projection was based on historical data.

Contribution to allowance for doubtful debt (BD13)

The projection was based on historic performance of debtors'accounts

Contracted Services (BD14)

The variance is as a result of the COVID-19 lockdown regulations that had an adverse impact the expenditure.

General Expenses (BD15)

The variance is as a result of the COVID-19 lockdown regulations that had an adverse impact the expenditure.

Fair value adjustments (BD16)

These adjustments are based on estimnates that cannot be budgeted for.

Gain on biological assets and agricultural assets

The gain is based on the growth of the biological assets and cannot be calculated before hand for budget purposes.

Inventories (lossess/write downs) (BD18)

The write downs are based on specific activities during the period, for example stock take and can thus not be budgeted for.

Statement of Financial Position

Assets

The determining base was 1% of total assets and 5% of accumulated surplus.

Cash and cash equivalents (BD19

Due to unspent conditional grants, there was more cash to invest on a short-term basis.

Receivables from exchange transactions (BD20)

The variance is as a result of the economic conditions of consumers in the municipal area and further impacted by the national lockdown due to the covid-19 pandemic.

Other receivables from exchange transactions (BD21

Figures in Rand	2020	2019

63. Budget differences (continued)

The income estimate for water and electricity formed part of the other receivables budget, but was reclassified due to the nature of the receivable.

VAT receivable (BD23)

Management did not anticipate a VAT receivable at year end.

Long term receivable (BD24)

This includes arrangement debtors. Defaulting on the arrangement entered into with the municipality is the main reason for the variance.

Intangible Assets (BD25)

The municipality had planned to procure more software systems.

Biological assets that form part of an agricultural activity (BD26)

The budgeted amount is based on the previous fair value model which has since been changed to cost model

Heritage assets (BD27)

The budgeted amount is based on the previous fair value model which has since been changed to cost model.

Liabilities

The determining base was 2% of total liabilities.

Consumer deposits (BD28)

Growth in our community/ client base resulting in increase deposits.

Employee benefit obligation (BD29)

The difference emanates from the post-retirement benefits and long service awards which is calculated based on information as at year end and subject to certain unpredictable assumptions ie. discount rate, expected rate of return, retirement age, etc. This information is not available when the budget is drafted.

Operating lease liability (BD30)

Operating lease liability is included in other financial liabilities

Other financial liabilities (BD31)

The external loan was taken up towards the end of the financial year.

Provisions (BD32)

Provisions are based on experts' work as at the end of the financial year using information that is not available during the budget. The budget is based on historic amounts.

Payables from exchange transactions (BD33)

This was mainly due to late contractor appointments, delays in projects which led to more invoices not being paid at year end.

Unspent conditional grants and receipts (BD34)

Due to unforseen circumstances, late contractor appointments, delays in projects, etc, conditions of some grants could not be met at year end.

Notes to the Unaudited Annual Financial Statements

Figures in Rand	2020	2019

63. Budget differences (continued)

Cash Flow Statement

Grants (CF 1)

The equitable share allocated per the Division of Revenue Act (DoRA) increased to accommodate the increase in active housing projects**.**

Interest income (CF 2)

Capital projects were funded from Capital Replacements Reserves (CRR) instead of an external loans.

Payments

Suppliers and employee costs (CF3)

Bulk purchases which are bought by the municipality are based on the consumption of the community have increased compared to the prior year.

Employee related cost decrease due to vacancies not filled and posts becoming vacant during the financial year.

Transfers and grants (CF4)

Management anticipated to spend the allocated funds, but due to unforeseen circumstances it did not materialise as planned.

Cash flow from investing activities

Purchase of PPE (CF5)

The variance relates to the underspending on the capital budget.

Purchase of intangible assets (CF6)

The municipality had undertaken a feasibility into new software for cemetries.

Movement in investments (CF7)

The municipality invested excess funds for periods more than 3 months but up to 12 months, these investments are classified as short term investments in the statement of financial position.

Cash flow from financing activities

64. BBBEE Performance

Information on compliance with the B-BBEE Act is included in the annual report under the section titled B-BBEE Compliance Performance Information.

ANNEXURE B: ANNUAL PERFORMANCE REPORT 2019/20

STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Annual Performance Report
2019/20

(01 July 2019 – 30 June 2020)

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1. PURPOSE

The Annual Performance Report 2019/20 is hereby submitted to the Stellenbosch Municipal Council in terms of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA), Section 46(1) and (2). The report covers the performance information from 01 July 2019 to 30 June 2020 and focuses on the implementation of the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP), in relation to the objectives as encapsulated in the Municipality's Integrated Development Plan (IDP) for the year under review.

The format of the report will reflect the Stellenbosch Municipality's Key Performance Indicators (KPIs) per Strategic Focus Area (SFA).

This report will also endeavour to report to Council on the Municipality's performance in terms of the five (5) National Government's Key Performance Areas for local government, which are (1) Basic Service Delivery; (2) Local Economic Development; (3) Municipal Institutional Transformation and Development; (4) Municipal Financial Viability and Management and (5) Good Governance and Public Participation.

2. LEGISLATIVE REQUIREMENTS

This Annual Performance Report has been compiled in compliance with the requirements of Section 46(1) of the MSA, which stipulates as follows:

(1) A municipality must prepare for each financial year a performance report reflecting—
- (a) the performance of the municipality and each external service provider during that financial year;
- (b) a comparison of the performance referred to in paragraph (a) with targets set for performance in the previous financial year; and
- (c) measures taken to improve performance.

In addition, regulation 7(1) of the Local Government: Municipal Planning and Performance Management Regulations, 2001 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 roles of the different role players." Performance management is not only relevant to the organisation as a whole, but is also applicable to the individuals employed in the organisation as well as the external service providers.

3. MUNICIPAL OVERVIEW

Stellenbosch town is the second oldest town in South Africa, dating back to 1679 when an island in the Eerste River was named Stellenbosch by the then Governor of the Cape, Simon van der Stel. The first farming activities in the area were started in that year. Today, the area has become primarily known for its extraordinary wines, fruit, world renowned cultural landscapes and exceptional scenic quality. The towns of Stellenbosch and Franschhoek are renowned for various architectural styles such as Dutch, Georgian and Victorian, which reflect their rich heritage and traditions, but also the divisions of the past.

The area houses excellent educational institutions, including the University of Stellenbosch, Boland College, sports and culinary institutions and a number of prestigious schools. It has a strong business sector, varying from major South African businesses and corporations, to smaller

enterprises and home industries. The tourism industry alone is responsible for the creation of about 18 000 jobs in the area. The area's numerous wine farms and cellars are very popular and the area is the home of the very first wine route in South Africa.

The town boasts a variety of sport facilities. Coetzenburg, with its athletics and rugby stadiums, has hosted star performances over many generations while the Danie Craven Stadium is the home of Maties rugby, the largest rugby club in the world. The municipal area has a number of theatres, which include the University's HB Thom Theatre, Spier Amphitheatre, Dorpstraat Theatre, Aan de Braak Theatre, and Oude Libertas Amphitheatre – well-known for its summer season of music, theatre and dance.

Limited municipal resources require an increase in multi-sectoral partnerships to address the broad spectrum of needs in the community. The Municipality cannot address the challenges of Stellenbosch on its own, not only because of limited resources, but also because it does not control all the variables impacting on growth and development of the town. Welfare and community organisations play a leading role in assisting to meet the needs of previously neglected communities. The business sector also plays a key role in shaping the economic development of the municipal area.



Figure 1: Location of the Stellenbosch Municipality

3.1 Vision

"Valley of Opportunity and Innovation".

3.2 Socio-economic status

Table 1: Total population

Total population		
2017/18	**2018/19**	**2019/20**
176 523**	186 274**	186 274**

***Western Cape Government, 2018 & 2019 Socio-economic Profile, Stellenbosch Municipality*

Table 2: Total number of households

Households	2017/18	2018/19	2019/20
Number of households in municipal area	52 374**	52 374**	52 374**
Number of registered indigent households in municipal area	6 453	6 817	6 666

***Western Cape Government, 2017 Socio-economic Profile, Stellenbosch Municipality*

Table 3: Access to Services

Community Survey 2016	Stellenbosch	Cape Winelands District
Formal main dwelling	34 071	191 077
	65,1%	81,0%
Water (piped inside dwelling/ within 200m)	51 581	232 605
	98,5%	98,6%
Electricity (primary source of lighting)	51 386	228 650
	98,1%	96,9%
Sanitation (flush/chemical toilet)	47 594	218 483
	90,9%	92,6%
Refuse removal (at least weekly)	37 207	192 974
	71,0%	81,8%

Source: Western Cape, Socio-Economic Profile 2019

4. PERFORMANCE MANAGEMENT OVERVIEW

In order to improve on performance planning, implementation, measurement and reporting, the Municipality implemented the following actions;

- Departmental operational plans were developed for monitoring and reporting operational programmes;
- An electronic performance management system is operational within the Municipality. The same system forms the basis of performance evaluations of the Directors and the Municipal Manager; and
- The Municipality endeavoured during the development of the TL SDBIP as well as with the development of the Departmental SDBIP that the "SMART" principle be adhered to in the setting of indicators and objectives. Emphasis was placed on ensuring that targets were specific and time bound, thus making it measurable.

Table 4: Performance Management System Checklist

	Performance Management Policy	All MSA s57/56 Performance contracts signed	Audit Committee	Municipal Public Accounts Committee (MPAC)	Quarterly Performance Reporting to Council	Annual Performance Reporting to Council
In place?	√	√	√	√	√	√

4.1 Top Layer Service Delivery and Budget Implementation Plan

The organisational performance is evaluated by means of a Municipal Scorecard (TL SDBIP) at organisational level and through the Service Delivery and Budget Implementation Plan (SDBIP) at departmental levels.

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

The MFMA Circular No.13 prescribes that:

- The IDP and budget must be aligned;
- The budget must address the strategic priorities;
- The SDBIP should indicate what the municipality is going to do during next the 12 months; and
- The SDBIP should form the basis for measuring the performance against goals set during the budget / IDP processes.

The TL SDBIP was prepared as described in the paragraphs below and approved by the Executive Mayor on 26 June 2019.

The approved TL SDBIP 2019/20 was revised in January 2020. These revisions were made in line with the adjustment budget, internal audit findings and recommendations made by the Auditor General of South Africa (AGSA).

The overall assessment of actual performance against targets set for the Key Performance Indicators as documented in the SDBIP is illustrated in terms of the following assessment methodology:

Table 5: Performance Assessment Criteria

Color	Category	Explanation
	KPI Not Yet Measured	KPIs 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

The TL SDBIP (the Municipal Scorecard) consolidate service delivery targets set by Council / Senior Management and provide an overall picture of performance for the Municipality as a whole, reflecting performance on its strategic priorities. The TL SDBIP is a detailed one-year plan and the necessary components should include:

- Monthly projections of revenue to be collected for each source;
- Expected revenue to be collected not billed;
- Monthly projections of expenditure (operating and capital) and revenue for each vote;
- Quarterly projections of service delivery targets and performance indicators for each vote;
- Non-financial measurable performance objectives in the form of targets and indicators; and
- Detailed capital project plan broken down by ward over three years.

4.2 Departmental Service Delivery and Budget Implementation Plan

The Departmental Service Delivery and Budget Implementation Plan (the detailed SDBIP) capture the performance of each Directorate. Unlike the TL SDBIP, which reflects on the strategic performance of the Municipality, the Departmental SDBIP 2019/20 provides a comprehensive picture of the performance per Directorate, Department and Section. It was compiled by the Directors and Senior Managers for their respective Departments and Sections and consists of objectives, indicators and targets derived from the approved TL SDBIP 2019/20.

5. PLANNED TARGETS VS ACTUAL RESULTS FOR THE 2019/20 FINANCIAL YEAR

This section of the Annual Performance Report 2019/20 will report on the Municipality's actual performance against the planned targets as derived from the Municipality's IDP. Due to the fact that the Municipality has developed five (5) Strategic Focus Areas (SFAs) the performance reporting will follow these themes.

5.1 Municipal performance per National Key Performance Indicator

5.1.1 Municipal Transformation and Institutional Development

Table 6: NKPA- Municipal Transformation and Institutional Development

INDICATOR	MUNICIPAL ACHIEVEMENT 2018/19	MUNICIPAL ACHIEVEMENT 2019/20
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	2*	4**
The percentage of a municipality's budget actually spent on implementing its workplace skills plan	R2 374 502 / R1 719 104 450 x 100 = 0.14%	R2 262 082.24/ R1 778 283 844 x100 = 0.13%

**EE appointments made within the 2018/19 financial year.*
***EE appointments made within the 2019/20 financial year.*

5.1.2 Basic Service Delivery

Table 7: NKPA- Basic Service Delivery

INDICATOR	MUNICIPAL ACHIEVEMENT 2018/19*	MUNICIPAL ACHIEVEMENT 2019/20
The percentage of households earning less than R6,500 per month with access to free basic services (In the case of Stellenbosch Municipality- percentage of registered Indigent households are being reported)	100%	100%
The percentage of households with access to basic level of water	100%	100%
The percentage of households with access to basic level of sanitation	100%	100%
The percentage of households with access to basic level of electricity	71%	74.4%
The percentage of households with access to basic level of solid waste removal	100%	100%

** The percentage of households with access to basic level of water, sanitation, electricity and solid waste services is based on formal households only. The information on informal households and backyard dwellings were not taken into account.*

5.1.3 Local Economic Development

Table 8: NKPA- Local Economic Development

INDICATOR	MUNICIPAL ACHIEVEMENT 2018/19	MUNICIPAL ACHIEVEMENT 2019/20
The number of jobs created through municipality's local economic development initiatives including capital projects	153.10	1 656

5.1.4 Municipal Financial Viability and Management

Table 9: NKPA- Municipal Financial Viability and Management

INDICATOR	MUNICIPAL ACHIEVEMENT 2018/19	MUNICIPAL ACHIEVEMENT 2019/20
Debt coverage ((Total operating revenue - operating grants received) / Debt service payments due within the year)	55.20%	59.13%
Service debtors to revenue (Total outstanding service debtors / Annual revenue received for services)	17.83%	12.38%
Cost coverage ((Available cash + investments) / Monthly fixed operating expenditure)	4.70	2.43

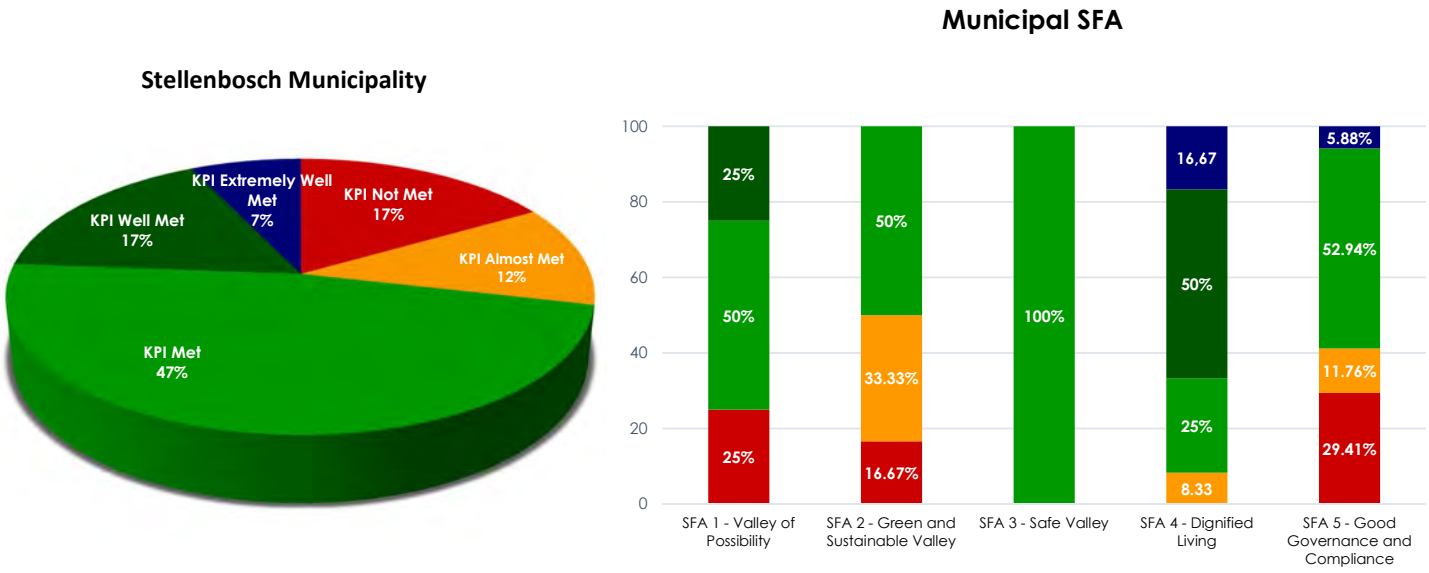
5.1.5 Good Governance and Public Participation

Table 10: NKPA- Good Governance and Public Participation

INDICATOR	MUNICIPAL ACHIEVEMENT 2018/19	MUNICIPAL ACHIEVEMENT 2019/20
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	87.53%	70.80%

5.2 Overall performance per Municipal Strategic Focus Area

The following graph and table illustrates the Municipality's overall performance per Municipal Strategic Focus Area (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	-	-	-	-	-	-
KPI Not Met	7 (16.67%)	1 (25%)	1 (16.67%)	-	-	5 (29.41%)
KPI Almost Met	5 (11.90%)	-	2 (33.33%)	-	1 (8,33%)	2 (11,76%)
KPI Met	20 (47.62%)	2 (50%)	3 (50%)	3 (100%)	3 (25%)	9 (52.94%)
KPI Well Met	7 (16.67%)	1 (25%)	-	-	6 (50%)	-
KPI Extremely Well Met	3 (7.14%)	-	-	-	2 (16,67%)	1 (5.88%)
Total:	42	4	6	3	12	17
	100%	9.52%	14.29%	7.14%	28.57%	40.48%

Table and Graph 11: Overall performance per SFA- 01 July 2019 – 30 June 2020

5.2.1 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)
							Target	Actual	R		
TL1	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	153.10	300	1 300	1 300	1 656			
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%		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.
TL3	KPI009	Training opportunities provided for entrepreneurs and Small, Medium and Micro Enterprises (SMMEs)	Number of quarterly training opportunities provided for entrepreneurs and SMMEs	5	4	4	4	4			
TL4	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	1	1	1			

	KPI Not Yet Measured	0
	KPI Not Met	1
	KPI Almost Met	0
	KPI Met	2
	KPI Well Met	1
	KPI Extremely Well Met	0
Total KPIs		**4**

5.2.2 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)
							Target	Actual	R		
TL5	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	1	1	1			
TL6	KPI073	Implementation of identified waste minimisation projects	Number of identified waste minimisation projects implemented by 30 June	New KPI	2	2	2	1		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 have been lifted.
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%	
TL8	KPI019	Waste water quality managed and measured ito. 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 Treatment Works design due to insufficient capacity.
TL9	KPI078	Submission of the Revised Facility Management Plan to the MayCo	Number of Revised Facility Management Plans submitted to the MayCo by 31 May	New KPI	1	1	1	1			
TL10	KPI079	Submission of a Tree Management Policy to the MayCo	Number of Tree Management Policies submitted to the MayCo by 31 October	New KPI	1	1	1	1			

Summary of Results: SFA 2 - Green and Sustainable Valley

	KPI Not Yet Measured	0
	KPI Not Met	1
	KPI Almost Met	2
	KPI Met	3
	KPI Well Met	0
	KPI Extremely Well Met	0
Total KPIs		**6**

5.2.3 SFA 3 - Safe Valley

SFA 3 - SAFE 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)
							Target	Actual	R		
TL11	KPI025	Revised Disaster Management Plan submitted to the MayCo	Number of Revised Disaster Management Plans submitted to the MayCo by 31 May	1	1	1	1	1			
TL12	KPI026	Revised Safety and Security Strategy submitted to the MayCo	Number of Revised Safety and Security Strategies submitted to the MayCo by 31 May	1	1	1	1	1			
TL13	KPI027	Revised Traffic Management Plan submitted to the MayCo	Number of Revised Traffic Management Plans submitted to the MayCo by 31 October	New KPI	1	1	1	1			

Summary of Results: SFA 3 - Safe Valley

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

5.2.4 SFA 4 - Dignified Living

SFA 4 - DIGNIFIED LIVING										
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)
							Target	Actual	R		
TL14	KPI037	Provision of waterborne toilet facilities	Number of waterborne toilet facilities provided by 30 June	69	25	25	25	51			
TL15	KPI039	Provision of free basic water to registered indigent households (NKPI Proxy - MSA, Reg. S10(a), (b)	Percentage of registered indigent households with access to free basic water, measured quarterly	100%	100%	100%	100%	100%		6 666 / 6 666 x 100 = 100%	
TL16	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	7.55%	<9%	<9%	<9%	9,36%		(381 810 591 kWh – 346 076 786 kWh) / 381 810 591 kWh x 100 = 9,36% The Pniel network is not performing on required levels due to the quality of the infrastructure.	The municipality included the development of a new network in its 20/21 capital budget. At present this project is in its design phase.
TL17	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	99.90%	90%	90%	90%	90.96%			
TL18	KPI042	Limit unaccounted water to less than 25%	Average percentage water losses measured by 30 June	28%	<25%	<25%	<25%	20.50%		1 640 553kl / 8 015 027kl x 100 = 20.50%	
TL19	KPI043	Provision of free basic electricity to registered indigent households (NKPI Proxy - MSA, Reg. S10(a), (b)	Percentage of registered indigent households with access to free basic electricity, measured quarterly	71%	100%	65%	65%	73,99%		4 932 / 6 666 x 100 = 74%	
TL20	KPI044	Provision of free basic refuse removal to registered indigent households (NKPI Proxy - MSA, Reg. S10(a), (b)	Percentage of registered indigent households with access to free basic refuse removal, measured quarterly	100%	100%	100%	100%	100%		6 666 / 6 666 x 100 = 100%	

SFA 4 - DIGNIFIED LIVING											
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)
							Target	Actual	R		
TL21	KPI045	Provision of free basic sanitation to registered indigent households (NKPI Proxy - MSA, Reg. S10(a), (b)	Percentage of registered indigent households with access to free basic sanitation, measured quarterly	100%	100%	100%	100%	100%		6 666 / 6 666 x 100 = 100%	
TL22	KPI074	Formal households provided with access to water (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households provided with access to water, measured quarterly	26 088	26 000	26 000	26 000	26 397		27 143 – 736 – 10 = 26 397	
TL23	KPI075	Formal households provided with access to electricity (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households provided with access to electricity, measured quarterly	26 088	24 000	24 000	24 000	26 397		27 143 – 736 – 10 = 26 397	
TL24	KPI076	Formal households provided with access to refuse removal (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households provided with access to refuse removal, measured quarterly	26 088	26 000	26 000	26 000	26 397		27 143 – 736 – 10 = 26 397	
TL25	KPI077	Formal households provided with access to sanitation (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households provided with access to sanitation, measured quarterly	26 088	26 000	26 000	26 000	26 397		27 143 – 736 – 10 = 26 397	

Summary of Results: SFA 4 - Dignified Living

	KPI Not Yet Measured	0
	KPI Not Met	0
	KPI Almost Met	1
	KPI Met	3
	KPI Well Met	6
	KPI Extremely Well Met	2
Total KPIs		**12**

5.2.5 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)
							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	2.43		Decrease in the payment collection rate from 96 to 85% during April and May, due to CoVID19.	N/A, the collection rate is expected to improve as the effect of the CoVID 19 pandemic becomes less severe.
TL27	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	100.24%	96%	96%	96%	89.17%		(R290 310 743 + R880 125 828 - R262 470 829- R123 186 856) / R880 125 828 = 89.17% Decrease in the payment collection rate from 96 to 85% during April and May, due to CoVID19.	N/A, the collection rate is expected to improve as the effect of the CoVID 19 pandemic becomes less severe.
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%	70.25%		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.	Tender specifications indicators were developed in the Departmental SDBIP 2020/21 for each Directorate which are aligned to the Demand Management Plan.
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%		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

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)
							Target	Actual	R		
											not pass the assessment test they could not be appointed.
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%		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 be 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.
TL31	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	55.20%	15%	15%	15%	59.13%			
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	17.83%	27%	27%	27%	12.38%			
TL33	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	1	1	1			
TL34	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	1	1	1			
TL35	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	1	1	1			

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)
							Target	Actual	R		
TL36	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	1	1	1			
TL37	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	1	1	1			
TL38	KPI067	Draft Integrated Development Plan (IDP) submitted to Council	Number of Draft IDPs submitted to Council by 31 March	1	1	1	1	1			
TL39	KPI068	Submission of the Revised Asset Management Policy Council	Number of Revised Asset Management Policies submitted to Council by 30 June	1	1	1	1	1			
TL40	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	1			
TL41	KPI071	Revised Electrical Master Plan submitted to Council	Number of Revised Electrical Master Plans submitted to Council by 30 June	1	1	1	1	1			
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		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.

Summary of Results: SFA 5 - Good Governance and Compliance

	KPI Not Yet Measured	0
	KPI Not Met	5
	KPI Almost Met	2
	KPI Met	9
	KPI Well Met	0
	KPI Extremely Well Met	1
Total KPIs		**17**

5.3 Supplier performance

Looking at the applicable legislation, specifically s46(1)(a) of the MSA - A municipality must prepare for each financial year an annual report consisting of –

(a) a performance report reflecting— (i) the municipality's, and any service provider's, performance during that financial year, also in comparison with targets of and with performance in the previous financial year.

In consideration of this legislative requirement, we consider the definition prescribed to a service provider, as well as a municipal service and a service delivery agreement in terms of the MSA.

A "service provider" in terms of section 76(b) of the MSA constitutes a person or institution, or combination thereof, which provide to or for the benefit of a local community. Whereas, an "external service provider" is considered to be an external mechanism (as referred to in section 76(b)) which provides a municipal service for a municipality.

It is necessary to further consider the meaning prescribed to a "service delivery agreement", as in terms of section 76(b), this is considered to be an agreement between a municipality and an institution or person mentioned in section 76(b) in terms of which a municipal service is provided by the institution or person, either for its own account or on behalf of the municipality. Finally, the MSA defines a "municipal service" as necessary to ensure an acceptable and reasonable quality of life and, if not provided, would endanger public health or safety of the environment.

In consideration of the year under review, as well as the legislative interpretations detailed above, the Municipality asserts that no service delivery agreements were entered into with service providers who provided a municipal service to or for the benefit of the local community on behalf of the Municipality. However, in the table below we provide an overview of the number of SCM awards made throughout the year.



GERALDINE METTLER
MUNICIPAL MANAGER
DATE: 30 October 2020

8.2	APPROVAL OF THE FOURTH REVIEW OF THE FOURTH GENERATION IDP 2017 – 2022

Collaborator No: 706595
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 May 2021 and 26 May 2021

1. SUBJECT: APPROVAL OF THE FOURTH REVIEW OF THE FOURTH GENERATION IDP 2017 – 2022

2. PURPOSE

To submit to Council for adoption:

(a) The Fourth Review of the Fourth Generation Integrated Development Plan (IDP) 2017 – 2022, attached as **ANNEXURE A;** and

(b) The public participation inputs, written submissions and Provincial Government LG MTEC findings on the Draft Fourth Review of the Fourth Generation IDP 2017 - 2022, attached as **ANNEXURE B.**

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Integrated Development Plan (IDP) is a 5-year Strategic Plan that is reviewed annually to accommodate changes in the municipal environment, including community priorities. It also informs the budget of the municipality. The Fourth Review of the Fourth Generation IDP 2017 – 2022 details the municipality's actions to address the needs of the community.

The municipal IDP must be reviewed every year to ensure that:

- Municipalities and communities keep track of progress in implementing development projects and spending the municipal budget; and
- Communities are provided with an opportunity to review their needs and make possible revisions to the priorities listed in the municipal IDP.

5. RECOMMENDATIONS

(a) that the Stellenbosch Municipality's Fourth Review of the Fourth Generation IDP 2017 – 2022, attached as **ANNEXURE A,** be adopted;

(b) that the public participation inputs and written submissions on the Draft Fourth Review of the Fourth Generation 2017 – 2022, attached as **ANNEXURE B**, be noted; and

(c) that an advertisement be placed on the official website of the municipality, municipal notice boards and in the local newspapers notifying the public that the final Fourth Review of the Fourth Generation 2017 – 2022 has been adopted by Council.

6. DISCUSSION

6.1 Background

In terms of the provisions of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA), each Council must, within the prescribed period after the start of its elected term, adopt a single, inclusive, strategic plan. The Fourth Generation IDP 2017 – 2022 serves as this instrument, which was adopted by the new Council on 31 May 2017 for the period 2017 – 2022.

An IDP Process Plan and Time Schedule were approved by Council in August 2020 to guide the planning, review and adoption of the Fourth Review of the Fourth Generation IDP 2017 – 2022.

The following processes were followed in accordance with the process plan:

Date	Action(s)
August 2020	• Approval of IDP/Budget/SDF Process Plan and Time Schedule.
September – November 2020	• Online public participation meetings were held in all 22 wards, explaining the processes to be followed for the Fourth Review of the Fourth Generation IDP. Feedback was provided on the implementation of priorities listed by the wards. The priorities in the basic needs assessment were presented and the communities were given time for additional inputs. • Ward plan update meetings were held in November 2020 with all 22 wards with the respective ward committees and Ward Councillors.
December 2020 – February 2021	• Compilation of Draft IDP document in collaboration with all Directorates. • Administration prepared the Draft IDP in finalising the chapters of the document. • Administration prepared the Draft Budget. • Administration prepared the draft Top Layer SDBIP. • Provincial TIME held to analyse the Fourth Generation IDP.
March – April 2021	• MayCo and Council considered the 2021/22 draft IDP and Budget. • Due to the COVID-19 pandemic, IDP and Budget public meetings were held on the online MS Team platform and utilising various online platforms e.g. the Municipality's website, Facebook, Twitter, SMS notifications, emails notifications and via the Stellenbosch Citizen App. • An online Stakeholder Engagement were held on 23 April 2021 to provide feedback on major projects / programmes/ initiatives to explore potential partnerships in addressing the needs. • Closing date for submission on the draft IDP and Budget was 26 April 2021. • Consultation and refinement of SDF, IDP and Budget documents. • Approval of Final SDF, IDP, Budget, Tariffs and Budget related policies. • Submit approved IDP to Provincial Government and other role-players.
May – June 2021	• Consultation and refinement of SDF, IDP and Budget documents. • Approval of Final SDF, IDP, Budget, Tariffs and Budget related policies. • Submit approved IDP to Provincial Government. • Approval of Top Layer SDBIP by the Executive Mayor within 28 days after adoption of the IDP and Budget.

6.2 Financial Implications

The IDP and the Budget have been aligned, taking into account ward priorities and public needs identified through the public participation engagements outlined above.

6.3 Legal Implications

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

In terms of Section 34 of the MSA prescribes that the Municipal Council: –

"(a) must review its Integrated Development Plan-

(i) annually in accordance with an assessment of its performance measurements in terms of section 41; and

(ii) to the extent that changing circumstances so demand".

6.4 Staff Implications

This report has no additional staff implications to the Municipality.

6.5 Risk Implications

This report has no direct risk implications for the Municipality.

6.6 Previous / Relevant Council Resolutions:

- Item 7.2.1 of the 9th Council Meeting held on 31 March 2017. "*2017 - 2022 Fourth Generation Integrated Development Plan (IDP)"*;
- Item 4 of a Special Council Meeting held on 28 May 2018. "*Approval of First Review of the Fourth Generation IDP (2017/18 –2021/2022)"*;
- Item 5.1 of the 27th Council Meeting held on 29 May 2019. "*Approval of the Draft Second Review of the Fourth Generation IDP (2017 – 2022)"*;
- Item 8.1 of the 30th Council Meeting held on 28 August 2019. *"Approval of the Draft First Amendment of the Fourth Generation IDP 2017- 2022";*
- Item 8.1 of an urgent Council Meeting held on 25 March 2020. *"Approval of the Draft Third Review of the Fourth Generation IDP 2017 – 2022*".
- Item 7.1 of a Special Council Meeting held on 27 May 2020. "*Approval of the Third Review of the Fourth Generation IDP 2017 – 2022"*
- Item 8.1 of the 41st Council Meeting held on 31 March 2021. "*Approval of the Draft Fourth Review of the Fourth Generation IDP 2017 – 2022"*

6.7 Comments from Senior Management

6.7.1 Director: Community and Protection Services

Supported

6.7.2 Chief Financial Officer

Supported

6.7.3 Director: Infrastructure Services

Supported

6.7.4 Director: Corporate Services

Supported

6.7.5 Director: Planning and Economic Development

Supported

6.7.6 Comments from the Municipal Manager

Supported

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 6.2

(a) that the Stellenbosch Municipality's Fourth Review of the Fourth Generation IDP 2017 – 2022, attached as **ANNEXURE A,** be adopted;

(b) that the public participation inputs and written submissions on the Draft Fourth Review of the Fourth Generation 2017 – 2022, attached as **ANNEXURE B**, be noted; and

(c) that an advertisement be placed on the official website of the municipality, municipal notice boards and in the local newspapers notifying the public that the final Fourth Review of the Fourth Generation 2017 – 2022 has been adopted by Council.

ANNEXURES

Annexure A: Fourth Review of the Fourth Generation IDP 2017- 2022

Annexure B: Public comments received on the Draft IDP and Budget 2021/22

FOR FURTHER DETAILS CONTACT:

NAME	*Shireen De Visser*
POSITION	*Senior Manager: Governance*
DIRECTORATE	*Office of the Municipal Manager*
CONTACT NUMBERS	*021 – 808 8035*
E-MAIL ADDRESS	*Shireen.devisser@stellenbosch.gov.za*
REPORT DATE	*07 May 2021*

8.3	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK: 2021/2022-2023/2024

Collaborator No: 706713
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 May 2021 and 26 May 2021

1. SUBJECT: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK: 2021/2022-2023/2024

2. PURPOSE

The purpose of this report is as follows:

a) To consider the views/submissions of the local community in terms of Section 23(1) (a) of Municipal Finance Management Act (Act 56 of 2003), herein after called the MFMA and to allow the Executive Mayor to respond to the views of the public envisaged in terms of Section 23 (2) (a) and (b);

b) To approve the Medium Term Revenue and Expenditure Framework (inclusive of property rates charges and taxes, tariffs and service charges), annexures and proposed amendments to the budget-related policies and other policies to Council for approval in terms of Section 16(2) of the Municipal Finance Management Act, (Act 56 of 2003);

c) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the amount of R444 million of which over the MTREF R144 million will be required in year one, R140 million in year two, and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms draft approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

BUDGET

Attached as **APPENDIX 1** is an Executive Summary by the Accounting Officer.

5. RECOMMENDATIONS

(a) that the High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved;

(b) that the Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved;

(c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved;

(d) that the three-year Capital Budget for 2021/2022, 2022/2023 and 2023/2024, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved;

(e) that the proposed rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3**, be approved;

(f) that the proposed amendments to existing budget-related policies and other policies as set out in **APPENDICES 5 - 31,** be approved;

(g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R444 millions of which R144 million will be required in year one, R140 million in year two, and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary), and confirm approval of same;

(h) that Council specifically takes note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially;

(i) that Council takes note of MFMA Circulars 107 and 108 that were published to guide the MTREF for 2021/2022 to 2023/2024 as set out in **APPENDICES 32 – 33;** and

(j) that Council takes note that the public comments and submissions were taken into account with the compilation of the final budget.

6. DISCUSSION / CONTENTS

6.1. Background/ Legislative Framework

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

(1) "The municipal council must consider any views of the local community, the National Treasury, the relevant Provincial Treasury and any provincial or national organs of state or municipalities which made submissions on the budget.

(2) After considering all budget submissions, the council must give the mayor an opportunity—

(a) to respond to the submissions; and

(b) if necessary, to revise the budget and table amendments for consideration by the council.

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

6.2 Discussion

This year has had many challenges, the two main challenges being the COVID-19 pandemic that has claimed many lives and on the other hand the weak economy, that has become weaker as a result of the aforementioned pandemic. This resulted in an increase in unemployment, a high budget deficit and rapidly growing public debt. The pandemic is estimated to have caused a 7.2 per cent reduction in GDP growth during 2020. The projected GDP growth for 2021 is 3.3 per cent reducing to an average of 1.9 per cent in 2022 and 2023. GDP is only expected to recover to pre-pandemic levels in 2023. The outlook remains highly uncertain, and the economic effects of the pandemic have far fetching results. It is important to note that although the growth rates are likely to improve, with removal of restrictions, based on current projections, the output is only expected to return to pre-pandemic levels, hopefully by 2024.

Stats SA figures reflect the impact of the pandemic on our economy on a national level, as follows:

- Income generated by the food and beverages industry **decreased** by **36,6%** in November 2020 compared with November 2019.
- Total income for the tourist accommodation industry **decreased** by **65,5%** in November 2020 compared with November 2019.
- Income from accommodation **decreased** by **66,8%** year-on-year in November 2020.
- SA electricity generation **decreased** by **2,4%** year-on-year in November 2020. Whilst, generation only increased by 0,5% in November 2020 compared with October 2020.
- Manufacturing production (including food and beverages), **decreased** by **3,5%** in November 2020 compared with November 2019.
- The real value of recorded building plans **decreased** by **40,8%** year-on-year during January to October 2020. The real value of buildings completed **decreased** by **49,9%** over the same period.

The aforementioned are just some of the national points which reflect directly on our own economy and how it has been affected.

The 2020 Medium Term Budget Policy Statement (MTBPS) sets the course for fiscal consolidation and economic recovery as follows:

- Intend to run primary surpluses on the main budget by 2025/26 by constraining non-interest spending growth;
- shift spending from consumption to investment. Over the MTREF period, the fastest-growing item, other than debt service costs, is spending on capital goods, i.e. investment, which is projected to grow at 7.8 per cent a year; and
- allocate resources for the Economic Reconstruction and Recovery Programme.

However, to achieve a faster recovery characterised by growing investment in job creation, requires broader structural change. Government's economic reforms aim to remove barriers to growth, lower cost of doing business, and bolster confidence and investment. The economic recovery plan focuses on high impact reforms, namely, speeding up the expansion of electricity generation, creating jobs, rolling out infrastructure aligned with the National Development Plan, amongst others.

Government's recovery plans place emphasis on raising the economy's long-term growth rate; structural reforms that will lower the barriers to faster, inclusive growth by improving access to reliable electricity, water and sanitation services; enabling digital services that are cost-effective; promoting green economy and supporting industries with high employment potential such as agriculture and tourism. As a result of these circumstances, the 2021 Budget strikes a difficult balance between providing immediate support for the economy and shoring up the country's public finances. Medium-term fiscal policy focuses on extending temporary support in response to COVID-19, narrowing the budget deficit, stabilising debt and exercising continued restraint in non-interest expenditure growth, while improving the composition of expenditure.

The 2021 Budget Review supports economic recovery through immediate fiscal support and medium-term fiscal reforms. The government's budget of 2021 meets urgent pandemic-related spending pressures, such as procuring COVID-19 vaccines, expanding the public employment initiative, and continuing social and economic relief measures. Over the next MTREF period municipalities will have to adjust to significant changes in expenditure plans while improving accountability. Transfers that focuses on infrastructure, service delivery and COVID-19 spending are protected in the 2021 Budget. The aforementioned budget also includes funding for initiatives to improve municipal revenue collection and support financially distressed municipalities.

Municipalities must exercise caution when preparing their 2021/2022 MTREF budgets. It is advised that municipalities follow a conservative approach when projecting revenue and to eliminate waste and unnecessary expenditure. It is imperative that municipalities should ensure the following, namely, that budgets they adopt are realistic and funded, that debts owned are collected and that their creditors are paid within 30 days of receipt of invoice. Legislation governing local planning and budgeting places emphasis on community participation in decision-making. The partnerships between municipalities and its stakeholders relies on the households and businesses recognising the value of, and paying for, municipal services. Therefore, the sustainability of the municipality will heavily depend on how they collect and spent their own revenues.

The 2021 Budget is framed by the two policy objectives set out in the 2020 Medium Term Budget Policy Statement (MTBPS), namely, promoting economic recovery and returning the public finances to a sustainable position. The budget addresses urgent economic needs while targeting long-term structural shortcomings and boosting infrastructure spending. It provides continued support to the economy and public health in the short term without adding to long-term spending pressures. Capital spending is the fastest-growing component of non-interest spending. A series of economic and fiscal measures are outlined in the 2021 budget that will be implemented to move the economy onto a new trajectory and reduce the long-term risks to South Africa's public finances. The central economic policy goal of the government, is to accelerate inclusive growth and create jobs. The main objective is to ensure sustainable finances by containing the budget deficit and stabilising public debt. The Constitution requires the national budget and related budget processes to promote values such as transparency, accountability, as well as effective management of the economy to these requirements in a difficult environment in which economic growth remains weak, public debt and debt service costs have accelerated, and governance and operational concerns are manifest across the public sector. The 2021 Budget confronts these challenges by addressing the central risks of the economy and its public finances, supporting growth-enhancing reforms and maintaining real growth in expenditure on social and economic priorities.

The President of South Africa, in his State of the Nation Address (SONA) on 11th February 2021, conceded that unemployment remains a national challenge and that job creation remains at the centre of the national agenda of 2021. During the SONA the President indicated that as a result of the relief measures that were implemented and the phased reopening of the economy, it is expected that a strong recovery in employment will be seen by the end of the year. The overriding priorities of 2021 are to defeat the COVID-19 pandemic, accelerate economic recovery, implement economic reforms to create sustainable jobs and drive inclusive growth, and fight corruption and strengthen the State.

The following focus areas were also highlighted, amongst others, during the State Of Nation Address:

- Safety and Security;
- Fight against corruption;
- State-owned Enterprises (SOE's);
- Agriculture and related initiatives
- Small Business Development;
- Digital Migration;
- Energy generation, transmission and distribution;
- Water Sector;
- Socio-economic support; and
- Job creation through employment stimulus.

Government's central economic policy priority remains to promote faster, job-creating growth. Various programmes and initiatives will be established and the existing one's improved upon to ensure effective implementation of the strategic priorities.

As a means to combat unemployment, the municipality will employ the following measures:

- Full participation in the Expanded Public Works Programme;
- Providing support to small businesses, which will create employment in the medium to long term;
- Establishment of Informal Traders;
- Promoting Internships and in-service training opportunities;
- Filling of critical vacancies within the municipality; and
- Developing partnerships with academic institutions for training opportunities.

The Western Cape Premier, in his State of the Province Address, on 17th February 2021, reiterated the following sentiments highlighted during the State of the Nation Address, including but not limited to, the challenges that are faced, the recovery plans and initiatives that were implemented to address these challenges with regards to the COVID-19 pandemic, economic growth recovery initiatives , unemployment, especially the youth, education, building of safer communities, sustainable infrastructure development, implementation of related initiatives, provision of housing (dignified living), finding alternative energy sources to assist and reduce the strain on the electrical grid and provision of services to the poor households. The Premier stated that the COVID-19 pandemic will continue to be the biggest challenge because in essence we are not just facing a health crisis. This pandemic has led to job crisis, humanitarian crisis and a dignity crisis and as a result of this government commits to continue fighting for the economy and for job creation.

The Premiers' speech focused, amongst others, on the following areas:

- Health: Comprehensive response plan designed as a result of the COVID-19 pandemic. This is a 5 part plan which will focus on the continuance of prevention behavior, rapidly upscaling testing for identification of COVID-19 cases, retain core field hospital capacity, making additional acute care capacity available in the Western Cape hospitals, and lastly to ensure there is sufficient PPE, staff and oxygen.
- Recovery plan which encapsulates various economic recovery interventions. The Community Economic Recovery Project is one of the successes of this plan.
- Economy: Creation of jobs through the private sector. Government's role is to support the economy and create an environment where the private sector will thrive.
- Infrastructure-led growth: Invest in infrastructure to stimulate economic growth, by building a portfolio of investment projects that can attract private finance where appropriate.
- Reliable and working public transport system.
- "Blue-dot taxi services to ensure safe and efficient taxi network.
- Energy and resilience: Finding alternative means to generate electricity for the province and alleviate the strain on the electrical grid, where the ultimate goal is to beat loadshedding. The province is making progress in achieving this goal through the launching of the Municipal Energy Resilience Project, which will assist municipalities in taking the necessary steps to generate, procure and sell their own electricity. The DEDAT, in partnership with Department of Local Government and Provincial Treasury, has undertaken an assessment process with all the municipalities to determine their readiness for and select those that can be the initial drivers of new energy opportunities. Stellenbosch Municipality has taken the lead in launching the first step of the project.
- Advancement in terms of Agricultural technology and maintaining a competitive edge in this regard.
- Tourism and recovery of this sector.
- Safety: The province has a safety plan, the biggest in the country, in place with various safety initiatives which focuses on youth development, increasing boots on the ground and reducing violence, to build a safer environment for all.

- Education: Implement initiatives to improve quality of education and access to educational system. Looking at the demands on the education system, the province will continue to embrace innovation and the new, future digital world.
- Housing: Remains a priority for residents to have access to basic services, such as, clean running water, access to sanitation and proper shelter, which is safe and close to economic opportunities.

During his Statement of the Province Address the Premier highlighted the importance of finding ways to manage the pandemic and the impact thereof on the economy, minimise unemployment by creating an environment that encourages job creation, through investment and growth and creating an environment which raises the quality of education and prepares generations for a digital future. The Premier mentioned the successes achieved through the implementation of various initiatives with focus on job creation, improvement of education and creation of an environment which encourages expanding social services through partnership with private partners, building of partnerships to foster safer communities, investments in new initiatives and maintenance of existing transport infrastructure and implementation of various youth development programmes which in return will boost employment opportunities. All of the above focus areas are important, however, the basis of all of this is economic growth and job creation. In essence little else is possible if there is no growth or job opportunities.

Implementation of a revised capacity building initiative, aligned to Back to Basics strategy, where the main focus will be on improving service delivery, accountability and financial management. It is always important that local government be effective and efficient, and this will be measured by its ability to perform the basic mandate of service delivery. The “Back to Basics” programme was launched to promote good governance and effective administration through cutting wastage, spending public funds prudently, hiring competent staff, and ensuring transparency and accountability in local government.

Provincial Treasury reiterated most of the challenges and focus areas highlighted in the Premier’s State of the Province address, the SONA and the 2021 Budget Review. Provincial Treasury highlighted that recovery efforts will fail unless structural constraints, including energy, infrastructure and competitiveness, are urgently addressed. Electricity remains a binding constraint on economic recovery, with power interruptions expected to continue in 2021. Job creation is one of the top priorities of the economic recovery plan that will guide policy action over the MTREF period, along with new infrastructure investment and large-scale public employment programmes.

National Treasury encourages municipalities to maintain tariff increases and adopt a tariff setting methodology at levels that reflects an appropriate balance between the affordability to poorer households and other customers, while ensuring the financial sustainability of the municipality. Municipalities must ensure that their budgets are funded from realistically anticipated revenues. This means that the municipality must refrain from assuming collection rates that are unrealistic and unattainable. Cost reflective tariff setting is a requirement of Section 74 (2) of the Municipal Systems Act, 2000 (Act No.32 of 2000, wherein it states that tariffs “must reflect the cost reasonably associated with rendering the service”. The municipalities must therefore generate sufficient revenue to fully recover their costs, deliver services to customers sustainably and invest in the infrastructure that promises local economic development.

The Municipality must first assess the budget, before the tariff setting process, to determine whether it is effective and efficient and must ensure that it is credible for financial sustainability. In sum, the cost considered when setting a cost reflective tariff must include day-to-day operations and maintenance costs, capital financing cost and provision for bad debt, which are collectively referred to as direct costs, and governance and administration costs referred to as indirect costs.

Tariff increases by Eskom and Water Boards is above inflation and should be considered as such while determining cost reflective tariffs. In the instance of bulk tariff increases for

electricity, municipalities are encouraged to apply for electricity tariff increases that reflect the total cost of providing the service, to ensure that they are working towards achieving fully cost-reflective tariffs that will assist them to achieve financial sustainability. Municipalities should consider the following facts during the tariff setting process, namely, the costs of bulk purchases and the fluctuation in the seasonal cost thereof; the consumption patterns to enable better demand planning and management; and in the event that municipalities have been under recovering costs, embark on a process to correct their tariff structures over a reasonable time period so that cost reflective tariffs are achieved, which in turn will result in financial sustainability.

Local government confronts tough fiscal choices in the face of financial and institutional problems that result in service-delivery breakdowns and unpaid bills. Municipalities can offset these trends by improving their own revenue collections, working more efficiently and implementing cost-containment measures. In order to maintain a funded budget, municipalities need to not only focus on tariff increases, but also focus on how to eliminate expenditure that is unnecessary. Cost Containment Regulations were issued on 07 June 2019. The implementation of cost containment measures are important as it will assist municipalities to reprioritise expenditure and to free up resources targeted towards service delivery. It will also be used to eliminate wastage of public resources on non-service delivery items. The main object of the regulations is to ensure that the resources of municipalities are used in an effective, efficient and economical manner.

As a result of the COVID-19 pandemic, the economic landscape, weak tariff setting and increases in key cost drivers to provide basic municipal services, municipalities are under pressure to generate additional revenue. Additional revenue need to be generated because the consumer's ability to pay for services received, continues to decline, which in turn leads to limited revenue collection. The effects of slow growth and economic challenges experienced these past years coupled with the COVID pandemic since 2020, continues to place pressure on the finances of the average consumer (levels of disposable income and savings). This typically results in greater difficulty for the municipality with regards to the revenue collection, which have a direct impact on the municipality's ability to provide effective and efficient services, but also to budget accurately for service delivery over the short to medium term. It is as a result of above challenges, alongside continued unemployment and slow growth that a more conservative approach is advised for revenue projections.

Municipalities are required to consider the following during the compilation of the 2021/2022 MTREF budgets:

- Improving the effectiveness of revenue management processes and procedures;
- Cost containment measures to, amongst other things, control unnecessary spending on nice-to-have items and non-essential activities as highlighted in the Municipal Cost Containment Regulation read with MFMA Circular No.82;
- Ensuring value for money through the procurement process;
- The affordability of providing free basic services to all households;
- Not taking on unfunded mandates; and
- Curbing consumption of water and electricity by the indigents to ensure that they do not exceed their allocation.

The aforementioned were taken into account during the compilation of the municipality's budget.

The application of sound financial management principles for the compilation of the Stellenbosch's financial plan is essential and critical to ensure that the municipality remains financially viable and that municipal services are provided sustainably, economically and equitably to all communities. As a result of excellent financial discipline, the Stellenbosch Municipality has taken the theme of "Driving efficiencies-doing more with less", to heart. The municipality's business and service delivery priorities were reviewed as part of this year's planning, through the Integrated Development Plan (IDP), and the annual budget process.

Funds were shifted from low to high priority programmes so as to maintain sound financial stewardship. A critical review was also undertaken on non-core and 'nice to have' items with regards to expenditure. The municipality has embarked on developing a revenue enhancement strategy to optimize revenue, including the collection of debt owed by consumers. Furthermore, the municipality has undertaken various customer care initiatives to ensure the municipality truly involves all citizens in the process of ensuring a people lead government.

The main challenges experienced during the compilation of the 2021/2022 MTREF can be summarized as follows:

- The on-going difficulties in the national and local economy;
- COVID pandemic and the impact thereof on financial sustainability and the economy;
- Aging infrastructure;
- The need to reprioritise projects and expenditure within the existing resource envelope;
- The increased cost of bulk water and electricity, which is placing upward pressure on service tariffs to residents. Continuous high tariff increases are not sustainable - as there will be point where services will no-longer be affordable;
- Attracting economic investment;
- Water Conservation;
- Electricity/ Load shedding;
- Borrowing for multi-year capital projects and refinancing of existing loans;
- Reductions in allocations of some of the National and Provincial grants due to a worsening fiscal outlook;
- Limited resources to deal with all key priorities; and the
- 2021 Local Government Elections (transitional processes and hand-over reports for the newly elected councils);
- Slowdown in new developments;
- Decline in reserves available to fund capital programmes.

Local government elections are scheduled to take place during 2021. Circular 107 of the MFMA highlights the following four risks that should be managed. Firstly, if elections takes place after the start of the new financial year the outgoing council will be responsible to approve tariffs for the 2021/2022 financial year and newly elected council will implement it, secondly the outgoing council must ensure that they comply with the timeframes for the approval of the budget, thirdly the outgoing council should ensure that the budget is funded, and not prepare a "election friendly" budget that with unrealistically low tariffs and over-ambitious capital expenditure programme. Lastly municipalities must ensure that the public and stakeholder consultation processes are adhered to as required by the relevant legislature. The municipality's financial sustainability should be protected at all times in the build-up to the elections. Sound decision-making is of utmost importance to ensure long-term sustainability of municipal finances and service delivery long after the election period is completed.

The following budget principles and guidelines directly informed the compilation of the 2021/2022 MTREF:

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

The Integrated Development Plan (IDP) was used as a guiding strategic document to inform the budget compilation. The challenge however is still to deliver services more efficiently and effectively with the tight financial envelope.

Stellenbosch municipality's revenue strategy was based on the following fundamentals, namely, tariff policies of the municipality, economic outlook and development for Stellenbosch and surrounding areas, National Treasury's guidelines and macroeconomic policy, National, Provincial and Regional fiscal growth rates and electricity tariffs as approved by National Electricity Regulator of South Africa (NERSA).

The financial resources to fund the Operational Budget will and must consist of realistically anticipated revenue generated from property taxes, service charges and other income. The municipality were mindful of the estimated headline inflation for 2021/2022 of between 3% to 6% forming the basis of the extensive income modelling exercise, but also taking into account the principles of economical services that are cost reflective, trading services generating surpluses, the effect of escalating salary costs and bulk purchases. Inflation is forecast to fluctuate around 4.1% over the medium term in line with moderating inflation expectations.

The national budget focuses on fiscal consolidation. This means that we as municipalities must ensure that we do not borrow beyond our ability to repay and we do not spend money we do not have, until we ignite growth and generate revenue, we have to be tough on ourselves.

The total budget quantum for the 2021/2022 year is R2 423 544 338 of which R2 017 490 423 (83%), is allocated to the operating budget and R406 053 915 (17%) to capital investment.

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

CAPITAL BUDGET 2021/2022 – 2023/2024

The capital budget is infrastructure orientated and addresses the huge backlog and urgent need to upgrade/refurbish Council's infrastructure as addressed by the different master plans. It is directed by the IDP (Integrated Development Plan) and the needs of the community. It's also aligned to the strategic priority in the State of the Nation Address of Infrastructure investment and the "back to basics" approach. Council's attention is however drawn to the fact that not all needs identified by the community can realistically be funded by the municipality. Critical and committed programmes/projects were the focal point for the capital budget.

The main capital projects that the municipality will be investing in, which constitute more than 75% of the capital budget, include:

- Water Pipe Replacement
- Bulk Water Supply Pipeline & Reservoir – Jamestown
- Water Conservation & Demand Management
- Bulk water supply Klapmuts
- New Reservoir Rosendal
- Bulk water supply pipe and Reservoir: Kayamandi
- New Reservoir & Pipeline: Vlottenburg
- Franschhoek Sewer Network Upgrade
- Upgrade of WWTW Wemmershoek
- Bulk Sewer Outfall: Jamestown
- Upgrade of WWTW: Pniel & Decommissioning Of Franschhoek
- Laterra Sub-Station
- Integrated National Electrification Programme (Enkanini)

- Watergang Farm Upgrading
- Upgrading of The Steps/Orlean Lounge
- Kayamandi: Zone O (±711 services)
- Longlands Development
- Bridge Rehabilitation

The detailed draft capital budgets for 2021/2022, 2022/2023 and 2023/2024 are attached as **APPENDIX 1.**

OPERATING BUDGET 2021/2022 – 2023/2024

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

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

Taking all of these issues into consideration and to ensure the sustainability of our operations from realistically anticipated income flows, the following tariff and property tax increases are proposed for 2021/2022:

Electricity	**15.49%**
Sanitation	**6%**
Refuse removal	**12%**
Water	**5.5%**
Rates	**-17.17%**

Taking cognisance of the plight of the poor and the affordability of basic services, the scale up to 18 kl of water was increased by only 5.5% and usage over 18 kl (18 000 litres) for domestic consumers increases in proportion to consumption.

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

HIGH LEVEL CAPITAL AND OPERATING BUDGET FOR 2021/2022 – 2023/2024

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

TARIFFS

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

BUDGET-RELATED POLICIES & BY-LAWS

A summary of changes to budget-related policies is attached as **Appendix 4**

The following budget-related policies are new:

Wayleave Policy **(Appendix 5)**

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

Rates Policy **(Appendix 6)**

Indigent Policy **(Appendix 7)**

Special Ratings By-law **(Appendix 8)**

Rates By-law **(Appendix 9)**

Credit Control and Debt Collection Policy **(Appendix 10)**

Irrecoverable Debt Policy **(Appendix 11)**

Petty Cash Policy **(Appendix 12)**

Travel and Subsistency Policy **(Appendix 13)**

Cost Containment Policy **(Appendix 14)**

Cash Management and Investment Policy **(Appendix 15)**

Ward Allocation Policy **(Appendix 16)**

Supply Chain Management Policy **(Appendix 17)**

Development Charges Policy **(Appendix 18)**

Grants-In-Aid Policy **(Appendix 19)**

Accounting Policy **(Appendix 20)**

Asset Management Policy **(Appendix 21)**

Unchanged Policies

Special Ratings Area Policy **(Appendix 22)**

Tariff Policy **(Appendix 23)**

Tariff By-law **(Appendix 24)**

Virementation Policy **(Appendix 25)**

Budget Implementation and Monitoring Policy **(Appendix 26)**

Borrowing, Funds and Reserves Policy **(Appendix 27)**

Financing of External Bodies performing municipal functions Policy **(Appendix 28)**

Liquidity Policy **(Appendix 29)**

Inventory Management Policy **(Appendix 30)**

Preferential Procurement Policy **(Appendix 31)**

OTHER SUPPORTING DOCUMENTATION

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

6.3. Financial Implications

Financial impact discussed above.

6.4. External Loan for 2021/2022

That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the amount of R 444 million of which over the MTREF R144 million will be required in year one, R140 million in year two, and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary).

6.5. Legal Implications

Legal Services

The item is compliant with the relevant legislative framework.

6.6. Staff Implications

None

6.7. Previous / Relevant Council Resolutions

None

6.8. Risk Implications

COVID-19's financial impact has been considered, the risks have been minimized as far as possible and will have to be managed.

6.9. Comments from Senior Management

6.9.1 Director: Infrastructure Services

Noted

6.9.2 Director: Planning and Development Services

Noted

6.9.3 Director: Community and Protection Services

Noted

6.9.4 Director: Corporate Services

Noted

6.9.5 Chief Financial Officer

Noted

6.9.6 Municipal Manager

Noted

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 6.3

(a) that the High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved;

(b) that the Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved;

(c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved;

(d) that the three-year Capital Budget for 2021/2022, 2022/2023 and 2023/2024, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved;

(e) that the proposed rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3**, be approved;

(f) that the proposed amendments to existing budget-related policies and other policies as set out in **APPENDICES 5 - 31,** be approved;

(g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R444 millions of which R144 million will be required in year one, R140 million in year two, and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary), and confirm approval of same;

(h) that Council specifically takes note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially;

(i) that Council takes note of MFMA Circulars 107 and 108 that were published to guide the MTREF for 2021/2022 to 2023/2024 as set out in **APPENDICES 32 – 33;** and

(j) that Council takes note that the public comments and submissions were taken into account with the compilation of the final budget.

FOR FURTHER DETAILS CONTACT:

NAME	**KEVIN CAROLUS**
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REPORT DATE	***26 May 2021***

8.4	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR APRIL 2021

Collaborator No: 706719
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 May 2021 and 26 May 2021

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR APRIL 2021

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 April 2021.

5. RECOMMENDATION

that Council notes the deviations as listed for the month of April 2021.

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 April 2021:

The following deviation was 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 14/21	19 April 2021	HH Levendal t/a Levendal attorneys	Appointment of a service provider to assist with the drafting of Stellenbosch municipality's explanatory affidavit and to keep a watching brief in the matter between RICMAL GREEN (PTY) LIMITED and another / the unlawful occupiers of PORTION 2, 3, 4 and the remainder of the farm RUYTERSHOVE NO. 25, STELLENBOSCH AND OTHERS ("THE PROPERTY") until the finalisation of the matter.	Exceptional case and it is impossible to follow the official procurement process	Levendal Attorneys were appointed via a Formal Quotation process under FQ 56/20 for an amount of R161 572.64 to assist with the drafting of Stellenbosch Municipality's explanatory affidavit and to keep a watching brief in the matter between Ricmal Green (Pty) Ltd and Another / The Unlawful Occupiers of Portion 2, 3, 4 and the Remainder of the Farm Ruytershove No. 25, Stellenbosch and that the aforesaid appointment is valid and will be applicable for all the services rendered by Levendal Attorneys until the finalisation of the matter. The amount quoted was based on the brief, but it is not an exact science as no one can predict the process that unfolds during a court process. An order in the amount of R200 000.00 was issued and an amount of R203 920.61 has been paid over to Levendal Attorneys for services already rendered in the matter. They have relevant background and institutional knowledge applicable to the matter and are best placed to proceed with the matter until the finalisation thereof. It is clear from the process that further work is needed as the matter will only be in Court on 20 and 21 April 2021. Although we have already appointed the attorneys on a normal formal Supply Chain process the costs in the matter is now exceeding the Formal	R 115 899.91 (Incl. Vat)

					Quotation threshold and order of R200 000 and we have been advised that by SCM that the appointment must now be dealt with as a deviation. It is impractical in the middle of a court process to go out on a tender process for the appointment of a service provider.	

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 recommendation.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 6.4

that Council notes the deviations as listed for the month of April 2021.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	***CFO***
DIRECTORATE	***Finance***
CONTACT NUMBERS	***021 808 8528***
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REPORT DATE	***04 May 2021***

9.	REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS

As per Council directive (2021-01-27: Item 9) the Report by the Municipal Manager re Outstanding Resolutions taken at previous meetings of Council, is referred to the Section 80 Committees for scrutiny and interrogation.

The report attached hereto as **APPENDIX 1, IS FOR INFORMATION ONLY.**

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	7.6.2 SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARD TO PUBLIC TRANSPORT **4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.2** **RESOLVED (majority vote)** (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 (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. The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; DA Hendrickse and LK Horsband (Ms).	2016-11-23	ROSCOEB	75.00	Item held back due to PGWC change of view on this matter. Awaiting new input from PGWC. The change of view has not yet filtered through to us with the result that we could not alter report to reflect this. Public Transport such as Trains, Busses and Taxi Management is a matter that is dealt with by Provincial and National Government. Until Provincial Government (Busses and Taxis) and National Government (trains) have set the groundworks (Issuing the role that Local Government must play), we cannot commence with a strategy of co-providing or arranging such a service. We will however now provide a status quo report and propose possible solutions in anticipation of the guidelines from Provincial Government. Report to be submitted by August 2021.
513321	THE FUTURE USE AND MAINTENANCE OF COUNCIL HERITAGE BUILDINGS	7.3.1 THE FUTURE USE AND MAINTENANCE OF COUNCIL HERITAGE BUILDINGS **8TH COUNCIL MEETING: 2017-04-26: ITEM 7.3.1** **RESOLVED (majority vote with abstentions)** (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; (b) that the Rhenish complex including Voorgelegen and the Transvalia complex of	2017-04-26	PIETS	70.00	The draft return item has not been submitted in view of the separate process that Council approved for PED. When their information is ready, the impact of their information will be incorporated in the draft item to ensure a merging of the two processes. The item on Transvalia and Rhenish is also kept back in view of the Task Team report that was requested by the Executive Mayor.

		apartments (Transvalia, Tinetta, Bosmanhuis en Alma) be agreed to be categorised as category A assets; (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; (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 the Category A properties; (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; (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 (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. Councillor F Adams requested that his vote of dissent be minuted. (DIRECTOR: PLANNING AND ECON DEV TO ACTION)				
514994	STELLENBOSCH MUNICIPALITY: EXTENSION OF BURIAL SPACE	7.3.2 STELLENBOSCH MUNICIPALITY: EXTENSION OF BURIAL SPACE **8TH COUNCIL MEETING: 2017-04-26: ITEM 7.3.2** **RESOLVED (nem con)** (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; (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;	2017-04-26	SCHALKVDM	85.00	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. This appeal was upheld by the Minister Local Government, Environmental Affairs and Development Planning during January 2021. A progress report with proposals on the way forward on Louw's Bos has been submitted

		(c) that the possible creation of a garden of remembrance as alternative to a traditional land site also be investigated; and (d) that Council authorises the Municipal Manager to proceed with acquiring the necessary approvals for the establishment of the above cemeteries. (DIRECTOR: PLANNING & ECON DEV TO ACTION)				to the Portfolio Committee. Expecting a decision on Water Use Licensing by DWS (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. On receiving the General Authorization on the water use Culcatta Bos' approvals will be in place and ready for implementation
616959	MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM	7.5.5 MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM **21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.5** **RESOLVED (nem con)** (a) that Council approves that the administration embarks on a process of updating data on the old Housing Waiting List; (b) that all updated information be imported into the Municipal Housing Demand Database; and (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.	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. Recent outreach updates in Wemmershoekdam and Vlottenburg areas have also now been uploaded.
616954	CONDONATION OF QUALIFYING CRITERIA: SALE OF UNDEVELOPED ERVEN IN KAYAMANDI	7.2.3 CONDONATION OF QUALIFYING CRITERIA: SALE OF UNDEVELOPED ERVEN IN KAYAMANDI **21ST COUNCIL MEETING: 2018-10-31: ITEM 7.2.3** **RESOLVED (majority vote with abstentions)** (a) that Council resolves not to condone the criteria set out in the tender documentation published on 12 November 2016; and (b) that Council resolves that the following criteria be used in the new tender process, i.e. i) Beneficiary must be a resident of Kayamandi for a minimum period of ten (10) years;	2018-10-31	PIETS	90.00	Tender specifications submitted to DCS.

		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.				
621772	PROPOSED SERVICE DELIVERY IN JONKERSHOEK	7.2.4 PROPOSED SERVICE DELIVERY IN JONKERSHOEK **22ND COUNCIL MEETING: 2018-11-28: ITEM 7.2.4** **RESOLVED (majority vote with abstentions)** (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; (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; (c) that the Administration be authorised to provide/upgrade Access to Basic Services (Communal services) in informal areas, free of charge; (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); (e) that the National Department of Public Works be requested to transfer the land to Stellenbosch Municipality; (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; (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; (h) that the Director: Planning & Economic Development be requested to finalise the SDF for Jonkershoek in terms of the SPLUMA Act 16 of 2013;	2018-11-28	ALL DIRECTORS	70.00	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. Water Services is available, a sanitation service is provided as well as a waste service. Electricity is provided by Eskom. The transfer of the land has not taken place yet despite various follow ups from Stellenbosch. Matter needs political intervention on provincial level to ensure action by the National Department. An updated Status Quo Report to be forwarded to Council in May 2021 from Infrastructure Services. Infrastructure Services is rendering a waste removal service through the provision of a skip and has upgraded the toilets. Stellenbosch is also providing water if the water provision from the farm fails.

		(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; (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 (k) that, in the mean-time, all expenditure be incurred within the existing, approved budget. The following Councillors requested that it be minuted that they abstained from voting on the matter: Cllrs F Adams; DA Hendrickse and LK Horsband (Ms).				
639570	TO AUTHORISE THE MUNICPAL 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)	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) **25TH COUNCIL MEETING: 2019-03-27: ITEM 7.7.2** **RESOLVED (majority vote)** 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; (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; (c) that the local community be invited to submit representations; and (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. The following Councillors requested that their votes of dissent be minuted: Cllrs RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.	2019-03-27	CRAIGA	90.00	Item supported by Planning & Economic Development Committee dated 10 March 2021 for submission to Council. Department will place advertisement place naming in newspaper during May 2021.
	PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER,	7.2.2 PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER, FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS	2019-04-24	ANNALENEDB	90.00	Specifications submitted to DCS for approval.

	FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS	**26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.2** **RESOLVED (majority vote)** (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; (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; (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; (d) that the matter be reported back to Mayco and Council after implementation of resolution (c) above; and (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. *Councillor DA Hendrickse requested that his vote of dissent be minuted, on the grounds that, in his view, the item is not legally compliant.*				
	PROPOSED DISPOSAL OF ERF 347, LE ROUX (GROENDAL)	7.2.2 PROPOSED DISPOSAL OF ERF 347, LE ROUX (GROENDAL) **27TH COUNCIL MEETING: 2019-05-29: ITEM 7.2.2** **RESOLVED (majority vote)** (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; (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; (c) that the market value of the property be determined by two independent valuators 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	2019-05-29	PIETS	30.00	Compilation of tender document in progress. Specification to be submitted to DCS in May 2021.

		(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. *Cllrs DA Hendrickse and LK Horsband requested that their votes of dissent be minuted*				
	PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (ELSENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY	7.10.2 PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (ELSENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY **27TH COUNCIL MEETING: 2019-05-29: ITEM 7.10.2** **RESOLVED (nem con)** (a) that Council, in principle, agrees to take over the Management of the Vaaldraai Settlement, as an interim arrangement; (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; © 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 (d) that, following the feasibility study, a progress report be submitted to Council with the view of making a final determination on the matter.	2019-05-29	LESTERVS	90.00	Further discussions with Provincial Department of Public Works are currently ongoing, given the fact that the said area is outside the urban edge with bulk infrastructure challenges. A meeting has been arranged with senior management of PDoPW for May 2021
	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	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 **29TH COUNCIL MEETING: 2019-07-24: ITEM 12.2** **RESOLVED (majority vote)** (a) that the draft MOU between the Stellenbosch Municipality and the SSRA be approved for a six-month period; (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	2019-07-24	ALBERTVDM	85.00	Point(b): As part of the implementation of the Hybrid Model is discussions with the different Sports Councils. Discussion with the Van der Stel Sports Council has been completed. Point (c): In progress. Point (d): The department received the final draft report from the Service Provider and is currently busy drafting the item that will serve before Council.

		rental amount in line with relevant tariffs for rental of municipal property, as amended, from time to time; © 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; (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; © 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; (f) that a separate report on the outstanding debt of Area Sport Councils be submitted to the next Council Meeting; and (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. *The following Councillors requested that their votes of dissent be minuted:* *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);* *Cllr J Hamilton requested that his vote of support be minuted.*				Point (e) Discussions took place with Van der Stel Sports Council informing them about the alternative model that will be implemented at Van der Stel Sports Council. Point (f) Financial services in process to compile the report for submission to Council.
	PROPOSED RENEWAL OF LEASE AGREEMENT: PORTION OF ERF 62, KAYAMANDI: DEPARTMENT OF PUBLIC WORKS: POLICE STATION	11.2.1 PROPOSED RENEWAL OF LEASE AGREEMENT: PORTION OF ERF 62, KAYAMANDI: DEPARTMENT OF PUBLIC WORKS: POLICE STATION **30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.1** **RESOLVED (nem con)** (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; (b) that approval be granted for the renewal of the Lease Agreement for a period of 9 years and 11 months;	2019-08-28	PIETS	90.00	Lease agreement submitted to DPW for signature. No response yet – the progress is followed up regularly with the Department.

		© that it be noted that leasing property to another sphere of government/organ of state is exempted from following a public participation process; (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 submitted to Directors for comment/input.
	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	Draft policy was considered by the Council at meeting end March 2021 and referred back to the Section 80 Committee for Planning and Economic Development for additional scrutiny.
	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)**	2019-10-23	PIETS	90.00	Updated return item submitted to DCS. The report will serve before Mayco in June 21.

		(a) that transfer to the 10 households that are paid up be effected as a matter of urgency; (b) that a monthly progress report from the transferring attorney on the status quo and progress of the transfer be provided to the Municipality; © 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; (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; © 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 (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.				
	DRAFT HOUSING ALLOCATION POLICY	11.4.1 DRAFT HOUSING ALLOCATION POLICY **32ND COUNCIL MEETING: 2019-10-23: ITEM 11.4.1** **RESOLVED (majority vote with abstentions)** (a) that Council adopts the Housing Allocation Policy as a draft, in principle, and (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.	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. The item was referred back by the Director: PED to refine the section on Management of Informal Settlements and Brown Fields Developments. The finalised draft has been submitted to Director and will then be workshopped to S80 committee members for their inputs.
	IDENTIFICATION OF POSSIBLE INFILL HOUSING DEVELOPMENTS IN THE CLOETESVILLE AREA	11.4.2 IDENTIFICATION OF POSSIBLE INFILL HOUSING DEVELOPMENTS IN THE CLOETESVILLE AREA **32ND COUNCIL MEETING: 2019-10-23: ITEM 11.4.2** **RESOLVED (majority vote)** (a) that the Directorate: Planning and Economic Development be requested to conduct feasibility studies on all the erven that were identified in the	2019-10-23	LESTERVS	95.00	The feasibility report has been received and will be submitted to Council during May 2021.

		Aurecon report, as well as the sites identified by the representatives of the Backyarders Committee except those mentioned in paragraph (c) below; (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; © 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 (d) that a feasibility study report be submitted as soon as possible but not later than the end of the current financial year.				
	ADOPTION OF THE STELLENBOSCH INFORMAL TRADING POLICY	13.3 ADOPTION OF THE STELLENBOSCH INFORMAL TRADING POLICY **32ND COUNCIL MEETING: 2019-10-23: ITEM 13.3** **RESOLVED (majority vote)** (a) that, after considering the comments made by the public, Council adopts the Stellenbosch Informal Trading Policy; and (b) that the Stellenbosch Informal Trading By-Law be amended to incorporate the objectives and provisions as incorporated in the Informal Trading Policy.	2019-10-23	CRAIGA	80.00	Comments received from internal departments and workshop will be arranged to discuss existing and new proposed sites, prior to submission to Council to request for Public Participation. Date for submission to Section 80 during May 2021 meeting.
	SECTION 78 (4) REPORT FOR THE PROVIDING OF SUFFICIENT PUBLIC PARKING	13.3 SECTION 78 (4) REPORT FOR THE PROVIDING OF SUFFICIENT PUBLIC PARKING **35TH COUNCIL MEETING: 2020-02-26: ITEM 13.3** **RESOLVED** a) that this report be noted; 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; 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), Transit Oriented Development (TOD), and Movement of Disabled Persons (normally seen as a primary part of NMT);	2020-02-26	DEONL	55.00	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. 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. Program: 1. Develop SDA by April 2021.

		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; 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: (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. 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; g) that Council proceed with the initial provision and upgrade of parking spaces as follows: (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: (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: (1) Dennesig Existing Parking Area, entrance in Hoffman Road, Part of Erf 235; (2) Municipal Court Existing Parking Area, entrance from Papegaai Road, Erf 528;				2. Report to Council on Draft SDA as well as program for community participation in May 2021. Postponed to August 2021. 3. Community Participation to end June 2021. Postponed to September 2021.

		(3) Aandklas Existing Parking Area, entrance from Du Toit Road Part of Erf 235; (4) New Parking Area Bounded by Borcherd Road and Andringa Street to be considered as an extension of the public parking on erf 2529; (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 (6) Parking area to be upgraded at the old tennis courts, Franschhoek, Erf 1538. (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; (i) that the Service Delivery Agreement be approved by Council as a draft SDA prior to Community Participation takes place; and (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. *The following Councillors requested that their votes of dissent be minuted:* *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.*				
	POSSIBLE DEVELOPMENT OF ERVEN 412 AND 284, GROENDAL BY WAY OF A CALL FOR PROPOSAL(S)	POSSIBLE DEVELOPMENT OF ERVEN 412 AND 284, GROENDAL BY WAY OF A CALL FOR PROPOSAL(S) **COUNCIL ITEM 5.4.1, 2020-03-31:** 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	2020-03-31	LESTERVS	65.00	A service provider has been appointed for the design of two site development plans. Project ongoing.

		powers and functions upon the Executive Mayor, as such I **HEREBY APPROVE THE SAID ITEM AS FOLLOWS**: (a) that erven 412 and 284, Le Roux, be identified as land not needed to provide the minimum level of basic municipal services; (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; © 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; (d) that approval is granted for the qualifying criteria set out in paragraph 6.2.8; © that the discounted bulk infrastructure contribution as set out in paragraph 6.2.10, is approved; and (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.				
	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY INTERWASTE (PTY) LTD	12.1.6 CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY INTERWASTE (PTY) LTD **SPECIAL COUNCIL MEETING: 2020-06-12: ITEM 12.1.6** **RESOLVED** (majority vote) (a) that Council takes note of the circumstances as provided in the report; (b) that investigation be done with regard to transgression of policies for disciplinary purposes and that the associated disciplinary steps be taken; (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 (d) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2). *Cllr DA Hendrickse requested that his vote of dissent be minuted.*	2020-06-12	DEONL	70.00	Plan of action: 1. Report to be submitted to MayCo in August 2021.
	ENCROACHMENT APPLICATION HORIZON HOUSE ERF 3722 AND PORTIONS OF ROAD	11.2.3 ENCROACHMENT APPLICATION HORIZON HOUSE ERF 3722 AND PORTIONS OF ROAD RESERVE: RETURN ITEM	2020-07-29	PIETS	90.00	Contact submitted to DCS for signature by the MM.

	RESERVE: RETURN ITEM	**36th COUNCIL MEETING: 2020-07-29: ITEM 11.2.3** **RESOLVED** (majority vote) (a) that Council considers the objection before making a final determination; (b) that, should Council decide to approve the encroachment application, the Municipal Manager be authorised to conclude the Agreement; and © that consideration be given to the proposed delegation to the Municipal Manager in **APPENDIX 5.** *The following Cllrs requested that their votes of dissent be minuted:* *Cllr F Adams; FT Bangani-Menziwe (Ms); G Cele (Ms); DA Hendrickse; LK Horsband (Ms);* *N Sinkinya (Ms); and P Sitshoti (Ms).*				
687976	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	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 **36th COUNCIL MEETING: 2020-07-29: ITEM 11.4.1** **RESOLVED** (majority vote) (a) that Council takes note of inputs/comments that were received, following the public notice advertised; (b) that a phased approached be adopted to implement social housing in Stellenbosch; (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; (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;	2020-07-29	LESTERVS	80.00	The user department appointed three (3) professional service providers to undertake additional studies (geotechnical investigation, flood line studies and a traffic impact assessment) on Farm 81/2 and Farm 81/9, Stellenbosch which will form part of the Call for Proposal. In order for the Integrated Human Settlements officials to gain further experience in the Social Housing environment, a Municipal Social Housing Support Programme (MSHSP) workshop is scheduled on 19 and 20 May 2021 to explore ways of developing a structured platform for mechanisms to improve the implementation of Social Housing projects. A *status quo* and progress report will serve at the Council meeting in May 2021.

		(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 (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**.** *Councillors F Adams; DA Hendrickse and LK Horsband (Ms) requested that their vote of dissent be minuted.*				
	PROGRESS UPDATE: COMPILATION OF DRAFT ADAM TAS CORRIDOR LOCAL SPATIAL DEVELOPMENT FRAMEWORK	11.7.1 PROGRESS UPDATE: COMPILATION OF DRAFT ADAM TAS CORRIDOR LOCAL SPATIAL DEVELOPMENT FRAMEWORK **36th COUNCIL MEETING: 2020-07-29: ITEM 11.7.1** **RESOLVED** (majority vote) (a) that Council takes cognizance that the process for the Compilation of the draft Adam Tas Corridor Local Spatial Development Framework has commenced; (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; (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; (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 (e) that a Project Team consisting of the following members have been identified to contract and project manage the Adam Tas Corridor Catalytic Initiative:	2020-07-29	BERNABEDLBAT	90.00	Built Environment Partnership (Pty) Ltd appointed as the multi-disciplinary team to assist Council with the compilation of the ATC LSDF. Discussion around the incorporation of Inclusionary Housing held on 2 March 2021. Final Inception report submitted on 16 March 2021 which includes project schedule and schedule of payments. Meeting held with PRASA and Roads authority on 18 March 2021 and to be continued on 25 March 2021. Workshop on Heritage matters scheduled for 22 April 2021. Second meeting of Transport Planning group scheduled for 17 May 2021. Envisage completion date end August 2021.

		• 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 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: • 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") *Councillors F Adams; DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.*				
	DRAFT PROBLEM PROPERTY BY-LAW FOR STELLENBOSCH MUNICIPALITY	13.2 DRAFT PROBLEM PROPERTY BY-LAW FOR STELLENBOSCH MUNICIPALITY **36th COUNCIL MEETING: 2020-07-29: ITEM 13.2** **RESOLVED** (nem con) (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; (b) the administration proceed with the publication of the by-law.	2020-07-29	STIAANC	95.00	Discussion planned between Planning and Economic Development and Community and Protection services to workshop the implementation of the by-law.
690383	LONGLANDS HOUSING PROJECT – CRITERIA FOR THE SELECTION OF BENEFICIARIES	11.4.2 LONGLANDS HOUSING PROJECT – CRITERIA FOR THE SELECTION OF BENEFICIARIES **37TH COUNCIL MEETING: 2020-08-24: ITEM 11.4.2** **RESOLVED** (nem con) (a) that 60 Erven with Top Structures of the 144 Erven (b) be allocated to beneficiaries residing in Longlands Property and that the original list of Longlands	2020-08-24	ROTANDAS	55.00	Updating of all applicants for the Vlottenburg Area on the Housing Demand Database has been done. Verification of application names, dates and addresses have been finalised.

		Property be used to determine these 60 beneficiaries; (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; (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 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; © that 4 of the 144 Erven be allocated to beneficiaries identified by Mr Kallie Kirsten as per agreement with the municipality; and (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: (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; (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 (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.				
	VOORGELEGEN COMPLEX: INFORMATION STATEMENT	**11.2.2 VOORGELEGEN COMPLEX: INFORMATION STATEMENT** **38TH COUNCIL MEETING: 2020-10-28: ITEM 11.2.2** **RESOLVED** (majority vote)	2020-10-28	PIETS	90.00	The draft return item has not been submitted in view of the separate process that Council approved for PED. When their information is ready, the impact of their information will be incorporated in

		(a) that Council approves the information statement attached as Appendix 1 for Public Participation; and (b) that, following the Public Participation process, a report be submitted to Council in order to consider the future use of the Voorgelegen Complex.				the draft item to ensure a merging of the two processes.
	POSSIBLE DISPOSAL OF ERF 4810 (3 SWAWELAAN), ERF 4811 (3A SWAWELAAN) AND ERF 4812 (6 TINKTINKIE STREET) STELLENBOSCH	**12.2.4 POSSIBLE DISPOSAL OF ERF 4810 (3 SWAWELAAN), ERF 4811 (3A SWAWELAAN) AND ERF 4812 (6 TINKTINKIE STREET) STELLENBOSCH** **38TH COUNCIL MEETING: 2020-10-28: ITEM 11.2.4** **RESOLVED** (majority vote) (a) that Erf 4810, Erf 4811 and Erf 4812 Stellenbosch, be identified as land not needed to Provide the minimum of basic services; (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; © 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 (d) that the three erven be disposed of to different buyers. *The following Councillors requested that their votes of dissent be minuted:* *Cllrs FT Bangani-Menziwe (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.*	2020-10-28	ANNALENDB	90.00	The terms of reference is in the process of being finalised with the auctioneer. Date of auction has been finalised - 29May 2021. Item will come back to Council after the auction.
	STELLENBOSCH MUNICIPALITY: ALIGNMENT OF THE MUNICIPAL INTEGRATED HUMAN SETTLEMENT PLAN (IHSP) WITH THE GUIDELINES AS PROPOSED BY THE WESTERN CAPE	**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** **38TH COUNCIL MEETING: 2020-10-28: ITEM 11.4.1** **RESOLVED** (majority vote) (a) that a new Integrated Human Settlement Plan (IHSP) be compiled that adheres to the "Guidelines for the Preparation of Municipal Human	2020-10-28	LESTERVS	70.00	The bids have been evaluated and sent to Supply Chain Management for appointment of a suitable service provider to commence with the project.

	GOVERNMENT: HUMAN SETTLEMENTS	Settlement Plans" as proposed by the Western Cape Government: Department Human Settlements, subject to funding being made available; and (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. *The following Councillors requested that their votes of dissent be minuted:* *Cllrs FT Bangani-Menziwe (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.*				
	FEEDBACK AND WAY FORWARD IN RESPECT OF THE BUSINESS WEBINAR STELLENBOSCH WC024 & COVID-19: REALITIES, REMEDIES, ROAD AHEAD, HELD ON 23 JULY 2020	**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** **38TH COUNCIL MEETING: 2020-10-28: ITEM 11.7.2** **RESOLVED** (majority vote) (a) that Council takes note of the comments and / or inputs submitted during the webinar and the written submissions; (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; (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**: • 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*	2020-10-28	CRAIGA	55.00	Report to be submitted for Council June 2021.

		• Education – *18 September 2020* (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 © 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 interventions are delegated to the Municipal Manager, that such interventions be implemented and Council be notified accordingly. *Cllrs FT Bangani-Menziwe (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms) and LL Stander.*				
691675	INVESTIGATION OF THE RHENISH COMPLEX FOR ECONOMIC DEVELOPMENT OPPORTUNITIES	**11.7.3 INVESTIGATION OF THE RHENISH COMPLEX FOR ECONOMIC DEVELOPMENT OPPORTUNITIES** **38TH COUNCIL MEETING: 2020-10-28: ITEM 11.7.3** **RESOLVED** (majority vote) (c) 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; (d) 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;	2020-10-28	BERNABEDLBAT	60.00	Service Provider appointed to compile Comparative Analysis of all Studies and information compiled i.r.o. Study Area. Completion Date for draft 30 June 2021.

		(e) ©that the investigation into the development of the Council owned landholdings considers the context of the surrounding spaces in the town centre; and (f) 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. *Cllrs FT Bangani-Menziwe (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms) and LL Stander.*				
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	**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** **38TH COUNCIL MEETING: 2020-10-28: ITEM 11.8.1** **RESOLVED** (majority vote) (a) that cognizance be taken of the farming activities as outlined in paragraph 6.3 of this report; (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; © 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; (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	2020-10-28	DUDLEYA TAMZINL	80.00	A progress report will be submitted to the S80 Committee scheduled for May 2021 and thereafter to MayCo. Further internal investigations are still required. Engineering and relevant departments to be consulted for inputs.

		support emerging farmers with potential infrastructure- and operational shortcomings; © 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 (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. *Cllrs DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.*				
	APPLICATION FOR A OF LEASE AGREEMENT: FRANSCHHOEK LIFE CRAFT CENTRE: ERF 143, FRANSCHHOEK	11.2.2 APPLICATION FOR A OF LEASE AGREEMENT: FRANSCHHOEK LIFE CRAFT CENTRE: ERF 143, FRANSCHHOEK 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.	2020-11-25	PIETS	90.00	Call for proposals was advertised with a closing date of 25 January 2021. A return item was submitted to DCS. Item not submitted in time for closure of Mayco agenda. Will serve on Mayco agenda June 2021.

	INVESTIGATION WITH REGARDS TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE	11.6.1 INVESTIGATION WITH REGARDS TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE 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.*	2020-11-25	SCHALKVDM	20.00	A proposal, in consultation with Property Management, on the way forward have been presented to the Municipal Manager for consideration. An Item in this regard will be presented to Council by June 2021.
	PROPOSED AMENDED LEASE AGREEMENT: KARLIEN AND KANDAS CRECHE: ERVEN 12758 AND 12759, STELLENBOSCH	11.2.2 PROPOSED AMENDED LEASE AGREEMENT: KARLIEN AND KANDAS CRECHE: ERVEN 12758 AND 12759, STELLENBOSCH **40TH COUNCIL MEETING: 2021-01-27: ITEM 11.2.2** **RESOLVED** (majority vote) (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;	2021-01-27	PIETS	90.00	Notice was published for public comment/input. Item submitted after closure of agenda for Mayco. Will serve on Mayco agenda June 2021.

		(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. *Councillors F Adams; G Cele (Ms) and LK Horsband (Ms) requested that their votes of dissent be minuted.*				
	APPLICATION FOR A LONG-TERM LEASE AGREEMENT BETWEEN STELLENBOSCH MUNICIPALITY AND THE STELLENBOSCH FLYING CLUB: PORTION L OF FARM 502, STELLENBOSCH	11.2.3 APPLICATION FOR A LONG-TERM LEASE AGREEMENT BETWEEN STELLENBOSCH MUNICIPALITY AND THE STELLENBOSCH FLYING CLUB: PORTION L OF FARM 502, STELLENBOSCH **40TH COUNCIL MEETING: 2021-01-27: ITEM 11.2.3** **RESOLVED** (majority vote) (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 monthly 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;	2021-01-27	PIETS	90.00	Final draft Lease Agreement submitted to DCS for signature and will be handed over thereafter to the Municipal Manager to append final signature.

		(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. *Councillors F Adams; C Moses (Ms) and LK Horsband (Ms) requested that their votes of dissent be minuted.*				
	REQUEST TO COMMENCE WITH THE INVESTIGATION INTO THE USE AND GENERATION OF ALTERNATE ELECTRICITY ENERGY SUPPLIES	11.5.1 REQUEST TO COMMENCE WITH THE INVESTIGATION INTO THE USE AND GENERATION OF ALTERNATE ELECTRICITY ENERGY SUPPLIES **40TH COUNCIL MEETING: 2021-01-27: ITEM 11.5.1** **RESOLVED** (nem con) (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.	2021-01-27	DEONL	40.00	1. MOU with University and CSIR signed. 2. MOU with PGWC to be signed shortly. 3. Commenced with study on Solar Panels on Municipal Buildings. 4. Proposed funds on 2021/22 budget for implementation of Solar Panels and investigations into Economically Viable Projects as well as licencing to generate or purchase from Independent Power Producers. Draft MOU received from WCG and has been signed by both parties. Quarterly reports to be submitted to Council in July 2021. MOU signing to take place in June 2021. Full quarter at end of June 2021 and at approval of budget.
	ERF 13246, STELLENBOSCH: DUTCH REFORM CHURCH:	8.1.1 ERF 13246, STELLENBOSCH: DUTCH REFORM CHURCH: WELGELEGEN: APPLICATION TO ENFORCE FALL-BACK CLAUSE **SPECIAL COUNCIL MEETING: 2021-02-24: ITEM 8.1**	2021-02-24	PIETS	90.00	Consultations with church at an impasse. Report from MM served at MAYCO 19 May 2021. Referred back for further discussion.

	WELGELEGEN: APPLICATION TO ENFORCE FALL-BACK CLAUSE	**RESOLVED** (majority vote) (a) that Council invokes the buy-back clause; (b) that the Municipal Manager be mandated to negotiate a mutually agreed price to buy back erf 13246, Stellenbosch, from the Dutch Reform Church: Welgelegen; and (c) that the Municipal Manager reports back to Council on the price before a final decision is made and the sale agreement is signed. *The following Councillors requested that their votes of dissent be minuted:* *Cllr G Cele (Ms); FT Bangani-Menziwe (Ms); N Mananga-Gugushe (Ms); C Moses (Ms);* *RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.*				
	LEASE PORTIONS 528A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK	11.2.1 LEASE PORTIONS 528A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK **41ST COUNCIL MEETING: 2021-03-31: ITEM 11.2.1** During deliberations on the matter, Cllr F Adams raised his concern that the Administration waits until the last minute that contracts expire. **RESOLVED** (majority vote) (a) that lease portions 528a and 529cc, known as Mountain Breeze Caravan Park, be identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations; (b) that the lease agreement be extended on a month-to-month basis until a property register has been compiled and considered by Council to determine the future of Council properties per category; (c) that the lessee be informed to strictly adhere to the conditions of the lease agreement; (d) that the Caravan Park pay their municipal account and that the Municipal Manager be mandated to determine the lease amount; (e) that the Municipal Manager be mandated to take the necessary steps to ensure the drafting and finalisation of the property register and submit it to Council by not later than December 2021; and	2021-03-31	PIETS	90.00	Lessee indicated that she does not want to continue with month to month rental agreement. Report on developments served at Mayco 19 May 2021 and is on Council agenda May 2021.

		(f) that the item be brought back to Council as soon as the property register has been adopted by Council. *The following Councillors requested that their votes of dissent be minuted:* *Cllr F Adams; FT Bangani-Menziwa (Ms); G Cele (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.*				
	WRITE-OFF OF INDIGENT DEBT OLDER THAN 90 DAYS WHICH IS CONSIDERED IRRECOVERABLE	11.3.1 WRITE-OFF OF INDIGENT DEBT OLDER THAN 90 DAYS WHICH IS CONSIDERED IRRECOVERABLE **42ND COUNCIL MEETING: 2021-04-28: ITEM 11.3.1** **RESOLVED** (nem con) (a) that Council approves the write-off of Indigent Debt older than 90 Days in terms of S3(1) of the Irrecoverable Debt Policy as recommended in the amount of R11 035 040.71 plus adjustments possibly made between date of report and date of actual write-off; (b) that the amounts written off be recovered from the Provision for Bad Debt; (c)that all indigent consumers on the attached list, who are not connected to the water network with a Water Management Device, as a matter of urgency and as per a previous Council decision, be connected to the water network with a Water Management Device; and (d) that before write-off, the indigent status is verified.	2021-04-28	PIETERW	75.00	In process to verify the indigent status.
696755	REQUEST FOR APPROVAL OF STELLENBOSCH MUNICIPALITY BY-LAW ON ROADS AND STREETS	11.5.1 REQUEST FOR APPROVAL OF STELLENBOSCH MUNICIPALITY BY-LAW ON ROADS AND STREETS **42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.1** **RESOLVED (majority vote)** (a) that the Draft By-Law on Roads and Streets, attached as ANNEXURE A, be accepted in terms of Section 12(2) to 12(3) and 13 of the Municipal Systems Act; and (b) that Council notes that a public participating process was followed and considered the discussion on comments received.	DEONL	2021-04-28	80.00	DCS to assist with the promulgation of the By-law.

696737	POSTER BY-LAW	11.5.2 POSTER BY-LAW **42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.2** **RESOLVED** (nem con) (a)that the Second Draft of the By-Law Relating to Outdoor Advertising and Signage, attached as ANNEXURE A, be accepted as the copy of the By-Law to be used in the second Public Participation process; (b)that this Second Draft By-Law Relating to Outdoor Advertising and Signage be duly advertised for the purpose of a Public Participation process; and (c) that, upon the completion of the Public Participation process, the Second Draft By-Law, together with any comments/objections by the public, be resubmitted to Council for final approval and adoption.	2021-04-28	DEONL	70.00	Currently in the Public domain for comments (14 May – 14 June 2021).
702617	REQUEST FOR APPROVAL OF STELLENBOSCH ROADS MASTER PLAN	REQUEST FOR APPROVAL OF STELLENBOSCH ROADS MASTER PLAN **42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.3** **RESOLVED** (nem con) (a) that the content of this item be noted; (b) that the Draft Roads Master Plan attached as ANNEXURE A, be accepted; and (c) that the Draft Roads Master Plan be advertised for public comment as part of the public participation process.	2021-04-28	DEONL	70.00	Currently in the Public domain for comments (14 May – 14 June 2021).
702615	REQUEST FOR APPROVAL OF STELLENBOSCH NON-MOTORISED TRANSPORT (NMT) MASTER PLAN & NMT POLICY	11.5.4 REQUEST FOR APPROVAL OF STELLENBOSCH NON-MOTORISED TRANSPORT (NMT) MASTER PLAN & NMT POLICY **42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.4** **RESOLVED** (nem con) **(a) that the content of this report be noted;** (b) that the Draft Non-Motorised Transport Master Plan & Policy attached as ANNEXURE A, be accepted; and (c) that the draft Non-Motorised Transport Master Plan & Policy be advertised for public comment as part of the public participation process.	2021-04-28	DEONL	70.00	Currently in the Public domain for comments (14 May – 14 June 2021).

696747	REQUEST FOR APPROVAL FOR STELLENBOSCH MUNICIPALITY'S REVISED DRAFT BY-LAW ON PARKING	11.5.6 REQUEST FOR APPROVAL FOR STELLENBOSCH MUNICIPALITY'S REVISED DRAFT BY-LAW ON PARKING **42ND COUNCIL MEETING: 2021-04-28: ITEM 11.5.6** **RESOLVED** (nem con) (a) that the Draft By-Law on Parking, attached as **ANNEXURE A**, be accepted in terms of Section 12(2) to 12(3) and 13 of the Municipal Systems Act; and (b) that Council notes that a public participating process was followed and considered the discussion on comments received.	DEONL	2021-04-28	80.00	DCS to assist with the promulgation of the by-law.
704777	DRAFT MONT ROCHELLE NATURE RESERVE ENVIRONMENTAL MANAGEMENT PLAN	11.6.1 DRAFT MONT ROCHELLE NATURE RESERVE ENVIRONMENTAL MANAGEMENT PLAN **42ND COUNCIL MEETING: 2021-04-28: ITEM 11.6.1** **RESOLVED** (nem con) (a)that Council approves the advertisement of the draft Mont Rochelle Nature Reserve Environmental Management Plan (February 2021) for a period of 21 days for public input; and (b)that the inputs received during the above-mentioned public participation process be worked into a final draft Mont Rochelle Nature Reserve Environmental Management Plan, to be presented to Council for approval.	2021-04-28	SCHALKVDM	45.00	The draft Mont Rochelle Nature Reserve Environmental Management Plan was advertised in the Eikestadnuus on 20 May 2021. Closing date for comment is 10 June 2021.

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 MEETING: 24 MARCH 2021**

Collaborator No:
IDP KPA Ref No:
Meeting Date: **26 May 2021**

1. SUBJECT: REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 24 MARCH 2021

2. PURPOSE

To inform Council of the matters under discussion at the Mayor – Rector Forum meeting held on 24 March 2021.

3. DELEGATED AUTHORITY

FOR INFORMATION

4. EXECUTIVE SUMMARY

The Executive Mayor has since her election reported to the Council on discussions that takes place a the regular meetings of the Mayor – Rector Forum. The meeting was held on 24 March 2021. The minutes is attached as **ANNEXURE A**.

5. RECOMMENDATIONS

that Council take 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: 24 March 2021

- Standing items
    - o Overview of SU regarding the COVID-19 pandemic [US]
    - o Overview of SU regarding the COVID-19 pandemic [SM]
    - o Feedback: Mobility Subcommittee

- Feedback: Safety and Planning Subcommittee
- Feedback: Infrastructure Development Subcommittee
- Water Management

- New matters
  - Protest on SU Campus
  - Electricity Project
  - Swedish Partnership
  - Proposed election date and social responsibility / Good citizenry, voter registration drives

6.3 Financial Implications

Recommendations flowing 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

27 January 2021

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, 24 March 2021.

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	***06 May 2021***

ANNEXURE A

Minutes of the Rector / Executive Mayor Forum

Date : Wednesday 24 March 2021
Time : 15:15
Platform : Microsoft Teams
Chair : Prof Wim de Villiers (WdV)

Members present:

Stellenbosch Municipality (the municipality)	
Adv Gesie van Deventer (GvD)	Executive Mayor
Mr Deon Louw (DL)	Director: Engineering Services
Mr Gary Boshoff (GB)	Director: Community & Protection Services
Mr Charl Kitching (CK)	Deputy Director: Security Services
Mr Donovan Muller (DM)	Manager: Councillor Support
Mr Craig Alexander (CA)	On behalf of Anthony Barnes
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
Naude van der Merwe (NvdM)	On behalf on Desmond Thompson
Prof Hester Klopper (HK)	Deputy Vice-Chancellor: Strategy & Internationalisation

Members absent with apology:

Stellenbosch Municipality (the municipality)	
Mr A Barnes (AB)	Director: Planning and Human Settlements
Ms Geraldine Mettler (GM)	Municipal Manager
Stellenbosch University (the university)	
Mr Desmond Thompson (DT)	Communication Specialist

Meeting Secretariat: Stellenbosch University (Ms Michelle Jooste)

Item	Discussion	Responsible person
1.	**Opening & welcome**	
	WdV welcomed all members to the first meeting of 2021.	WdV
2.	**Finalisation of agenda**	
	No new agenda items were added.	WdV
3.	**Approval of previous minutes**	
	The minutes of the previous meeting of 20 November 2020 were approved.	WdV
4.	**Matters from previous meeting**	
4.1	**Future upgrade of Die Braak** GvD mentioned that due to the Covid-19 pandemic not much planning has taken place. Craig Alexander (CA), Senior Manager: Development Planning attended the meeting on behalf of AB and reported that two offers were received, after the formal invitation to bid was published on the municipality website in November 2020. Unfortunately, the two offers did not comply with the terms and conditions as set out on the bid. A second open formal invitation was then advertised with the closing date of 1 April 2021. The proposal to the council of the municipality will take place at the end of May 2021. The idea is to get one vision for the entire Rhenish Complex [1] as decided by the council of the municipality. GvD added that numerous requests were received from various stakeholders to utilise some of the properties or areas of the Rhenish Complex. However, the council of the municipality did not approve the requests based on two reasons: • A property asset register should be completed and be submitted to the council of the municipality, to get a strategic view of all the properties, • An overall common vision is needed for the whole Rhenish Complex and not to utilise each property separately. Ongoing discussions is continually taking place between GvD and the Division of Planning and Economic Development at the municipality regarding this project.	GM / CA
5.	**Standing items**	
5.1	**Overview of the university regarding the Covid-19 pandemic** The academic year officially started with classes on the 15 March 2021, which means that more students are back in Stellenbosch as mentioned by WdV. The Institutional Committee for Business Continuity (ICBC) of Stellenbosch University (the university) met on 24 March 2021 and SdP provided brief feedback. All students were invited back to the university campus and are happy to report a good start to the academic year. The university would like to follow a differentiated model of learning and teaching called ARTLA (Augmented remote teaching, learning and assessment) which will combine contact tuition for smaller groups of students with online elements. Faculties and departments will decide on the exact mix of learning and teaching	WdV/SdP

[1] Rhenish Complex comprises of a group of historic buildings, spaces and gardens bounded by Market Street, Die Braak, Herte Street and Dorp Street in central Stellenbosch.

Item	Discussion	Responsible person
	modes to be followed for each module – including the extent of face-to-face, online or hybrid approaches – depending on the desired module outcomes. This approach allows for flexibility to accommodate the different circumstances of the various academic environments. SdP added that a few positive Covid-19 cases were reported on university campus as mentioned to the ICBC as well. • 8 students tested positive, 3 of these students were at the Rugby Club, • 4 students are currently under quarantine, • 41 students are in isolation, • 4 staff members tested positive. The above-mentioned cases are monitored closely with assistance of the university Campus Health and the university Medical Advisory Committee. There are to date no indication of Covid-19 hotspots or cluster outbreaks on any of the university campuses. The data are been watched closely and SdP emphasised that staff and students are constantly reminded to comply with Covid-19 protocols. SdP continued with students moving into residences and returning to campus must use the Higher Health's daily risk assessment tool (only available via the URL https://healthcheck.higherhealth.ac.za, no longer via SMS or WhatsApp), to self-screen beforehand. The university has appointed more than 40 student safety ambassadors to ensure compliance with Covid-19 protocols. They are stationed at the faculties' entrances and to roam the campus. They can be identified by green safety caps and jackets. Very good feedback has been received from faculties with regards to these safety ambassadors as mentioned by SdP. SdP ended off with concerns that were raised on the conduct of students who live off campus, in private accommodation. It is understood that the university does not have jurisdiction to implement the Covid-19 protocols in private accommodation. The solution for this is to share the protocols to the managers of these large private accommodations and encourage them to implement the same Covid-19 protocols as the university. Added to this is the awareness campaign in both the university residences and private student accommodations and broader student communities. WdV mentioned that the university Medical Advisory Committee reported that there is currently a decrease in pressure on beds in both private and public hospitals. LBvR thanked the municipality Law Enforcement for their involvement during the Covid-19 pandemic and the good collaboration between the Law Enforcement, Visit Stellenbosch and the university.	
5.2	**Overview of the municipality regarding the Covid-19 pandemic** GvD express thankfulness toward the university with the Covid-19 situation and posed a question on the potential third wave. EC responded with feedback from the university Medical Advisory Committee. The individuals who modelled the first and second wave accurately, at this point in time, are very uncertain that there will be a third wave. There are currently no signs and no model predicting a third wave, but the situation is been monitored very closely.	GvD
6.	**Feedback from standing committees**	

Item	Discussion	Responsible person
6.1	**Stellenbosch Municipality Mobility Forum (SMMF)** DL reported on the following: • The Streets-, Parking-, and Storm water by-laws were presented to the SMMF and will go to the next municipality council meeting. • Council has approved the municipality Universal Access policy[2]. • The Non-motorised transport (NMT) master plan will go to municipality council and then a public participation process. • The synchronisation of traffic lights on the R44 is in progress. Currently traffic lights from Van Rheede Street to Dorp Street are done. The plan is to systematically add more traffic lights along the R44 up to the Helshoogte Road. GvD emphasised that the traffic light synchronisation project is of vital importance and mentioned that traffic congestion at the Adam Tas Road is becoming progressively more concerning. GvD expressed her concern regarding the challenges the municipality is facing in terms of the pavements, that were recently upgraded, that are now being digged up by fibre companies, who are having fibre networks installed. These companies dig up the pavements and leave them in a state of disrepair with no one coming to fix them after fibre installations. The municipality is receiving complaints from residents.	DL
6.2	**Infrastructure Development Subcommittee** The current projects that are in progress as mentioned by DL: • The traffic synchronisation project. • The public transport system from Somerset to Klapmuts. • The Adam Tas corridor. • The water resource modelling project. DL thanked the university for assisting with the municipality to assess the water master plan. • Investigating and developing different methods to clean storm water runoff. • Digital twin water system project. • Generation and procurement of alternate electricity. *(More information is at agenda item 7.2)* • Creating a standard in grey water quality. • Water saving measures. Discussions are currently taking place with the Western Cape Government and various municipalities to ensure that water are saved. • Landfill energy.	DL
6.3	**Water Management** This item was included at agenda item 6.2.	DL
6.4	**Monitoring & Advisory Committee on Crime (MACC)** NvdE provided the forum with notes of the informal MACC meeting that took place on 3 March 2021. The welcoming week events and noncompliance of Covid-19 protocols of students were one of the points of discussions and the concerns and issues were accordingly dealt with. CK added and confirmed that enforcement of protocols were done by Law Enforcement in the town area. The municipality are in constant contact with the	NvdE/CK

[2] The vision of the Stellenbosch Municipality Universal Access (UA) Policy, as taken from the Stellenbosch Municipality UA Policy Framework, is 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.

Item	Discussion	Responsible person
	private homeowners with regards to the noise complaints received.	
7.	**New matters**	
7.1	**Protest on SU Campus** A small group of students had a protest on campus on 17 March 2021. SdP reported that the central matter was student financing. Some students were unable to register because of outstanding debt. A small group of students started the march across campus and eventually ended up in the Neelsie Student Centre. These students disrupted some of the businesses and other students. The situation was closely monitored by university Campus Security as well as Pro Events Security, while relevant staff members and student leaders were engaging with the group to understand their grievances and demands. The underlining grievance was solved. A wide range of financial support initiatives was implemented to the student community.	SdP
7.2	**Electricity project** The memorandum of understanding (MOU) between Stellenbosch Municipality, Stellenbosch University and the Centre for Scientific and Industrial Research (CSIR) has been signed as reported by DL. A separate draft MOU with the Western Cape Government was received today (24 March 2021). Various tenders have been done by Western Cape Government with legal advisors to drive the process. The project is the generation of alternate electricity from a source other than Eskom. The projects currently in progress as briefly mentioned by DL, are the installation of Roof top solar panels, Methane gas mining at landfill sites to utilise methane to power engines which in turn generates electricity through generators and the diversion of 50% of the organic waste. DL concluded with electricity can also be purchased from registered Independent Power Producers (IPP). Various studies must be examined to make sure it is economically viable, and the way forward must be determined. GvD reported that funds were approved, in the municipality Mayoral Committee Meeting for the installation of rooftop solar panels which will be forwarded for approval to the municipality council meeting of 31 March 2021.	DL
7.3	**Swedish partnership** Stellenbosch Municipality has been approached by the Swedish International Centre for Local Democracy (ICLD) to explore the possibility of entering a partnership with a Swedish Municipality selected by the ICLD on the topic of Human Rights. Jönköping Municipality in Sweden were identified as the preferred municipality. LBvR added that himself, Mr Robert Kotze (Senior Director: SU International) met with GM on 15 March 2021. Both municipalities are also university towns which will include the possibility of a formalised partnership between city and university.	GvD
7.4	**Proposed election date and social responsibility / good citizenry, voter registration drives** GvD mentioned that the next municipal election will probably take place between August and October 2021. Campaigns already started and residents are	GvD

Item	Discussion	Responsible person
	encouraged to register and vote. GvD will request GM to share data of registration to SdP.	
7.5	**Town and Gown presentation** LBvR introduced Lidia du Plessis at the Centre for Partnerships and Internationalisation at Stellenbosch University International who is co-ordinating the Town & Gown network. Lidia du Plessis shared a PowerPoint presentation with more information. As part of the university's centenary activities the Rector proposed to host a symposium to bring together a group of universities in small towns similar to Stellenbosch, to discuss matters related to meaningful campus and town partnerships. The first town & Gown Network Conference took place in November 2018. The focus that the university wants through the International Town & Gown (iT&G) network is to develop an international Community of Practice focussing on the university's relationship on local government, local community, local business and the student community. The video of the Town & Gown conference in 2018 can be viewed by clicking on the link below. https://youtu.be/DoAgOsE39nI In 2020 most of the planned events could not take place due to the Covid-19 pandemic. Informal discussions with members still continued online as mentioned by Ms du Plessis. The iT&G network had a kick-off meeting on 9 February 2021. The way forward is to establish a workgroup with SU International, Division Social Impact & Transformation and Stellenbosch Municipality. The idea is to move towards closer engagement with Stellenbosch Municipality regarding internationalisation like the new initiative with Jönköping Municipality in Sweden. Ms du Plessis concluded with the main aim of this network is to make a difference within the local communities. HK mentioned that the one point that is not explicit in the presentation, is the issue around economic impact on the university within the town. There are some work that is been done with the partner universities to this extend and it maybe good to add this to the iT&G agenda in moving forward.	LBvR
8.	**Closing**	
	The meeting adjourned at 16:25. The next meeting will take place on Thursday 20 May 2021 (Chair and Secretariat: Stellenbosch Municipality).	WdV

10.2	**REPORT/S BY THE SPEAKER**

10.2.1	**RESIGNATION OF CLLR F ADAMS**

Oral report by the Speaker

FOR INFORMATION

10.3	**REPORT/S BY THE MUNICIPAL MANAGER**

NONE

11.	**ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]**

11.1	**COMMUNITY DEVELOPMENT AND PROTECTION SERVICES: (PC: CLLR R BADENHORST)**

NONE

11.2	**CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)**

11.2.1	**CONSEQUENCE MANAGEMENT POLICY**

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **19 May 2021 and 26 May 2021**

1. SUBJECT: CONSEQUENCE MANAGEMENT POLICY

2. PURPOSE

To approve the Consequence Management Policy after consultations have been finalised in the Local Labour Forum and the comments were addressed in the proposed policy.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Draft Consequence Management Policy with which Stellenbosch Municipality seeks to formalise and consolidate the principles of consequence management (encompassing remedial and recourse measures) that can be implemented. In line with the objectives of the MFMA the policy seeks to, amongst others, improve the internal control processes relating to the reporting of allegations of financial misconduct and financial offences to Council.

The Policy served before Mayco in July 2019 and was referred to the Local Labour Forum for consultation. The Local Labour Forum completed its discussions and supported that the policy be referred to Council for approval on 27 September 2020. The policy had several comments that had to be addressed before it could be submitted for approval **(APPENDIX A).** The policy **(APPENDIX B)** is now tabled for approval

5. RECOMMENDATION

that the Consequence Management Policy, as supported by the Local Labour Forum, be considered and approved by Council.

6. DISCUSSION / CONTENTS

6.1 Background

The policy served before Mayco in July 2019 and was referred to the Local Labour Forum for consultation. The Consequence Management Policy was tabled for consultation at the Local Labour Forum meeting of 25 November 2020.

6.2 Discussion

To demonstrate its commitment and adherence to the highest levels of good and effective corporate governance, which is grounded on core values and ethical principles, Council has adopted King IV and its guiding principles. King IV, as adopted by Council, requires that the Municipality continually assess, and appropriately respond to, the negative consequences of the organisational activities and outputs in relation to the inputs thereto. The organisational commitment to good governance is further evidenced by the Municipal Manager not only setting, but also driving the tone from the top by, *inter alia*, holding the delegated officials accountable and for officials to act responsibly within their respective functional areas.

In addition, the objective of the policy is, *inter alia*, to provide guidelines to enable effective consequence management on matters relating to incidents of unauthorised, irregular and fruitless and wasteful expenditure, abuse of the Supply Chain Management processes/systems (including fraud, corruption and improper conduct), allegations of financial misconduct, and ensuring that these are appropriately dealt with. The policy was discussed at the Management meeting on 11 June 2019, and was also submitted to the Audit Performance Committee for input by 27 June 2019.

Due to the inward-facing nature of this policy, and the fact that it has direct implications for the employees, the policy was referred to the Local Labour Forum for consultation.

The Local Labour Forum referred the policy to the Human Resources Development Sub-Committee meeting for discussion and for the consulted document to the re-submitted to the next Local Labour Forum. The Human Resources Development Sub-Committee met on the 16th of January 2020 for discussion of the policy. After finalising the discussion, the Committee resolved to distribute the consulted document to the labour unions. The unions requested that the policy not be referred to the January 2020 meeting but that it stands over until February 2020 in the event that the unions want to make further inputs.

The consulted policy was submitted to the Local Labour Forum meeting of 24 February 2020 at which instance the agenda in its entirety could not be discussed due to SAMWU that walked out of the meeting. The Consequence Management Policy was an item on the agenda of 24 February 2020 to request that the policy be submitted to MAYCO and Council for approval. This could not materialise as a result of the fact that there was no quorum due to SAMWU walking out of the meeting.

At the Local Labour Forum meeting of 27 September 2020, it was resolved that the Consequence Management Policy be tabled to MAYCO and Council for approval.

6.3 Financial Implications

Investigations in regard to disciplinary processes might require the appointment specialised service providers which are budgeted for in the operational budget.

6.4 Legal Implications

The Policy is in line with the council policies and regulations as well as collective agreements that are applicable.

6.5 Staff Implications

Staff and Councillors as well as service providers will have to own up to their actions, and the consequences of action or inaction will be evident.

6.6 Previous / Relevant Council Resolutions:

The policy served before Mayco in July 2019 and was referred to the Local Labour Forum for consultation.

6.7 Risk Implications

The policy improves mitigating circumstances that improve risk management, and will assist with the combined assurance; not accepting the policy can potentially create a policy vacuum.

6.8 Comments from Senior Management:

The comments from Senior Management are incorporated in the policy through the consultation processes.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 7.2.1

that the Consequence Management Policy is supported by the Local Labour Forum and recommended to Council for approval.

ANNEXURES

Annexure A: Draft Consequence Management Policy with comments

Annexure B: Draft Consequence Management Policy (Final)

FOR FURTHER DETAILS CONTACT:

NAME	*Ms. Annalene De Beer*
POSITION	*Director Corporate Services*
DIRECTORATE	*Corporate Services*
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REPORT DATE	*29 April 2021*

ANNEXURE A

CONSEQUENCE MANAGEMENT POLICY
(POLICY NUMBERXXXX)

APPROVED BY COUNCIL: DATE
XXX XX/XX/XX

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1. POLICY TITLE

Consequence Management Policy

2. DOCUMENT CONTROL

Responsible Official	
Version Control	Draft 1
Document Status	Draft
Review Dates • Previous • Next	
Contact Details	

3. DEFINITIONS

'APAC', means the Municipality's Audit and Performance Audit Committee, a Committee established in terms of section 166 of the MFMA in order to advise Council, Municipal Manager and management staff on matters relating to internal financial control and internal audits, risk management, accounting policies, adequacy and reliability of financial reporting, performance management, effective governance, compliance with MFMA and other applicable legislation.

'assurance provider', means the assurance providers referred to in sections 10.2.5, 10.2.6 and 10.2.7;

'Municipal Manager', means a person appointed in terms of section 82(1)(a) or (b) of the Structures Act and 'Accounting Officer' shall have the same meaning [1];

'Code of Conduct for Councillors', means the Code of Conduct for Councillors contained in Schedule 1 of the MSA;

'Code of Conduct for Municipal Staff Members', means the Code of Conduct for Staff Members of the Municipality contained in Schedule 2 of the MSA;

'Combined Assurance', means integrating and aligning **assurance** processes in the Municipality to maximise risk and governance oversight

[1] After SAMWU vs COGTA and others declaring amendment act provisions invalid

and control efficiencies, thereby optimising overall **assurance** to Council, APAC, MPAC, Risk Management Committee (Riskco) and Management taken into account the Municipality's risk acceptance level;

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

'Corporate Governance', means the structures and processes utilised to determine the organisational direction and control of the Municipality. Corporate governance concerns the relationships among the management, Council, stakeholders and staff of the Municipality.

'Council', means the Municipal Council of the Municipality;

'Councillor', means a Councillor of the Municipal Council of the Municipality;

'criminal action', means legal proceedings in which the state prosecutes a person who is charged with an offence;

'Delegation', in relation to a duty, includes an instruction or request to perform or to assist in performing the duty, and "delegate" has a corresponding meaning;

"Designated Official" means the official identified in a municipality to receive reports of allegations of financial offences against Councillors;

'Disciplinary Board', means a disciplinary board established in terms of regulation 4(1) of the MRFMPCP a disciplinary board or referred to in regulation 4(8) thereof;

'Employee' means -

(a) any person, excluding an independent contractor, who works or worked for the Municipality and who receives or received, or is entitled to receive, any remuneration;

(b) any other person who in any manner assists or assisted in carrying on or conducting or conducted the business of an employee;

'EMT', means the Management Team which consists of the Municipal Manager, Directors and those Municipal officials who serve together as the top management committee of the Municipality's administration

'Financial Misconduct', means any act of financial misconduct referred to in(a) section 171 of the MFMA committed by an official of a municipality;

"Financial Offence", means any offence referred to in section 173 of the MFMA committed by (a) an official of a municipality or municipal entity; (b) a councillor of a municipality; (c) a member of the board of directors of a municipal entity; or (d) any other person;

'Fraud', means the unlawful and intentional making of a misrepresentation that the person know is untrue which causes actual prejudice or which is potentially prejudicial to another;

'IDP', means the Integrated Development Plan of the Municipality;

'Internal Control', means the process that is effected by Council or EMT to provide reasonable assurance regarding the achievement of objectives in the following categories:

(a) effectiveness and efficiency of operations, and
(b) reliability of financial and non-financial reporting,
(c) compliance with applicable laws and regulations, and policies and procedures;

"Investigator" means the board, treasury, person or team conducting a full investigation in terms of regulation 5(4) of the MRFMPCP.

'Line Management', means any staff member that exercise a management or supervisory function, including EMT;

'Mayoral Committee', means the Committee appointed by the Executive Mayor, in terms of section 60 of the Structures Act, abbreviated to Mayco;

'MFMA', means the Local Government: Municipal Finance Management Act, Act, 2003 (Act No. 56 of 2003), and the Regulations promulgated in terms thereof;

'MPAC', means the Municipality's Municipal Public Accounts Committee, a Committee established in order to enhance political accountability and legislative oversight of the Municipality's accounts;

'MRFMPCP', means the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014, published under GN R430 in GG 37699 of 30 May 2014

"MSA", means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and the Regulations promulgated in terms thereof;

'Opinion', means a statement of advice by an expert on a professional matter;

'Policy', means the Consequence Management Policy of the Municipality;

'Governance Department', means a department within the Office of the Municipal Manager which includes Risk, Ethics and Governance and ay involve forensic investiagtions;

'SAPS', means the South African Police Service;

'SCM', means the Supply Chain Management Department of the Municipality;

'SCM Policy', means the Municipality's Supply Chain Management Policy as contemplated in the MFMA Supply Chain Management Regulations and as adopted by Council;

'Senior Manager', means a manager referred to in section 56 of the Municipal Systems Act and those members of management that are referred to in terms of Section 77 and 78 of the Municipal Finance Management Act;

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

'System of Delegations', means the Municipality's System of Delegations as contemplated in section 59 of the Municipal Systems Act, Act 32 of 2000 in terms of which a municipal council must develop a system of delegations that will maximise administrative and operational efficiency and provide adequate checks and balances and is approved and amended by Council from time to time.

4. PURPOSE

4.1 Section 62 of the MFMA for the general financial management responsibilities of the Municipal Manager. The Municipal

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Manager is required to take all reasonable steps to ensure that:

4.1.1 the resources of the municipality are effectively, efficiently and economically utilised;
4.1.2 full and proper records of the financial affairs of the municipality are kept in accordance with any prescribed norms and standards;
4.1.3 the municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control
4.1.4 unauthorised, irregular, fruitless and wasteful expenditure are prevented;
4.1.5 disciplinary or, when appropriate, criminal proceedings are instituted against any official of the municipality who has allegedly committed an act of financial misconduct or an offence in terms of the Chapter 15 of the MFMA.

4.2 A defined, appropriate approach to address accountability and responsibility for, inter alia, non-compliance, financial misconduct, misconduct, and codes of conduct/ethical dilemmas, required formalisation in the Municipality. While not designed to alter or add particular consequence to specific situations of non-compliance, this Policy aims to formalise and consolidate the principles of consequence management which encompasses remedial and recourse measures. The objective of this Policy is to:

4.2.1 Provide limited guidelines to enable effective consequence management on matters relating to, inter alia; issues, risks and opportunities identified and reported by the various assurance providers e.g. incidents of unauthorised, irregular and fruitless and wasteful expenditure; the possible abuse of the Supply Chain Management (SCM) system (including fraud, corruption and improper conduct); and allegations of financial misconduct and financial offence; and ensuring that these are appropriately dealt with;

4.2.2 Address non-compliance actions identified which could include, but is not limited to, the following:

a) Disregard or failure to implement preventative or corrective measures imposed to address risks;

b) Lack of willingness to comply with legal obligations;
c) Perpetrated or participated in negligent, deceitful or otherwise discreditable practices;
d) Seriously or persistently fail to execute assigned duties;
e) Non-compliance with internal policies, procedures, legislation and regulations;
f) Having acted dishonestly, with negligence, mismanaged responsibility, unprofessionally, unethically and in breach of Municipal policies;
g) Participation in illegal acts, including theft, violence, fraud and corruption;
h) Unethical, malicious or other improper conduct which may be in *breach of the Municipality's Code of Ethics and/or Municipal values, the municipal Code of Conduct or in breach of the law generally;*
i) Breach of administrative procedures, including the Municipal Delegation of Authority; or
j) Any other conduct that may cause financial or non-financial loss, or is otherwise detrimental, to the interests of the Municipality.

4.2.3 Hold management accountable for the execution of their delegated duties, functions and powers;

4.2.4 Provide management with direction when instituting recourse measures for established financial misconduct; and

4.2.5 Provide limited universal direction and guidance to govern the high level phases of consequence management as well as key concepts and principles with regards to the treatment of issues (various incidents and red flags), risks and opportunities identified that could negatively impact the operations, reporting processes, and compliance to legislative frameworks applicable to the Municipality.

4.3 Managing compliance includes making appropriate rules that are known, understood and followed and for which consequences of non-compliance are clear and commensurate with risk and context.

4.4 The processes and procedures to be followed with regards to the different aspects of consequence management in the Municipality, are specified in the relevant, existing Municipal documents and enhancements (if required) will be detailed in Consequence Management Standard

Operating Procedures (SOP).

5. DESIRED OUTCOMES

5.1 In line with the various legislative frameworks promoting fundamental principles of effective and efficient utilisation of public resources and transparent and accountable financial management practices, the Municipality is committed to implementing an effective consequence management system. The Policy is designed to assist the Municipality to:

5.1.1 Improve the Municipality's internal control processes for reporting allegations of financial misconduct and financial offences to Council to ensure compliance to legislative and regulatory requirements;

5.1.2 Reduce risk exposure by ensuring all matters incurring unauthorised, irregular and fruitless and wasteful expenditure; the possible abuse of the SCM system (including fraud, corruption and improper conduct); and allegations of financial misconduct or financial offence are appropriately identified, investigated and reported on.

5.1.3 Provide for comprehensive tracking and follow-up of all remedial actions, including those stemming from issues (various incidents and red flags), risks and opportunities raised and reported by the various assurance providers;

5.1.4 Provide for improved and consolidated reporting to the various stakeholders and governance structures to assist with the effective monitoring of the Municipality's consequence management system and desired governance and ethical conduct outcomes;

5.1.5 Take appropriate action in accordance with the law, including legal or criminal action, against any person that is found to have committed

financial misconduct and financial offences; and

5.1.6 Provide clarity with regard to the roles and responsibilities of various role players and stakeholders, encompassing responsibilities, accountability, consultation and information related to consequence management.

6. STRATEGIC ALIGNMENT

6.1 The development of a Consequence Management Policy is one of the proactive step that is aligned with the Strategic Pillars as detailed in the Municipality's Integrated Development Plan (IDP).

6.2 The Strategic Pillars are categorised into the following five pillars:

6.2.1 Valley of Possibility

6.2.2 Green and Sustainable Valley;

6.2.3 Safe Valley;

6.2.4 Dignified living; and

6.2.5 Good governance and Compliance.

6.3 One of the objectives of the IDP is delivery of services and creation of value for customers in an operationally sustainable manner. In order to deliver on this objective, the Municipality is committed to taking steps to provide effective consequence management i.e.:

6.3.1 Promoting and enhancing transparent governance through ethical leadership;

6.3.2 Working towards eradicating corruption so that the Municipality can remain financially stable and resilient to shocks in a changing and volatile environment; and

6.3.3 Improving the internal control processes insofar as it relates to identifying, investigating and reporting allegations of financial misconduct to Council and improving the

tracking and monitoring of all remedial actions, including those stemming from various assurance providers.

7. REGULATORY CONTEXT

7.1 The Policy is informed by the following legislation and regulations:

7.1.1 The Constitution;

7.1.2 White Paper on Transforming Public Service Delivery, 1997;

7.1.3 White Paper on Local Government, 1998;

7.1.4 Structures Act;

7.1.5 MSA and the Regulations;

7.1.6 MFMA and Regulations;

7.1.7 Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);

7.1.8 Criminal Procedure Act, 1077 (Act No. 51 of 1977);

7.1.9 Promotion of Equality and the Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000);

7.1.10 Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 f 2004);

7.1.11 Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998);

7.1.12 Protected Disclosures Act, 2000 (Act No. 26 of 2000);

7.1.13 Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings;

7.1.14 MFMA Circular 68 - Unauthorised, Irregular, Fruitless and Wasteful Expenditure;

7.1.15 MFMA Circular 76 (not adopted by council but used as a guide)- Financial Misconduct Regulations;

7.1.16 SALGA Guidelines Document on the Roles and Responsibilities of Councillors, Political Structures and Officials;

7.1.17 Municipal Code of Conduct for Councillors;

7.1.18 Municipal Code of Conduct for Municipal Staff Members;

7.1.19 System of Delegations;

7.1.20 Any applicable collective agreement; and

7.1.21 any other legislation, Municipal by-law, policy or standard operating procedure that may be applicable to consequence management.

8.2 The following Municipal policies and delegations in the System of Delegations are further applicable:

8.21 The System of Delegations as amended from time to time;

8.2.2 SCM Policy,

8.2.3 Declaration of Financial Interest for Councillors;

8.2.4 Private Work and Declaration of Interest Standard Operating Procedure;

8.2.5 Unforeseen and Unavoidable Expenditure Policy;

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8.2.6 Gift register for officials;

8.2.7 Gift register for Councillors;

8.2.8 Integrated Risk Management Policy;

8.2.9 Internal Audit Charter;

8.2.10 Fraud Prevention Policy (and Fraud Response

Plan;

8.2.11 Whistle Blowing Policy;

Commented [ADB3]: Check if approved policy

8.2.12 MPAC Terms of Reference

8.2.13 Disciplinary Board Terms of Reference; and

8.2.14 Audit and Performance Audit Committee Terms of Reference

9. POLICY PARAMETERS

This Policy applies to:

9.1 All issues (various incidents and red flags), risks and opportunities identified that could negatively impact the Municipality's operations, reporting and compliance to legislation;

9.2 All remedial actions to be taken to curtail the impact and prevent re- occurrence;

9.3 The following persons:

9.3.1 Employees of the Municipality; and

9.3.2 All Public Office Bearers of the Municipal Council.

9.4 The geographical area throughout the municipal boundary of the Municipality and any official travelling (local, national and international) required of Public Office Bearers and Officials; and

9.5 The working environment within the administration, every effort must be made by line management to have business processes documented, with knowledgeable staff for the appropriate application. Line management supervision is to ensure adherence and where the duties and functions are amiss, appropriate remedial and corrective action is to follow to respectively curtail the impact and prevent re-occurrence.

10. **ROLE PLAYERS AND STAKEHOLDERS.**

10.1 The following section provides a high level summary of the roles and responsibilities of the key role-players in consequence management, inter alia;

- The identification of issues (various incidents and red flags), risks and opportunities;
- Remedial actions and control improvements;
- Risk/ issue reporting details and escalation;
- Follow-up and progressive reporting;
- Application; and
- Disclosure.

10.2 **The Speaker**

The Speaker has a political oversight function in respect of the conduct of councillors as well as committees of Council. The Speaker is accountable for effective consequence management in respect of reports against Councillors, ensuring that these are appropriately
Addressed and resolved.

To this extent, and in line statutory duties and delegations conferred by Council as the "designated official" for councillors, the Speaker must:

(a) Identify breaches of the Code of Conduct by Councillors, in terms of the Code of Conduct for Councillors in schedule 1 of the MSA as well as receive reports of alleged financial misconduct in the case of Councillors who may have committed financial misconduct and/or financial offence(s) in terms of regulation 9(1) and 9(2) of the MRFMPCP;

(b) Authorise investigations into–

- ❖ financial irregularities where Councillors may be implicated
- ❖ financial misconduct or financial offence where Councillors may be implicated (per regulation 11(1)(a) of the MRFMPCP, or breaches of the Code of Conduct by Councillors

(c) Based on reports from preliminary investigations, make recommendations to Council in respect of the way forward ensuring that appropriate remedial action is taken and the control environment is improved;

(d) Table reports to Council dealing with the outcomes of

full investigations in respect of allegations of financial misconduct, financial offences or breaches of code of conduct by Councillors (per regulation 14(2) and 15(1) of the MRFMPCP; and

(e) Make appropriate disclosures in respect of the outcome of all investigations into the alleged misconduct or financial irregularities of Councillors to the relevant authorities e.g. Executive Mayor, Municipal Manager, Minister for Local Government in the Province, National and Provincial Treasury (per regulation11 (4)of the MRFMPCP.

In performing these responsibilities, the Speaker will be guided by the relevant recommendations by -

i. the MPAC;
ii. the investigator(s); and
iii. the Disciplinary Board.

In addition, consideration will be given to the Financial Misconduct and Criminal Procedure Regulation –

- 3(4) - laying criminal charge with the South African Police Services;
- 3(5) - give the accused an opportunity to make written representation to the municipality (with regard to suspension) within 7 days:
- (3) - financial offenses successfully prosecuted, the judgement must be reported to the National Treasury;
- 11 (1) - authorise investigation of facts and give Councillor (5 days) to make written submission regarding financial offence; and
- 18 - protection of officials reporting allegations of financial misconduct and financial offenses.

10.3 Executive Mayor, in consultation with the Mayoral Committee (MayCo)

In line with the requirements for good corporate governance outlined in the King IV Report and in recognition of the way in which the Municipality is currently structured, the Executive Mayor and MayCo are accountable to Council, the community, and other stakeholders at a strategic level for:

a) Managing risks to the Municipality and ensuring that an effective consequence management process is implemented to reduce risk exposures and improve the control environment;
b) Limiting consequential losses to the Municipality from issues (various incidents and red flags), risks and opportunities;
c) Promoting, developing, and sustaining a culture of integrity, service excellence, accountability, trust and accessibility which would support the Municipality's appetite of zero tolerance to fraud, corruption and other criminal activity, maladministration and/or negligence and financial misconduct;
d) Developing and implementing appropriate strategies, policies and action plans to achieve effective consequence management of issues, risks and opportunities thereby curtailing the potential negative impact on the Municipality;
e) Monitoring, evaluating and reviewing the success of such consequence management strategies, policies and action plans; and
f) Making appropriate disclosures in respect of the outcome of financial misconduct to the relevant authorities e.g. Minister for Local Government in the Province, National and Provincial Treasury.

10.3.1 Members of the Municipal Council

a. Councillors are legally bound by the Code of Conduct for Councillors - per Schedule I of the MSA, to fulfil their obligations to their communities and support the municipal objectives, and must comply with and actively promote this Policy.
b. Councillors must strive to set the tone to sustain a culture of zero tolerance to fraud, corruption and other criminal activities.

10.3.2 Municipal Manager

In terms of section 62 of the MFMA, the Municipal Manager has statutory responsibilities with regards to the general financial management of the municipality. In addition, as the "designated official" for municipal officials in terms of in the Municipal Regulations on

Financial Misconduct Procedures and Criminal Proceedings, the Municipal Manager must ensure that any allegations of financial misconduct or financial offence against municipal officials are timeously investigated and appropriately treated and reported. Considering the above, the Municipal Manager is therefore ultimately responsible for proper consequence management of all issues (various incidents and red flags), risks and opportunities that have been identified and reported against municipal officials that can have a potential negative impact on the Municipality's operations, reporting and compliance.

The Municipal Manager's role in consequence management in the Municipality is therefore to:

a) Receive reports highlighting issues (various incidents and red flags), risks and opportunities that could potentially negatively impact the Municipality's operations, reporting (specifically finance) or compliance to legislation and regulations, including tabled reports to Council of alleged financial misconduct in the case of officials who may have committed financial misconduct or financial offence(s);

b) Consider recommendations made by combined assurance providers and the Financial Misconduct Disciplinary Board (in terms of municipal officials) and ensure that appropriate remedial actions are taken to address the risk exposure and improve the control environment;

c) Consider the results of combined assurance providers' systems that track and follow-up on the implementation of recommendations made to line management, and obtain reasons for delays in implementation of remedial actions (in terms of leadership and accountability);

d) In cases of allegations of unauthorised, irregular and fruitless and wasteful expenditure; the possible abuse of the SCM system (including fraud, corruption and improper conduct); and allegations of financial misconduct and financial offence:

i) Report the allegation to SAPS;
ii) Refer the matter to the appropriate mechanism - disciplinary board for a preliminary investigation or Council for MPAC investigation;
iii) Maintain the necessary register(s) of all issues (various incidents and red flags), risks and opportunities reported;
iv) Submit reports to Council on the way forward, based on preliminary report;
v) Appoint an appropriate specialist expert or expert team, if the seniority of the transgressor and the seriousness or sensitivity of the allegations warrants such a step (sourced in assistance);
vi) Table reports to Council dealing with the outcomes of full investigations relating to allegations of financial misconduct, or financial offences; and
vii) Make appropriate disclosures in respect of the outcome of all investigations into the alleged financial misconduct or financial irregularities to the relevant oversight authorities e.g. Executive Mayor, Council, Minister for Local Government in the Province, National and Provincial Treasury.

10.3.3 First Level of Assurance Provider

Line management are first level assurance providers as per the Municipality's Combined Assurance Policy and are responsible for providing assurance on all areas within their span of control. This includes establishing, maintaining and ensuring proper governance, risk management and internal control processes, as well as addressing issues (various incidents and red flags), risks and opportunities identified and reported.

a) **Line managers,** per their accountability and responsibility duties, must:

i. Identify and immediately report any issues (various incidents and red flags), risks and opportunities that can have a potential negative impact on the Municipality to the appropriate level of authority, including the Municipal Manager;
ii. Consider recommendations made by

combined assurance providers and ensure that appropriate remedial actions are taken to address the risk exposure and improve the control environment timeously;

iii. If there is a concern that the Municipal manager, a senior manager or the Chief Financial Officer may be involved, report the matter to the next appropriate delegated authority e.g. Executive Mayor/ Speaker/ Council/ Provincial Treasury/ National Treasury; and.

b) Employees responsibility:

i. Municipal employees are bound by South African law (both statutory, common law and case law), the terms and conditions of their employment and also the Code of Conduct for Municipal Staff Members, the Municipal Code of Ethics, Municipal policies, standard operating procedures, and instructions issued periodically;

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ii. Every Municipal employee has a duty to ensure that public funds are safeguarded and Municipal ethical values are upheld. Where issues (various incidents and red flags), risks and opportunities arise that could be deemed financial misconduct or a financial offence, these must be reported to the employee's line manager. Should the line manager potentially be implicated, the next reporting level must be informed;

iii. Key ambassadors for the successful implementation and execution of the Municipal value system are its employees as their conduct is often the basis on which the Municipal is judged. The actions and spirit of employees must purport the core values and principles governing the Municipal in a credible manner that does not compromise ethical behavior; and

iv. Failure by any employee(s) of the Municipal to comply with this Policy or to display the Municipal core values of Trust, Integrity, Accountability, Excellence and Accessibility in the fulfilment of their duties and functions, could result in consequence management, disciplinary or

criminal action being taken against such individual(s) in line with the relevant HR policies.

10.3.4 Second Level Assurance Provider

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The second level of assurance providers are comprised of risk, control and compliance assurance providers, reporting primarily to management and advisory or oversight bodies, with limited independence in relation to the activity on which assurance is required. These assurance providers have the responsibility to, inter alia;

a) Identify and immediately report any issues (various incidents and red flags), risks and opportunities that can have a potential negative impact on the Municipality to the appropriate level of authority, including the Municipal manager;
b) Make recommendations to ensure remedial action is taken and that risk exposures and control weaknesses are addressed;
c) Implement comprehensive systems to track and follow-up on all recommendations/ remedial actions those stemming from the issues (various incidents and red flags), risks and opportunities reporting to ensure that risk exposures have been adequately addressed;
d) Provide progressive reporting to the relevant stakeholders and advisory and oversight bodies on the related outcomes to assist with the effective monitoring of consequence management in the Municipality; and
e) If there is a concern that the Municipal manager, a senior manager or the Chief Financial Officer may be involved, the matter must be reported to the next appropriate delegated authority e.g. Executive Mayor/ Speaker/ Council/ Provincial Treasury/ National Treasury.

10.3.5 Third and Fourth Level Assurance Provider

The third and fourth level of assurance providers include assurance providers who have greater independence, such as Internal Audit, various provincial and national departments (e.g. Treasury) and external auditors (The Auditor General of South Africa (AGSA)), who

report to advisory and oversight bodies. In line with the Combined Assurance Plan and under the guidance and leadership of the relevant director (excluding the AGSA), all these assurance providers have the responsibility to, inter alia;

a) Identify and immediately report any issues (various incidents and red flags), risks and opportunities that can have a potential negative impact on the Municipality to the appropriate level of authority, including the Municipal manager;
b) Make recommendations to ensure remedial action is taken and that risk exposures and control weaknesses are addressed;
c) Implement comprehensive systems to track and follow-up on all recommendations/ remedial actions stemming from the issues (various incidents and red flags), risks and opportunities reported to ensure that risk exposures have been adequately addressed;
d) Provide progressive reporting to the relevant stakeholders and advisory and oversight bodies on the related outcomes to assist with the effective monitoring of consequence management in the Municipality; and
e) If there is a concern that the Municipal Manager, a senior manager or the Chief Financial Officer may be involved, the matter must be reported to the next appropriate delegated authority e.g. Executive Mayor/ Speaker/ Council/ Provincial Treasury/ National Treasury.

10.3.6 Oversight Bodies (and bodies who advise them)

Under the directive of the relevant delegations and approved terms of reference, these oversight bodies have the responsibility to, inter alia;

a) Identify and immediately report any issues (various incidents and red flags), risks and opportunities that can have a potential negative impact on the Municipal, to the appropriate delegated authority;
b) Make decisions regarding remedial actions to be taken in respect of instances of unauthorised, irregular and fruitless and wasteful expenditure; possible abuse of the SCM system (including fraud, corruption and improper conduct); and allegations of financial misconduct and financial offences;

c) Provide oversight over the effectiveness of consequence management in the Municipal, by considering progressive reports submitted and by making recommendations in respect of areas for improvement; and
d) Provide assurance to the community and other stakeholders for the sound management and governance practices of the Municipal.

The oversight bodies listed below have an additional oversight responsibility as specified in their terms of reference and charters in so far as it relates to consequence management:

MPAC

MPAC has an oversight role to review the Municipal's Integrated Annual Report with specific focus on the financial aspects as contained in the Auditor-General's Report on the Annual Financial Statements of the

Municipality and also when instructed by Council to advise Council in respect of unauthorised, irregular or fruitless and wasteful expenditure.

Issues (various incidents and red flags), risks and opportunities relating to unauthorized, irregular or fruitless and wasteful expenditure will be directed to MPAC to investigate in terms of section 32 and 102 of the MFMA, as instructed by Council, and as guided by the National Treasury Circular 68: Unauthorised, Irregular and Fruitless and Wasteful Expenditure and advise Council in respect of such unauthorised, irregular or fruitless and wasteful expenditure in terms of section 32(2) of the MFMA. Refer to the approved Terms of Reference of MPAC for more detail.

Financial Misconduct Disciplinary Board

The establishment of a Financial Misconduct Disciplinary *Board is* compulsory in terms of the Municipal Regulations for Financial Misconduct Procedures and Criminal Offences, GN 425 of 30 May 2014). The objective of the Financial Misconduct Disciplinary Board is to act as an independent advisory body that assists designated officials/persons with the investigation of allegations of financial misconduct, and provide recommendations on the further steps to be taken regarding disciplinary proceedings, or any other relevant step to be taken in terms of regulation 4(1) of the MRFMPCP.

The Disciplinary Board's responsibility in respect of consequence management is therefore limited to investigating issues (various incidents and red flags), risks and opportunities relating to allegations of financial misconduct. Refer to the approved Terms of Reference of the Disciplinary Board: Financial Misconduct for more detail.

APAC

APAC responsibility is to advise Council, Municipal Manager and senior management staff on all matters relating to internal financial control and internal audits, risk management, accounting policies, adequacy and reliability of financial reporting, combined assurance, performance management, effective governance, compliance with MFMA and other applicable legislation. To this extent, APAC's role in consequence management is to provide oversight over the adequacy and effectiveness thereof, ensuring the timely identification, appropriate treatment and proper reporting of issues (various incidents and red flags), risks and opportunities that could have a potential negative impact on the Municipal's operations, reporting and compliance to legislation, regulations, policies and procedures. Where risk exposures remain unresolved or issues are not addressed

10.3.7 Service providers

a) Service providers (incl. suppliers, contractors and consultants) are required to act honestly and fairly in all their dealings with the Municipality and in accordance with their own ethical values that they ascribe to.

b) Non-adherence to this Policy and any relevant Municipal policies, their own ethical values, the Municipal SCM processes (inter alia, requests for quotations, tender process and contract terms and conditions, etc) or acts of alleged fraud, corruption or collusion could result in the following consequences:

   i. The cancellation or suspension of any tenders or contracts awarded to them;
   ii. Being restricted in terms of the Combatting of Abuse in the Supply Chain Management System Policy; and
   iii. Being reported to the SAPS and any other applicable body responsible for sound business practices in the interest of safeguarding public funds.

Commented [ADB6]: How does we bind service providers who are not a party to this policy. Service providers should be informed of their obligations. In certain circumstances the service providers are acting as agents on behalf of the municipality and must be kept accountable in that role.

c) Service providers (incl. suppliers, contractors and consultants) are encouraged to report suspected fraud, corruption and other criminal activity, maladministration or negligence involving employees of the Municipal or other services providers to the Municipality. Refer to the Municipal's Whistle Blowing Policy.



11. POLICY DIRECTIVES

11.1 The Municipal must create an environment and culture that promotes ethical, transparent, effective and efficient public administration that conforms to Constitutional accountability principles.

11.2 It is envisaged that through the development and implementation of this Policy, the relevant stakeholders and role-players will be provided with sufficient guidance and direction to enable them to provide effective oversight with regards consequence management and related outcomes.

11.3 Where it occurs, non-compliance requiring consequence management can result from numerous factors, including, lack of knowledge and training, gaps in oversight, inaccurate and incomplete interpretation and application of policies, and in some instances, culpable misconduct. It is imperative that we differentiate between culpable behavior and non-culpable behavior.

11.4 In line with the Municipal's zero-tolerance approach to fraud and corruption, culpable behavior will not be tolerated and corrective measures, including, disciplinary actions, where merited, will be taken.

11.5 The phases of the Municipal's consequence management can be depicted as follows

Phase 1: Risk/ Issue Reporting

This phase deals with the reporting of issues (various incidents and red flags), risks and opportunities identified.

Reporting that can have a potential negative impact on the effectiveness and efficiency of the Municipal's operations, the reliability of its reporting (financial and non-financial) and compliance with applicable laws and regulations, can be identified from various sources, including the following:

a) Public complaints
b) Whistle blowers (See the Whistle Blowing Policy);
c) Declarations of Interest Process (See the Declaration of Financial Interests for Councillors);
d) Declaration of Interest for Employees (See Private Work and Declaration of Interest Standard Operating Procedure);
e) Risk Registers (See the Integrated Risk Management Policy);
f) Combined Assurance Plan;
g) Reports from the Municipal's combined assurance providers; and
h) Reports from the Office of the Auditor General (AGSA) issues (various incidents and red flags), risks and opportunities can vary in their significance as well as the Municipal's tolerance levels. This will need to be considered when identifying, treating and reporting these, also ensuring that they are dealt with in accordance with the relevant and existing legislative frameworks and Council policies.

11.6 Phase 2: Control Activities

This phase focusses on the identification and implementation of remedial actions to be taken to curtail and prevent the issue, risk or opportunity from re- occurring. Remedial actions need to ensure control improvements to the Municipality's systems and processes and personnel behavior and conduct. These actions need to be assigned to responsible officials, with specific deliverables and timeframes to ensure timeous implementation and impact reduction.

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The remedial actions will vary from one issue, risk and opportunity to another, given the nature and extent of the case. The Municipality's tolerance levels as well as punitive

requirements defined in legislated frameworks will need to be considered. Refer to the table below for examples.

Bold =Core Category Impact, with related implications

Appetite				
Triggers	**Legal**	**Finance**	**Organisational**	**Reputation/media**
Non-compliance to the MFMA	Non-Compliance – Zero Tolerance	Disclosure: Additional Notes	Audit Report	**Impaired Governance**
Fails to comply with duty imposed by MFMA	Non-Compliance – Zero Tolerance	**Section 32 Expenditure - Disclosure**	**Audit Report Opinion** - • **System of Delegation** • **Section 78 of MFMA** • **Leadership**	**Impaired Governance**
Makes irregular unauthorised, fruitless & Wasteful expenditure	Non-Compliance – Zero Tolerance	**Section 32 Expenditure - Disclosure**	Audit Report Opinion – • AFS • Notes – Table • Leadership	**Impaired Governance**
Provides incorrect or misleading information	Non-Compliance – Zero Tolerance	Disclosure: Additional Notes	Audit Report Opinion	**Impaired Governance**
Fails to carry out delegated duties	Non-Compliance – Zero Tolerance	**Section 32 Expenditure - Disclosure**	**Audit Report Opinion** - • **System of Delegation** • **Section 78 of MFMA** • **Leadership**	**Impaired Governance**

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Recourse				
Reporting	Reporting non-compliance to: * The Municipal manager * The Mayor * Council * Auditor General of SA * National Treasury * MEC for Local Government * Provincial Executive * Provincial Legislature * Provincial Treasury * MECforFInanceinthe Western Ca e	Reporting Section 32 expenditure to: * Municipal Manager * Council	Reporting neglect of duty, power and authority to: * Executive Director * Municipal manager * Council	Integrated Annual Report Statement
Consequence Management:	* Disciplinary Steps / Coaching / Reprimand - Written Instructions / Training / Verbal Warning / Resolving Problems and Identifying corrective action * Suspension / Demotion / Termination of Services / Adverse outcome * Financial Misconduct Charges * Criminal Charges	* Disciplinary Steps / Coaching / Reprimand - Written Instructions / Training / Verbal Warning / Resolving Problems and Identifying corrective action * Suspension / Demotion / Termination of Services/ Adverse outcome * Reduction or elimination of discretionary remuneration (Individual Performance Management Monetary implications) * Adverse impact to promotion opportunities * Recovery * Financial Misconduct Charges * Criminal Charges	* Disciplinary Steps / Coaching / Reprimand - Written Instructions / Training / Verbal Warning/ Resolving Problems and Identifying corrective action * Suspension / Demotion / Termination of Services/ Adverse outcome * Financial Misconduct Charges	* Disciplinary Steps / Coaching / Reprimand - Written Instructions / Training / Verbal Warning/ Resolving Problems and Identifying corrective action * Suspension / Demotion / Termination of Services/ Adverse outcome * Financial Misconduct Charges

Recourse				
Consequence Management: Supervision over Local Government Finance Management (per Section 133 of the **MFMA**	1. Provincial Executive may intervene in the Municipality in terms of 139 of the Constitution 2. NT - may take appropriate steps against the municipality in terms of section 5(2) (e) 3. PT - may take appropriate steps against the municipality in terms of section 5(4) (d)			
Process	* Labour Relations * Financial Misconduct Disciplinary Board * Finance: Treasury * Records management	* Labour Relations * Financial Misconduct Disciplinary Board * **MPAC** * Finance: Treasury * Records management	* Labour Relations * Financial Misconduct Disciplinary Board * Finance: Treasury * Records management	* Labour Relations * Financial Misconduct Disciplinary Board * Corporate Services * Records management

Remedial actions in the context of this consequence management efforts can be identified from documented processes of various existing management tools, such as:

a) Management actions included in Municipal Risk Registers;
b) Management actions included on the Municipality's Combined Assurance Plan;
c) Recommendations and agreed management actions included in reports from the Municipal's second level assurance providers (i.e. Legal Services, Occupational Health and Safety, Environmental Resource Management, Business Continuity Management, etc.);
d) Recommendations and agreed management actions included in assurance reports from third and fourth level assurance providers (i.e. Internal Audit, Forensic Services - Investigations, Ethics – Investigations, Auditor General of South Africa, and other external assurance providers);
e) Directives issued from the Office of the Municipal Manager or CFO;
f) Municipal Manager correspondence directed to Executive Management Team Members;
g) Recommendations included in reports from independent investigators appointed by the Municipal Manager (sourced service providers);
h) Recommendations from advisory and oversight bodies - MPAC, Financial Misconduct Disciplinary Board, APAC, etc;
I) Resolutions by Council and Council Committees; and
i) Directives and instructions issued by Provincial and National Treasury.

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The establishment and enforcement of control activities is the responsibility of line management, who have an intrinsic duty to fulfil their job function, powers and delegations in a responsible manner.

11.7 Phase 3: Information and Communication

After issues (various incidents and red flags), risks and opportunities have been identified and reported to the first line of defence to action (refer to phase 1 above), key or significant cases may need to be reported or escalated to the relevant advisory or oversight bodies as per their specific terms of reference or delegations.

The importance is to keep these bodies informed of:

- Significant issues;
- Emerging trends;
- Escalating requirements; and
- Unresolved risk exposures.

Stakeholders have an expectation of the governance structures in the Municipal to exercise good governance. Sometimes however, such governance structures could form part of the decision-making chain and thus are required to make the final decision or final recommendation to Council. Oversight bodies could include RiskCo, APAC, MPAC, Financial Misconduct Disciplinary Board, Executive Mayor, Speaker and Council.

See table below:

Source/remedial action	**First level of reporting**	**Second level of reporting or advisory and oversight body**
Issue, risk and opportunity		
First Level Assurance Provider • Municipal Manager (Directives and EMT communications)	*Line management for action*	
Second Level Assurance Provider • IRM (Risk Registers) • CA (Combined Assurance Plan) • BCM (Business Continuity Plan) • OHS (Compliance Reports) • ERM (Environmental Reports) • Legal Services (Compliance Issues) • Ethics (Declaration of Interests) • Forensic Services (Reports) • OCO (Investigation outcomes)	Line management for action, including the Municipal manager (where applicable).	RiskCo for information and/ or escalation (for risk issues only) APAC for: • information and/ or escalation • potential advice to Muny Manager and Council

Third Level Assurance Provider • Internal Audit (Assurance Reports) • Ethics (Investigation Reports) • Forensic Services (Reports) • OCO (Investigation outcomes) • AGSA (Management Reports and AG Opinion	Line management for action including the Municipal Manager (Where applicable)	APAC for: • information or escalation • potential advice to Municipal Manager and Council
Unauthorised, irregular and fruitless and wasteful expenditure (see appendix II and III)		
Municipal Manager's Irregular, Unauthorised and Fruitless and Wasteful Expenditure Register (Issues i.r.o officials discovered by various sources / triggers)	• Line Management • Executiveand Councillor Support	Council for referral to MPAC for investigation

Source/remedial action	**First level of reporting**	**Second level of reporting or advisory and oversight body**
• Recommendations (remedial actions) included in reports from task team appointed by MPAC	MPAC	Council
• Recommendations (remedial	Council	APAC

actions) from MPAC		
Resolutions by Council • Disciplinary charges • Criminal charges	• Line Management, including the Municipality Manager where applicable • SAPS (where criminal charges are warranted	• MEC for Local Government • Auditor General of South Africa
Possible abuse of the SCM system: Including fraud, corruption and Improper conduct (Refer to Fraud Prevention Policy and Response Plan)		
• Municipal manager (Issues i.r.o officials reported to the Municipal manager or administrative mechanism mobilised for this purpose) • Speaker (Issues i.r.o councillors reported to the Speaker)	• Line Management for information • SAPS (where criminal charges are warranted)	• Governance/ Internal Audit/ External investigator for independent investigation • Second level of assurance
• Governance Recommendations (investigations into allegations fraud, corruption and other criminal activity, maladministration or negligence and financial misconduct against officials) • Ethics Recommendations (investigations into allegations of unethical behaviour against officials) • SCM and Legal Services sanction in terms of Municipal SCM Policy	• Municipal Manager (i.r.o of officials) • Speaker (i.r.o of councillors)	Officials: • Council for information and/ or escalation • Provincial and National Treasury for information • Auditor General of South Africa • SAPS (where criminal charges are warranted) Councillors: • Provincial MEC for Finance

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abuse		

11.8 Phase 4: Monitoring and Reporting

Comprehensive systems must be implemented to track and follow-up on the implementation of all remedial actions stemming from the various role players in the consequence management process.

This is to:

- Ensure that risk exposures have been adequately and timely addressed to curtail the impact and prevent the issue, risk and / or opportunity from re-occurring; and
- Assist the advisory and oversight bodies in their assessment of the effectiveness of consequence management in the Municipality, enable them to provide assurance to the stakeholders in this regard.

It is therefore the responsibility of:

- Those recommending the remedial actions; and
- the Directors), in the case of the Municipal Manager issuing directives to ensure that:
- the implementation of corrective action is tracked and monitored; overdue actions are reported on; and
- follow-ups are performed to confirm/verify successful implementation of corrective action.

The following practices should be applied to ensure a comprehensive tracking and follow-up processes are implemented:

a) Registers should be maintained by each role-player responsible for making recommendations, documenting the issues [various incidents and red flags}, risks and opportunities and related remedial actions, including the estimated implementation date and responsible action owners

b) Nodal representatives should be appointed in each directorate to provide information with regards to the status of implementation of remedial actions relevant to their directorate;

c) Role-players should provide feedback to nodal representatives in terms of the implementation status of remedial actions, and escalate those that are overdue to the next reporting level or delegated

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Source/remedial action	First level of reporting	Second level of reporting or advisory and oversight body
• Independent External investigator(s) appointed by the Municipal Manager (officials) • investigator(s) appointed by the Speaker (councillors)		• Minister for Local Government in the Province • Minister of Finance • Minister responsible for Local Government • Provincial & National Treasury for information • SAPS (where criminal charges are warranted
Allegations of financial misconduct and financial offence (see appendix IV and V)		
• Municipal Manager's Register of Financial Misconduct (Issues i.r.o officials reported to the Municipality Manager) • Speaker (Issues i.r.o councillors reported to the Speaker)	• Executive Mayor • Deputy Executive Mayor	• Council for referral to Disciplinary Board for investigation
• Disciplinary Board Preliminary Investigation Recommendations (investigations into	Council	• National & Provincial Treasury for information • SAPS (where

authority, if necessary;

d) Perform follow-ups / checks to confirm whether remedial actions have indeed been implemented/ actioned successfully by the responsible officials;

e) Successful implementation of remedial actions can be measured in terms of a key operating indicator on Director's and Directorate performance scorecards; and

f) Progressive reporting to the appropriate delegated authority and advisory and oversight bodies who can be tasked to take action against management for tardiness (failure to implement the remedial action(s) successfully and timeously).

11.9 Phase 5: Conclusion / Closure

This phase deals with the correct application and appropriate disclosure of remedial actions. Remedial actions impacting the control objectives i.e. the efficiency and effectiveness of the Municipality's operations, the

allegations of financial misconduct by officials and / or councillors)		criminal charges are warranted)
• Disciplinary Board Full Investigation Recommendations (investigations into allegations of financial misconduct by officials or councillors) • Independent External investigator(s) appointed by the Municipal Manager if necessary (officials) • investigator(s) appointed by the Speaker if necessary (councillors)	• Municipal manager • Executive Mayor • Deputy Executive Mayor • Speaker (Councillors)	Officials: • National & Provincial Treasury for information • SAPS (where criminal charges are warranted) Councillors: • MEC for Finance in the Province • Minister for Local Government in the Province • Minister of Finance
Source/remedial action	**First level of reporting**	**Second level of reporting or advisory and oversight body**
		• Minister responsible for Local Government • Provincial & National Treasury for information • SAPS (where criminal charges are warranted)

Annual Reports.

reliability of the Municipal's reporting (financial and non-financial), the Municipality's compliance to legislation, regulations, policies and procedures; will be disclosed in the following formats:

a) Second Level Combined Assurance Providers Reports;

b) Internal Audit Assurance Reports (including Quarterly Reports to APAC);

c) AGSA Report;

d) Corporate Performance Scorecards;

e) Municipal Manager and Directors Personal Performance Scorecards;

f) Municipal's Integrated Annual Report;

g) Municipal's Annual Financial Statements;

h) Municipal's Annual Oversight Report

i) Management Responsibility Letter;

j) Combined Assurance Reporting;

k) Internal Control Environment Report; and

l) Governance Committee

In order to ensure that Council and its officials take ownership and accountability for the good financial management of the Municipal, the following corporate documents need be periodically updated to incorporate aspects of consequence management:

a) Council, - Accountability and/ or responsibility in respect of oversight role and/ or decision making role regarding consequence management to ensure good corporate governance;
b) IDP - Refer to consequence management as a key initiative under Strategic Pillar;
c) Directorate and Departmental Business Plans - Commitment in respect responsibility and/ or accountability regarding consequence management to ensure good corporate governance; and
d) Service Delivery Budget and Implementation Plan - Inclusion of a Consequence Management Key Performance Indicator.

Managing compliance encompasses making appropriate rules that are known, understood and followed and for which consequences of non-compliance are clear and commensurate with risk and context. The processes and procedures to be followed with regards to the different aspects of consequence management in the Municipal, are specified in the relevant, existing Municipal documents and enhancements (if required) will be detailed in Consequence Management Standard Operating Procedures.

11.10 Assumptions to the Policy includes:

a) Investigators shall have free access to all staff, records and premises in order to carry out investigations.

b) If there is a suspicion that fraud, corruption and other criminal activity, maladministration and/or negligence has been perpetrated or attempted, line management must promptly follow the procedures provided in the Municipal's Fraud Prevention Policy, which must be read in conjunction with this Policy and all relevant appendixes.

c) If there is a concern that the Municipal Manager may be involved in any allegations of financial misconduct and financial offence, this should be reported to the Executive Mayor.

d) A Whistleblowing Policy is in place to safeguard whistle blowers against intimidation and/or victimisation. No person will suffer any penalty or retribution for good faith reporting of any suspected or actual incident of fraud and corruption.

12. IMPLEMENTATION PROGRAMME

12.1 This Policy will be implemented once approved by Council and will be championed within the Office of the Municipal Manager.

12.2 Key dependencies to the successful implementation of the Policy include:

- Awareness;
- Registers;
- Terms of Reference;
- Standard Operating Procedures;
- Records;
- Reporting; and
- Roles and Responsibilities.

12.3 Challenges faced by the Municipal for the successful implementation of the Policy include the following:

a) The lack of understanding of the various legislation and regulations relating to consequence management, and the impact thereof on the:
   - Municipality's policies and procedures;
   - Operations;
   - Due care; and
   - Leadership expectations.

b) The limited Municipal resources with knowledge, skills and capacity.

c) Municipality to comply with legislation and its related regulations.

d) The gravity of the law and the consequences of failure to comply is not yet fully understood or

recognised by all Municipal employees.

e) The absence of the adoption of MFMA Circular 76 on Financial Misconduct Regulations by Council, and the impact on Municipal resources.

f) The establishment of the required committees/ boards to provide advisory and oversight over the various aspects of consequence management and the formalisation of their roles and responsibilities (Terms of Reference/ System of Delegations).

g) The development and approval of Standard Operating Procedures in respect of the various aspects relating to consequence management.

13. MONITORING, EVALUATION AND REVIEW

13.1 Monitoring and evaluation

The reduction of AGSA findings in respect of poor consequence management will be one of the key indications of the successful implementation of the Policy. Other indicators could include the following:

a) Reduced reported issues (various incidents and red flags), risks and opportunities relating to non-compliance to sections 32, 62, 78,102, 115, 171, 172, 173, 174, 175 of the MFMA and the related regulations;

b) Improved percentageof Probity function recommendations implemented;

c) Increased understanding of the gravity of the law and the consequences of failure to comply recognised by all Municipality employees; and

d) Improved service delivery through good governance.

13.2 Review

This Policy will be reviewed regularly, at least once per annum considering feedback received from the various stakeholders and role players. Where necessary, the required amendments will be made and submitted to Council.

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ANNEXURE B

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STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

CONSEQUENCE MANAGEMENT POLICY

APPROVED BY COUNCIL: .....

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1. POLICY TITLE

Consequence Management Policy

2. DOCUMENT CONTROL

Responsible Official	
Version Control	Draft 1
Document Status	Draft
Review Dates Previous Next	
Contact Details	

3. DEFINITIONS

'APAC', means the Municipality's Audit and Performance Audit Committee, a Committee established in terms of section 166 of the MFMA in order to advise Council, Municipal Manager and management staff on matters relating to internal financial control and internal audits, risk management, accounting policies, adequacy and reliability of financial reporting, performance management, effective governance, compliance with MFMA and other applicable legislation.

'Assurance provider', means the assurance providers referred to in sections 10.2.5, 10.2.6 and 10.2.7;

'Municipal Manager', means a person appointed in terms of section 82(1)(a) or (b) of the Structures Act and 'Accounting Officer' shall have the same meaning;

'Code of Conduct for Councillors', means the Code of Conduct for Councillors contained in Schedule 1 of the MSA;

'Code of Conduct for Municipal Staff Members', means the Code of Conduct for Staff Members of the Municipality contained in Schedule 2 of the MSA;

'Combined Assurance', means integrating and aligning assurance processes in the Municipality to maximise risk and governance oversight and control efficiencies, thereby optimising overall assurance to Council, APAC, MPAC, Risk and Fraud Management Committee (R&FMC) and Management taken into account the Municipality's risk acceptance level;

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

'Corporate Governance', means the structures and processes utilised to determine the organisational direction and control of the Municipality. Corporate governance concerns the relationships among the management, Council, stakeholders and staff of the Municipality.

'Council', means the Municipal Council of the Municipality;

'Councillor', means a Councillor of the Municipal Council of the Municipality;

'Criminal action', means legal proceedings in which the state prosecutes a person who is charged with an offence;

'Delegation', in relation to a duty, includes an instruction or request to perform or to assist in performing the duty, and "delegate" has a corresponding meaning;

"Designated Official" means the official identified in a municipality to receive reports of allegations of financial offences against Councillors;

'Disciplinary Board', means a disciplinary board established in terms of regulation 4(1) of the MRFMPCP a disciplinary board or referred to in regulation 4(8) thereof;

'Employee' means -

(a) any person, excluding an independent contractor, who works or worked for the Municipality and who receives or received, or is entitled to receive, any remuneration;
(b) any other person who in any manner assists or assisted in carrying on or conducting or conducted the business of an employee;

'EMT', means the Management Team which consists of the Municipal Manager, Directors and those Municipal officials who serve together as the top management committee of the Municipality's administration

'Financial Misconduct', means any act of financial misconduct referred to in(a) section 171 of the MFMA committed by an official of a municipality;

"Financial Offence", means any offence referred to in section 173 of the MFMA committed by (a) an official of a municipality or municipal entity; (b) a councillor of a municipality; (c) a member of the board of directors of a municipal entity; or (d) any other person;

'Fraud', means the unlawful and intentional making of a misrepresentation that the person know is untrue which causes actual prejudice or which is potentially prejudicial to another;

'IDP', means the Integrated Development Plan of the Municipality;

'Internal Control', means the process that is effected by Council or EMT to provide reasonable assurance regarding the achievement of objectives in the following categories:

(a) effectiveness and efficiency of operations, and
(b) reliability of financial and non-financial reporting,
(c) compliance with applicable laws and regulations, and policies and procedures;

"Investigator" means the board, treasury, person or team conducting a full investigation in terms of regulation 5(4) of the MRFMPCP.

'Line Management', means any staff member that exercise a management or supervisory function, including EMT;

'Mayoral Committee', means the Committee appointed by the Mayor, in terms of section 60 of the Structures Act, abbreviated to MayCo;

'MFMA', means the Local Government: Municipal Finance Management Act, Act, 2003 (Act No. 56 of 2003), and the Regulations promulgated in terms thereof;

'MPAC', means the Municipality's Municipal Public Accounts Committee, a Committee established in order to enhance political accountability and legislative oversight of the Municipality's accounts;

'MRFMPCP', means the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014, published under GN R430 in GG 37699 of 30 May 2014

"MSA", means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and the Regulations promulgated in terms thereof;

'Opinion', means a statement of advice by an expert on a professional matter;

'Policy', means the Consequence Management Policy of the Municipality;

'Governance Department', means a department within the Office of the Municipal Manager which includes the; Risk, Ethics and Governance; and any involved forensic investigations;

'SAPS', means the South African Police Service;

'SCM', means the Supply Chain Management Department of the Municipality;

'SCM Policy', means the Municipality's Supply Chain Management Policy as contemplated in the MFMA Supply Chain Management Regulations and as adopted by Council;

'Senior Manager', means a manager referred to in section 56 of the Municipal Systems Act and those members of management that are referred to in terms of Section 77 of the Municipal Finance Management Act;

'**Service Provider**', means an individual or entity that provides services to the Stellenbosch Municipality. The provision of services between a service provider and the Municipality is typically governed by a service level agreement in line with the Municipal Finance Act;

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

'System of Delegations', means the Municipality's System of Delegations as contemplated in section 59 of the Municipal Systems Act, Act 32 of 2000 in terms of which a municipal council must develop a system of delegations that will maximise administrative and operational efficiency and provide adequate checks and balances and is approved and amended by Council from time to time.

4. PURPOSE

4.1. Section 62 of the MFMA for the general financial management responsibilities of the Municipal Manager. The Municipal Manager is required to take all reasonable steps to ensure that:

4.1.1. the resources of the municipality are effectively, efficiently and economically utilised;

4.1.2. full and proper records of the financial affairs of the municipality are kept in accordance with any prescribed norms and standards;

4.1.3. the municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control;

4.1.4. unauthorised, irregular, fruitless and wasteful expenditure are prevented;

4.1.5. disciplinary or, when appropriate, criminal proceedings areinstituted against any official of the municipality who has allegedly committed an act of financial misconduct or an offence in terms of the Chapter 15 of the MFMA.

4.2. A defined, appropriate approach to address accountability and responsibility for, inter alia, non-compliance, financial misconduct, misconduct, and codes of conduct/ethical dilemmas, required formalisation in the Municipality. While not designed to alter or add particular consequence to specific situations of non-compliance, this Policy aims to formalise and consolidate the principles of consequence management which encompasses remedial and recourse measures. The objective of this Policy is to:

4.2.1. Provide limited guidelines to enable effective consequence management on matters relating to, inter alia; issues, risks and opportunities identified and reported by the various assurance providers e.g. incidents of unauthorised, irregular and fruitless and wasteful expenditure; the possible abuse of the Supply Chain Management (SCM) system (including fraud, corruption and improper conduct); and allegations of financial misconduct and financial offence; and ensuring that these are appropriately dealt with;

4.2.2. Address non-compliance actions identified which could include, but is not limited to, the following:

(a) Disregard or failure to implement preventative or corrective measures imposed to address risks;
(b) Lack of willingness to comply with legal obligations;
(c) Perpetrated or participated in negligent, deceitful or otherwise discreditable practices;
(d) Seriously or persistently fail to execute assigned duties;
(e) Non-compliance with internal policies, procedures, legislation and regulations;
(f) Having acted dishonestly, with negligence, mismanaged responsibility, unprofessionally, unethically and in breach of Municipal policies;
(g) Participation in illegal acts, including theft, violence, fraud and corruption;
(h) Unethical, malicious or other improper conduct which may be in b*reach of the Municipality's Code of Ethics and/or Municipal values, the municipal Code of Conduct or in breach of the law generally;*
(i) Breach of administrative procedures, including the Municipal Delegation of Authority; or
(j) Any other conduct that may cause financial or non-financial loss, or is otherwise detrimental, to the interests of the Municipality.

4.2.3. Hold management accountable for the execution of their delegated duties, functions and powers;

4.2.4. Provide management with direction when instituting recourse measures for established financial misconduct; and

4.2.5. Provide limited universal direction and guidance to govern the high level phases of consequence management as well as key concepts and principles with regards to the treatment of issues (various incidents and red flags), risks and opportunities identified that could negatively impact the operations, reporting processes, and compliance to legislative frameworks applicable to the Municipality.

4.3. Managing compliance includes making appropriate rules that are known, understood and followed and for which consequences of non-compliance are clear and commensurate with risk and context.

4.4. The processes and procedures to be followed with regards to the different aspects of consequence management in the Municipality, are specified in the relevant, existing Municipal documents and enhancements (if required) will be detailed in Consequence Management Standard Operating Procedures (SOP).

5. DESIRED OUTCOMES

5.1. In line with the various legislative frameworks promoting fundamental principles of effective and efficient utilisation of public resources and transparent and accountable financial management practices, the Municipality is committed to implementing an effective consequence management system. The Policy is designed to assist the Municipality to:

5.1.1. Improve the Municipality's internal control processes for reporting allegations of financial misconduct and financial offences to Council to ensure compliance to legislative and regulatory requirements;

5.1.2. Reduce risk exposure by ensuring all matters incurring unauthorised, irregular and fruitless and wasteful expenditure; the possible abuse of the SCM system (including fraud, corruption and improper conduct); and allegations of financial misconduct or financial offence are appropriately identified, investigated and reported.

5.1.3. Provide for comprehensive tracking and follow-up of all remedial actions, including those stemming from issues (various incidents and red flags), risks and opportunities raised and reported by the various assurance providers;

Provide for improved and consolidated reporting to the various stakeholders and governance structures to assist with the effective monitoring of the Municipality's Consequence Management system and desired governance and ethical conduct outcomes;

5.1.4. Take appropriate action in accordance with the law, including legal or criminal action, against any person that is found to have committed financial misconduct and financial offences; and

5.1.5. Provide clarity with regard to the roles and responsibilities of various role players and stakeholders, encompassing responsibilities, accountability, consultation and information related to Consequence Management.

6. STRATEGIC ALIGNMENT

6.1 The development of a Consequence Management Policy is one of the proactive step that is aligned with the Strategic Pillars as detailed in the Municipality's Integrated Development Plan (IDP).

6.2 The Strategic Pillars are categorised into the following five pillars:

6.2.1 Valley of Possibility;

6.2.2 Green and Sustainable Valley;

6.2.3 Safe Valley;

6.2.4 Dignified living; and

6.2.5 Good Governance and Compliance.

6.3 One of the objectives of the IDP is delivery of services and creation of value for customers in an operationally sustainable manner. In order to deliver on this objective, the Municipality is committed to taking steps to provide effective consequence management i.e.:

6.3.1 Promoting and enhancing transparent governance through ethical leadership;

6.3.2 Working towards eradicating corruption so that the Municipality can remain financially stable and resilient to shocks in a changing and volatile environment; and

6.3.3 Improving the internal control processes insofar as it relates to identifying, investigating and reporting allegations of financial misconduct to Council and improving the tracking and monitoring of all remedial actions, including those stemming from various assurance providers.

7. REGULATORY CONTEXT

7.1 The Policy is informed by the following legislation and regulations:

7.1.1 The Constitution;

7.1.2 White Paper on Transforming Public Service Delivery, 1997;

7.1.3 White Paper on Local Government, 1998;

7.1.4 Structures Act;

7.1.5 MSA and the Regulations;

7.1.6 MFMA and Regulations;

7.1.7 Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);

7.1.8 Criminal Procedure Act, l 077 (Act No. 51 of 1977);

7.1.9 Promotion of Equality and the Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000);

7.1.10 Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004);

7.1.11 Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998);

7.1.12 Protected Disclosures Act, 2000 (Act No. 26 of 2000);

7.1.13 Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings;

7.1.14 MFMA Circular 68 - Unauthorised, Irregular, Fruitless and Wasteful Expenditure;

7.1.15 MFMA Circular 76 (not adopted by council but used as a guide)- Financial Misconduct Regulations;

7.1.16 SALGA Guidelines Document on the Roles and Responsibilities of Councillors, Political Structures and Officials;

7.1.17 Municipal Code of Conduct for Councillors;

7.1.18 Municipal Code of Conduct for Municipal Staff Members;

7.1.19 System of Delegations;

7.1.20 Any applicable collective agreement;

7.1.21 Any other legislation, Municipal by-law, policy or standard operating procedure that may be applicable to consequence management; and

7.1.22 Public Audit Act 25 of 2004.

7.2 The following Municipal policies and delegations in the System of Delegations are further applicable:

7.2.1 The System of Delegations as amended from time to time;

7.2.2 SCM Policy,

7.2.3 Declaration of Financial Interest for Councillors;

7.2.4 Private Work and Declaration of Interest Standard Operating Procedure;

7.2.5 Gift register for officials;

7.2.6 Gift register for Councillors

7.2.7 Integrated Risk Management Policy;

7.2.8 Internal Audit Charter;

7.2.9 Fraud Prevention Policy (and Fraud Response Plan;

7.2.10 Whistle Blowing Policy:

7.2.11 MPAC Terms of Reference

7.2.12 Disciplinary Board Terms of Reference; and

7.2.13 Audit and Performance Audit Committee Terms of Reference

8. POLICY PARAMETERS

This Policy applies to:

8.1 All issues (various incidents and red flags), risks and opportunities identified that could negatively impact the Municipality's operations, reporting and compliance to legislation;

8.2 All remedial actions to be taken to curtail the impact and prevent re- occurrence;

8.3 The following persons:

8.3.1 Employees of the Municipality; and

8.3.2 All Public Office Bearers of the Municipal Council.

8.4 The geographical area throughout the municipal boundary of the municipality and any official travelling (local, national and international) required of Public Office Bearers and Officials; and

8.5 The working environment within the administration, every effort must be made by line management to have business processes documented, with knowledgeable staff for the appropriate application. Line management supervision is to ensure adherence and where the duties and functions are amiss, appropriate remedial and corrective action is to follow to respectively curtail the impact and prevent re-occurrence.

9. ROLE PLAYERS AND STAKEHOLDERS

The following section provides a high level summary of the roles and responsibilities of the key role players in consequence management, inter alia;

- The identification of issues (various incidents and red flags), risks and opportunities;
- Remedial actions and control improvements;
- Risk/ issue reporting details and escalation;
- Follow-up and progressive reporting;
- Application; and
- Disclosure.

9.1 The Speaker

The Speaker has a political oversight function in respect of the conduct of Councillors as well as committees of Council. The Speaker is accountable for effective consequence management in respect of reports against Councillors, ensuring that these are appropriately addressed and resolved.

To this extent, and in line statutory duties and delegations conferred by Council as the "designated official" for Councillors, the Speaker must:

9.1.1 Identify breaches of the Code of Conduct by Councillors, in terms of the Code of Conduct for Councillors in schedule 1 of the MSA as well as receive reports of alleged financial misconduct in the case of Councillors who may have committed financial misconduct and/or financial offence(s) in terms of regulation 9(1) and 9(2) of the MRFMPCP;

9.1.2 Authorise investigations into –

- Financial irregularities where Councillors may be implicated
- Financial misconduct or financial offence where Councillors may be implicated (per regulation 11(1)(a) of the MRFMPCP, or breaches of the Code of Conduct

by Councillors.

9.1.3 Based on reports from preliminary investigations, make recommendations to Council in respect of the way forward ensuring that appropriate remedial action is taken and the control environment is improved;

9.1.4 Table reports to Council dealing with the outcomes of full investigations in respect of allegations of financial misconduct, financial offences or breaches of code of conduct by Councillors (per regulation 14(2) and 15(1) of the MRFMPCP; and

9.1.5 Make appropriate disclosures in respect of the outcome of all investigations into the alleged misconduct or financial irregularities of Councillors to the relevant authorities e.g. Executive Mayor, Municipal Manager, Minister for Local Government in the Province, National and Provincial Treasury (per regulation11 (4)of the MRFMPCP.

In performing these responsibilities, the Speaker will be guided by the relevant recommendations by -

(a) the MPAC;
(b) the Investigator(s); and
(c) the Disciplinary Board.

In addition, consideration will be given to the Financial Misconduct and Criminal Procedure Regulation –

- 3(4) - laying criminal charge with the South African Police Services;
- 3(5) - give the accused an opportunity to make written representation to the municipality (with regard to suspension) within 7 days:
- (3) - financial offenses successfully prosecuted, the judgement must be reported to the National Treasury;
- 11 (1) - authorise investigation of facts and give Councillor (5 days) to make written submission regarding financial offence; and
- 18 - protection of officials reporting allegations of financial misconduct and financial offenses.

9.2 Executive Mayor, in consultation with the Mayoral Committee (MayCo)

In line with the requirements for good corporate governance outlined in the King IV Report and in recognition of the way in which the Municipality is currently structured, the Executive Mayor and MayCo are accountable to Council, the community, and other stakeholders at a strategic level for:

(a) Managing risks to the Municipality and ensuring that an effective consequence management process is implemented to reduce risk exposures and improve the control environment;

(b) Limiting consequential losses to the Municipality from issues (various incidents and red flags), risks and opportunities;

(c) Promoting, developing, and sustaining a culture of integrity, service excellence, accountability, trust and accessibility which would support the Municipality's appetite of zero tolerance to fraud, corruption and other criminal activity, maladministration and/or negligence and financial misconduct;

(d) Developing and implementing appropriate strategies, policies and action plans to achieve effective consequence management of issues, risks and

opportunities thereby curtailing the potential negative impact on the Municipality;

(e) Monitoring, evaluating and reviewing the success of such consequence management strategies, policies and action plans; and

(f) Making appropriate disclosures in respect of the outcome of financial misconduct to the relevant authorities e.g. Minister for Local Government in the Province, National and Provincial Treasury.

9.3 Members of the Municipal Council

(a) Councillors are legally bound by the Code of Conduct for Councillors - per Schedule l of the MSA, to fulfil their obligations to their communities and support the municipal objectives, and must comply with and actively promote this Policy.

(b) Councillors must strive to set the tone to sustain a culture of zero tolerance to fraud, corruption and other criminal activities.

9.4 Municipal Manager

In terms of section 62 of the MFMA, the Municipal Manager has statutory responsibilities with regards to the general financial management of the municipality. In addition, as the "designated official" for municipal officials in terms of in the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, the Municipal Manager must ensure that any allegations of financial misconduct or financial offence against municipal officials are timeously investigated and appropriately treated and reported. Considering the above, the Municipal Manager is therefore ultimately responsible for proper consequence management of all issues (various incidents and red flags), risks and opportunities that have been identified and reported against municipal officials that can have a potential negative impact on the Municipality's operations, reporting and compliance.

The Municipal Manager's role in consequence management in the Municipality is therefore to:

(a) Receive reports highlighting issues (various incidents and red flags), risks and opportunities that could potentially negatively impact the Municipality's operations, reporting (specifically finance) or compliance to legislation and regulations, including tabled reports to Council of alleged financial misconduct in the case of officials who may have committed financial misconduct or financial offence(s);

(b) Consider recommendations made by combined assurance providers and the Financial Misconduct Disciplinary Board (in terms of municipal officials) and ensure that appropriate remedial actions are taken to address the risk exposure and improve the control environment;

(c) Consider the results of combined assurance providers' systems that track and follow-up on the implementation of recommendations made to line management, and obtain reasons for delays in implementation of remedial actions (in terms of leadership and accountability);

(d) In cases of allegations of unauthorised, irregular and fruitless and wasteful expenditure; the possible abuse of the SCM system (including fraud, corruption and improper conduct); and allegations of financial misconduct and financial offence:

i) Report the allegation to SAPS;

ii) Refer the matter to the appropriate mechanism - disciplinary board for a preliminary investigation or Council for MPAC investigation;

iii) Maintain the necessary register(s) of all issues (various incidents and red flags), risks and opportunities reported;

iv) Submit reports to Council on the way forward, based on preliminary report;

v) Appoint an appropriate specialist expert or expert team, if the seniority of the transgressor and the seriousness or sensitivity of the allegations warrants such a step (sourced in assistance);

vi) Table reports to Council dealing with the outcomes of full investigations relating to allegations of financial misconduct, or financial offences; and

vii) Make appropriate disclosures in respect of the outcome of all investigations into the alleged financial misconduct or financial irregularities to the relevant oversight authorities e.g. Executive Mayor, Council, Minister for Local Government in the Province, National and Provincial Treasury.

9.5 First Level of Assurance Provider

Line management are first level assurance providers as per the Municipality's Combined Assurance Policy and are responsible for providing assurance on all areas within their span of control. This includes establishing, maintaining and ensuring proper governance, risk management and internal control processes, as well as addressing issues (various incidents and red flags), risks and opportunities identified and reported.

(a) Line managers, per their accountability and responsibility duties, must:

i) Identify and immediately report any issues (various incidents and red flags), risks and opportunities that can have a potential negative impact on the Municipality to the appropriate level of authority, including the Municipal Manager;

ii) Consider recommendations made by combined assurance providers and ensure that appropriate remedial actions are taken to address the risk exposure and improve the control environment timeously;

iii) If there is a concern that the Municipal manager, a senior manager or the Chief Financial Officer may be involved, report the matter to the next appropriate delegated authority e.g. Executive Mayor/ Speaker/ Council/ Provincial Treasury/ National Treasury; and

(b) Employees responsibility:

i) Municipal employees are bound by South African law (both statutory, common law and case law), the terms and conditions of their employment and also the Code of Conduct for Municipal Staff Members, the Municipal policies, standard operating procedures, and instructions issued periodically;

ii) Every Municipal employee has a duty to ensure that public funds are safeguarded and Municipal ethical values are upheld. Where issues (various incidents and red flags), risks and opportunities arise that could be deemed financial misconduct or a financial offence, these must be reported to the employee's line manager. Should the line manager potentially be implicated, the next reporting level must be informed;

iii) Key ambassadors for the successful implementation and execution of the Municipal value system are its employees as their conduct is often the basis on which the Municipal is judged. The actions and spirit of employees must purport the core values and principles governing the Municipal in a credible manner that does not compromise ethical behaviour; and

iv) Failure by any employee(s) of the Municipal to comply with this Policy or to display the Municipal core values of Trust, Integrity, Accountability, Excellence and Accessibility in the fulfilment of their duties and functions, could result in consequence management, disciplinary or criminal action being taken against such individual(s) in line with the relevant HR policies.

9.6 Second Level Assurance Provider

The second level of assurance providers are comprised of risk, control and compliance assurance providers, reporting primarily to management and advisory or oversight bodies, with limited independence in relation to the activity on which assurance is required. These assurance providers have the responsibility to, inter alia;

(a) Identify and immediately report any issues (various incidents and red flags), risks and opportunities that can have a potential negative impact on the Municipality to the appropriate level of authority, including the Municipal manager;

(b) Make recommendations to ensure remedial action is taken and that risk exposures and control weaknesses are addressed;

(c) Implement comprehensive systems to track and follow-up on all recommendations/ remedial actions those stemming from the issues (various incidents and red flags), risks and opportunities reporting to ensure that risk exposures have been adequately addressed;

(d) Provide progressive reporting to the relevant stakeholders and advisory and oversight bodies on the related outcomes to assist with the effective monitoring of consequence management in the Municipality; and

(e) If there is a concern that the Municipal manager, a senior manager or the Chief Financial Officer may be involved, the matter must be reported to the next appropriate delegated authority e.g. Executive Mayor/ Speaker/ Council/ Provincial Treasury/ National Treasury.

9.7 Third and Fourth Level Assurance Provider

The third and fourth level of assurance providers include assurance providers who have greater independence, such as Internal Audit, various provincial and national departments (e.g. Treasury) and external auditors (The Auditor General of South Africa (AGSA)), who report to advisory and oversight bodies. In line with the Combined Assurance Plan and under the guidance and leadership of the relevant director (excluding the AGSA), all these assurance providers have the responsibility to, inter alia;

(a) Identify and immediately report any issues (various incidents and red flags), risks and opportunities that can have a potential negative impact on the Municipality to the appropriate level of authority, including the Municipal manager;

(b) Make recommendations to ensure remedial action is taken and that risk exposures and control weaknesses are addressed;

(c) Implement comprehensive systems to track and follow-up on all recommendations/ remedial actions stemming from the issues (various incidents and red flags), risks and opportunities reported to ensure that risk exposures have been adequately addressed;

(d) Provide progressive reporting to the relevant stakeholders and advisory and oversight bodies on the related outcomes to assist with the effective monitoring of consequence management in the Municipality; and

(e) If there is a concern that the Municipal Manager, a senior manager or the Chief Financial Officer may be involved, the matter must be reported to the next appropriate delegated authority e.g. Executive Mayor/ Speaker/ Council/ Provincial Treasury/ National Treasury.

9.8 Oversight Bodies (and bodies who advise them)

Under the directive of the relevant delegations and approved terms of reference, these oversight bodies have the responsibility to, inter alia;

(a) Identify and immediately report any issues (various incidents and red flags), risks and opportunities that can have a potential negative impact on the Municipal, to the appropriate delegated authority;

(b) Make decisions regarding remedial actions to be taken in respect of instances of unauthorised, irregular and fruitless and wasteful expenditure; possible abuse of the SCM system (including fraud, corruption and improper conduct); and allegations of financial misconduct and financial offences;

(c) Provide oversight over the effectiveness of consequence management in the Municipal, by considering progressive reports submitted and by making recommendations in respect of areas for improvement; and

(d) Provide assurance to the community and other stakeholders for the sound management and governance practices of the Municipal.

The oversight bodies listed below have an additional oversight responsibility as specified in their terms of reference and charters in so far as it relates to consequence management:

9.8.1 MPAC

MPAC has an oversight role to review the Municipal's Integrated Annual Report with specific focus on the financial aspects as contained in the Auditor-General's Report on the Annual Financial Statements of the municipality and also when instructed by Council to advise Council in respect of unauthorised, irregular or fruitless and wasteful expenditure.

Issues (various incidents and red flags), risks and opportunities relating to unauthorized, irregular or fruitless and wasteful expenditure will be directed to MPAC to investigate in terms of section 32 and 102 of the MFMA, as instructed by Council, and as guided by the National Treasury Circular 68: Unauthorised, Irregular and Fruitless and Wasteful Expenditure and advise Council in respect of such unauthorised, irregular or fruitless and wasteful expenditure in terms of section 32(2) of the MFMA. Refer to the approved Terms of Reference of MPAC for more detail.

9.8.2 Financial Misconduct Disciplinary Board

The establishment of a Financial Misconduct Disciplinary Board is compulsory in terms of the Municipal Regulations for Financial Misconduct Procedures and Criminal Offences, GN 425 of 30 May 2014). The objective of the Financial Misconduct Disciplinary Board is to act as an independent advisory body that assists designated officials/persons with the investigation of allegations of financial misconduct, and provide recommendations on the further steps to be taken regarding disciplinary proceedings, or any other relevant step to be taken in terms of regulation 4(1) of the MRFMPCP.

The Disciplinary Board's responsibility in respect of consequence management is therefore limited to investigating issues (various incidents and red flags), risks and opportunities relating to allegations of financial misconduct. Refer to the approved Terms of Reference of the Disciplinary Board: Financial Misconduct for more detail.

9.8.3 Audit & Performance Audit Committee (APAC)

APAC responsibility is to advise Council, Municipal Manager and senior management staff on all matters relating to internal financial control and internal audits, risk management, accounting policies, adequacy and reliability of financial reporting, combined assurance, performance management, effective governance, compliance with MFMA and other applicable legislation. To this extent, APAC's role in consequence management is to provide oversight over the adequacy and effectiveness thereof, ensuring the timely identification, appropriate treatment and proper reporting of issues (various incidents and red flags), risks and opportunities that could have a potential negative impact on the Municipal's operations, reporting and compliance to legislation, regulations, policies and procedures. Where risk exposures remain unresolved or issues are not addressed.

9.8.4 Service providers

(a) Service providers (incl. suppliers, contractors and consultants) are required to act honestly and fairly in all their dealings with the Municipality and in accordance with their own ethical values that they ascribe to.

(b) Non-adherence to this Policy and any relevant Municipal policies, their own ethical values, the Municipal SCM processes (inter alia, requests for quotations, tender process and contract terms and conditions, etc.) or acts of alleged fraud, corruption or collusion may result in the following consequences:

i. The cancellation or suspension of any tenders or contracts awarded to them;

ii. Being restricted in terms of the Combatting of Abuse in the Supply Chain Management System Policy; and

iii. Being reported to the SAPS and any other applicable body responsible for sound business practices in the interest of safeguarding public funds.



a) Service providers (incl. suppliers, contractors and consultants) are encouraged to report suspected fraud, corruption and other criminal activity, maladministration or negligence involving employees of the Municipal or other services providers to the Municipality. Refer to the Municipal's Whistle Blowing Policy.

b) The Supply Chain Management Unit must inform all service providers appointed by the Municipality of their obligations in terms of the policy as they are acting agents on behalf of the Municipality and must be kept accountable in that role.

10. POLICY DIRECTIVES

10.1 The municipality must create an environment and culture that promotes ethical, transparent, effective and efficient public administration that conforms to Constitutional accountability principles.

10.2 It is envisaged that through the development and implementation of this Policy, the relevant stakeholders and role-players will be provided with sufficient guidance and direction to enable them to provide effective oversight with regards consequence management and related outcomes.

10.3 Where it occurs, non-compliance requiring consequence management can result from numerous factors, including, lack of knowledge and training, gaps in oversight, inaccurate and incomplete interpretation and application of policies, and in some instances, culpable misconduct. It is imperative that we differentiate between culpable- and non-culpable behaviour.

10.4 In line with the Municipal's zero-tolerance approach to fraud and corruption, culpable behaviour will not be tolerated and corrective measures, including, disciplinary actions, where merited, will be taken.

10.5 The phases of the Municipal's consequence management can be depicted as follows.

Phase 1: Risk/ Issue Reporting

This phase deals with the reporting of issues (various incidents and red flags), risks and opportunities identified.

Reporting that can have a potential negative impact on the effectiveness and efficiency of the Municipal's operations, the reliability of its reporting (financial and non-financial) and compliance with applicable laws and regulations, can be identified from various sources, including the following:

- Public complaints
- Whistle blowers (See the Whistle Blowing Policy);
- Declarations of Interest Process (See the Declaration of Financial Interests for Councillors);
- Declaration of Interest for Employees (See Private Work and Declaration of Interest Standard Operating Procedure);
- Risk Registers (See the Integrated Risk Management Policy);
- Combined Assurance Plan;
- Reports from the Municipal's combined assurance providers; and
- Reports from the Office of the Auditor General (AGSA) issues (various incidents and red flags), risks and opportunities can vary in their significance as well as the Municipal's tolerance levels. This will need to be considered when identifying, treating and reporting these, also ensuring that they are dealt with in accordance with the relevant and existing legislative frameworks and Council policies.

10.6 Phase 2: Control Activities

This phase focusses on the identification and implementation of remedial actions to be taken to curtail and prevent the issue, risk or opportunity from re- occurring. Remedial actions need to ensure control improvements to the Municipality's systems and processes and personnel behaviour and conduct. These actions need to be assigned to responsible officials, with specific deliverables and timeframes to ensure timeous implementation and impact reduction.

The remedial actions will vary from one issue, risk and opportunity to another, given the nature and extent of the case. The Municipality's tolerance levels as well as punitive requirements defined in legislated frameworks will need to be considered. Refer to the table below for examples.

Table 1: Consequence Management Triggers

Appetite				
Triggers	Legal	Finance	Organisational	Reputation/Media
Non-compliance to the MFMA	Non-Compliance – Zero Tolerance	Disclosure: Additional Notes	Audit Report	Impaired Governance
Fails to comply with duty imposed by MFMA	Non-Compliance – Zero Tolerance	Section 32 Expenditure - Disclosure	Audit Report Opinion - • System of Delegation • Section 78 of MFMA • Leadership	Impaired Governance
Makes irregular unauthorised, fruitless & Wasteful expenditure	Non-Compliance – Zero Tolerance	Section 32 Expenditure - Disclosure	Audit Report Opinion – • AFS • Notes – Table • Leadership	Impaired Governance
Provides incorrect or misleading information	Non-Compliance – Zero Tolerance	Disclosure: Additional Notes	Audit Report Opinion	Impaired Governance
Fails to carry out delegated duties	Non-Compliance – Zero Tolerance	Section 32 Expenditure - Disclosure	Audit Report Opinion - • System of Delegation • Section 78 of MFMA • Leadership	Impaired Governance

Bold =Core Category Impact, with related implications

Table 2: Recourse

Recourse				
Reporting	• Reporting non-compliance to: • The Municipal Manager • The Executive Mayor • Council • Auditor General of SA • National Treasury • MEC of Local Government • Provincial Executive • Provincial Legislature • Provincial Treasury • MEC for Finance in the Western Cape	Reporting section 32 Expenditure: • Municipal Manager • Council	Reporting neglect of duty, power and authority to: • Executive Director • Municipal Manager • Council	Integrated Annual Report Statement
Consequence Management	• Disciplinary Steps/Coaching/ Reprimand – Written Instruction / Training / Verbal Warning / Resolving Problems and Identifying corrective action • Suspension/demotion / termination of service/ adverse outcome • Suspension/Demotion/ Termination of Service/ Adverse Outcome • Financial Misconduct Charges • Criminal Charges	• Disciplinary Steps/Coaching/ Reprimand – Written Instruction / Training / Verbal Warning / Resolving Problems and Identifying corrective action • Suspension/Demotion / Termination of Service/ Adverse Outcome • Reduction or elimination of discretionary remuneration (Individual Performance Management Monetary Implications) • Adverse impact to promotion opportunities • Recovery • Financial Misconduct Charges • Criminal Charges	• Disciplinary Steps/ Coaching/Reprimand- Written Instructions / Training / Verbal Warning / Resolving Problems and Identifying corrective action • Suspension / Demotion / Termination of Services / Adverse outcome • Financial Misconduct Charges	• Disciplinary Steps/ Coaching/Reprimand - Written Instructions / Training / Verbal Warning / Resolving Problems and Identifying corrective action • Suspension / Demotion / Termination of Services / Adverse outcome • Financial Misconduct Charges
Consequence Management Supervision over Local Government Financial Management (as per section 133 of the MFMA)	1. Provincial Executive may intervene in the municipality in terms of section 139 of the Constitution. 2. NT – may take appropriate steps against the municipality in terms of section 5(2)(e). 3. PT – may take appropriate steps against the municipality in terms of section 5(4)(d).			

Recourse				
Process	• Labour Relations • Financial Misconduct Disciplinary Board • Finance: Treasury • Records Management	• Labour Relations • Financial Misconduct Disciplinary Board • Finance: Treasury • Records Management	• Labour Relations • Financial Misconduct Disciplinary Board • Finance: Treasury • Records Management	• Labour Relations • Financial Misconduct Disciplinary Board • Finance: Treasury • Records Management

Remedial actions in the context of this consequence management efforts can be identified from documented processes of various existing management tools, such as:

Management actions included in Municipal Risk Registers;

- Management actions included on the Municipality's Combined Assurance Plan;
- Recommendations and agreed management actions included in reports from the Municipal's second level assurance providers (i.e. Legal Services, Occupational Health and Safety, Environmental Resource Management, Business Continuity Management, etc.);
- Recommendations and agreed management actions included in assurance reports from third and fourth level assurance providers (i.e. Internal Audit, Forensic Services - Investigations, Ethics – Investigations, Auditor General of South Africa, and other external assurance providers);
- Directives issued from the Office of the Municipal Manager or CFO;
- Municipal Manager correspondence directed to Executive Management Team Members;
- Recommendations included in reports from independent investigators appointed by the Municipal Manager (sourced service providers);
- Recommendations from advisory and oversight bodies - MPAC, Financial Misconduct Disciplinary Board, APAC, etc.;
- Resolutions by Council and Council Committees; and
- Directives and instructions issued by Provincial and National Treasury.

The establishment and enforcement of control activities is the responsibility of line management, who have an intrinsic duty to fulfil their job function, powers and delegations in a responsible manner.

10.7 Phase 3: Information and Communication

After issues (various incidents and red flags), risks and opportunities have been identified and reported to the first line of defence to action (refer to phase 1 above), key or significant cases may need to be reported or escalated to the relevant advisory or oversight bodies as per their specific terms of reference or delegations.

The importance is to keep these bodies informed of:

- Significant issues;
- Emerging trends;
- Escalating requirements; and
- Unresolved risk exposures.

Stakeholders have an expectation of the governance structures in the Municipal to exercise good governance. Sometimes however, such governance structures could form part of the decision-making chain and thus are required to make the final decision or final recommendation to Council. Oversight bodies could include RiskCo, APAC, MPAC, Financial Misconduct Disciplinary Board, Executive Mayor, Speaker and Council.

See table below:

Source/Remedial Action	First Level of Reporting	Second Level of Reporting or Advisory and Oversight Body
Issue, risk and opportunity		
First Level Assurance Provider • Municipal Manager (Directives and EMT communications)	*Line management for action*	
Second Level Assurance Provider • IRM (Risk Registers) • CA (Combined Assurance Plan) • BCM (Business Continuity Plan) • OHS (Compliance Reports) • ERM (Environmental Reports) • Legal Services (Compliance Issues) • Ethics (Declaration of Interests) • Forensic Services (Reports)	Line management for action, including the Municipal Manager (where applicable).	RiskCo for information and/ or escalation (for risk issues only) APAC for: • Information and/ or escalation • Potential advice to Municipal Manager and Council

Source/Remedial Action	First Level of Reporting	Second Level of Reporting or Advisory and Oversight Body
Third Level Assurance Provider • Internal Audit (Assurance Reports) • Ethics (Investigation Reports) • Forensic Services (Reports) • AGSA (Management Reports and AG Opinion	Line management for action including the Municipal Manager (Where applicable)	APAC for: • information or escalation • potential advice to Municipal Manager and Council
Unauthorised, irregular and fruitless and wasteful expenditure (see appendix II and III)		
Municipal Manager's Irregular, Unauthorised and Fruitless and Wasteful Expenditure Register (Issues i.r.o. officials discovered by various sources / triggers)	• Line Management • Executive and Councillor Support	Council for referral to MPAC for investigation

Source/Remedial Action	First Level of Reporting	Second Level of Reporting or Advisory and Oversight Body
• Recommendations (remedial actions) included in reports from task team appointed by MPAC	MPAC	Council
• Recommendations (remedial actions) from MPAC	Council	APAC
Resolutions by Council • Disciplinary charges • Criminal charges	• Line Management, including the Municipality Manager where applicable • SAPS (where criminal charges are warranted	• MEC for Local Government • Auditor General of South Africa

Source/Remedial Action	First Level of Reporting	Second Level of Reporting or Advisory and Oversight Body
Possible abuse of the -SCM system: Including fraud, corruption and Improper conduct (Refer to Fraud Prevention Policy and Response Plan)		
• Municipal manager (Issues i.r.o. officials reported to the Municipal manager or administrative mechanism mobilised for this purpose) • Speaker (Issues i.r.o. Councillors reported to the Speaker)	• Line Management for information • SAPS (where criminal charges are warranted)	• Governance/ Internal Audit/ External investigator for independent investigation • Second level of assurance
Governance Recommendations (investigations into allegations fraud, corruption and other criminal activity, maladministration or negligence and financial misconduct against officials) • Ethics Recommendations (investigations into allegations of unethical behaviour against officials) • SCM and Legal Services sanction in terms of Municipal SCM Policy abuse	• Municipal Manager (i.r.o. of officials) • Speaker (i.r.o. of Councillors)	Officials: • Council for information and/ or escalation • Provincial and National Treasury for information • Auditor General of South Africa • SAPS (where criminal charges are warranted) Councillors: • Provincial MEC for Finance
Independent • External investigator(s) appointed by the Municipal Manager (officials) • Investigator(s) appointed by the Speaker (Councillors)		• Minister for Local Government in the Province • Minister of Finance • Minister responsible for Local Government • Provincial & National Treasury for information • SAPS (where criminal charges are warranted

Source/Remedial Action	First Level of Reporting	Second Level of Reporting or Advisory and Oversight Body
Allegations of financial misconduct and financial offence (see appendix IV and V)		
• Municipal Manager's Register of Financial Misconduct (Issues i.r.o. officials reported to the Municipality Manager) • Speaker (Issues i.r.o. Councillors reported to the Speaker)	• Executive Mayor • Deputy Executive Mayor	• Council for referral to Disciplinary Board for investigation
• Municipal Manager's Register of Financial Misconduct (Issues i.r.o. officials reported to the Municipality Manager) • Speaker (Issues i.r.o. Councillors reported to the Speaker)	• Executive Mayor • Deputy Executive Mayor	• Council for referral to Disciplinary Board for investigation
• Disciplinary Board Full Investigation Recommendations (investigations into allegations of financial misconduct by officials or Councillors) • Independent External Investigator(s) appointed by the Municipal Manager if necessary (officials) • Investigator(s) appointed by the Speaker if necessary (Councillors)	• Municipal manager • Executive Mayor • Deputy Executive Mayor • Speaker (Councillors)	Officials: • National & Provincial Treasury for information • SAPS (where criminal charges are warranted) Councillors: • MEC for Finance in the Province • Minister for Local Government in the Province • Minister of Finance • Minister responsible for Local Government • Provincial & National Treasury for information • SAPS (where criminal charges are warranted)

10.8 Phase 4: Monitoring and Reporting

Comprehensive systems must be implemented to track and follow-up on the implementation of all remedial actions stemming from the various role players in the consequence management process.

This is to:

- Ensure that risk exposures have been adequately and timely addressed to curtail the impact and prevent the issue, risk and / or opportunity from re-occurring; and
- Assist the advisory and oversight bodies in their assessment of the effectiveness of consequence management in the Municipality, enable them to provide assurance to the stakeholders in this regard.

It is therefore the responsibility of:

- Those recommending the remedial actions; and
- The Directors, in the case of the Municipal Manager issuing directives to ensure that:
  - the implementation of corrective action is tracked and monitored; overdue actions are reported on; and
  - Follow-ups are performed to confirm/verify successful implementation of corrective action.

The following practices should be applied to ensure a comprehensive tracking and follow-up processes are implemented:

(a) Registers should be maintained by each role-player responsible for making recommendations, documenting the issues [various incidents and red flags}, risks and opportunities and related remedial actions, including the estimated implementation date and responsible action owners;

(b) Nominated representatives should be appointed in each directorate to provide information with regards to the status of implementation of remedial actions relevant to their directorate;

(c) Role-players should provide feedback to nodal representatives in terms of the implementation status of remedial actions, and escalate those that are overdue to the next reporting level or delegated authority, if necessary;

(d) Perform follow-ups / checks to confirm whether remedial actions have indeed been implemented/ actioned successfully by the responsible officials;

(e) Successful implementation of remedial actions can be measured in terms of a key operating indicator on Director's and Directorate performance scorecards; and

(f) Progressive reporting to the appropriate delegated authority and advisory and oversight bodies who can be tasked to take action against management for tardiness (failure to implement the remedial action(s) successfully and timeously).

10.9 Phase 5: Conclusion / Closure

This phase deals with the correct application and appropriate disclosure of remedial actions. Remedial actions impacting the control objectives i.e. the efficiency and effectiveness of the Municipality's operations, the reliability of the Municipal's reporting (financial and non-financial), the Municipality's compliance to legislation, regulations, policies and procedures; will be disclosed in the following formats:

- Second Level Combined Assurance Providers Reports;
- Internal Audit Assurance Reports (including Quarterly Reports to APAC);
- AGSA Report;
- Corporate Performance Scorecards;
- Municipal Manager and Directors Personal Performance Scorecards;
- Municipal's Integrated Annual Report;
- Municipal's Annual Financial Statements;
- Municipal's Annual Oversight Report
- Management Responsibility Letter;
- Combined Assurance Reporting;
- Internal Control Environment Report; and
- Governance Committee Annual Reports.

In order to ensure that Council and its officials take ownership and accountability for the good financial management of the Municipal, the following corporate documents need be periodically updated to incorporate aspects of consequence management:

- Council, - Accountability and/ or responsibility in respect of oversight role and/ or decision making role regarding consequence management to ensure good corporate governance;

- IDP - Refer to consequence management as a key initiative under Strategic Pillar;

- Directorate and Departmental Business Plans - Commitment in respect responsibility and/ or accountability regarding consequence management to ensure good corporate governance; and
- Service Delivery Budget and Implementation Plan - Inclusion of a Consequence Management Key Performance Indicator.

Managing compliance encompasses making appropriate rules that are known, understood and followed and for which consequences of non-compliance are clear and commensurate with risk and context. The processes and procedures to be followed with regards to the different aspects of consequence management in the Municipal, are specified in the relevant, existing Municipal documents and enhancements (if required) will be detailed in Consequence Management Standard Operating Procedures.

10.10 Assumptions to the Policy includes:

10.1.1 Investigators shall have free access to all staff, records and premises in order to carry out investigations.

10.1.2 If there is a suspicion that fraud, corruption and other criminal activity, maladministration and/or negligence has been perpetrated or attempted, line management must promptly follow the procedures provided in the Municipal's Fraud Prevention Policy, which must be read in conjunction with this Policy and all relevant appendixes.

10.1.3 If there is a concern that the Municipal Manager may be involved in any allegations of financial misconduct and financial offence, this should be reported to the Executive Mayor.

10.1.4 A Whistleblowing Policy is in place to safeguard whistle blowers against intimidation and/or victimisation. No person will suffer any penalty or retribution for good faith reporting of any suspected or actual incident of fraud and corruption.

11. IMPLEMENTATION PROGRAMME

11.1 This Policy will be implemented once approved by Council and will be championed within the Office of the Municipal Manager.

11.2 Key dependencies to the successful implementation of the Policy include:

- Awareness;
- Registers;
- Terms of Reference;
- Standard Operating Procedures;
- Records;
- Reporting; and
- Roles and Responsibilities.

11.3 Challenges faced by the Municipal for the successful implementation of the Policy include the following:

(a) The lack of understanding of the various legislation and regulations relating to consequence management, and the impact thereof on the:

- Municipality's policies and procedures;
- Operations;
- Due care; and
- Leadership expectations.

(b) The limited Municipal resources with knowledge, skills and capacity.

(c) Municipality to comply with legislation and its related regulations.

(d) The gravity of the law and the consequences of failure to comply is not yet fully understood or recognised by all Municipal employees.

(e) The absence of the adoption of MFMA Circular 76 on Financial Misconduct Regulations by Council, and the impact on Municipal resources.

(f) The establishment of the required committees/ boards to provide advisory and oversight over the various aspects of consequence management and the formalisation of their roles and responsibilities (Terms of Reference/ System of Delegations).

(g) The development and approval of Standard Operating Procedures in respect of the various aspects relating to consequence management.

12. MONITORING, EVALUATION AND REVIEW

12.1 Monitoring and evaluation

The reduction of AGSA findings in respect of poor consequence management will be one of the key indications of the successful implementation of the Policy. Other indicators could include the following:

(a) Reduced reported issues (various incidents and red flags), risks and opportunities relating to non-compliance to sections 32, 62, 78,102, 115, 1 71, 1 72, 1 73, 174, 175 of the MFMA and the related regulations;

(b) Improved percentage of Probity function recommendations implemented;

(c) Increased understanding of the gravity of the law and the consequences of failure to comply recognised by all Municipality employees; and

(d) Improved service delivery through good governance.

13. REVIEW

This Policy will be reviewed every two years or as and when the need arises.

11.2.2	EXTENSION OF CESSION AND ASSIGNMENT OF LEASES: LEASE AREAS OVER REMAINDER FARM 377F AND LEASE AREA 1 OVER ERF 9190: KLEINE ZALZE WINE AND LICIACEPT

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **19 May 2021 and 26 May 2021**

1. SUBJECT: EXTENSION OF CESSION AND ASSIGNMENT OF LEASES: LEASE AREAS OVER REMAINDER FARM 377F AND LEASE AREA 1 OVER ERF 9190: KLEINE ZALZE WINE AND LICIACEPT

2. PURPOSE

To make a final determination on the request from Kleine Zalze Wines and Liciacept to extend the term of Lease Agreement.

3. DELEGATED AUTHORITY

Council must consider the matter

4. EXECUTIVE SUMMARY

On 19 April 2017 Council approved the cession and assignment of the Lease Agreement in relation to Lease Area 1 over Erf 9190 and Lease Area 1 over Farm 377F, Stellenbosch, subject thereto that the cession will be reviewed after June 2020, taking into account the progress with the empowerment and BBBEE initiatives for which Liciacept was established.

During 2020 Kleine Zalze Wines and Liciacept requested an extension of the Lease Agreement, in line with the above decision. On 28 October 2020 Council considered the matter and decided, in principle, to extent the Lease for another 9 years and 11 months, subject thereto that Council‘s intention to enter into the agreement be advertised for public inputs/alternative proposals or objections. A public notice to this effect was published. No written inputs/comments or objections were received.

Council must now make a final determination in this regard.

5. RECOMMENDATIONS

(c) that Council takes note of the fact that no written inputs/objections were received; and

(b) that Council approves the extension of the Lease Agreement for a period of 9 years and 11 months on condition:

I) that a yearly report be submitted to Council regarding Progress of the Black Empowerment entity; and

ii) that the possible extension of the Lease Agreement be received/considered after 2029, taking into account the progress of the empowerment and BBEE initiative.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Council resolution

On 19 April 2017 Council approved the cession and assignment of the Lease Agreement in relation to Lease Area 1 over Erf 9190 and Lease Area 1 on Erf 9190 and Lease Area 1 over Farm 377F, Stellenbosch, subject thereto that the cession will be reviewed after June 2020, taking into account the progress with the empowerment and BBBEE initiatives for which Liciacept was established.

6.1.2 Council in principle decision regarding possible extension of the Lease Agreement

On 28 October 2020 Council considered an application for an extension of the Lease agreement for an extension of the Lease Agreement. Having considered the application, Council resolved as follows:

***"RESOLVED** (majority vote)*

(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;

(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 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;

(c) 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.

(d) that the current and future road reserves be excluded from any agreement; and

(e) that the possible extension of the lease be reviewed/considered after 2029 taking into Account the progress on empowerment and BBBEE initiatives".

A copy of the agenda item that served before Council as well as the minutes, are attached as **APPENDICES 1** and **2**, respectively.

6.1.3 Public notice

Following the above a Public Notice was published, soliciting public inputs/alternative proposals/objections on the proposed extension of the Lease Agreement. A copy of the notice is attached as **APPENDIX 3**.

At the closing date, no inputs/alternative proposals or objections were received.

6.2. DISCUSSION

Council can now make a final determination regarding the request for an extension of the Lease Agreement.

6.3 Financial Implications

The current annual lease is R54 908.24. There are no outstanding monies, except for the 2020/21 levy, which will only be levied in April 2021.

6.4 Legal Implications

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

6.5 Staff Implications

There are no staff implications.

6.6. Previous / Relevant Council Resolutions

On 28 October 2020 Council considered the matter and decided, in principle, to extent the Lease for another 9 years and 11 months, subject thereto that Council's intention to enter into the agreement be advertised for public inputs/alternative proposals or objections..

6.7. Risk Implications

The risks are addressed in the item.

6.8. Comments from Senior Management

No comments were received from any Directorates.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 7.2.2

(a) that Council takes note of the fact that no written inputs/objections were received; and

(b) that Council approves the extension of the Lease Agreement for a period of 9 years and 11 months on condition:

(i) that a yearly report be submitted to Council regarding Progress of the Black Empowerment entity; and

(ii) that the possible extension of the Lease Agreement be received/considered after 2029, taking into account the progress of the empowerment and BBEE initiative.

ANNEXURES

Appendix 1 & 2: Agenda item & Minutes that served before Council

Appendix 3: Public notice

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	***2021-03-09***

APPENDIX 1

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Collaborator No: *(To be filled in by administration)*
IDP KPA Ref No: *GOOD GOVERNANCE*
Meeting Date: *(The date of the specific meeting must be filled in here)*

1. SUBJECT

APPLICATION FOR MUNICIPAL CONCENT: EXTENTION OF SESSION AND ASSIGNMENT OF LEASES: LEASE AREA 1 OVER REMAINER FARM 377F AND LEASE AREA 1 OVER ERF 9190

2. PURPOSE

The purpose of this report is to consider a request from Kleine Zalza Wines and Liciacept of the above mentioned Lease Areas.

3. DELEGATED AUTHORITY

Although the Executive Mayor now has the delegated authority to consider these kind of applications, it is limited to contracts not exceeding 10 years. For this reason the matter must be considered by full Council.

4. EXECUTIVE SUMMARY

On 08 June 27 Council approved the cession and assignment of the Lease Agreement in relation to Lease Area 1 over Erf 9190 and Lease Area 1 on Erf 9190 and Lease Area 1 over Farm 377F, Stellenbosch, subject thereto that the cession will be reviewed after June 2020, taking into account the progress with the empowerment and BBBEE initiatives for which Liciacept was established.

Kleine Zalze Wines and Liciacept has now made a submission in regard, for consideration by Council.

5. RECOMMENDATIONS

5.1 that Council take note of the written submission on the status of the Empower initiatives;

5.2 that Council consider the requested for an extension of the cession and assignment agreement until 31 March 2041.

5.3 that should Council approve the request, the Municipal Manager be authorised to sign all the necessary document to effect such extension.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Conclusion of Lease Agreement

On 1992-04-29 Stellenbosch Municipality and Blaauwklippen Agricultural Estate (Pty)Ltd concluded a Lease Agreement in relation to Farm 377F for the period 01-04-1991 to 31 March 2041. With the approval of Techopark, the description of Farm 377F was amended to read Lease Area 1 over Remainder erf 9190 and Lease Area 1 over Farm 377, respectively.

6.1.2 Application for ceding of Lease Agreements

On 05 May 2016 an application was received from Cluver Markotter, applying on behalf of Blaauwklippen Agricultural Estate (Pty) Ltd, to cede the Lease Agreement to Liciacept (Pty) Ltd, a newly acquired company which would serve as a BEE Newco for Kleine Zalze Wines (Pty) Ltd.

6.1.3 Council resolution

Having considered the request, Council decided as follows:

MAYORAL COMMITTEE MEETING: 2017-04-19: ITEM 5.5.2
RESOLVED

"a) 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 until June 2020, on condition that the necessary written proof be provided to the Municipality of the signed agreements referred to in par. 3.4 before conclusion of the ceding agreement;

b) that the Municipal Manager be authorised to sign all documents necessary to effect the ceding and assignment to the BEE NEWCO subsequent to the approval of the establishment of the broad-based black economic empowerment company with its BBBEE shareholder trust to the satisfaction of the Municipal Manager in consultation with the Directors Strategic and Corporate Services and Planning and Economic Development;

c) that the current and future road reserves be excluded from the agreement; and

d) that the possible extension of the lease be reviewed/considered after June 2020 taking into account the progress on empowerment and BBBEE initiatives".

A copy of the agenda item and minutes is attached as APPENDIX 1.

6.1.4 Conclusion of Cession and Assignment Agreement

Following the above resolution, a Cession and Assignment Agreement was concluded during July 1018 a copy of which is attached as **APPENDIX 2**.

6.1.5 Application for consent to extent the cession and Assignment of Lease Agreement

Hereto attached as **APPENDIX 4** a self-explanatory request received from Cluver and Markotter on behalf of Kleine Zalze Wines and Liciacept.

In terms hereof they request on extension of the cession and assignment period for a period ending 31 March 2041, i.e the contract period of the initial Lease Agreement(s) with Blaauwklippen Agricultural Estate (Pty) Ltd referred to in par 6.1.1, *supra*. One of the reasons for this request is to enable them to do further ongoing development on the subject property, planned for August/September 2020.

6.2. DISCUSSION

6.2.1 Location and context:

Lease Area 1 over Remainder erf 9190 and Lease Area 1 over Remainder Farm 377F is situated to the South of Technopark, next to Kleine Zalze, as shown on Fig 1 and 2, respectively.



Fig 1: Locality: Location and context

Following the above resolution, a Cession and Assignment Agreement was concluded during July 1018 a copy of which is attached as **APPENDIX 2**.

6.1.5 Application for consent to extent the cession and Assignment of Lease Agreement

Hereto attached as **APPENDIX 4** a self-explanatory request received from Cluver and Markotter on behalf of Kleine Zalze Wines and Liciacept.

In terms hereof they request on extension of the cession and assignment period for a period ending 31 March 2041, i.e the contract period of the initial Lease Agreement(s) with Blaauwklippen Agricultural Estate (Pty) Ltd referred to in par 6.1.1, *supra*. One of the reasons for this request is to enable them to do further ongoing development on the subject property, planned for August/September 2020.

6.2. DISCUSSION

6.2.1 Location and context:

Lease Area 1 over Remainder erf 9190 and Lease Area 1 over Remainder Farm 377F is situated to the South of Technopark, next to Kleine Zalze, as shown on Fig 1 and 2, respectively.



Fig 1: Locality: Location and context

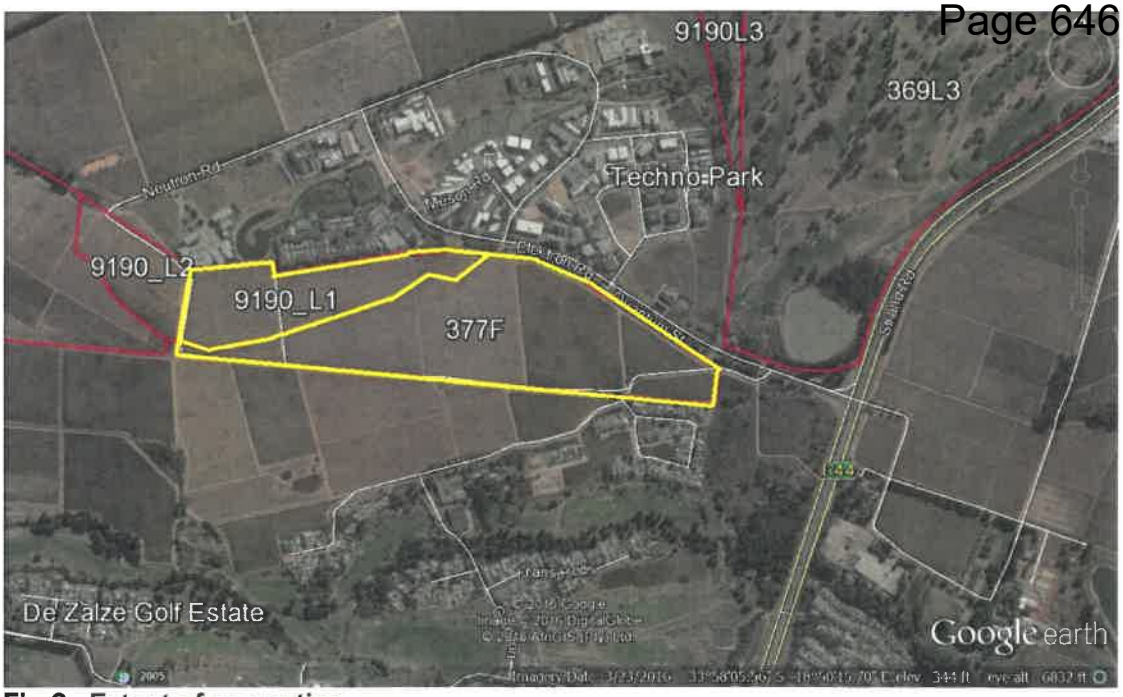


Fig 2: Extent of properties

6.2.2 The submission

The Kleine Zalze Empowerment Trust was officially established on 09 March 2018. The beneficiaries are the permanently previously disadvantaged employees of Kleine Zalze.

The company Liciacept (Pty) Ltd was acquired to be utilised as their black empowerment company and is trading under the name "*Liciacept Vineyards*".

For a more detail, see the submission attached as **APPENDIX 3**.

6.3 Financial Implications

There are no financial should the recommendation as set out in the report be accepted.

6.4 Legal Implications

The recommendations contained in this report complying with Council's policies and applicable legislation.

6.2 Staff Implications

None.

6.3 Previous / Relevant Council Resolutions

See paragraph 6.1.3, *supra*.

6.4 Risk Implications

None.

6.5 Comments from Senior Management

6.5.1 Director: Planning and Economic Development

6.5.2 Chief Financial Officer

ANNEXURES:

Appendix 1: Agenda item and minutes

Appendix 2: Cession and Assignment Agreement

Appendix 3: Application for consent to extent the cession and Assignment of Lease Agreement

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	***2020-07-29***

APPENDIX 2

11.2.1	EXTENSION OF CESSION AND ASSIGNMENT OF LEASES: LEASE AREA 1 OVER REMAINDER FARM 377F AND LEASE AREA 1 OVER ERF 9190

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **16 September 2020 and 28 October 2020**

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1. SUBJECT: EXTENSION OF CESSION AND ASSIGNMENT OF LEASES: LEASE AREA 1 OVER REMAINDER FARM 377F AND LEASE AREA 1 OVER ERF 9190

2. PURPOSE

To consider a request from Kleine Zalze Wines and Liciacept to cede the lease agreements for the above-mentioned Lease Areas.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

On 19 April 2017 Council approved the cession and assignment of the Lease Agreement in relation to Lease Area 1 over Erf 9190 and Lease Area 1 on Erf 9190 and Lease Area 1 over Farm 377F, Stellenbosch, subject thereto that the cession will be reviewed after June 2020, taking into account the progress with the empowerment and BBBEE initiatives for which Liciacept was established. Kleine Zalze Wines and Liciacept have now made a submission in this regard, for consideration by Council – **APPENDIX 3**.

38TH COUNCIL MEETING: 2020-10-28: ITEM 11.2.1

RESOLVED (majority vote)

(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;

(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 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;

(c) 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.

(d) that the current and future road reserves be excluded from any agreement; and

(e) that the possible extension of the lease be reviewed/considered after 2029 taking into Account the progress on empowerment and BBBEE initiatives.

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

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.

APPENDIX 3

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OFFICIAL NOTICE

PROPOSED EXTENTION OF LEASE AGREEMENT: LEASE AREA 1 OVER REMAINDER FARM 377F; AND LEASE AREA 1 OVER ERF 9190, STELLENBOSCH: KLEINE ZALZE WINES AND LICIACEPT

On 19 April 2017 Council (Mayoral Committee) approved the cession and assignment of the Lease Agreement in relation to Lease Area 1 over Erf 9190 and Lease Area 1 over Remainder Farm 377F, Stellenbosch, subject hereto that the cession (Lease Agreement) be reviewed after June 2020, taking into account the progress with the empowerment and the BBBEE initiatives for which Liciacept was established. Kleine Zalze Wines and Liciacept requested that the lease be extended based on the progress made. Council considered the request on 28 November 2020 and resolved *inter allia* as follows:

- 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 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;
- 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.
- that the current and future road reserves be excluded from any agreement; and
- that the possible extension of the lease be reviewed/considered after 2029 taking into Account the progress on empowerment and BBBEE initiatives.

FURTHER INFORMATION
Further information, is available at the office of the Manager: Property Management during office hours.

INVITATION TO SUBMIT WRITTEN INPUTS
Any interested and effected party who wishes to submit inputs/objections to the proposed extension of the lease term can do so by submitting it in writing to the Manager: Property Management by no later than close of business on **25 January 2021**.

Any such comments/objections can be submitted by hand or by e-mail to:

Physical Address:	3rd Floor Absa (Oude Bloemhof) Building, Corner of Plein and Rhyneveld Street Stellenbosch 7600
Postal address:	PO Box 17 Stellenbosch 7599
e-mail:	piet.smit@stellenbosch.gov.za

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.

G METTLER **DATE**
MUNICIPAL MANAGER

11.2.3	FUTURE IN REGARD TO LEASE PORTIONS 528A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK

Collaborator No:
IDP KPA Ref No: *GOOD GOVERNANCE*
Meeting Date: **19 May 2021 and 26 May 2021**

1. SUBJECT: FUTURE IN REGARD TO LEASE PORTIONS 528A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK

1. PURPOSE

To inform council that, following the decision on 2021-03-31 to allow for an extension of the existing Lease Agreement on a month-to-month basis, the Mountain Breeze Caravan Park CC has decided not to proceed with the agreement beyond 30 June 2021.

Some of the current long term residents through an attorney has written a letter wanting to secure the right to continue with the lease, but they are not organised in any legal entity. Council must now consider a way forward.

2. DELEGATED AUTHORITY

The Municipal Council must consider the matter.

3. EXECUTIVE SUMMARY

Stellenbosch Municipality and Stellenbosch Caravan Park cc (Malan) concluded a long-term Lease Agreement during 1992 for a period of 30 years (1 April 1991-31 March 2021)

This Lease Agreement was later ceded to the Mountain Breeze Caravan Park CC (Visser).

The lease Agreement expired on 31 March 2021, but at a Council meeting held on 31-03-2021 Council has decided to extent the current Lease Agreement on a month-to-month basis. The Lessee has subsequently indicated that they will vacate the property by 30 June 2021 (**APPENDIX 4**).

Some of the current long term residents through an attorney has written a letter indicating that they are not going to vacate the property and requesting to secure the right to continue with the lease, but they are not organised in any legal entity (**APPENDIX 5**). Council has requested the municipal manager to assemble a TASK team to provide a report on the different types of properties owned by Council by December 2021. This is one of the properties that will then be discussed and taken a decision on. The task team is already busy with their process. The property fall in the over R10 million category and any disposal thereof will require a public participation process that involves the publication of an information statement.

From 1 July the Municipality will have to take over the security/access control of the facility/ collecting the rent and money for people who stay in the park as well as the bookings. There is no post on the organogram or warm body for this purpose. It can be dealt with by a temporary appointment until a decision is taken after the report on the properties was decided on. The other alternative is that discussions takes place with the current supervisor/janitor and his wife to be temporary employed by the municipality. Both of these options will have a cost implications. The municipality will also have to enter into agreements with the long term occupants to regulate the rent

and other services payments directly to the municipality should they be allowed to stay on after 30 June 2021. They have been given notice by the lessee to vacate the property.

4. RECOMMENDATIONS

(a) that Council take note of the fact that the current Lessee gave notice not to proceed with the month- to month contract as approved by council in March 2021 with effect from has 1 July 2021;

(b) For consideration

5. DISCUSSION / CONTENT

6.2 Background

6.2.1 Existing Lease Agreement

Stellenbosch Municipality and Stellenbosch Caravan Park cc (C.P Malan) concluded a long-term Lease Agreement on 18 May 1992 for the period 1 April 1991 to 31 March 2021.
This Lease Agreement, however, was later ceded to the Mountain Breeze Caravan Park cc (R.P. Visser) during 1995 and came to an end in March 2021.

6.2.2 Council resolution authorising extension of agreement on a month-to-month basis

On 2021-03-31 Council considered the matter and resolved as follows:

***"RESOLVED** (majority vote)*

(a) that lease portions 528a and 529cc, known as Mountain Breeze Caravan Park, be identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
(b) that the lease agreement be extended on a month-to-month basis until a property register has been compiled and considered by Council to determine the future of Council properties per category;

(c) that the lessee be informed to strictly adhere to the conditions of the lease agreement;

(d) that the Caravan Park pay their municipal account and that the Municipal Manager be mandated to determine the lease amount;
(e) that the Municipal Manager be mandated to take the necessary steps to ensure the drafting and finalisation of the property register and submit it to Council by not later than December 2021; and

(f) that the item be brought back to Council as soon as the property register has been adopted by Council".

A copy of the agenda item that served before Council as well as the minutes are attached as **APPENDIX 1** and **2,** respectively**.**

Following the above decision, the Lessee was informed of the outcome. See letter addressed to the Lessee dated 2021-04-01, hereto attached as **APPENDIX 3.**

On 29 April the Lessee informed the Department that:-

a) They do not accept the renewal on a month -to-month basis, for reasons set out in their letter; and

b) That they will vacate the property by 30 June 2021, as from which date they will not take responsibility for the payment of rental, rates and taxes and/or services rendered or for the maintenance/access control of the facility;

c) That they have informed the current tenants to vacate the premises by 30 June 2021. (See **Appendix 4**).

The long term residents then wrote a letter to indicate they do not want to vacate the property and want to take over the running of the caravan park. They are however not organised in any legal entity. A copy of their letter is attached as **APPENDIX 5**.

6.3 Discussion

6.3.1 Council now have to decide what is the way forward with the lease agreement. Some of the current long term residents through an attorney has written a letter indicating that they will not vacate the property and requesting to secure the right to continue with the lease, but they are not organised in any legal entity (**Appendix 5**). Council has requested the municipal manager to assemble a TASK team to provide a report on the different types of properties owned by Council by December 2021. This is one of the properties that will then be discussed and taken a decision on. The task team is already busy with their process. The property fall in the over R10 million category and any disposal thereof will require a public participation process that involves the publication of an information statement.

From 1 July the Municipality will have to take over the security/access control of the facility/ collecting the rent and money for people who stay in the park as well as the bookings. There is no post on the organogram or warm body for this purpose. It can be dealt with by a temporary appointment until a decision is taken after the report on the properties was decided on. The other alternative is that discussions takes place with the current supervisor/janitor and his wife to be temporary employed by the municipality. Both of these options will have a cost implications. The municipality will also have to enter into agreements with the long term occupants to regulate the rent and other services payments directly to the municipality.

In terms of the current Lease Agreement that was extended after 31 March 2021 the Lessee has the right to remove any or all temporary structures. To date the Lessee has not indicated whether she is going to remove any of the temporary structures. If the structures are not removed by 30 June 2021, all improvements will become the property of Stellenbosch Municipality.

The permanent structures are part of the caravan park's facilities that are rented out and used by temporary users of the resort. The 9 units put up by the long term tenants have been put up by themselves and does not carry any planning permission to the best of our knowledge. It is structures that can be relocated. These structures are in full time occupation. It is unclear if there is any rental agreements with the occupants as it was not provided to us by the lessee.

The staff houses are occupied by the workers currently employed by the lessee. It is an option to discuss with them their further employment by the municipality on a temporary basis. This will have cost implications for the municipality.

6.3.2 Access

Access to the property is *via* a registered servitude access off the R44, over a portion of Farm 1166, Stellenbosch as shown on Fig 3, below. A servitude was registered at

the Surveyor General in 1985. The property has access to irrigation water (Theewaterskloof) and is getting drinking water from a borehole situated on the neighbouring farm 1166.

Electricity is supplied by Eskom.

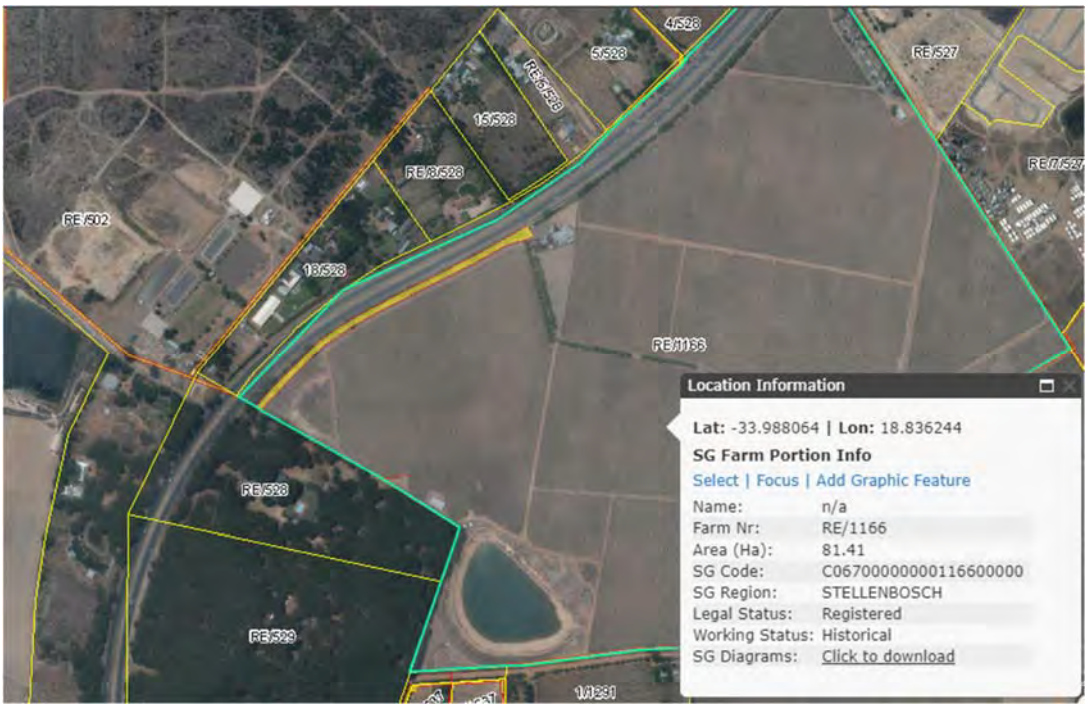


Fig 3: Access road

6.3.3 Improvements

The following buildings were constructed by the Lessee during the lease period:

6.3.3.1 Temporary structures

6.3.3.1.1 8 x Nutec Houses

Although the houses differ in size, the average size is about 150m². The Reception Area is 1 of the houses. See figures 4-12 below. As far as we are aware the structures are not built in terms of approved building plans. House 1 is occupied by the current person who supervisor/janitor and his wife. They are employed by the lessee and will have to vacate the house if they no longer work there. The Lessee must give the Municipality vacant occupation. The other houses are not occupied to the best of my knowledge, but an investigation will be needed to confirm that.

The 6 x Wood/Nutec Bungalows (4 small and 2 big) indicated below are also not occupied on a full time and/or long term basis, but an inspection will have to confirm their occupation. The same applies to the so call “plett caravans”.



Fig 4: Reception (part of house 1)



Fig 5: House 1



Fig 6: House 2



Fig 7: House 3



Figure 8: House 4



Fig 9: House 5



Fig 10: House 6



Fig 11: House 7



Fig 12: House no 8

6.3.3.1.2 4 x Wood/Nutec Bungalows

These units are 38m² each. See Fig 13-14



Fig 13: Units 1 and 2



Fig 14: Units 3 and 4

6.3.3.1.3: 2 x Big Nutec Bungalows

These units are 57m² each. See Fig 15.



Fig 15: Units 1 and 2

6.3.3.1.4: 2 x Plett. Caravans

These units are 52m^2 each. See Fig 16.



Fig 16: Units 1 and 2

6.3.3.1.5 1 x Nutec Hall

This facility is 860m² in size. See Fig 17.



Fig 17

6.3.3.2 Permanent Structures

6.3.3.2.1 1 x Swimming pool with ablutions facilities

The swimming pool is 104m², whilst the ablution facilities are 102m². See Fig 18.



Fig 18: Swimming pool and ablution facilities

6.3.3.2.2 1 x Ablution facility

This facility is 189m² in size. See fig 19 below.



Fig 19: Main ablution facilities

6.3.3.2.3 6 X Chalets

These units (2x3) are 80m² each. See Fig 20 and 21



Fig 20: Units 1 and 2



Fig 21: Units 3 and 4



Fig 22: Units 5 and 6

6.3.3.4.1 2 x Staff houses

These units are 45m² and 130m² respectively. See fig 23 below.



Fig 23: Units 1 and 2

6.3.5.3 Temporary Structures put up by tenants

There are 9 temporary units that were put up by tenants. See Fig 24-32



Fig 24: Unit 1



Fig 25: Unit 2



Fig 26: Unit 3



Fig 27: Unit 4



Fig 28: Unit 5



Fig 29: Unit 6



Fig 30: Unit 7



Fig 31: Unit 8



Fig 32: Unit 9

6.3.5.4 Caravan/Camping stands

A total of 60 sites have been developed with electrical points and shared water points. See fig 33 below.



Fig 33: Camping sites

6.3.6 Staff implications

There are 4 permanent staff members, being the maintenance Manager and his wife, working at Reception and two labourers. They are employed by the lessee. All the staff members are currently residing on the property, but were given notice by the current Lessee to vacate the property by 30 June 2021. The municipality do not have any staff to maintain the property or operate the operational aspects thereof an it is an option to negotiate with the staff to stay on, on a temporary basis until the finalisation of a decision on the future of the park.

6.3.7 Current rental payable

The current rental payable is R47 873.59 per annum. A valuer has, in the mean-time been appointed to advise Council on a new, market related rental. We await the valuation report.

6.3.8 Legal requirements

Depending on whether Council is considering the disposal of the asset or whether to award long term rights various sections/regulations of the Municipal Finance Act, No 56 of 2003, (MFMA), the Asset Transfer Regulations (ATR) and the Municipality's Policy on the Management of Council owned property, will apply.

6.3.8.1 Disposal of fix properties

6.3.8.1.1 Municipal Finance Management Act (MFMA)

In terms of the Section 14 of the MFMA,

"*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.

(2) A municipality may transfer ownership or otherwise dispose of a capital asset

other than one 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.

(3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.

(4) Municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council.

(5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111".

6.3.8.1.2 Asset Transfer Regulations (ATR)

In terms of Regulation 5 of the ATR

"(1) A municipality may transfer or dispose of a non-exempted capital asset only after—

(a) the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and

(b) the municipal council—

(i) has made the determinations required by section 14(2)(a) and (b) and

(ii) has as a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

(2) Sub regulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value capital asset" (i.e. in excess of R50M)".

6.3.8.1.3 Policy on the Management of Council owned property

In terms of paragraph 7.2.3 (general principles pertaining to the disposal of immovable property), of the policy;
"*Before alienating Immovable property or rights in Immovable property the Municipality shall be satisfied that alienation is the appropriate methodology and that reasonable economic, environmental and social return cannot be derived whilst ownership of the Immovable property or Property rights is retained by the Municipality*".

Further in terms of paragraph 8 of the policy:
" 8.1Before an Immovable property is declared as surplus, and earmarked for disposal or the awarding of rights, it must first be assessed for its most appropriate use.

8.2 The most appropriate use for a surplus property is one which achieves an optimum balance between the following three key elements of sustainable development:

(a) the protection of ecological processes and natural systems;

(b) the optimum financial return to and economic development of the municipal area; and

(c) the enhancement of the cultural, economic, physical and social wellbeing of people and communities.

8.3 The three elements of sustainability will apply to all surplus Immovable Properties, however their significance and the relationships between them will vary for individual Immovable Properties.

8.4 In determining the most appropriate use of surplus properties, regard should be given to:

(a) Spatial development framework(s);

(b) Regional plans;

(c) Sectoral studies/plans;

(d) Government policies;

(e) Relevant legislation; and

(f) The views of interested and affected parties.

8.5 Where appropriate, opportunities should be provided for community involvement in the assessment process".

Further*, Subsequent to determining the most appropriate use of a property and after the Municipality has decided that the Immovable property could be disposed of, or that rights may be awarded, the method of disposal or method of awarding rights should be determined"*.

In terms of paragraph 9.1 the Municipality may use any of the following methods, depending on the circumstances pertaining the specific Immovable property:

Tender process

a) Auction

b) Call for proposals (will include a tender process)

6.3.8.2 Granting of rights to use, Control or Manage a Capital asset

6.3.8.2.1 Asset Transfer Regulations (ATR)

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".

In considering options Council must treat the property as a property that falls within this category valued in excess of R10M.

"3)a) Only a Municipal Council may authorise the public participation process referred to in sub-regulation

b) a request to the Municipal Council for the authorisation of a public participation process must be accompanied by an Information Statement, stating:*

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".

Council must consider its options and decide on the future use of the property.

6.3.8.2.2 Policy on the Management of Council owned property

In terms of paragraph 7.2.1, "*unless otherwise provided for in the policy, the disposal of viable immovable property shall be affected 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 Immovable 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 Immovable 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.

6.4 Financial Implications

The short term financial implications turns around the management of the property and involves staff to run the operations, the rent paid by the long term residents as well as the services on the property and the short term holiday makers/visitors to the park.

6.5 Previous / Relevant Council Resolutions

On 2021-03-31 as indicated in par. 6.1.2 (*supra*)

6.6 Risk Implications

The municipality must place a process in place to deal with the management of the caravan park after 30 June 2021. The municipality does not have human resources in place to manage the park. A temporary appointment of a supervisor can be put in place should the municipality need to deal with the management ourselves after 30 June 2021. The rights of

long term residents are a complication that may involve some legal advice on how to proceed should council want to do away with the long terms occupations in the park.

The task team is already busy with their process and it might not be the right time now to make a long term decision on the future of the property. The property fall in the over R10 million category and any disposal thereof will require a public participation process that involves the publication of an information statement. To enter into an agreement with a group of people that are not organised in a legal entity might also be risky.

6.7 Comments from Senior Management

Due to the urgency of the item no comments was requested

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 7.2.5

FOR CONSIDERATION

ANNEXURES:

APPENDIX 1: Agenda item
APPENDIX 2: Minutes
APPENDIX 3: Letter to Lessee
APPENDIX 4: Letter from Lessee
APPENDIX 5: Letter from Attorney

FOR FURTHER DETAILS CONTACT:

NAME	**Annalene de Beer**
POSITION	***Director: Corporate Services***
DIRECTORATE	***Corporate Services***
CONTACT NUMBERS	***021-8088018***
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.gov.za
REPORT DATE	***13-05-2021***

APPENDIX 1

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Collaborator No: *(To be filled in by administration)*
IDP KPA Ref No: *GOOD GOVERNANCE*
Meeting Date: **17 and 31 March 2021**

1. SUBJECT

LEASE PORTIONS 528A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK

2. PURPOSE

The purpose of this report is to inform council that the current lease agreement comes to an end on 31 March 2021. Council has to resolve on a way forward.

3. DELEGATED AUTHORITY

The Municipal Council must consider the matter. The property is worth more than 10 Million Rand.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality and Stellenbosch Caravan Park cc (Malan) concluded a long term Lease Agreement during 1992 for a period of 30 years (1 April 1991-31 March 2021) This Lease Agreement was later ceded to the Mountain Breeze Caravan Park cc (Visser). The lease Agreement will expire on 31 March 2021. The current Lessee send a letter attached as **APPENDIX 6** expressing her interest to continue with a lease provided that it is a 10 year period to get some returns on investment.

A letter and email was also received from a one of the persons occupying a stand on a long term basis requesting to rent the land from Council – **APPENDIX 7.**

Council must now decide on how to deal with this property, i.e. whether to dispose of it, or enter into a further rental agreement with the current lessee or someone else or use the property for another purpose. A decision also needs to be taken on the short term process (after March 2021) until a final decision has been reached.

The item was discussed at the January 2021 Mayco meeting and further information was requested and the item referred back.

Attached hereto please find **Appendix 8,** a further letter from Me Sonnekus, writer of appendix 7, is also attached providing some information on the people living on the land. **Appendix 9** is an email response received from the current lessee on the questions raised in Mayco. The rates are paid up and we could find no approval of building plans. We therefore have to deduct that the structures were not approved by the Building plan section. Proof of the current members of the close corporation is attached as **Appendix 10.** The Executive Mayor requested the Municipal Manager to provide a report categorising all council properties by December 2021 to enable the Council to make a determination on how the different categories of properties should be dealt with.

5. RECOMMENDATIONS

For Consideration

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Existing Lease Agreement

Stellenbosch Municipality and Stellenbosch Caravan Park cc (C.P Malan) concluded a long-term Lease Agreement on 18 May 1992 for the period 1 April 1991 to 31 March 2021.

This Lease Agreement, however, was later ceded to the Mountain Breeze Caravan Park cc (R.P. Visser) during 1995.

Copies of the Lease Agreement, as well as the Cession and Assignment Agreement are attached as **APPENDICES 1** and **2**, respectively.

6.1.2 Current Lessee

The current Lesssee, Mrs Visser, she indicated that she would be interested in a further lease period.

The long term residents in the park has also expressed an interest to rent the properties they currently occupy.

Council must now decide on the most appropriate use of the property and should Council consider the disposal or awarding of long term rights (lease agreement). See paragraph 6.2.9 for a more detailed discussion on the various options.

APPENDIX 2

11.2.1	LEASE PORTIONS 528A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK

Collaborator No: 702286
IDP KPA Ref No: Good Governance
Meeting Date: 24 March 2021

1. SUBJECT: LEASE PORTIONS 528A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK

2. PURPOSE

To inform Council that the current lease agreement comes to an end on 31 March 2021. Council has to resolve on a way forward.

3. DELEGATED AUTHORITY

The Municipal Council must consider the matter. The property is worth more than 10 Million Rand.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality and Stellenbosch Caravan Park cc (Malan) concluded a long term Lease Agreement during 1992 for a period of 30 years (1 April 1991-31 March 2021)

This Lease Agreement was later ceded to the Mountain Breeze Caravan Park cc (Visser).

The lease Agreement will expire on 31 March 2021. The current Lessee send a letter attached as **APPENDIX 6** expressing her interest to continue with a lease provided that it is a 10 year period to get some returns on investment.

A letter and email was also received from a one of the persons occupying a stand on a long term basis requesting to rent the land from Council – **APPENDIX 7.**

Council must now decide on how to deal with this property, i.e. whether to dispose of it, or enter into a further rental agreement with the current lessee or someone else or use the property for another purpose. A decision also needs to be taken on the short term process (after March 2021) until a final decision has been reached.

The item was discussed at the January 2021 Mayco meeting and further information was requested and the item referred back.

Attached hereto please find **APPENDIX 8,** a further letter from Me Sonnekus, writer of appendix 7, is also attached providing some information on the people living on the land. **APPENDIX 9** is an email response received from the current lessee on the questions raised in Mayco. The rates are paid up and we could find no approval of building plans. We therefore have to deduct that the structures were not approved by the Building plan section. Proof of the current members of the close corporation is attached as **APPENDIX 10.** The Executive Mayor requested the Municipal Manager to provide a report categorising all council properties by December 2021 to enable the Council to make a determination on how the different categories of properties should be dealt with.

41ST COUNCIL MEETING: 2021-03-31: ITEM 11.2.1

RESOLVED (majority vote)

(a) that lease portions 528a and 529cc, known as Mountain Breeze Caravan Park, be identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;

(b) that the lease agreement be extended on a month-to-month basis until a property register has been compiled and considered by Council to determine the future of Council properties per category;

(c) that the lessee be informed to strictly adhere to the conditions of the lease agreement;

(d) that the Caravan Park pay their municipal account and that the Municipal Manager be mandated to determine the lease amount;

(e) that the Municipal Manager be mandated to take the necessary steps to ensure the drafting and finalisation of the property register and submit it to Council by not later than December 2021; and

(f) that the item be brought back to Council as soon as the property register has been adopted by Council.

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

Cllr F Adams; FT Bangani-Menziwe (Ms); G Cele (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	***08.03.2021***

APPENDIX 3

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

2021-04-01 *Our Ref:M/Breeze*

Mountain Breeze Caravan Park
Post Suite 94
Private Bag X4
Die Boord
Stellenbosch
7613

Dear Mrs Visser

RENEWAL OF LEASE AGREEMENT: LEASE PORTIONS 528 A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK

As you are aware, the Lease Agreement between Stellenbosch Municipality and yourself has lapsed on 31 March 2021.

I am, however, pleased to inform you that Council has considered your application for the renewal of the Lease Agreement on 31 March 2021, and has decided as follows:

41ST COUNCIL MEETING: 2021-03-31: ITEM 11.2.1
RESOLVED *(majority vote)*

"(a) that lease portions 528a and 529cc, known as Mountain Breeze Caravan Park, be identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;

(b) that the lease agreement be extended on a month-to-month basis until a property register has been compiled and considered by Council to determine the future of Council properties per category;

(c) that the lessee be informed to strictly adhere to the conditions of the lease agreement;

(d) that the Caravan Park pay their municipal account and ***that the Municipal Manager be mandated to determine the lease amount****;*

(e) that the Municipal Manager be mandated to take the necessary steps to ensure the drafting and finalisation of the property register and submit it to Council by not later than December 2021; and

(f) that the item be brought back to Council as soon as the property register has been adopted by Council".

***Please note** that the Municipal Manager has not yet made a determination in this regard. I will inform you as soon as a determination has been made in this regard.

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Please indicate in writing whether you are in agreement with these interim arrangements. Should you be in agreement, a new Lease Agreement will be have to be concluded.

I await your feedback in this regard.

Yours faithfully



……..
PIET SMIT
MANAGER: PROPERTY MANAGEMENT
cc: Municipal Manager

APPENDIX 4

Mountain Breeze Caravan Park

Post Suite 94, Private Bag X4, Die Boord, Stellenbosch, 7613

Tel:021 8800200 Cell: 0826822412

Email: mountainbreezeresort@adept.co.za

CC reg no: 1996/002627/23

V.A.T. 4950154866

28 April 2021

Beste Piet,

Mountain Breeze Karavaanpark – sluit op 30 Junie 2021

Ek het werklik my bes probeer om die Raad se situasie met betrekking tot die Karavaanpark te akkommodeer en Mountain Breeze Karavaanpark, ten spyte van al die onsekerhede rondom die termynverlenging, steeds te bedryf.

Grotendeels as gevolg van die Raad se versuim om duidelike riglyne oor die toekoms te kan opstel, goedkeur en aan my te voorsien, is dit onmoontlik om, soos in die verlede, besprekings op langertermyn te kon aanvaar. n Maand tot maand termyn is beslis nie n aanvaarebare opsie in hierdie bedryf nie. Voornemende besoekers wil sekerheid hê ten opsigte van besprekings – veral vir die groot vakansietye. As dit nie gegee kan word nie, bespreek hulle elders.
My besprekingsboek is vorentoe leeg en daar is gevolglik nie genoeg inkomste waarmee die Karavaanpark bedryf kan word nie en salarisse betaal kan word nie. Covid het ook verdere negatiewe gevolge op die toerisme bedryf gehad en het nog steeds.

Kortom, die ongelukkige realiteit is dat Mountain Breeze Karavaanpark BK nie langer finansieël volhoubaar is nie.

Om hierdie redes lig ek die Raad in dat ek op 30 Junie 2021 Mountain Breeze Karavaanpark BK gaan sluit en die perseel ontruim. Vanaf I Julie 2021 is die BK dus nie meer aanspreeklik vir enige bedryfsake van die perseel nie. Dit sluit in (maar is nie beperk tot):

- Betaal van eiendomsbelastingbelasting en huurgeld nie.
- Elektrisiteitsvoorsiening.
- Sekuriteit en Beveiliging.
- Riolering.
- Vullisverwydering.
- Watervoorsiening (o.a. Wynlandse Streekdiensraad).
- Terrein instandhouding en ander bedryfsonkostes

Ek het, soos deur Piet Smit voorgestel, al die langtermyn inwoners in September 2020 reeds kennis gegee om die perseel teen einde Feb/Maart 2021 te verlaat aangesien die BK se huurtermyn dan sou verstryk. Die Munisipalitiet se onsekere uitsprake m.b.t. die Karavaanpark se toekoms, het egter tot gevolg dat hul steeds hier bly. (Terloops, hulle het nog geen ander heenkome nie.)

Ek vertrou dat die Raad my situasie sal verstaan en bedank ook graag die Raad van Stellenbosch Munisipaliteit, sowel as die amptenare van die Munisipaliteit met wie die Mountain Breeze BK oor soveel jare 'n goeie werksverhouding kon handhaaf. Dit was 'n voorreg en plesier om die Karavaanpark vir so baie jare in hierdie uitsonderlike deel van ons pragtige land te kon bedryf.

Vriendelike groete,

Jeanine Visser
Nms Mountain Breeze Karavaanpark BK

APPENDIX 5

WILLIAM WEST
ATTORNEYS

To:	Stellenbosch Municipality	Our Ref.:	MBLR/107/01/ww
Attention:	Mr Piet Smit	Date:	12 May 2021
Copy To:	Ms Annalene de Beer	Your Ref.:	LEASE PORTIONS: 528A & 529CC
Via Email:	Piet.Smit@stellenbosch.gov.za Annalene.deBeer@stellenbosch.gov.za		

Dear Sir / Ma'am

ITEM: PROPERTY: LEASE PORTIONS 528a AND 529cc: LONG TERM LEASE AGREEMENT: MOUNTAIN BREEZE CARAVAN PARK

We refer to the above matter.

We hold instructions to write this letter on behalf of the permanent residents and staff of the Mountain Breeze Caravan Park, situated on Route 44, Stellenbosch ("our clients").

We refer to numerous email correspondence addressed to you from a concerned resident, Ms Dome Sonnekus. We were placed in possession of said correspondence, also copies of the minutes of Mayoral Committee Meetings.

It is our instructions that Ms De Beer indicated that she was willing to deal with the altering circumstances, should same be placed as an item before Mayco.

It is our instructions, to request from the Committee, as we hereby do, an opportunity for writer and Ms Dome Sonnekus to address the Committee during the next Mayco. Alternatively, since our clients have certain legit concerns and meaningful proposals, we believe it would be in all the parties' best interest for us to discuss this serious and urgent situation with you or Ms De Beer, prior to the meeting next week.

The current permanent residents and employees are all eager to be part of our proposal to rescue their homes and secure their employment. According to our instructions, they are all extremely concerned about the future of their homes and employment since the current lessee gave written notice of her intention to terminate the going concern on the 30th of June 2021.

Our request is for you and Ms De Beer to afford my clients an opportunity to salvage the situation and present you with a solution. We will assist our clients throughout the process and will ensure that all sections / regulations of the Municipal Finance Act, No 56 of 2003, the Asset Transfer Regulations, and the Municipality's Policy on the Management of Council owned property be adhered to.

Our clients herewith formally apply for the long-term rental proposal to be transferred to a new entity. Our clients appointed Ms Sonnekus to manage their concerns and it is consequently our instructions to immediately register a propriety limited company, should the application be approved. The detail still needs to be discussed. The new entity shall apply for the electricity privileges, to distribute to the residents and campers / visitors. The matter of electricity supply and management thereof became an urgent concern as the residents are completely unsure as to the supply of electricity following the current lessee's exit.

We respect that, under normal circumstances, a public participation process needs to be followed, whereafter Council considers the most appropriate way forward. However, considering the potential prejudice to our clients and the risk of damaging the business potential of the park, it is our respectful submission that due to urgency, it would be in public interest, permanent residents, and employees, should our clients be formally exempted from said process and to condone our client's application.

The purpose of this letter is to establish a direct line of communication and to apply for the long-term lease agreement between the Stellenbosch Municipality and the planned propriety limited company. It is further our instruction to discuss the proposals on the way forward, and to address the realistic concerns, i.e., the position of the permanent residence, some who have been residing on the property for more than 33 years.

Although the park was not intended to be a settlement, in the current lease agreement, it was agreed that 10% of the park be allocated for permanent occupation. Since permanent occupation was agreed to, it realistically led to permanent structures being erected. The lessor (your lessee) was at all material times aware of the structures and collected a monthly levy from the residents. The plots, on which the structures were erected, were rented out in terms of a written lease agreements, duly

signed by the lessor. This was confirmed by the lessor in her email to yourself dated 5 February 2021. The homes, even if it was considered movable property, were bought, and sold at market related prices.

With reference to the Mayco meeting held earlier this year, our clients have concerns regarding their immediate future. Our clients, some elderly, parents, young children, toddlers and disabled, are concerned as their livelihood depends on the committee's decision on how to deal with the property, *to wit* the premises on which the current entity know as Mountain Breeze Caravan Park, is situated.

The proposed options were as follows:

(i) To dispose of it
(ii) To enter into a further rental agreement with the current lessee
(iii) Or someone else
(iv) Or use the property for another purpose.

Ad Option (i) and (iv)

We believe that disposing of the park or using it for another purpose would not be in the public interest. There is sufficient potential for profit, justifying a new entity to continue with the park as an ongoing attraction.

Every town should have a caravan park, and the park, under new management, can function as a successful tourist attraction, a haven for locals and a fun place to visit. Large groups of caravan clubs and school groups used to support the park. Emphasis will be placed on developing more attractions, involving the local residents and current employees.

The possibility of attracting more day visitors, especially during the Winter season, is being considered (with due consideration of Covid-19 Safety Regulations). The entity is in the process of doing a proper due diligence and sustainability study. An investor showed interest in providing the necessary funding for this project.

We respectfully request the Committee, for the reasons provided above, not to dispose of the property or to use it for another purpose.

Ad Option (ii)

Since the current lessee indicated in writing her intention not to continue with management of the property, that this option is no longer possible. The current lessee was adamant that she no longer shows an interest to continue with the lease.

Ad Option (iii)

It is our instructions to place on record that, as stated above, the local residents democratically appointed representatives who are ready to register a company to deal with the Municipality, as a registered entity. The company will take full responsibility of the park's management and will upgrade the premises and develop new attractions, improve social media exposure, etc.

To continue with the park under new management will not only show to be a profitable venture, a tourist attraction, and a place of leisure for the locals, but it will ensure that plenty of people will be able to continue with their employment.

The new proposal will include positions that will involve the residents who show interest and capacity. We were instructed to be involved and assist the appointed representative, Dome Sonnekus, with the management, development, administration, and legal aspects pertaining to the park. Our clients are eager to sign a long-term lease agreement and to re-launch the property as a popular resort. The entity undertook to facilitate all expenses involved in the transfer of the contract, electricity privileges and other costs this agreement may entail.

Our instructions are that the entity is in a position, financially and otherwise to continue with the operations of the park. The employees, who we also represent, agreed to continue with providing their services until such time new contracts are signed with the new entity.

We were also instructed to assist with new contracts of employment which we will have in place within 7 days after launching of the new park. The new entity will comply with SA labour legislation.

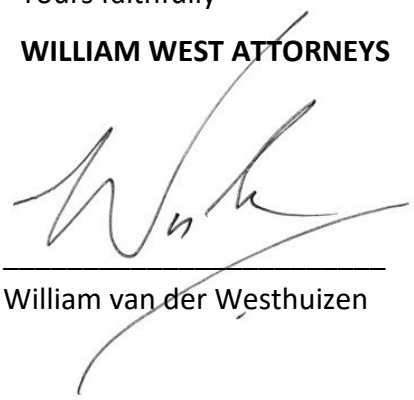
The new entity undertakes to strictly adhere to the conditions of the lease agreement and other relevant rules and regulations.

Since the current lease agreement comes to an end on the 30th of June 2021, our clients seek an urgent solution regarding the supply of electricity, safety of the premises, management of staff, etc. as there will be a need for same prior to a decision being made in December 2021. The new entity will adequately deal with all these concerns.

We ask that you give our requests your favourable consideration and await your response.

Yours faithfully

WILLIAM WEST ATTORNEYS



_____

William van der Westhuizen

11.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]

NONE

11.4	HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)

11.4.1	STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW)

Collaborator No: **706730**
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **19 May 2021 and 26 May 2021**

1. SUBJECT: STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW)

2. PURPOSE:

a) To request Council to approve the Stellenbosch Municipality's Housing Pipeline (projects) for the next three financial years, for submission to the Provincial Department of Human Settlements (PDoHS);

b) To provide a brief to Council on the National and Provincial Departments of Human Settlements' directive on the provision of housing;

c) To provide clarity on the determination of priority projects by means of project readiness ranking;

d) To obtain Council's support in principle of all the identified projects as listed and fully described in the Housing Pipeline document. Subsequently, the relevant projects will be submitted to the Provincial Department of Human Settlements for approval on the Housing Pipeline; and,

e) To report to Council on the progress on existing housing projects that are currently on the approved Housing Pipeline.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The item relates to the annual review of the Stellenbosch Municipality Housing Pipeline. This particular review relates to the period 2021 to 2024.

The Provincial Department of Human Settlements presented new strategic shifts in human settlements development to enable the residents of the Western Cape to have access to liveable, accessible, safe, and multi-opportunity settlements.

The specific strategic objectives are radical acceleration of housing opportunities, radical integration approach to human settlements, radical implementation of innovative solutions and radical economic growth and job creation.

A Minister's engagement was held during September 2020 to discuss the business planning and budgeting process, with specific emphasis on the funding realities.

The National Department of Human Settlements submitted a communication dated 30 September 2020 to the Provincial Department of Human Settlements stating that the

current budget cuts require a re-think regarding the housing subsidy programme approach. The delivery of top structures is considered fiscally unsustainable and the instruction is to rather prioritise the delivery of serviced sites.

5. RECOMMENDATIONS

(a) that Council takes note of the National and Provincial Departments of Human Settlements' directive on the provision of housing;

(b) that Council takes note of the method undertaken in the determination of priority projects by means of project readiness ranking;

(c) that Council takes note of all the identified projects as described in the Housing Pipeline document, which will subsequently be submitted to the Provincial Department of Human Settlements for approval of the Housing Pipeline;

(d) that Council takes note of the progress of existing housing projects that are currently on the approved Housing Pipeline; and

(e) that the Housing Pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation.

6. DISCUSSION / CONTENTS

6.1 Background

In terms of Chapter 2 of the Bill of Rights, Section 26 as contained in the Constitution of the Republic of South Africa, 1996, that relates to Housing, it is stated that:

- Everyone has the right to have access to adequate housing.
- The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.

Schedule 4A lists housing as a concurrent competency of the national and provincial spheres of government. Schedule 4B and 5B of the Constitution do not confer on local government a function that can be seen to place the onus of housing delivery on local government, however, it provides an agency function on behalf of Provincial Government for the delivery of housing opportunities in its municipal area.

Notwithstanding the above and in accordance with Act No 107 of 1997 as amended, municipalities are responsible for municipal planning in terms of Section 156 of the Constitution read with Schedule 4B. Municipalities are therefore responsible for the management, regulation, use and development of land within its jurisdiction to enable housing delivery for its residents.

6.2 Discussion

6.2.1. Economic context

The current and anticipated economic and fiscal context of the country has changed significantly. The downward economic trajectory of the past few years as well as the current economic reality (economic recession that prompted budget cuts and challenges posed by COVID-19), render the existing housing subsidy programme approach as fiscally unsustainable.

Due to this changing economic and fiscal context of the country, the National Department of Human Settlements have changed their directive towards the provision of housing.

6.2.2. National and Provincial change of Directive towards the provision of Housing

A Minister's engagement was held during September 2020 to discuss the business planning and budgeting process, with specific emphasis on the funding realities. During this particular engagement, the Head of Department of the Provincial Department of Human Settlements indicated that the national funding for housing has been reduced and advised that it will have a severe impact on municipalities.

The National Department of Human Settlements thereafter sent correspondence to the Provincial Department of Human Settlements to elaborate on the changed directive towards the provision of housing, which now entails the following:

- Delivery of top structures is fiscally un-sustainable leading to the directive to downscale delivery of top structures and prioritise the delivery of serviced sites and enhanced serviced sites where applicable.

- Project approval for normal Breaking New Ground (BNG) top structures will only be provided for the following beneficiary categories: The elderly (sixty years and older), military veterans, persons with disabilities, child headed households, persons on the waiting list fifteen years or longer and backyarders (category added by the Provincial Department of Human Settlements).

- The typologies to be considered for top structures will be focused on medium to high density developments.

- Top structures will only be provided where approvals or contractual commitments exist or where construction has begun. No new contractual commitments will be entered into for top structures as from 1 April 2021.

- No new top structure projects may be awarded without the approval from the National Department.

- Providing access to basic services.

- Focus on the in-situ upgrading of Informal Settlements.

6.2.3. Readiness Matrix

The priority of a project is determined as follows:

- Land is identified for consideration and further investigation into the potential development of the land.

- A Project Initiation Document (PID) is submitted to the Provincial Department of Human Settlements for approval by the Department to release funds to proceed with Feasibility Studies.

- Feasibility studies are then conducted to provide a framework in which an informed decision can be taken whether the land is suitable for a housing development project.

- A Project Feasibility Report (PFR) is then submitted to the Provincial Department of Human Settlements for approval by the Department to release funds to proceed with the planning and pre-planning phase.

- In the event that the project is deemed feasible (approval of the PFR), the pre-planning and planning phase then continues which entails the obtaining of development rights in terms of various applicable legislation, such as, amongst

others and where relevant, the Land Use Planning Act and subsequent Municipal Land Use Planning By-Law, the Subdivision of Agricultural Land Act No 70 of 1970, the National Environmental Management Act No 107 of 1998 and the National Heritage Resources Act No 25 of 1999. Surveyor General Approval and Deeds Office Registrations are also required.

- Once all the required development rights have been obtained, a Project Implementation Readiness Report (PIRR) is submitted to the Provincial Department of Human Settlements for approval to release funds to proceed with the installation of services and the construction of top structures where applicable.

- The Provincial Department of Human Settlements requests that the Project Readiness Matrix, an instrument to assess the credibility of their Business Plan submitted to the National Department of Human Settlements, be completed as a priority by Municipalities. The Readiness Matrix indicates the status of beneficiary approvals, land use and environmental approvals, evidence of submission to the Surveyor-General and/or approved General Plans, evidence of sufficient bulk infrastructure, contractor procurement, and detailed cash flows per project. Municipalities are urged to ensure that project applications are submitted with a portfolio of evidence to satisfy the Readiness Matrix for all projects to be funded on the Business Plan.

6.3 Financial Implications

The proposed Housing Pipeline is submitted to Council on an annual basis. The financial implications are based on the approval of projects as per the funding submissions (applications) and Project Feasibility Reports to the Provincial Department of Human Settlements.

A letter from the Provincial Department of Human Settlements dated 9 April 2021 indicated the targets and funding allocation of the approved 2021/2022 Human Settlement Development Grant (HSDG) and Informal Settlements Upgrade Partnership Grant (ISUPG) Business Plans.

The list of projects, targets and budget for the Stellenbosch Municipality for the 2021/2022 financial year are stipulated in the below tables as extracted from the said letter.

2021/22: R 31,228 000 - HUMAN SETTLEMENT DEVELOPMENT GRANT (HSDG)

Stellenbosch Municipality	2021/22 Planned		
	Sites	Units	Funding R'000
Kayamandi Watergang Northern Extension (2000)	0	0	2,000
Stellenbosch Idas Valley (166) FLISP	166	0	11,288
Vlottenburg Longlands (106 incr to 144) IRDP	0	138	17,940
TOTAL	**166**	**138**	**31,228**

2021/22: R 20,180 000 - INFORMAL SETTLEMENTS UPGRADE PARTNERSHIP GRANT (ISUPG)

Stellenbosch Municipality	2021/22 Planned		
	Sites	Units	Funding R'000
Kayamandi Watergang Basic Services	0	0	6,500
ISSP Kayamandi Town Centre (1000) UISP	0	0	3,000
ISSP Kayamandi Zone O (711) UISP	78	0	4,680
Franschhoek Langrug (1900) UISP	0	0	4,500
TOTAL	**78**	**0**	**20,180**

It can be reported that the indicative amounts as indicated by the Provincial Department of Human Settlements as per their draft Business Plan for Human Settlement Development Grant (HSDG) and Informal Settlements Upgrade Partnership Grant (ISUPG) are as follows:

Financial Year	Indicative Amount	Note
2022/2023	R 53 020 000	Subject to project approval
2023/2024	R 20 500 000	Subject to project approval

This report has the following financial implication/s:

The Housing Pipeline must reconcile with budgets and provincial approvals as well as bulk infrastructure capacity or budget.

6.4 Legal Implications

The Item provided, deals with the approved Housing Pipeline for Stellenbosch Municipality by the Provincial Department of Human Settlements. The approval for the human settlement pipeline was already granted by the Provincial Department of Human Settlements and no legal input is required in this regard. The Municipality however has to comply with the conditions of approval. The item is thus supported.

6.5 Staff Implications

This report has staff implications in accordance with the newly approved organogram. Programme Managers are currently appointed on contract basis.

6.6 Previous / Relevant Council Resolutions

After careful scrutiny of the item: STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW), and as the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such, the item was approved as per recommendations (a) – (e) as signed on 17 April 2020. The recommendations as approved are listed below.

(a) that the projects in the table below, be supported in principle and submitted to Provincial Department of Human Settlements for funding to commence with necessary feasibility studies:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE
1.	Adam Tas Corridor	IRDP/FLISP	Pre-planning
2.	Farm 34 Vaaldraai, Elsenburg	IRDP/FLISP	Pre-planning

(b) that the projects under construction as reflected in the table below be supported in accordance with the appropriate funding and relevant provincial approvals as well as available bulk infrastructure capacity:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	Stellenbosch Ida's Valley (±265 services) (Erf 13300)	BNG	Construction		89
2.	Stellenbosch Ida's Valley (±166 services) (Lindida)	FLISP	Construction	166	
	Klapmuts (505) Erf 2181	IRDP	Constrcution	226	
3.	Longlands, Vlottenburg (±144 Services and units)	IRDP	Construction	144	20

4.	Rectification of existing units in Smartie Town (106 units)	CRR	Construction		**60*
5.	Rectification of existing units in The Steps/Orlean lounge (161 units)	CRR	Construction		**161*
7.	Stellenbosch Jamestown (Phases 2) (±133 sites)	IRDP/FLISP	Planning / Construction		
8.	Watergang Phase C (Decanting site)		Construction		
9.	Kayamandi Zone O (±711 services)	UISP	Construction	178	
			TOTAL	**714**	**109**

**existing units*

(c) that the projects currently in the planning and/or pre-planning phase as reflected in the table below be supported in accordance with the appropriate funding and relevant provincial approvals (see attached **ANNEXURE 1**) as well as available bulk infrastructure capacity:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE
1.	Erf 7001 and other possible sites for mix-used development in Cloetesville	IRDP/FLISP	Planning
2.	Erf 3229, Mooiwater, Franschhoek TRA	UISP	Planning
3.	Kayamandi Enkanini Enhanced Services (±1 300 sites)	UISP	Planning
4.	Kayamandi Town Centre Regeneration (±700 units)	UISP/ Institutional	Planning
5.	Northern Extension (Phase 1), Stellenbosch	IRDP/FLISP	Planning
6.	Erf 64, Kylemore (±171 services & ±171 units)	IRDP	Planning (Land transfer in progress)
7.	Franschhoek Langrug Enhanced services (±1 200 services)	UISP	Planning and feasibility study for decanting sites
8.	Stellenbosch La Motte Old Forest Station (±430 services & ±430 units)	IRDP/FLISP	Planning (Land transfer in progress)
9.	Meerlust, Franschhoek (±200 services & ±200 units)	IRDP	Planning
10.	Social Housing: Restructuring Zones, CBD Stellenbosch	Social Housing / SHRA	Planning-Feasibility studies
11.	Botmaskop (±1 500 opportunities)	Social Housing / IRDP	Pre-planning
12.	Vaaldraai	IRDP/FLISP	Pre-planning
13.	De Novo (300 sites)	IRDP/FLISP	Planning
14.	Adam Tas Corridor (opportunities still to be confirmed)	IRDP/FLISP	Pre-planning
15.	La Rochelle Klapmuts (opportunities still to be confirmed)	IRDP	Pre-planning

(d) that Council takes note of the progress or lack thereof on current housing projects; and

(e) that the housing pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation.

6.7 Risk Implications

This report has no risk implications for the Municipality.

6.8 Comments from Manager: Spatial Planning

The Manager: Spatial Planning on 6 May 2021 provided comments on the identified projects as follows:

Erf 8915 Stellenbosch, Cloetesville:
- Located within the approved urban edge.
- Please note steep slope to develop, so limited developable land and costly.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially. Once the project reaches the planning phase, it needs to be considered within the capital planning process / CEF.

Erven 6668 and 7181 Stellenbosch, Cloetesville:
- Located within the approved urban edge.
- Access may be problematic.
- Please note that there may be environmental issues on this property.
- Road widening planned for Adam Tas (R44) in the future.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially. Once the project reaches the planning phase, it needs to be considered within the capital planning process / CEF.

Portion of Erf 7271 Stellenbosch, Cloetesville:
- Located within the approved urban edge.
- Please note that access to sports field needs to be kept in mind as the access is currently over this property.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially. Once the project reaches the planning phase, it needs to be considered within the capital planning process / CEF.

Erven 6300, 6847 and 6886 Stellenbosch, Cloetesville:
- Infill opportunities available.
- Located within the approved urban edge.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially. Once the project reaches the planning phase, it needs to be considered within the capital planning process / CEF.

Erf 8776 Stellenbosch, Cloetesville:
- Located within the approved urban edge.
- Please note that this is an important access gateway to Cloetesville and should not be developed.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially, however as mentioned above site constraints and characteristics might need to be incorporated within the design if this project moves past the feasibility phase.

Erf 6705 Stellenbosch, Cloetesville:
- Located within the approved urban edge.
- Infill opportunities possible.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially. Once the project reaches the planning phase, it needs to be considered within the capital planning process / CEF.

Portions of Erven 3363 and 3393 Stellenbosch (Botmaskop):

- Partially located within the approved urban edge
- Indicated in SDF for future mixed use (Community facilities and residential)
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially. Once the project reaches the planning phase, it needs to be considered within the capital planning process / CEF.

Farm 744/7 Paarl, Klapmuts:

- Located outside the approved urban edge.
- Not suitable for urban development.
- Retain for agriculture.
- From a CEF perspective, this project falls outside the spatial development framework and spatially targeted areas and needs to be reconsidered.

Droë Dyke:

- Located within the approved urban edge.
- Part of the Adam Tas Corridor Project as a strategic site.
- Indicated in SDF for future mixed use (Community facilities and residential).
- Affordable / inclusionary housing to be considered.
- Adam Tas Local SDF currently in process and the project proposal within this corridor needs to be incorporated within the planning phase of the LSDF and subsequent implementation framework and CEF.

Adam Tas Corridor:

- Located within the approved urban edge.
- Identified in SDF as a catalytic project.
- ATC local SDF currently in process and the project proposal within this corridor needs to be incorporated within the planning phase of the LSDF and subsequent implementation framework and CEF.
- LSDF will identify a number of inclusionary / affordable housing opportunities for this area.

Farms 81/2 and 81/9 Stellenbosch, Cloetesville

- Located within the approved urban edge.
- Site filled with building rubble.
- Previously identified as a sports field.
- Access problematic and dangerous.
- Property located within the gateway to Stellenbosch and within an activity route
- Road widening planned for R304 in future – this will play in role in NMT and parking issues.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially, however as mentioned above site constraints and characteristics might need to be incorporated within the design if this project moves past the feasibility phase.

Lapland Precinct:

- Located outside the approved urban edge.
- Opportunity for infill development.
- Height increase will not be supported.
- Infill development will rather be supported by adding similar type of flats.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially. Once the project reaches the planning phase, it needs to be considered within the capital planning process / CEF.

Teen-die-Bult Precinct:

- Green area to be retained.
- Site not suitable for development.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially, however the spatial planning categories of the SDF does not allow for the development of this site (refer to points above).

La Colline Precinct:

- Located inside the approved urban edge.
- Two public open spaces important to be retained and upgraded.
- Densification opportunities available.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially. Once the project reaches the planning phase, it needs to be considered within the capital planning process / CEF.

Erf 7001 Stellenbosch, Cloetesville:

- Located within the approved urban edge.
- Approved SDF identify property for mixed use development (community facilities and residential infill).
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Jamestown Development Phases 2 – 4:

- Located inside the approved urban edge.
- Inclusive development supported in approved SDF.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Erven 412, 217 and 284 Groendal, Franschhoek:

- Located inside the approved urban edge and identified as a strategic site.
- Precinct Plan required.
- Gateway to Franschhoek.
- Green area identified in SDF to be retained.

Kayamandi Town Centre:

- Located within the approved urban edge.
- Re-development supported.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Northern Extension, Kayamandi:

- Located inside the approved urban edge.
- Forms part of the ATC project.
- Identified in the SDF as future mixed use (community and residential).
- Portion identified as green area to be retained.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially. Just to note, that it appears that the project has not been included in the MTREF period although it has been regarded as a high priority development.

Erf 3229 Franschhoek, Mooiwater:

- Located within the approved urban edge.
- Infill opportunities possible.
- Previously a dam was located on this property.
- Green area to be retained – Identified in SDF.

- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially, however cognizance of the spatial planning categories of the SDF excludes certain portions of the site for the development of this site and as mentioned above site constraints and characteristics might need to be incorporated within the design if this project.

Erf 64 Kylemore:

- Located inside the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls does not fall within the functional area and priority development areas and from a strategic perspective does not align spatially. Strategic alignment will have to be considered and prioritized if this project is to proceed.

La Motte:

- Located partially within the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls does not fall within the functional area and priority development areas and from a strategic perspective does not align spatially. Strategic alignment will have to be considered and prioritized if this project is to proceed.

Farm 1006/1, Meerlust:

- Located inside the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- Please note that the EIA and HIA are restrictive.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially, however as mentioned above site constraints and characteristics will have to be incorporated within the design if this project.

Simonsig Village: Farms 66/39 and 66/40 Stellenbosch:

- Located within the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls does not fall within the functional area and priority development areas and from a strategic perspective does not align spatially, however as motivated the strategic alignment has been considered and supported.

Langrug, Franschhoek:

- Located inside the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Erf 2183 Klapmuts, La Rochelle:

- Located within the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Erven 1080 - 1112 Kayamandi:

- In line with SDF.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Red Bricks Hostels:
- Located within the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Erf 1123 – 1154 and 1113 – 1120 Kayamandi:
- Located within the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Remainder Erf 288 Kayamandi:
- Located within the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Maasdorp Village, Franschhoek:
- Located within the approved urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Jonkershoek:
- Not identified as an urban node as there are no services available.
- Refer to the Jonkershoek LSDF.
- Limited infill opportunities.
- From a CEF perspective, this project falls does not fall within the functional area and priority development areas and from a strategic perspective does not align spatially. Strategic alignment will have to be considered and prioritized if this project is to proceed.

Faure Agri-Village: Farm 1081/3 and 1081/5 Stellenbosch:
- Not identified as an urban node and outside of the urban edge.
- Viewed as an agri village in rural area for farm workers housing.
- From a CEF perspective, this project falls does not fall within the functional area and priority development areas and from a strategic perspective does not align spatially.

De Novo:
- Located outside the approved urban edge.
- Not identified for urban development.
- From a CEF perspective, this project falls does not fall within the functional area and priority development areas and from a strategic perspective does not align spatially.

Farm 34 Stellenbosch, Vaaldraai:
- Not identified for housing and not included within urban edge.
- No urban node identified.
- From a CEF perspective, this project falls does not fall within the functional area and priority development areas and from a strategic perspective does not align spatially.

Watergang Informal Settlements: Erf 3689 Kayamandi:
- Located within the urban edge.
- Identified in the SDF as future mixed use (community and residential).
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Zone O Kayamandi:
- Located within the urban edge.
- Re-development required.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Enkanini Kayamandi:

- Located within the urban edge.
- In-situ upgrading.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

A portion of Erf 9445 Stellenbosch, Ida's Valley:
- Located within the urban edge.
- Located adjacent to a Grade I Heritage site.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially, however as mentioned above site constraints and characteristics will have to be incorporated within the design if this project.

Longlands Village Phase 3: Farm 393 Vlottenburg:
- Located within the urban edge.
- Infill opportunities.
- From a CEF perspective, this project falls does not fall within the functional area and priority development areas and from a strategic perspective does not align spatially, however as motivated the strategic alignment has been considered and supported.

The Steps and Orlean Lounge, Cloetesville:
- Located within the urban edge.
- Upgrading of buildings necessary.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Smartie Town, Cloetesville:
- Located within the urban edge.
- Upgrading of buildings necessary.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

Watergang Phase 2C: Erf 3603 Kayamandi:
- Located within the urban edge.
- Infill opportunities.
- From a CEF perspective, this project falls within the functional area and priority development areas and from a strategic perspective aligns spatially.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 7.4.1

(a) that Council takes note of the National and Provincial Departments of Human Settlements' directive on the provision of housing;

(b) that Council takes note on the method undertaken in the determination of priority projects by means of project readiness ranking;

(c) that Council takes note of all the identified projects as described in the Housing Pipeline document, which will subsequently be submitted to the Provincial Department of Human Settlements for approval on the Housing Pipeline;

(f) that Council takes note on the progress of existing housing projects that are currently on the approved Housing Pipeline;

(g) that the Housing Pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation;

(h) that the projects under construction (within the implementation phase) as reflected in the below table be supported in accordance with the appropriate funding and relevant provincial approvals as well as available bulk infrastructure capacity:

For the Financial Year 2021/2022

	Project Name	Housing Programme	Opportunities
1	Erf 9445 Stellenbosch Idas Valley (166)	FLISP	166 sites
2	Vlottenburg Longlands Village Phase 3 (144)	IRDP	138 units 6 sites
3	The Steps and Orlean Lounge, Cloetesville	Rectification (municipal)	161 existing units
4	Smartie Town, Cloetesville	Rectification (municipal)	106 existing units
5	Kayamandi Zone O (711)	UISP	78 sites funding approval in 2021/22. Remaining 112 of the current phase to proceed after approval of additional funds
6	Kayamandi Watergang Basic Services	ABS	Basic services
7	Watergang Phase 2C – Erf 3603 Kayamandi	UISP	87 sites * in implementation phase; however awaiting decision on the way forward

(i) that the projects currently in the pre-planning and/or planning phases as reflected in the below table be supported in accordance with the appropriate funding and relevant provincial approvals:

For the Financial Years 2021/2022 and 2022/2023 (with funding)

	Project Name	Housing Programme	Opportunities	Phase
1	Botmaskop (1500)	Social Housing, IRDP, FLISP	1500 sites (type TBD)	Feasibility 2021-22 Planning 2023-25
2	Farms 81/2 and 81/9 Stellenbosch	Social Housing	± 250 – 350 rental units	Planning 2021-22 Implement 2023-25
3	Erf 7001 Stellenbosch, Cloetesville (“Soek-mekaar”)	IRDP, FLISP	250 – 300 sites	Planning 2021-22 Planning and implement 2023-25
4	Jamestown Development: Phase 2 - 4	IRDP, FLISP	2 000 sites	Planning (phase 4) and Implementation (phase 2,3) 2021-22
5	Erven 412, 217 and 284 Groendal, Franschhoek	IRDP, FLISP	150 – 200 sites	Planning 2021-22
6	Kayamandi Town Centre	UISP, Institutional	1847 top structures (units)	Planning 2021-22
7	Northern Extension, Kayamandi	IRDP, FLISP	4000 – 6000 sites	Planning 2021-22

8	Erf 3229 Franschhoek (Mooiwater)	UISP	258 sites	Planning 2021-22
9	Erf 64 Kylemore	IRDP	171 top structures (units)	Planning 2021-22
10	La Motte Old Forest Station	IRDP, FLISP	830 + 283 sites	Planning 2021-22 and 2023-25
11	Lapland Precinct	Social Housing	368 top structures	Planning 2021-22
12	3256 Franschhoek Langrug (1900)	UISP	1900 serviced sites	Planning 2021-22
13	Erf 2183 Klapmuts, La Rochelle	UISP	100 serviced sites; possible temporary relocation units	Planning 2021-22
14	Maasdorp Village, Franschhoek	Township Establishment	16 existing units	Planning (land use rights) – 2021-22
15	Enkanini	UISP	1300 sites	Planning 2021-22

(j) that the projects currently in the pre-planning and/or planning phases as reflected in the below table be supported, subject to funding approval:

For the Financial Years 2021/2022 and 2022/2023 (subject to funding)

	Project Name	Housing Programme	Opportunities	Phase
1	Portion of Erf 7271 Stellenbosch, Cloetesville	BNG, FLISP	168 serviced sites (top structures TBD)	Pre-planning 2021-22 Planning 2023-25
2	Erven 6300, 6847, 6886 Stellenbosch, Cloetesville	FLISP	279 sites	Pre-planning 2021-22 Planning 2023-25
3	Erf 8776 Stellenbosch, Cloetesville	FLISP	37 sites	Pre-planning 2021-22 Planning 2023-25
4	Erf 6705 Stellenbosch, Cloetesville	BNG	12 units /top structures	Pre-planning 2021-22 Planning 2023-25
5	Adam Tas Corridor	IRDP, FLISP, Social Housing	3500 – 5000 serviced sites (top structures TBD)	Planning 2023-25
6	Teen-die-bult Precinct	Social Housing	180 top structures	Pre-planning 2021-22 Planning 2023-25
7	3460 Meerlust, Franschhoek (200)	IRDP	200 top structures (units)	Pre-planning 2021-22 Planning 2023-25
8	Jonkershoek	Township Establishment, IRDP, FLISP	Units and sites TBD, together with 40 existing units	Pre-planning 2021-22 Planning 2023-25
9	Farm 34 Vaaldraai Elsenburg	IRDP, FLISP	283 top structures (units)	Pre-planning completed 2021-22 * outside urban edge

** All projects continuation subject to Council approval for each phase to proceed to the next*

(k) that the projects currently considered in the pre-planning phase as reflected in the below table be supported for future financial years from 2023/2024 and beyond, and subject to appropriate funding and relevant provincial approvals:

For the Financial Years from 2023/2024 and beyond

	Project Name	Housing Programme	Opportunities
1	Droë Dyke	IRDP, FLISP, Social Housing	1000 sites (type TBD)
2	Portion 7 of Farm 744 Paarl, Klapmuts	IRDP/ FLISP	850 sites
3	La Colline Precinct	Social Housing	TBD

ANNEXURES

Annexure A: Stellenbosch Municipality Housing Pipeline Document

ANNEXURE A

STELLENBOSCH MUNICIPALITY HOUSING PIPELINE 2021 – 2024



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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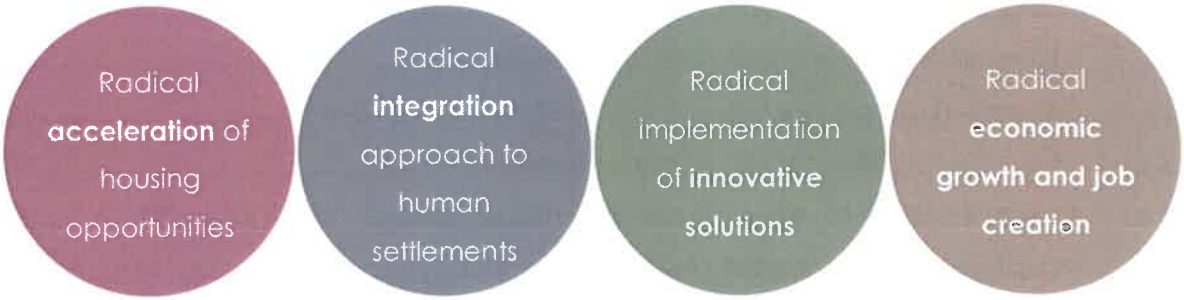
THE DEPARTMENT OF HUMAN SETTLEMENTS, WESTERN CAPE GOVERNMENT:

It should be noted that execution of human settlement development is conducted by the Stellenbosch Municipality; however, it is funded by the Department of Human Settlements. The funding is of these projects are not the Stellenbosch Municipality's responsibility. It is therefore imperative that the Municipality's objective and actions align with and conform to the strategic objectives of the National and Provincial Department of Human Settlements, which are elaborated on below.

1. STRATEGIC OBJECTIVES

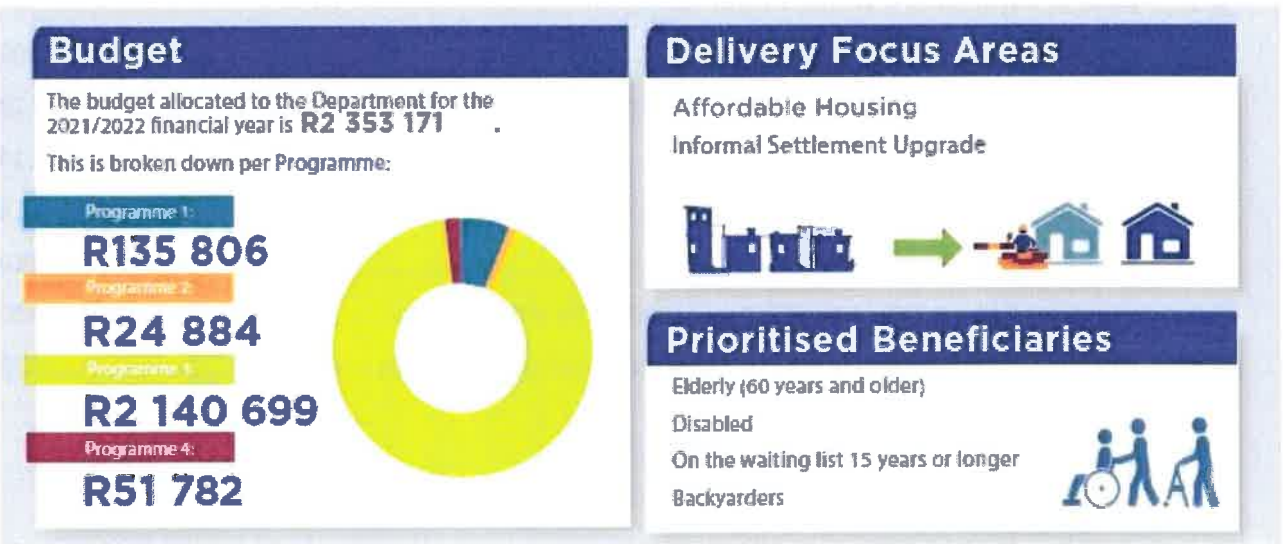
The Department of Human Settlements, Western Cape Government, presented the new strategic shifts in human settlements development to enable the residents of the Western Cape to have access to liveable, accessible, safe and multi-opportunity settlements. The specific strategic objectives are as follows:

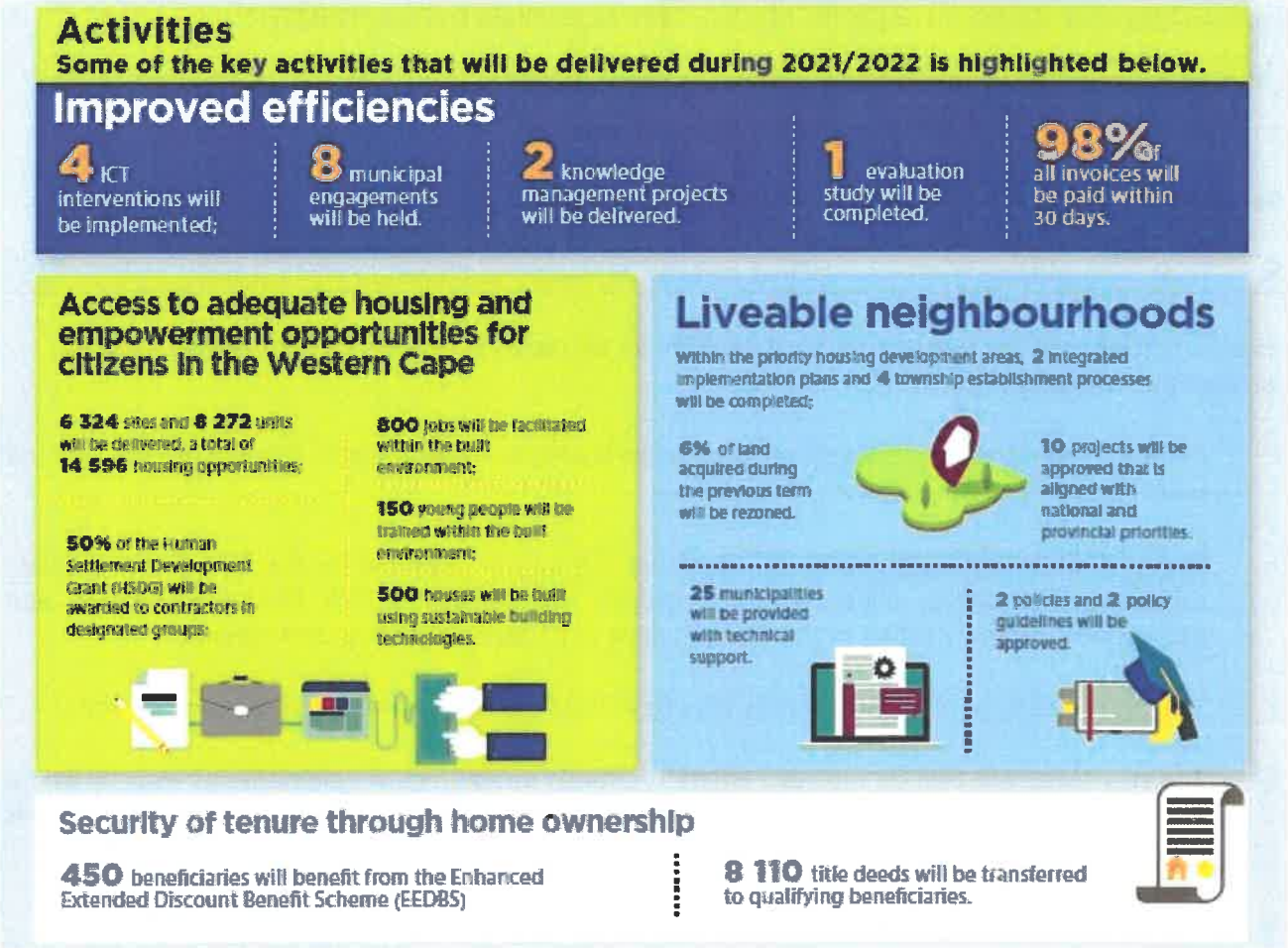
- Radical acceleration of housing opportunities
- Radical integration approach to human settlements
- Radical implementation of innovative solutions
- Radical economic growth and job creation



2. DEPARTMENT OF HUMAN SETTLEMENTS BUDGET BREAKDOWN 2021/22

Programme 1: Administration
Programme 2: Housing Needs, Research and Planning
Programme 3: Housing Development
Programme 4: Housing Asset Management





3. ECONOMIC AND FISCAL CONTEXT

- **The National economy** is expected to **contract by 7.8 per cent in 2020**, returning to real GDP growth of 3.3 per cent in 2021
- **Western Cape economy** is expected to contract by **6.9 per cent** in 2020 and rebounding by 3.8 per cent in 2021 (from the lower base)
- **Tax revenues** for 2020/21 are forecast to be R312.8 billion lower than projected in the 2020 Budget Review
- Gross national **debt has risen** from **63.3 per cent of GDP** in 2019/20 to 81.8 per cent of GDP in the current year

4. HUMAN SETTLEMENT GRANTS ALLOCATIONS OVER THE YEARS

R'000								
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
HSDG	2 000 811	2 326 758	2 018 903	2 172 110	1 705 286	1 441 433	1 420 174	1 384 000
TRG			50 361	64 410	200			
ISUPG						457 429	484 638	523 000
	2 000 811	2 326 758	2 069 264	2 236 520	1 705 486	1 898 862	1 904 812	1 907 000

Previous indicative allocations as per the Medium Term Expenditure Framework (MTEF):

- 2020/21: R2 084 051 000 (reduction of R378 865 000)
- 2021/22: R2 233 871 000 (reduction of R335 009 000)

New 2021 MTEF onwards are indicative and subject to changes.

5. HOD COMMUNICATION: DELIVERY OF HUMAN SETTLEMENT PROJECTS FROM 1 APRIL 2021

Communication received from the National Department of Human Settlements on 30 September 2020 directed the following:

- Delivery of top structures is fiscally un-sustainable leading to the directive to downscale delivery of top structures and prioritise serviced sites delivery.
- Project approval for normal BNG top structures will only be provided for the following beneficiary categories: The elderly, military veterans, persons with disabilities; child headed households, and backyarders (category added by the Western Cape Department of Human Settlements).
- The typologies to be considered for top structures will be medium to high density developments.
- Top structures will only be provided where approvals or contractual commitments exist or where construction has begun. No new contractual commitments will be entered into for top structures as from 1 April 2021.

6. REVISED NATIONAL GOVERNMENT BUSINESS PLANNING DIRECTIVE 30 SEPTEMBER 2020





7. INFORMAL SETTLEMENT UPGRADING PARTNERSHIP GRANT (ISUP)

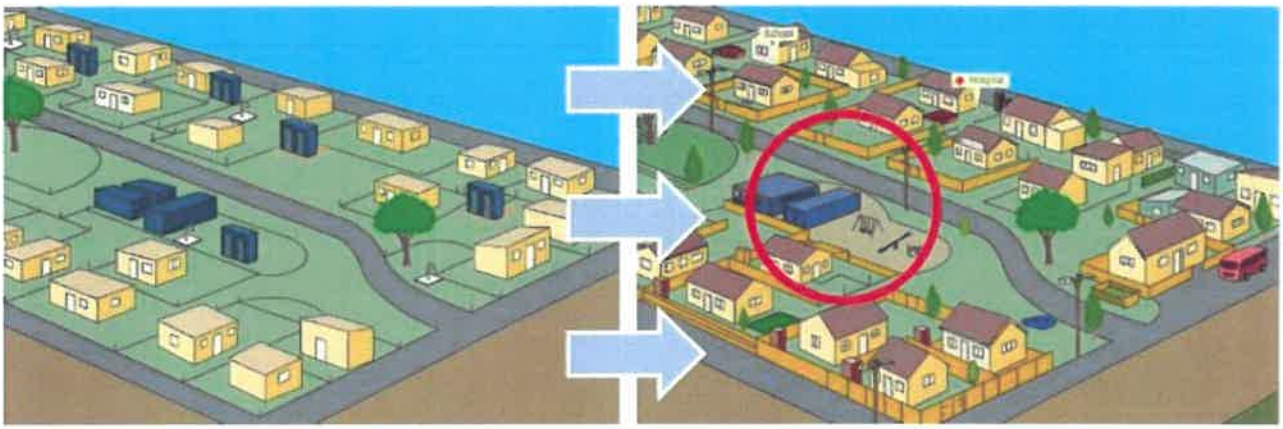
Grand Funding is split between the Human Settlement Development Grant (HSDG) and the Informal Settlement Upgrade Partnership Grant (ISUPG) for the 2021-22 Financial Year.

- Focus on the in situ upgrading of Informal Settlements
- Focus on providing access to basic services
- Prioritise the provision of serviced sites and enhanced services sites where applicable

8. NEW HOUSING DELIVERY MODEL DEVELOPMENT

Development of a New Provincial Housing Delivery Model for roll out in the 2021-22 Financial Year:

- Focus shift to enhanced serviced sites instead of the top structures approach:
    - Model to be presented, costed, budgeted for and approved by the National Department of Human Settlements;
    - Municipalities will be allowed time to align their selection and allocation policies;
    - Council adoption will be facilitated by the Department;
    - Province will assist in stakeholder communication.



9. DENSITIES ON TOP STRUCTURE PROJECTS

The National Department of Human Settlements confirmed that the BNG Policy Higher Density Principles are still applicable:

- Department recommends a general standard of 80 dwelling units per hectare as a net density.
- Western Cape Provincial Spatial Development Framework (PSDF) recommends:
    - Rural settlements density of 60 dwelling units per hectare; and
    - Urban settlements density of 80 dwelling units per hectare.
- Appropriate high densities will be considered at a technical level on a case-by-case situation.
- Freestanding or ground floor portions of densified developments should be allocated to elderly and people with disabilities, the remainder should be allocated to sites or enhanced sites.

10. RAPID LAND RELEASE STRATEGY

Development of a Land Acquisition and Land Release Strategy is currently being undertaken:

- To better co-ordinate planning and land identification processes.
- To speed up land acquisition and release processes at greater scale, with specific focus on rapid release of land in the form of serviced sites.
- Municipalities are requested to develop a Human Settlement Municipal Land Assembly Programme that sets out:
    - Amount of land required to address the Municipal Waiting List
    - Nature and location of land
    - Short-, medium-, and long-term needs highlighted
- Extensive stakeholder engagement process with all relevant parties will be rolled out after March 2021

11. BULK SERVICES REQUIREMENTS

Departmental Regional Teams should support Municipalities to ensure that bulk services are in place before implementation:

- Request for bulk services support from Municipalities annually exceeds the 2% bulk funding available from the HSDG grant.
- Bulk funding assistance will no longer be available from the department, except in exceptional circumstances.
- Municipalities urged to identify bulk needs before project application and to take cognisance of other available funding streams for provision of bulk services.

12. PROJECT READINESS ASSESSMENT

The Department requests that the Project Readiness Matrix, an instrument to assess the credibility of the Business Plan, be completed as a priority by Municipalities:

- The Readiness Matrix indicates the status of beneficiary approvals, general plans, bulk services, contractor procurement, and detailed cash flows per project.
- Municipalities are urged to ensure that project applications are submitted with a portfolio of evidence to satisfy the Readiness Matrix for all projects to be funded on the Business Plan.

13. TITLE DEEDS RESTORATION PROGRAM

The Title Deed Restoration Program changed as from 1 April 2021 with greater requirements to provide detailed explanations on the title deed backlog and elimination methodology for periods ranging from pre-1994 to post-2014:

- Province will re-constitute the Provincial Title Deeds Steering Committee:
  - Dedicated resources will be assigned to assist Municipalities.
  - Template has been developed to better track title deed transfers.
  - Regional Directors are engaging Municipalities regarding the post-2014 title deeds.
  - Dedicated Departmental unit is facilitating pre-1994 title deeds transfers.

- Municipalities are requested to accelerate all efforts to facilitate the transfer of already completed serviced sites and units.

BUDGET - MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF)

1. HUMAN SETTLEMENTS DEVELOPMENT GRANT ALLOCATIONS AS FROM JANUARY 2021

- Human Settlement Development Grant (HSDG) Allocation as of January 2021
- Informal Settlements Upgrade Partnership Grant (ISUPG) Allocation as of January 2021

2. HUMAN SETTLEMENT DEVELOPMENT GRANT ALLOCATION

A letter from the Provincial Department of Human Settlements dated 9 April 2021 indicated the targets and funding allocation of the approved 2021/2022 Human Settlement Development Grant (HSDG) and Informal Settlements Upgrade Partnership (ISUP) Grant Business Plans.

The list of projects, targets and budget for the Stellenbosch Municipality for the 2021/2022 financial year are stipulated in the below tables as extracted from the said letter.

2021/22: R 31,228 000 - HUMAN SETTLEMENT DEVELOPMENT GRANT (HSDG)

Stellenbosch Municipality	2021/22 Planned		
	Sites	Units	Funding R'000
Kayamandi Watergang Northern Extension (2000)	0	0	2,000
Stellenbosch Idas Valley (166) FLISP	166	0	11,288
Vlottenburg Longlands (106 incr to 144) IRDP	0	138	17,940
TOTAL	**166**	**138**	**31,228**

2021/22: R 20,180 000 - INFORMAL SETTLEMENTS UPGRADE PARTNERSHIP GRANT (ISUPG)

Stellenbosch Municipality	2021/22 Planned		
	Sites	Units	Funding R'000
Kayamandi Watergang Basic Services	0	0	6,500
ISSP Kayamandi Town Centre (1000) UISP	0	0	3,000
ISSP Kayamandi Zone 0 (711) UISP	78	0	4,680
Franschhoek Langrug (1900) UISP	0	0	4,500
TOTAL	**78**	**0**	**20,180**

STELLENBOSCH MUNICIPALITY HOUSING PIPELINE AND EXISTING PROJECTS

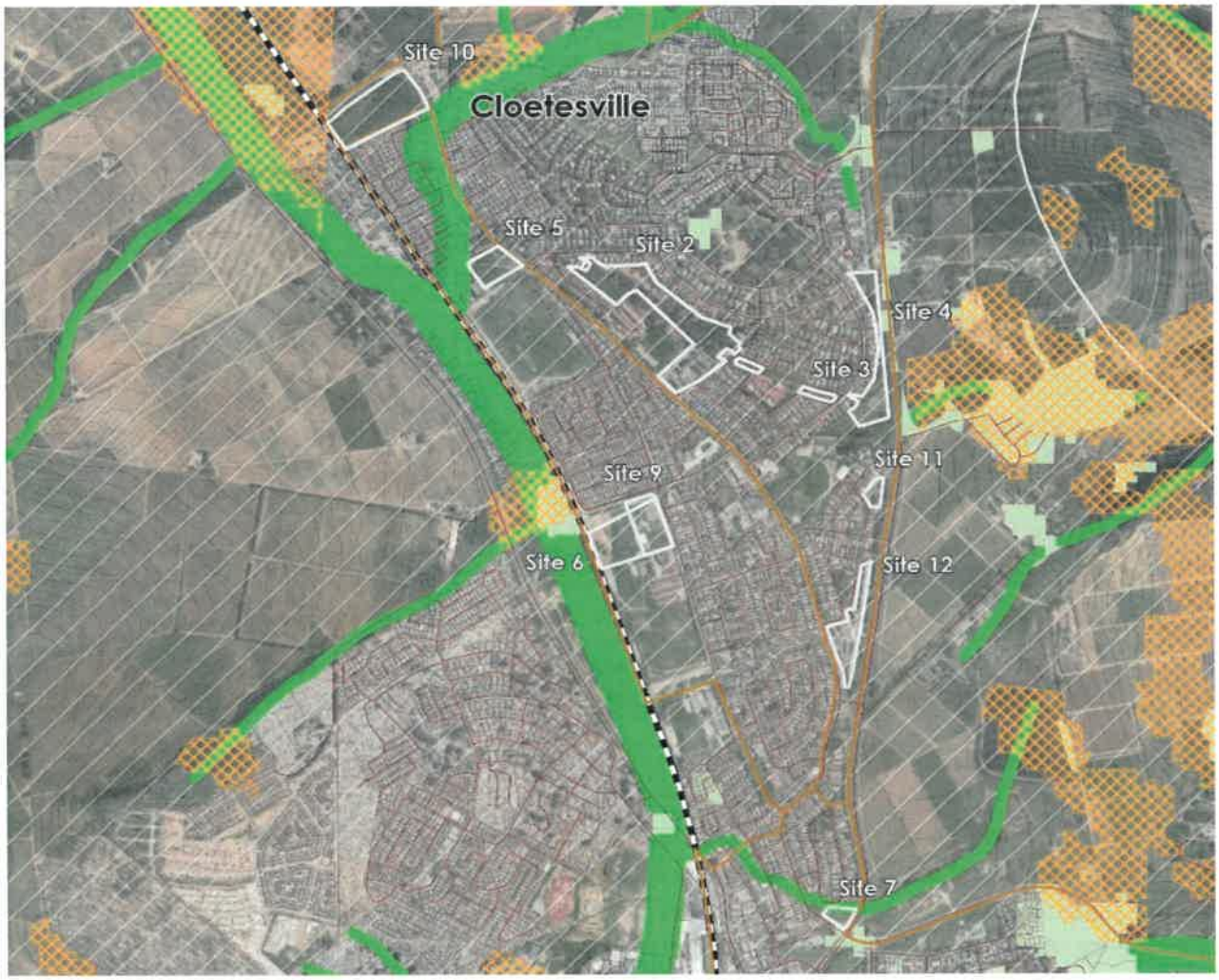
The Stellenbosch Municipality has certain projects in the Housing Pipeline which caters for various programmes such as FLISP, IRDP, UISP, BNG and Social Housing. The number of people on the waiting list for housing opportunities as on 30 April 2021, is 16 300 people, the percentage addressed by each project of which is provided. There are various phases and categories of the projects which are discussed below as feasibility studies, social housing, call for proposals / tender phase, pre-planning / planning phase, formalising and upgrading of existing settlements, and implementation.

1. PROJECTS: FEASIBILITY STUDIES

1.1. Cloetesville Infill Housing Project

The Cloetesville Infill Housing Project was implemented to serve as a means to develop vacant and underdeveloped portions of land within Cloetesville to address the housing need. A service provider was appointed to conduct a feasibility study on eight sites (11 erven) as identified by Council. The objective was to identify the development potential of each site and to provide a conceptual site development layout for the identified sites. The final feasibility report has been received and will be presented to Council during May 2021 to determine the viable sites to proceed with for housing purposes.

The following sites were under investigation:



The feasibility report will serve before Council during May 2021, with the list of sites that show development potential being summarised below and discussed in more detail.

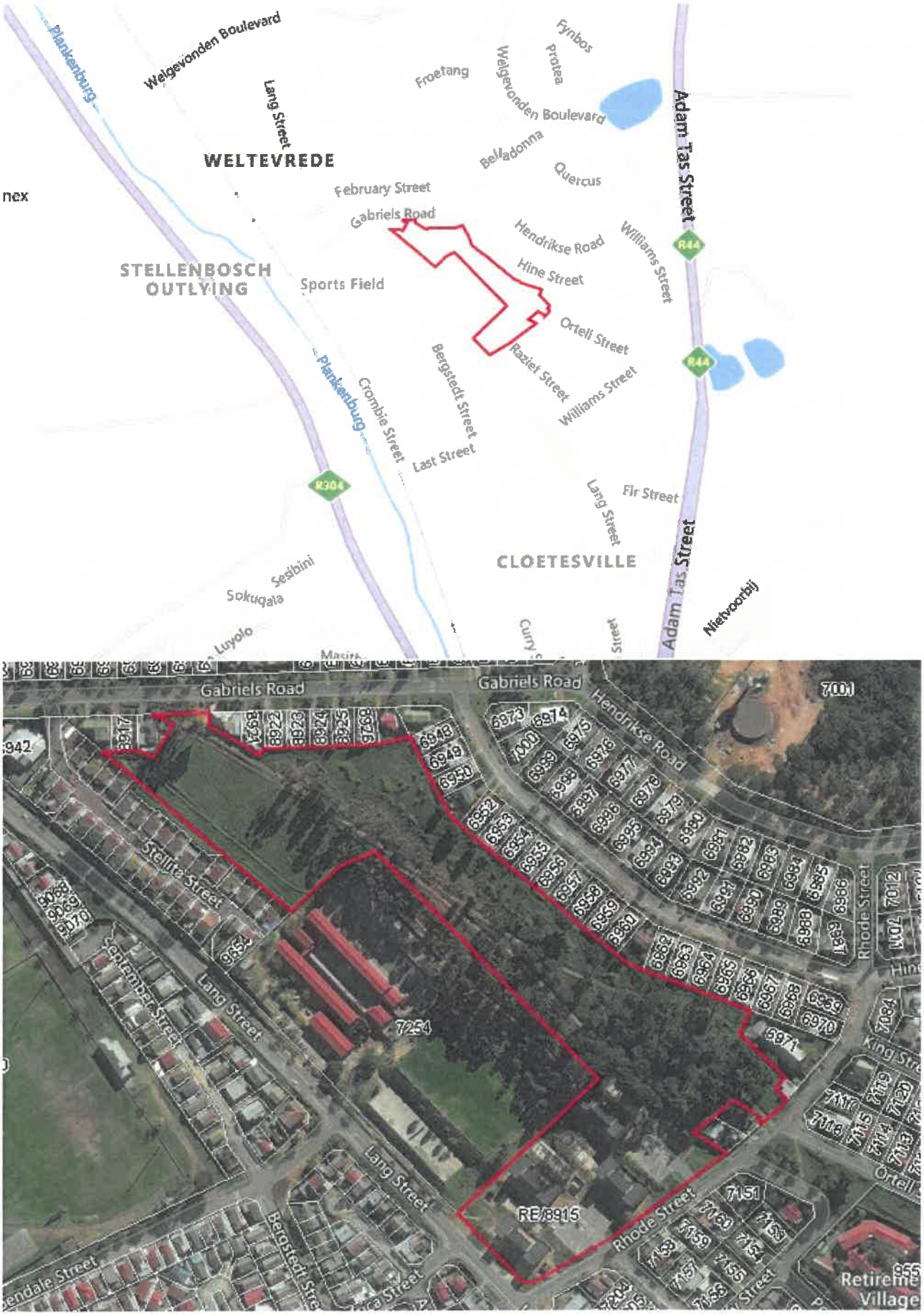
Erf 7271 is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface, is expecting to impact the cost of construction. The site makes allowance for a substantial number of units and is therefore a more attractive site.

Erven 6847, 6886, 6300 is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface is expecting to impact the cost of construction since alternative construction methods are used to mitigate the risks. The site makes allowance for a substantial number of units and is therefore a more attractive site.

Erf 8776 is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface is expecting to impact the cost of construction since alternative construction methods are used to mitigate the risks. The site makes allowance for a limited number of units and a detailed cost-benefit analysis should be undertaken.

Erf 6705 is relatively flat; however, the soil conditions is expecting to impact the cost of construction. The site makes allowance for a limited number of units and a detailed cost-benefit analysis should be undertaken.

1.1.1. Erf 8915 Stellenbosch, Cloetesville



Project Name		Erf 8915 Stellenbosch, Cloetesville
Property Description		Erf 8915 Stellenbosch, Cloetesville
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		N/A
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		0,5
Housing Programme/s		IRDP / FLISP / Other
Housing Opportunities	**Sites**	0
	Serviced Sites	84 (Top structures TBD)
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	Steep slope; poor soil condition; insufficient infrastructure demand
	Readiness Score	1
Project Suitability	**Geotech Conditions**	The site is located along a steep slope
	Strategic alignment	TBD
	Planning Opinion	TBD

Erf 8915 is situated adjacent to and stretches behind Pieter Langeveldt Primary School. Moreover, it is situated behind one row of houses. A concern raised for this site is that the expense of servicing the land could possibly jeopardise the feasibility of providing facilities for the disadvantaged. Another concern is the number of trees on the site, especially behind the school, and their environmental and heritage impact. Currently the site is being utilised as an illegal dumping site.

In total 84 Breaking New Ground (BNG) units can be accommodated on the site, depending on the socio-economic profile of the beneficiaries and potential available subsidies. The site can also be developed as part of the Upgrading of Informal Settlements Program (UISP) and the Stellenbosch Municipality would then be required to provide serviced sites (water, sewer and electrical connection) to the beneficiaries.

Although it is expected that this site will be very costly to develop (due to the poor soil condition and subsequent required bulk earth works), it is recommended that the Stellenbosch Municipality develops the site for either BNG units or only serviced sites, depending on the subsidy quantum.

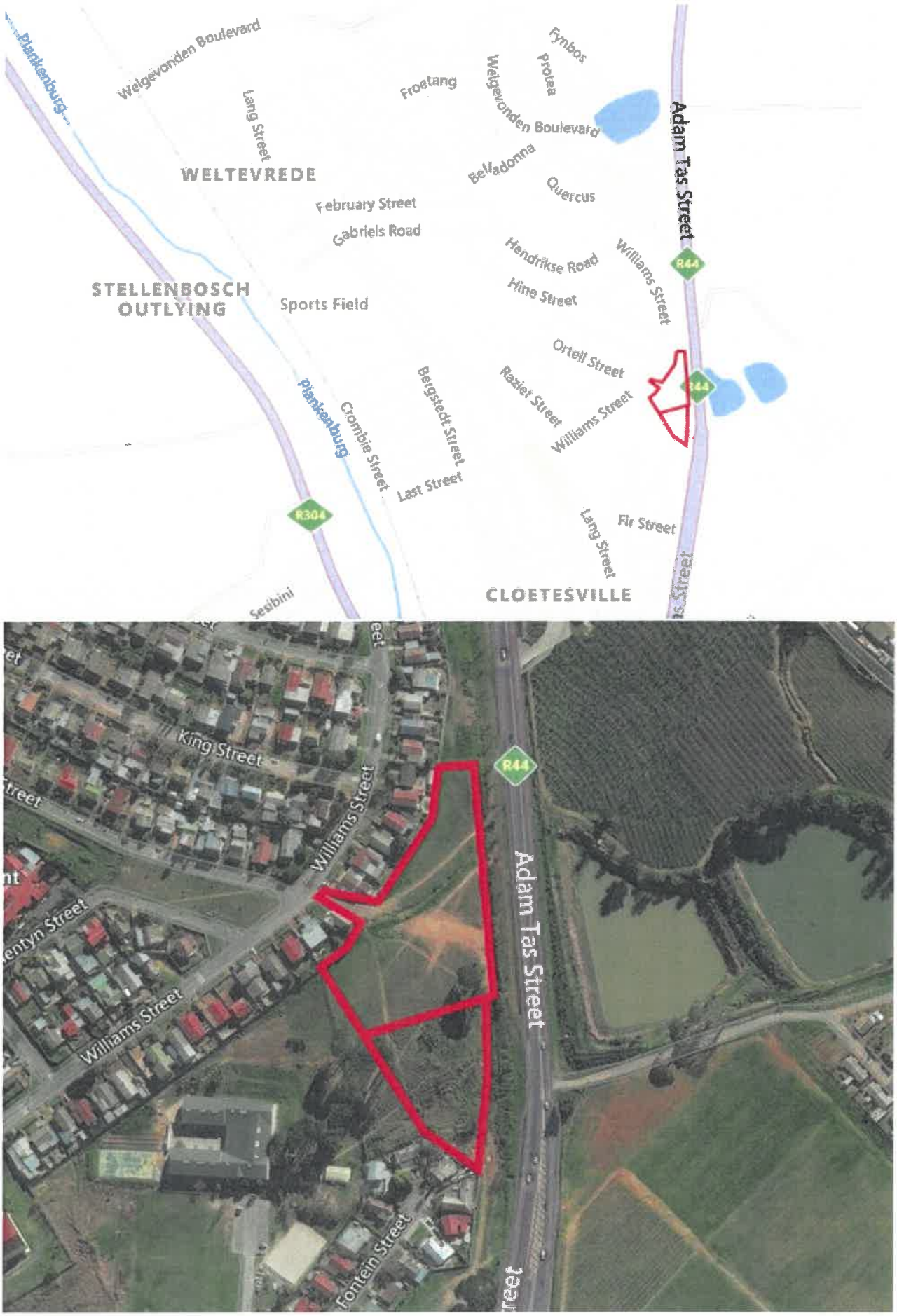
Although this site is not recommended for further pursuance by the Municipality, the site may be a potential development opportunity for a private developer.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
N/A			

* The project is subject to Council approval

1.1.2. Erven 6668 and 7181 Stellenbosch, Cloetesville



Project Name		Erven 6668 and 7181 Stellenbosch, Cloetesville
Property Description		Erven 6668 and 7181 Stellenbosch, Cloetesville
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		N/A
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		0,5
Housing Programme/s		IRDP / FLISP / Other
Housing Opportunities	**Sites**	0
	Serviced Sites	83 (Top structures TBD)
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	Significant bulk earth works required
	Readiness Score	1
Project Suitability	**Geotech Conditions**	Soil conditions poor; significant bulk earth works required
	Strategic alignment	TBD
	Planning Opinion	TBD

Erven 6668 and 7181 Stellenbosch are situated adjacent to the R44 arterial road and are in close proximity to Rietenbosch Primary School. The old Drakenstein Road passes between the property and the R44. The site is relatively steep and located in close proximity to a wetland area. This wetland area is currently in a poor condition and there are several illegal dwelling units on the site. The current access to the site is not sufficient should development occur on site and portions of Erven 7296 and/or 7047 Stellenbosch would need to be acquired.

Only a portion of the site is developable. The developable portion of the site allows for a mix of opportunities in the form of single residential erven and high-rise apartment buildings. In total 17 BNG units and 65 GAP/FLISP units can be accommodated on the site. Depending on the socio-economic profile of the beneficiaries and the available subsidies, the site can also be developed as part of the UISP and the Stellenbosch Municipality would then be required to provide serviced sites (water, sewer and electrical connections) to the beneficiaries. The GAP units can be developed by the Municipality or the land can be sold to the Social Housing Regulatory Authority (SHRA) which provides rental accommodation to people earning between R1 500 and R15 000 per month.

It is expected that this site will require significant bulk earth works and therefore be relatively costly to develop. As such, it is recommended that Stellenbosch Municipality sell the land to SHRA or a private developer who will be able to offset the development cost by developing more expensive residential units.

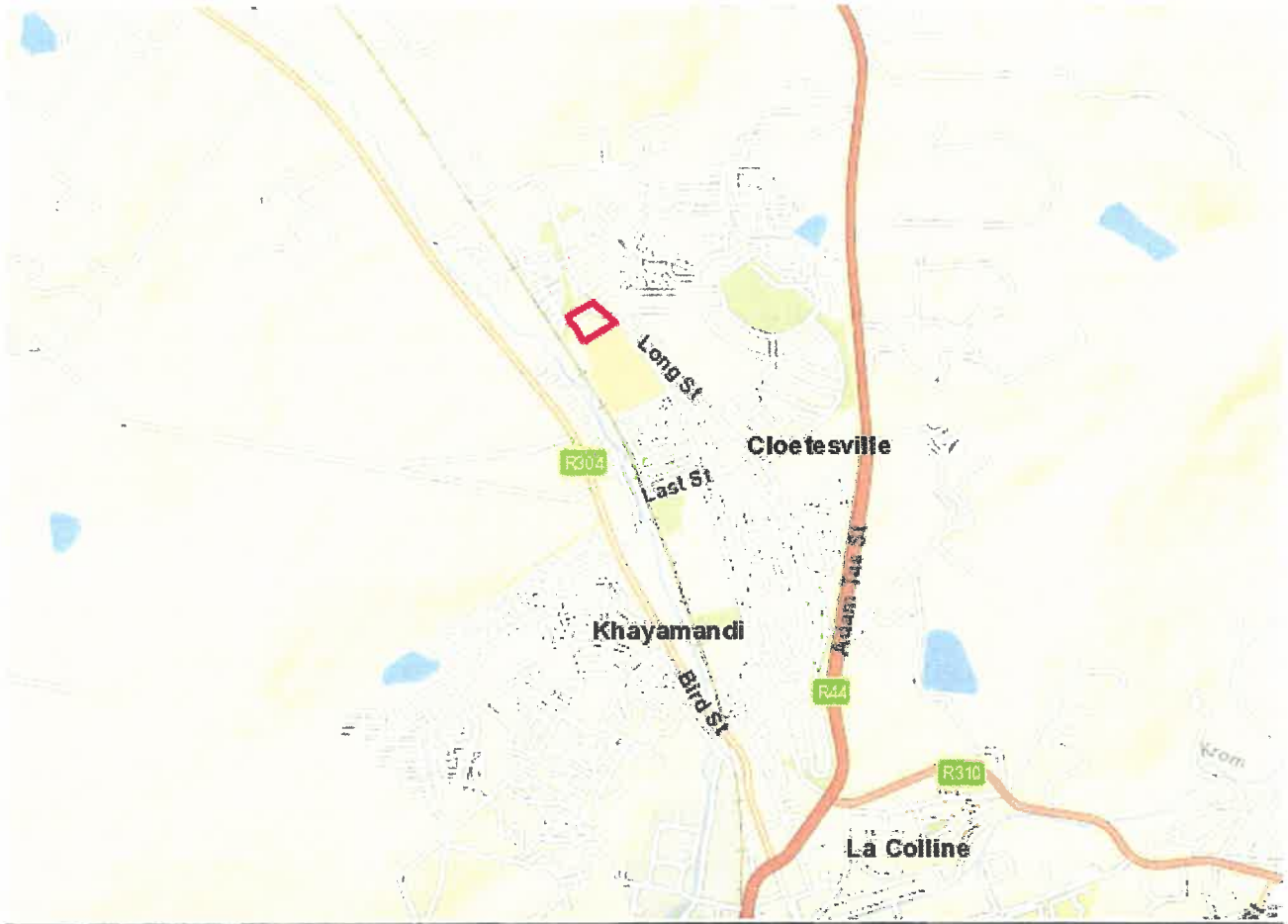
Although this site is not recommended for further pursuance by the Municipality, the site may be a potential development opportunity for a private developer.

It is suggested that the following time period should be considered for project progression: N/A

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
N/A			

* The project is subject to Council approval

1.1.3. A portion of Erf 7271 Stellenbosch, Cloetesville





Project Name		A portion of Erf 7271 Stellenbosch, Cloetesville
Property Description		A portion of Erf 7271 Stellenbosch, Cloetesville
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		1
Housing Programme/s		BNG / FLISP
Housing Opportunities	**Sites**	0
	Serviced Sites	168 (top structures TBD)
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	Environmental sensitivity; cost of construction
	Readiness Score	1
Project Suitability	**Geotech Conditions**	Soil conditions and permanent or perched water table adds to the cost of construction
	Strategic alignment	TBD
	Planning Opinion	TBD

The relevant portion of Erf 7271 Stellenbosch is located on Long Street, behind Cloetesville sports ground. It is located in close proximity to Plakenberg River, which separates Smartie Town from the site area. Opposite the subject portion of Erf 7271 is a crèche and a park. This area has previously been used as a parking lot for the sports ground, but more recently the area was earmarked to house 'Slab Town'.

This site has potential for a mixed residential development. A row of single residential or BNG units located along the northern and eastern boundary of the site with the remainder of the site comprising of high-rise GAP units. It is expected that a total of 16 BNG units and 152 GAP units can be developed on the site, however significant relaxation of the parking requirements will be required. Each proposed high-rise building is designed with an internal courtyard which provides safe recreational space. The design of the concept plan makes provision for a number of pedestrian walkways that can be used by the residents of Smartie Town.

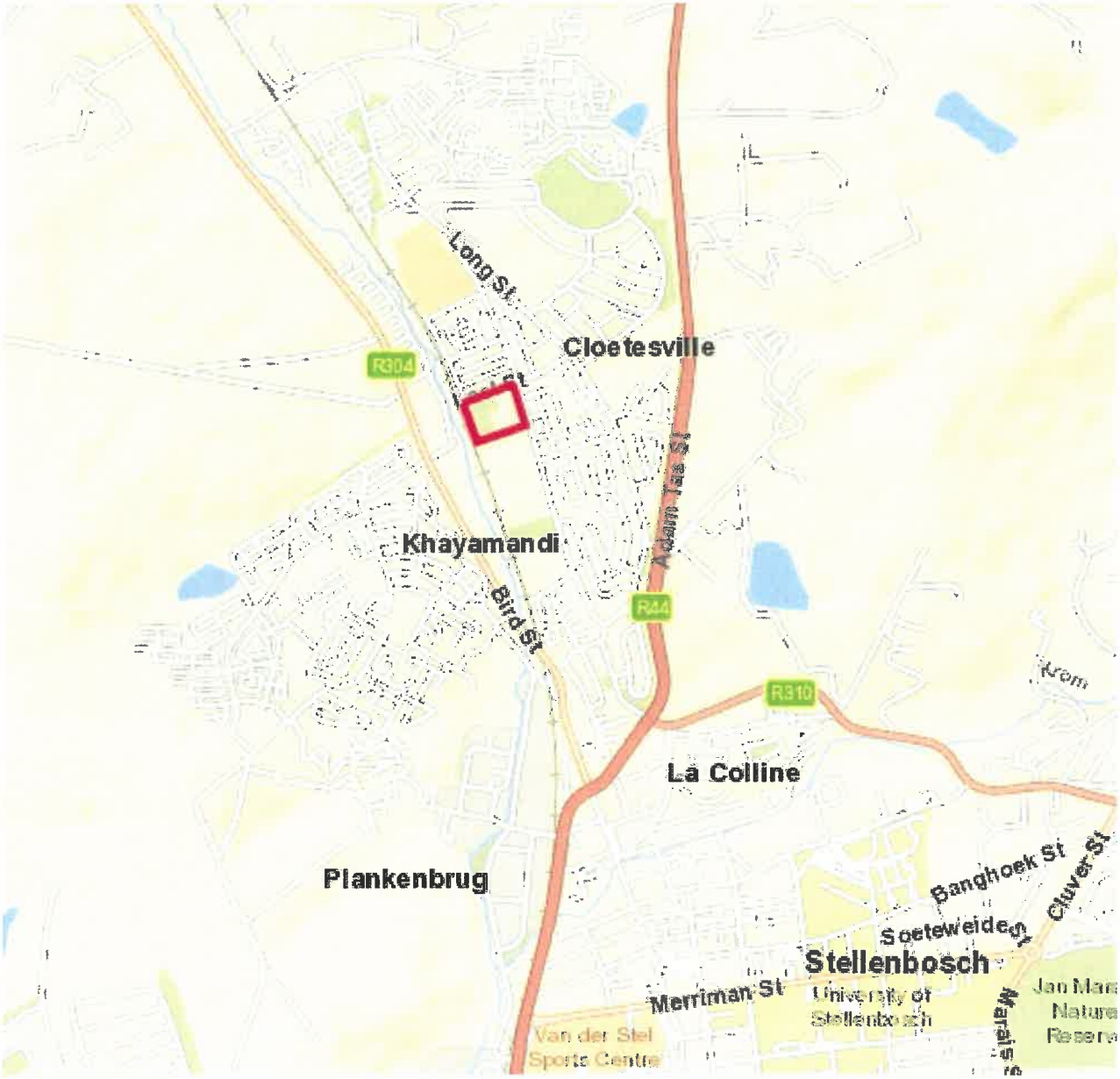
This site is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface, is expecting to impact the cost of construction. The site makes allowance for a substantial number of units and is therefore a more attractive site for a private developer; however, Stellenbosch Municipality can determine the detailed development costs before making a final decision regarding procurement and development packaging.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Pre-Planning	Planning		

* The project is subject to Council approval

1.1.4. Erven 6300, 6847 and 6886 Stellenbosch, Cloetesville





Project Name		Erven 6300, 6847 and 6886 Stellenbosch, Cloetesville
Property Description		Erven 6300, 6847 and 6886 Stellenbosch, Cloetesville
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		1,7
Housing Programme/s		FLISP
Housing Opportunities	**Sites**	279
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	Environmental sensitivity; construction costs
	Readiness Score	1
Project Suitability	**Geotech Conditions**	Soil conditions and the permanent or perched water table adds to the cost of construction
	Strategic alignment	TBD
	Planning Opinion	TBD

Erven 6300, 6847 and 6886 Stellenbosch are located between the railway line and Curry Road and adjacent to Cloetesville swimming pool and tennis courts. The swimming pool facility and the identified erven are directly situated behind the Cloetesville High School. Moreover, the swimming facility is clustered with a park and outdoor gym. Many attempts have been made to start a skateboard park in one of the tennis courts as the tennis courts are constantly affected by acts of vandalism. The outdoor gym is being used effectively and the vacant land is used as a hangout area for the youth. The area is monitored by houses on Last Street (street adjacent to swimming pool and vacant land), should matters get out of hand, law enforcement is called. Concerns raised were the lack of recreational activities for youths in the community.

The corner of Last Road and Curry Road provides good line of sight and, together with the sports facilities, provides an ideal location for a community facility. A small apartment block is proposed for the vacant space in the south-eastern corner of the site whilst larger high-rise buildings are proposed for the western portion of the site. It is expected that a total of 279 GAP/FLISP units can be developed on the site, however significant relaxation of the parking requirement will be required. Each proposed high-rise building is designed with an internal courtyard which provides safe recreational space.

The site is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface is expecting to impact the cost of construction since alternative construction methods will be used to mitigate the risks. The site makes allowance for a substantial number of units and is therefore a more attractive site for a private developer; however, the Stellenbosch Municipality can determine the detailed development costs before making a final decision regarding procurement and development packaging.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Pre-Planning	Planning		

* Project is subject to Council approval

1.1.5. Erf 8776 Stellenbosch, Cloetesville





Project Name		Erf 8776 Stellenbosch, Cloetesville
Property Description		Erf 8776 Stellenbosch, Cloetesville
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		0,2
Housing Programme/s		FLISP
Housing Opportunities	**Sites**	37
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	Construction costs
	Readiness Score	1
Project Suitability	**Geotech Conditions**	Soil conditions and the permanent or perched water table adds to the cost of construction
	Strategic alignment	TBD
	Planning Opinion	TBD

Erf 8776 Stellenbosch is located on a four-way traffic intersection, Adam Tas Road and Helshoogte Road. Concerns were raised relating to the existing park and wall that have great significance to Cloetesville as a community.

The corner of Last Road and Adam Tas Road is an ideal location for a high-rise building. It is proposed that a U-shaped building will provide the opportunity to develop accommodation whilst retaining many of the existing features of the site. The building should be located along the eastern portion of the side in order to retain the pedestrian walkways and the play park furniture can be relocated to the courtyard at the building. Parking can be provided where the existing play park furniture is located. It is expected that a total of 37 GAP/FLISP units can be developed on the site.

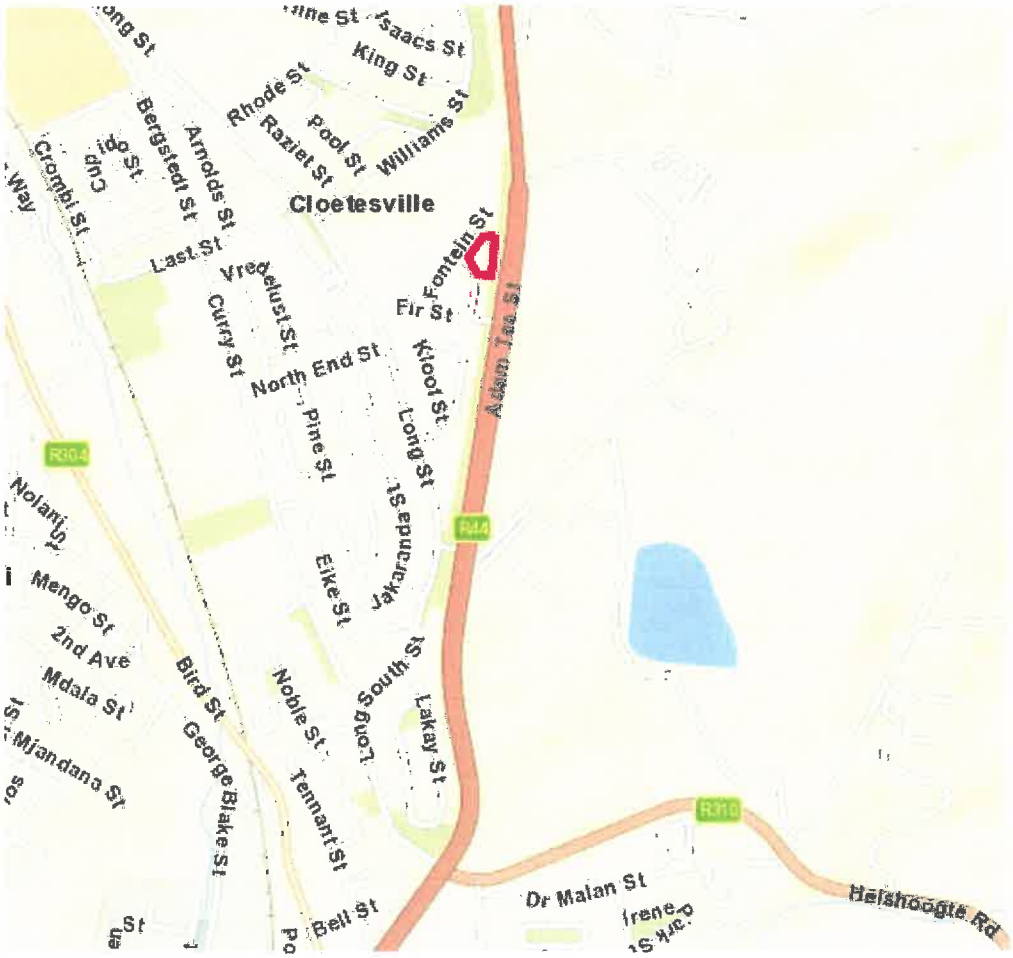
This site is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface is expecting to impact the cost of construction since alternative construction methods will be used to mitigate the risks. The site makes allowance for a limited number of units and a detailed cost-benefit analysis should be undertaken before the Stellenbosch Municipality makes the final decision regarding procurement and development packaging.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Pre-Planning	Planning		

* Project is subject to Council approval

1.1.6. Erf 6705 Stellenbosch, Cloetesville





Project Name		Erf 6705 Stellenbosch, Cloetesville
Property Description		Erf 6705 Stellenbosch, Cloetesville
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		0,07
Housing Programme/s		BNG
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	12
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	Soil conditions expected to impact on construction cost
	Readiness Score	1
Project Suitability	**Geotech Conditions**	Soil conditions expected to impact on construction cost
	Strategic alignment	TBD
	Planning Opinion	TBD

Erf 6705 Stellenbosch is a triangular shaped property with access from Wilger Road. Located to the north, north-west and south of the site are residential erven measuring between 450m² and 510m². The site is currently vacant.

The site is considered a part of an existing neighbourhood and proposed housing typologies should therefore blend with the existing houses. As such, BNG units are proposed; a total of 12 BNG units can be developed on the site. The site contains an embankment along the western boundary, and it is proposed that it should be formalised for stormwater drainage.

This site is relatively flat; however, the soil conditions is expecting to impact the cost of construction. The site makes allowance for a limited number of units and a detailed cost-benefit analysis should be undertaken before the Stellenbosch Municipality makes the final decision regarding procurement and development packaging. This site does, however, lend itself to be developed by the Stellenbosch Municipality rather than a private developer.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Pre-Planning	Planning		

* Project is subject to Council approval

1.2. Botmaskop Precinct – Ward 7





Project Name		Botmaskop (1500)
Property Description		Portions of Erf 3363 and 3393
Town		Stellenbosch
Suburb		Idas Valley
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		9,2
Housing Programme/s		Social Housing / IRDP / FLISP
Housing Opportunities	**Sites**	1500 (type TBD)
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	Yes
	Risks / Issues	Scale of project
	Readiness Score	2
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	MSDF 2019 - Project falls within the approved Urban Edge of Stellenbosch, and the project is listed on page 199. MHSP 2020 - Project is discussed on page 125 and included in the proposed housing pipeline noted on page 129. IDP 2020 - Project is listed as a priority for Ward 4 on page 144, but not discussed as a project. PHSHDA - The Project is included in the Stellenbosch PHSHDA.
	Planning Opinion	This project proposes to redevelop the Municipal Storage Yard located at Botmaskop into a combination of Social Housing, IRDP and possibly FLISP opportunities. The site is located on a major arterial road with good access to socio-

		economic facilities in Idas Valley itself. As such this project can be supported for further investigation and possible funding of planning activities.

The Botmaskop site comprises a portion of Remainder Erf 3363 Stellenbosch and a portion of Remainder Erf 3931 Stellenbosch. The site abuts Helshoogte Pass and Simonsberg Road, between Idas Valley, Simonswyk and Uniepark/Rozendal. The study area is approximately 40 hectares in extent, with road access to two sides, without having to inconvenience existing neighbourhoods. In addition, it is within walking distance from a primary and secondary school and abuts large open spaces. The site forms part of the social housing restructuring zone as approved by Council.

The site belongs to the Stellenbosch Municipality and is being utilised primarily for the purposes of forestry (to be phased out) and an open space. No planning for the development of the site has been done to date.

In the context of the locality of the site and immediate surrounds, as well as identified housing needs, it is believed that the Botmaskop site presents an ideal opportunity to provide housing opportunities for a variety of income groups. The exact nature and extent can only be determined after a feasibility study has been concluded. A development at Botmaskop offers a chance for reversing the segregated neighbourhood layouts in Stellenbosch as it creates an infill opportunity for social and middle-income housing.

Access to the site poses very few problems. The capacity of bulk services would have to be tested against a final development model. The approved Stellenbosch Municipality Spatial Development Framework earmarks the site for mixed use community and residential infill. The proposal will entail a mixed-use development and the estimated yield will be based on the following housing typologies:

GAP / FLISP Housing: This option is geared towards outright ownership. The housing typology could be single storey residential units, duplex residential units, 2-3 storey walk ups or a combination.
Social Housing: This option is geared towards lease options and will be managed by a Social Housing Institution. The housing typology could be single storey residential units, duplex residential units, 2-4 storey walk ups or a combination.

It is envisioned that the development will include both GAP / FLISP Housing and Social Housing. The number of units per price category will be determined based on the required analysis and assessments from the feasibility study which is underway.

On conclusion of the feasibility study, a developer and/or a Social Housing Institution will be provided the opportunity to develop the Botmaskop site for a range of housing typologies, aimed at creating opportunities for residents who need long term rental housing as well as outright ownership. Council has to make an informed decision on a development proposal, given that it entails the possible disposal of municipal land.

The tender B/SM 57/21 was advertised in order to undertake a Feasibility Study for Botmaskop, being a portion of the Remainder Erf 3363 and a portion of the Remainder Erf 3931 Stellenbosch. The closing date for the submission of bids was 15 February 2021. Evaluation of the bids was completed and is currently at Supply Chain Management for further evaluation and appointment of a suitable service provider to conduct the required feasibility study.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Feasibility study	Planning (if Council approves)		

1.3. Portion 7 of Farm 744 Paarl, Klapmuts – Ward 18





Project Name		Portion 7 of Farm 744 Paarl, Klapmuts
Property Description		Portion 7 of Farm 744 Paarl, Klapmuts
Town		Klapmuts
Suburb		Klapmuts
Catalytic / PHDA Project		N/A
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		5,2
Housing Programme/s		IRDP / FLISP
Housing Opportunities	**Sites**	850
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	No
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	TBD
	Readiness Score	0
Project Suitability	**Geotech Conditions**	Rehabilitation of the dam is feasible
	Strategic alignment	TBD
	Planning Opinion	TBD

Klapmuts is located approximately 15km from the towns of Paarl, Stellenbosch and Franschhoek and surrounded by the rural areas commonly referred to as the Cape Winelands. A portion of Portion 7 of the Farm Weltevreden No 744 Paarl in Klapmuts (Klapmuts Dam Area) of approximately 15 hectares have been identified as a possible area for state subsidised housing opportunities in Klapmuts. Stellenbosch Municipality is looking at possibly acquiring potential land for residential development for low cost housing in Klapmuts.

The water dam is located on a portion of the subject property right opposite the existing residential area of Klapmuts. The property is located outside the urban edge of Klapmuts and is zoned as Agricultural zone. A service provider was appointed to undertake a geotechnical investigation on the site to assess the possibility of establishing a residential development and the financial projection of the rehabilitation of the dam site.

The final geotechnical report has been received and indicates that rehabilitation of the dam is feasible and would require draining of the impounded water and filling up/levelling of the dam footprint in a cut-to-fill earthworks operation using the embankment materials. A layer of topsoil would be imported to the site and spread across the rehabilitated area followed by seeding of the site grasses by hand sowing.

The financial projection for carrying out the rehabilitation (only for the construction costs with no design consulting fees nor environmental assessment) has been provided. The findings are being circulated for comments by the relevant departments to determine the way forward on the possible acquisition of the portion of land.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Geotechnical investigation			

1.4. Droë Dyke – Ward 11





Project Name		Droë Dyke (1000)
Property Description		Portion of Remainder Farm 279; Portion 1 of Farm 284; Remainder Farm 284; Portion 17 of the Farm 183; Remainder Portion 35 of the Farm 183; Portion 8 of Farm 283; Remainder Farm 283; Farm 281
Town		Stellenbosch
Suburb		Stellenbosch
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2021/22 – Planning – PID submission
% of Total need addressed by Project		6,1
Housing Programme/s		IRDP, FLISP, Social Housing
Housing Opportunities	**Sites**	1000 (type TBD)
	Serviced Sites	0
	Top Structure (serviced)	0
	Other	0
Project Readiness	**Land Obtained**	No (National Dept. of Transport and Public Works – being transferred)
	EIA ROD	No
	Bulk capacity	No (Upgrades planned and being implemented)
	Land Use Approval	No
	DHS Approval	No (Was previously supported by PPC in 2013/14, but no applications have been submitted)
	Council Approval	Yes
	Risks / Issues	Scale, dependence on Adam Tas TOD Project
	Readiness Score	1
Project Suitability	**Geotech Conditions**	TBD
	Strategic alignment	MSDF 2019 - Project does fall within Urban Edge and is earmarked as a "Strategic Project" (page 70), uncertain if provision is made for this project in the Capital Expenditure Framework. MHSP 2020 - Project is included on the proposed Municipal Housing Pipeline indicated on page 130. IDP 2020 - Project only mentioned as part of the Adam Tas TOD Development. PHSHDA - Is included in the Stellenbosch Urban Core area (Gov Gazette 43316 page 61).
	Planning Opinion	This project was previously presented to the Dept. of Human Settlements in 2013 and was in principle supported. The project did not proceed from the pre-planning stage because the land could not be transferred from the National Dept. of Transport and Public Works. The project was reinvigorated recently as the land issue was resolved and the project was identified as the southern node of the Adam Tas TOD Project. As such this project shares the same opportunities as the Adam Tas TOD Development. The location on the south western periphery of Stellenbosch is not ideal and the project will probably not contribute towards alleviating the needs of Kayamandi, but previous discussion with Stellenbosch indicated that FLISP opportunities will be investigated for this site. As such the project can be supported for further investigation. It will be necessary to ensure that this project could be viable even if the remainder of the Adam Tas TOD Project is not developed in future.

In terms of the Stellenbosch Municipal Spatial Development Framework Droë Dyke is seen as part of the Adam Tas Corridor Catalytic Initiative to restructure Stellenbosch Town. The land parcels which make up Droë Dyke comprise of Stellenbosch Farms Portion 17 of the Farm 183, Portion 35 of the Farm 183, Portion 8 of the Farm 238, the Farm 283 and the Farm 281. The farms are situated at the entrance to Stellenbosch town and are adjacent to the R310 and the Eerste River, with the Stellenbosch railway line and reserve splitting the site. Collectively, the land parcels making up Droë Dyke equates to approximately 103 hectares.

The land holdings are situated at the entrance to Stellenbosch, opposite the landfill, waste water treatment works and Sawmill site. Distell and their bottling operations border the land holding on the east. The Stellenbosch railway line dissects the property, though access to southern portions of land holding is via the rail-crossing. There is largely vacant land west on the western boundary. The land holdings are fairly flat and slopes towards the Eerste River. The site is currently being used by National Department of Agriculture Plant Quarantine and Plant Diagnostic Services.

Droë Dyke forms part of the residential component for the redevelopment of the Adam Tas Corridor. Droë Dyke is earmarked for medium to high density residential housing and commercial as well as public facilities (including sportsfields). The site will accommodate a public transport node within the R310/Adam Tas Public Transport Corridor and is also seen as a potential park and ride location.

In terms of the physical housing unit configuration or design, the unit types considered incorporates various multi-level configurations of one to and six storey buildings. The nature and form of the unit types are undefined at this stage.

The identified developable area, totalling 75.86 hectares is defined as the Droë Dyke Precinct. With the precinct plan providing the context of the urban form, spatial arrangements and movement routes, the actual overall development area for the precinct is 29.85 hectares.

The below four development scenarios are presented as spatial studies to contextualise the implications of various densities and the number of units. For Droë Dyke, the commercial and office GLA's are constant, with the scenarios showing the implications of density on the unit yields.

Item	Scenario 1	Scenario 2	Scenario 3	Scenario 4
Residential density	Medium 1 – 2 storeys	High-Medium 2 – 4 storeys	High 4 – 6 storeys	Mixed 1 – 6 storeys
Number of units	1 363	1 858	2 477	2 081
Residential density (units per hectare)	55	75	100	84
Assumed population	5 178	7 060	9 414	7 908

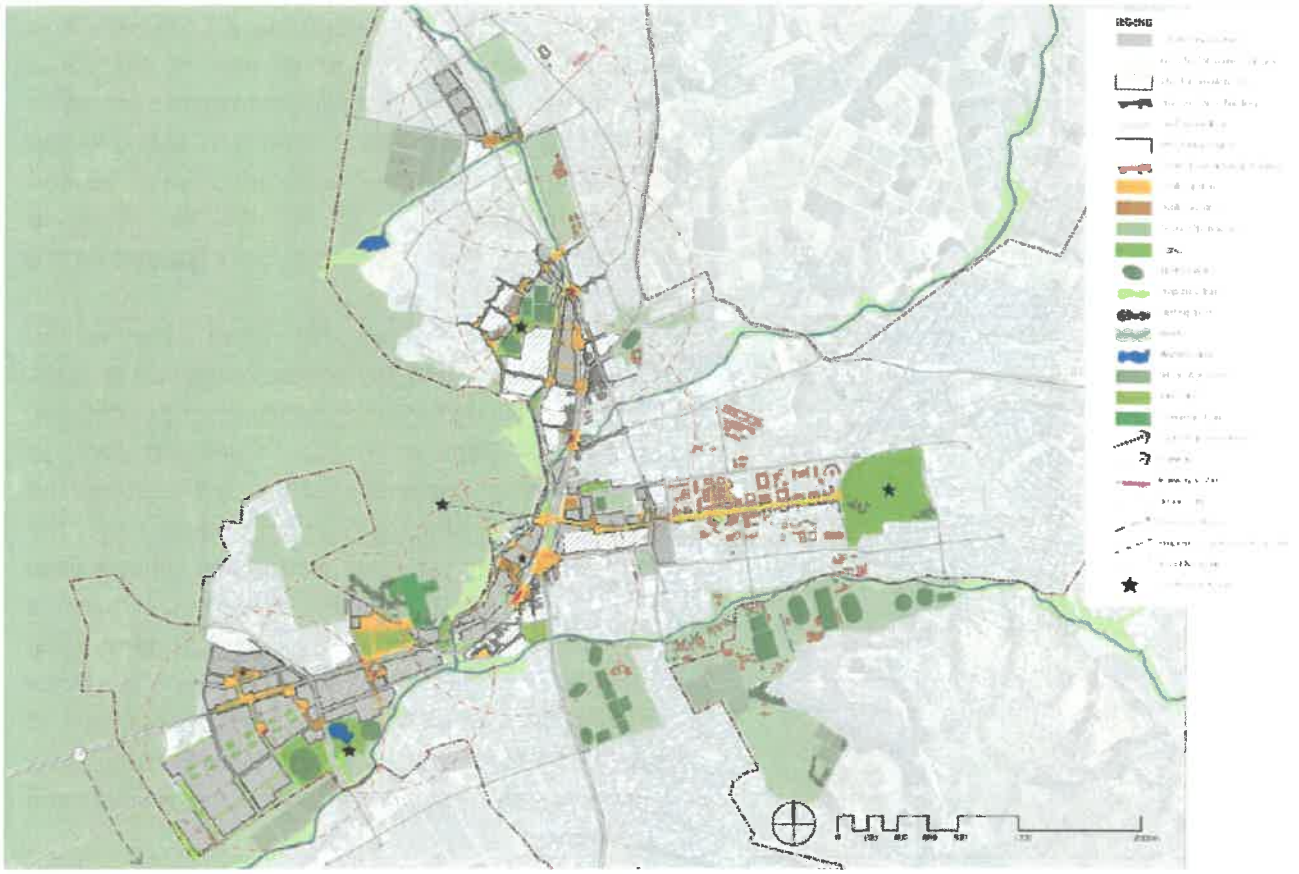
Droë Dyke is suitable for social housing as it is a precinct in the Stellenbosch Restructuring Zone. The site offers significant opportunity to alleviate Stellenbosch Municipality's housing demand. The site can accommodate and is attractive for a mix of social, affordable and open market housing.

The Adam Tas Corridor as part of the Spatial Development Framework, which includes land use frameworks and overlay zones, are being finalised within the financial year of 2021-2022.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	**2023 - 2025**	**2026 - 2031**	**Beyond 2031**
	Planning		

1.5. Adam Tas Corridor – Ward 11



Project Name		Adam Tas Corridor
Property Description		Various
Town		Stellenbosch
Suburb		Central Stellenbosch
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2021/22 – Planning – PID submission
% of Total need addressed by Project		21,4% - 30,7%
Housing Programme/s		IRDP, FLISP, Social Housing
Housing Opportunities	**Sites**	0
	Serviced Sites	3 500 – 5 000 (Top structures TBD)
	Top Structures (serviced)	0
	Other	0
Project Readiness	**Land Obtained**	No (Mixed Public and Private Ownership)
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	Yes
	Risks / Issues	Scale, Partnerships (PRASA), Elections
	Readiness Score	1
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	MSDF 2019 - Project does fall within Urban Edge and is earmarked as a "Strategic Project" (page 70), Project is listed as a development focus in the primary settlement

		of Stellenbosch (page 102), uncertain if provision is made for this project in the Capital Expenditure Framework. MHSP 2020 - Project is noted on page 12 already as a priority area and referred to as part of the STOD development, but no project was listed on the proposed housing pipeline. IDP 2020 - Project is listed in the Municipal Implementation Framework on page 78, and discussed in detail on page 87. PHSHDA - Is included in the Stellenbosch Urban Core area (Gov Gazette 43316 page 61).
	Planning Opinion	Potential Catalytic Project that could redefine the housing situation within Stellenbosch's core urban area. This project is aligned with the principles of the PHSHDA as well as the Dept. of Human Settlements (WC) to develop housing opportunities on well-located land close to socio-economic facilities and opportunities. The scale of the project will require sustained support from Local, Provincial and National Government over a number of decades to ensure success. The partnership between the spheres of Government and the Private Sector interests will have to be carefully managed to ensure that all parties benefit, especially the poor living in unacceptable conditions within Kayamandi and Cloetesville.

The Adam Tas Corridor comprises an area of some 400 hectares, stretching for 5km along the R310 and R44 from the Cape Sawmills site to Kayamandi and Cloetesville. It inter alia incorporates major government and municipal landholdings (Droë Dyke and the Van Der Stel sports grounds), the Distell Adam Tas and Bergkelder complexes, and Steinhoff owned disused Sawmill site.

The Stellenbosch Spatial Development Framework 2019 states that the targeted settlements on the Baden Powel-Adam Tas-R304 corridor should be prioritised for growth and new development. Together with the Western Cape Government, inter-service investigations should be undertaken to determine the exact location, size, nature, and form of new settlement areas to accommodate new growth.

Specific development of framework planning, land use management, infrastructure, financial, and urban design provisions and directives should take place to ensure the optimal development of identified settlement areas to accommodate new growth.

Housing opportunity should be expanded for a broader range of groups – including lower income groups and students – particularly in settlements forming as part of the Baden Powell-Adam Tas-R304 corridor. The planning of infrastructure and social facilities should accommodate the likelihood of back-yarding and its contribution to livelihood strategies. It is important that an inclusionary housing policy and guidelines be developed, that infill housing opportunities on public land for the BNG, FLISP, social/ rental, and GAP markets should be prioritised and that, where possible, there should be proactively planned for back-yarding opportunities in lower income housing projects. The development of student housing in Stellenbosch town should be actively supported.

The SDF states that Focus major development energy should be focused on a few catalytic development areas that offer extensive, inclusive opportunity. One of these efforts is the Adam Tas Corridor.

It should be ensured that catalytic areas be developed as inclusive, appropriately serviced communities, negotiable through NMT and exhibiting a positive relationship with surrounding nature and agricultural land. Land use management measures should be prepared to enable development in catalytic areas.

Catalytic areas should be defined as "restructuring" or other special-measure areas to enable benefit from national and provincial support and incentives.

The most strategically located land in Stellenbosch town comprises large industrial spaces, including land previously occupied by Cape Sawmills and Distell facilities. A significant proportion of these have been vacated or will be vacated in the foreseeable future in response to changes in the operating context of manufacturing enterprises. Thoughtful re-development of these spaces – at scale – can contribute meaningfully to meeting existing challenges and spatial objectives.

In simple terms, the concept is to launch the restructuring of Stellenbosch town through re-development of the Adam Tas Corridor, the area stretching along the R310 and R44 along the foot of Papegaaiberg from the disused Cape Sawmills site in the west to Kayamandi and Cloetesville in the north. It forms the western edge to the town but is not well integrated with the rest of Stellenbosch, largely because of the barrier/ severance effect of the R44 and the railway line. Much of the area has a manufacturing use history. It includes the disused sawmill site, the government owned Droë Dyke area, Distell's Adam Tas facility, Oude Libertas, various Remgro property assets, Bosman's Crossing, the rail station, Bergkelder complex, Van der Stel sports complex, the George Blake Road area, and parts of Kayamandi and Cloetesville. Underutilised and disused land in the area measures more than 300 hectares.

Conceptually, a linear new district within Stellenbosch is envisaged adjacent to and straddling (in places) Adam Tas Road, the R44, and railway line. Overall, development should be mixed, high density and favour access by pedestrians and cyclists. A central movement system (with an emphasis on public transport and NMT) forms the spine of the area, and is linked to adjacent districts south and west of the corridor. The corridor retains west-east and north-south vehicular movement (both destined for Stellenbosch town and through movement) as well as the rail line. Remote parking facilities will form part of the corridor concept, with passengers transferring via public transport, cycling and walking to reach destinations within the town of Stellenbosch. The R44 and rail line specifically could be bridged in parts to enable integration across the corridor to access adjacent areas. The corridor is not envisaged as homogenous along its length, with uses and built form responding to existing conditions and its relationship with surrounding areas. Conceptually, three areas could be defined, each linked through a sub-district.

- The southern district comprises the disused sawmill site, Droë Dyke, and the Adam Tas complex. It can accommodate a mix of high density residential and commercial uses, as well as public facilities (including sports fields).
- The central district is the largest, including Bosman's Crossing, the Bergkelder, and the Van der Stell Sports complex. Here, development should be the most intense, comprising a mix of commercial, institutional, and high-density residential use. The "seam" between this district and west Stellenbosch is Die Braak and Rhenish complex. The southern and central districts are linked through Oude Libertas. Oude Libertas remains a public place, although some infill development (comprising additional public/ educational facilities) is possible.
- The northern district focuses on the southern parts of Kayamandi. The central and northern districts are linked through George Blake Road. This area effectively becomes the "main street" of Kayamandi, a focus for commercial, institutional, and high-density residential use integrated with the rest of the corridor and western Stellenbosch town.

Along the corridor as a whole – depending on local conditions – significant re-use of existing buildings is envisaged. This is seen as a fundamental pre-requisite for diversity, in built character and activity (as re-use offers the opportunity for great variety of spaces). Aspects of the industrial use history of the area should remain visible. A range of housing types, in the form of apartments should be provided, accommodating different income groups and family types.

Re-development in terms of the concept offers the opportunity to:

- Grow Stellenbosch town – and accommodate existing demand – in a manner which prevents sprawl, and create conditions for efficient, creative living and working.
- Stimulate and act as a catalyst for the development of improved public transport and NMT
- Re-think and re-construct infrastructure, and particularly the movement system, including the possible partial grade separation of east-west and north-south movement systems, in turn, integrating the east and west of town and releasing land for development.
- Integrate Kayamandi and Stellenbosch town seamlessly.
- Shift new development focus to the west of town, with Die Braak and Rhenish complex forming the center and seam between the new west and east of Stellenbosch town.
- Accommodate the parking of vehicles on the edge of town whilst the corridor provides for and promotes a greater focus on pedestrianism and cycling into the core town.
- Accommodate uses which meet urgent needs, specifically higher density housing and university expansion, also assisting in establishing a compact, less sprawling town, public transport, and pedestrianism.
- Increases land value east of the R44 and in the area between Kayamandi and the Bergkelder complex.

Existing manufacturing enterprises can gradually relocate to the north, closer to the N1 logistics corridor (as planned by Distell for their operations). A spatial plan for the corridor is needed. This plan should spell out – in broad terms – what activities should ideally happen where (and in what form), where to start, and what infrastructure is anticipated by when. However, a spatial plan is not enough. The preparation of the plan has to be situated within a broader surround of development and transport objectives, institutional arrangements and agreements, and parallel professional work streams. Institutional arrangements are critical. It would include broad agreement between land owners and the municipality to pursue the corridor development, the objectives to be sought, how to resource the work, and associated processes. It would appear that the private sector is best situated to lead the initiative. Land owners – unlike the municipality – have the resources to undertake planning.

Parallel work streams should explore:

- Economic modelling of development options.
- Corridor access and mobility planning and scenario modelling.
- How ordinary citizens with limited material wealth can benefit from the development.
- The nature of efficient, "smart" infrastructure to support living, services, and business.

Critically, development of the corridor needs to be supported by broader strategies impacting on Stellenbosch town as a whole. These include:

- Focusing University functions on the town (as opposed to decentralisation).
- Private vehicle demand management (specifically to curtail the use of private vehicles for short trips within the town).

Critical also, both for the Adam Tas Corridor and the broader Baden Powell-Adam Tas-R304 development corridor is to explore the feasibility of introducing a more reliable and frequent rail service along the Eerste River-Stellenbosch-Muldersvlei- Klapmuts rail line. The aim should be to have a more frequent passenger service along the corridor, and connected larger and smaller settlements. Safe crossing of rail infrastructure also requires specific attention.

At the time of submission of the MSDF, considerable progress has been made by and owners, the municipality, WCG, and the University, to prepare for joint planning of the Adam Tas Corridor. The Adam Tas Corridor is a significant opportunity, similar in potential scope and impact over generations to the establishment of the university, the Rupert-initiated drive to save and sustain historic precincts and places, and the declaration of core nature areas for preservation. It is a very large project, some five times the extent of the successful Victoria & Alfred Waterfront (V & AW) in Cape Town. It involves more stakeholders and land owners than the V & AW did, and similarly challenging obstacles. It will require sustained, committed work over a prolonged period of time, trade-offs, and a departure of current norms.

Given the scope and complexity of the project, the immediate focus is to understand what it will take to achieve mindful redevelopment of the corridor. Its feasibility, dependencies, and risks need to be fully understood with a view to making recommendations to land owners and other parties involved as to how to proceed in the most responsible way.

RESIDENTIAL DENSITY AND POPULATION

Precinct	Average Gross Density	High Density Residential (4-6 Storeys)	Medium - High Density Residential (2-4 Storeys)	Medium Density Residential (2 Storeys)	Total Number of Units	*Approximate Population	Gross Population Density
	(du/ha)	(Number of Units)	(Number of Units)	(Number of Units)	(Number of Units)	(Number of People)	(ppl/ha)
PRECINCT 1	80	1985	2144	0	4129	15689	327
PRECINCT 2	80	630	681	0	1311	4983	321
PRECINCT 3	60	611	538	0	1149	4366	249
PRECINCT 4	85	268	236	0	504	1915	283
PRECINCT 5	80	432	311	0	743	2822	272
PRECINCT 6	75	719	518	0	1237	4702	266
PRECINCT 7	75	1245	1096	0	2341	8895	272
PRECINCT 8	65	0	790	1412	2201	8365	237
TOTAL	75	5891	6312	1412	13615	51737	281

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
	Planning		

2. SOCIAL HOUSING:

It is the intention of the Stellenbosch Municipality to give effect to the Social Housing Programme by making available land portions in the Restructuring Zones to Social Housing Institutions (SHI) and Other Development Agencies (ODA) who then will undertake all the necessary processes for the development of Social Housing Estates and the effective management of new rental stock. It is imperative that such SHI's and ODA's are duly accredited by the SHRA.

Social Housing is not a method for mass delivery, but a way to pursue integrated and sustainable urban development. Restructuring Zones were identified based on their close proximity to social and economic amenities and their potential to promote integration, access to economic opportunities and spatial restructuring.

Social Housing currently caters for people earning between R1 500 – R15 000 per month. It is desirable that environments created through this process should conform to health and safety principles, be liveable, vibrant, with the requisite amenities and facilities that provide a better quality of life for tenants. The proposed Social Housing Estate should optimise the utilisation of the land portions through innovative approaches in the development of a medium to high density residential estate.

Stellenbosch Municipality's Social Housing Programme aims to effect the provision of affordable, well-located housing opportunities to low and moderate-income households. It is implemented within the framework of the National Social Housing policy, legislation and regulations. The Municipality is on a drive to accelerate the pace and scale of housing delivery, maximising social housing opportunities and promoting socio, spatial and economic integration of people into its urban fabric.

This transformative aim will be fulfilled by the Municipality's continued effort to identify well located municipal owned parcels of land for infill development of Social Housing with a precinct development approach. The key purpose is the creation of socially integrated neighbourhoods providing housing for low-middle income households into areas that they would normally be excluded from due to past legacies and the prevailing property markets.

It is crucial that the Social Housing projects complement the social functionality of the neighbourhood with inclusion of other minimum ancillary and complementary uses in the development driven by the integrated development principles. Social integration should be achieved by having an urban design approach that integrates the development with the existing surroundings. The creation of an enhanced public realm with quality environments should be promoted by designing active and passive green open space systems that link the proposed site with public facilities and amenities through safe pedestrian orientated public open space systems. Proposed layouts should consider barrier free access for physically disabled people and cater to people with special needs.

The urban design concept for such sites should be on the basis of a socially integrated development with a holistic and reasonable neighbourhood level planning approach that unfolds though the site plan. It should show some level of conformity with the character of the existing urban environment and some innovation that fosters a sense of place. The site plan must demonstrate an appropriate medium-high density approach by building height and compact site plan with minimum parking. In addition, the site plan design for the public realm, common spaces and landscaping have to facilitate social integration with existing neighbourhoods.

Sites situated in approved and gazetted Restructuring Zones are eligible for social housing grants. Application for the social housing grants will be the responsibility of the SHI/ ODA.

2.1. Farms 81/2 and 81/9 Stellenbosch - Ward 16





Project Name		Farms 81/2 and 81/9 Stellenbosch
Property Description		Farms 81/2 and 81/9 Stellenbosch
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2021/2022 – Planning to commence
% of Total need addressed by Project		1,5 – 2,1
Housing Programme/s		Social Housing
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	0
	Other	± 250 – 350 rental units
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	Yes (feasibility study)
	Risks / Issues	Various site constraints; significance as gateway
	Readiness Score	2
Project Suitability	**Geotech Conditions**	The property is regarded as being of favourable to poor suitability for residential development. The factors that reduce the suitability of the land for development are the extent of uncontrolled fill, the existing topography and soil corrosivity.
	Strategic alignment	TBD
	Planning Opinion	TBD

In terms of the implementation of Social Housing Programmes, the Stellenbosch Municipality has identified Portions 2 and 9 of the Farm No 81 Stellenbosch. This site is located between the Cloetesville and Kayamandi settlements. Its boundary is framed by the R304 to the west and the railway line to the east. The Plankenburg River traverses the site along the eastern boundary. The southern boundary of property includes portions of the Kayamandi Tourism Centre, as well as a bridge over the railway line. The northern boundary is framed by the Mount Simon residential development.

A feasibility study has been done during January 2020 to determine the development potential of the site. Council approved the feasibility report on the 12 February 2020 for Social Housing (rental stock). A Call for Proposal was drafted and served at the BSC on 23 October 2020. The BSC requested that the Housing Development Department should liaise with the Provincial Department of Human Settlements as well as the SHRA to give inputs on the formulation of the specifications and criteria for the call for proposals, the strategic session of which was held on 10 November 2020.

The Housing Development Department amended the specifications of the call for proposals which served at the BSC during January 2021. A workshop was held on 18 March 2021 with National Association of Social Housing Organisations (NASHO) to finalise the Call for Proposal.

Suitable, qualified and experienced professional service providers have been appointed during March 2021 to undertake a geotechnical investigation, flood line studies and a traffic impact assessment on the site.

In terms of the geotechnical investigation, the property is regarded as being of favourable to poor suitability for residential development. The factors that reduce the suitability of the land for development are the extent of uncontrolled fill, the existing topography and soil corrosivity.

In terms of the floodline study, it is evident from the 1:100 year flood line that most of the land on the west side of the Plankenburg river is above the flood level and would be suitable for residential development. The only area on the west side of the river that is affected by the 1:100 year flood is the lower ground around the tributary that flows in from the Watergang Dam to the North of Khayamandi, roughly 200 metres south of the Mount Simon residential estate. This should be taken into account when planning the development in this area.

The size and shape of the property and other constraints could restrict the number of opportunities. The location of the existing storm water pipeline could have a negative effect on the proposed development proposal. The design of a potential development is of utmost importance as the location serves to have a visual impact at the entrance of the town if not designed appropriately. The total extent of the site is approximately 17.5 hectares, the area of which includes the road, the river as well as a portion of the Kayamandi Tourism Corridor. These features must all be subtracted from the total area to determine the developable area. The road reserve for the R304 should also be subtracted from the developable area. Another development constraint is the Plankenburg River area that also traverses the site. An effective developable area of 3.47 hectares remains after the deductions of undevelopable areas.

On completion, the site will be the subject of a call for proposals with the intention being to lease or sell the land to a successful Social Housing Institution or Other Development Agency.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning	Implementation		

2.2. Lapland Precinct - Ward 10





Project Name		Lapland Precinct
Property Description		Erven 2149, 6590, 2608, 2609, 6659, 9106 Stellenbosch
Town		Stellenbosch
Suburb		Stellenbosch
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		2,3
Housing Programme/s		Social Housing
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	368
	Other	0
Project Readiness	**Land Obtained**	No (Properties owned by the Municipality and the National Department of Public Works
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	Relocation of prison; construction above existing units
	Readiness Score	0
Project Suitability	**Geotech Conditions**	TBC
	Strategic alignment	TBD
	Planning Opinion	TBD

The Lapland Precinct comprises Erven 2149, 6590, 2608, 2609, 6659 and 9106 Stellenbosch.

The Lapland precinct situated on the northern outskirts of the Stellenbosch CBD is ideally located in a well-connected node via the R44 and Helshoogte Roads and is in close proximity to various commercial and economic facilities. The surrounding land uses consist of residential spaces, public spaces and commercial properties. The properties located in the precinct are owned by the Stellenbosch Municipality and the National Department of Public Works. The properties have extents upwards of 1300m² to roughly 4000m², are developed on a gentle gradient and are bordered to the north by Kromriver and Teen-die-Bult, Plankenburg to the west, Stellenbosch CBD to the south and Die Rand to the east. The Lapland precinct is home to the Stellenbosch Traffic Department, the Stellenbosch Correctional Services building and three high rise municipal flats (Lavanda, Aurora and Phyllaria) with a total of 220 existing rental units. Preliminary building inspections revealed that the structures are sound with some upgrades having been performed recently.

The precinct is made up of three high rise municipal flats (Lavanda, Aurora and Phyllaria) with a total of 220 rental units, the Department of Home Affairs, the Traffic Department and the Correctional Services Prison and ancillary housing and facilities. Taking cognisance of the Status Quo Study findings and in line with densification principles, the following development concepts and land use rights are proposed for the Lapland precinct:

Two of the existing high rise buildings are proposed to be developed as mixed use eight-storey high rise tower blocks incorporating the existing governmental uses on ground floor together with retail shops and offices. Social housing with housing typologies ranging from one-bedroom to two-bedrooms are proposed for five floors. Market orientated Rental Housing Development of one bedroom and two-bedroom units are proposed for the two top floors. It is proposed that pavements be widened and street furniture and informal traders be accommodated in a predesigned format. A density of 320 dwelling units per hectare is proposed.

It is proposed that the prison be relocated to the outskirts of Stellenbosch town on a site to be identified by the Stellenbosch Municipality and approved by the Department of Correctional Services. A portion of this property is to be set aside for market orientated rental housing development of one bedroom and two-bedroom units for two floors and retail and/or office spaces to be located on the ground floor. The proposed density is 616 dwelling units per hectare.

It is proposed that infill developments be implemented on the existing vacant land in between the existing flats in order to increase the density. This would allow for spatial and architectural maximisation of the existing site and the formulation of designs in line with SHRA design standards. To achieve the desired density and enhance the quality of living in the vicinity, it is proposed that the site be set aside for Social Housing purposes only with the accommodation of a crèche. Eight-storey buildings are proposed with a proposed density of 186 dwelling units per hectare.

The following is proposed for the Lapland Precinct:

Precinct	Unit Type	Number	Expected Rental	Monthly Rental Income	Annual Rental Income
Lap Land: Erf 6590 & 6589	34m² 1 Bedroom	45	R7 000,00	R315 000,00	R3 780 000,00
	37m² 1 Bedroom	45		R315 000,00	R3 780 000,00
	42m² 2 Bedroom	56	R8 500,00	R476 000,00	R5 712 000,00
	47m² 2 Bedroom	56		R476 000,00	R5 712 000,00
	Total	202			R18 984 000,00
Lap Land: Erf 2609	34m² 1 Bedroom	26	R7 000,00	R182 000,00	R2 184 000,00
	37m² 1 Bedroom	28		R196 000,00	R2 352 000,00
	42m² 2 Bedroom	56	R8 500,00	R476 000,00	R5 712 000,00
	47m² 2 Bedroom	56		R476 000,00	R5 712 000,00
	Total	166			R15 960 000,00

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Pre-Planning	Planning		

2.3. Teen-die-Bult - Ward 10





Project Name		Teen die Bult
Property Description		Farm 180 and Erven 2728, 3481 – 3486 Stellenbosch
Town		Stellenbosch
Suburb		Stellenbosch
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		1,1
Housing Programme/s		Social Housing
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	180
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	Construction above existing units
	Readiness Score	1
Project Suitability	**Geotech Conditions**	TBC
	Strategic alignment	TBD
	Planning Opinion	TBD

The Teen-die-Bult Precinct comprises the Remainder Farm 180 and Erven 2728, 3481 – 3486 Stellenbosch (portions of the Remainder Farm 180).

Less than 2km north of the Lapland precinct properties are the eight Teen-die-Bult erven. Situated close to major transport corridors in Helshoogte road and the R44, the Teen-die-Bult precinct is bordered to the west by Tenantville (a designated Restructuring Zone), by the La Colline precinct to the north and Simonswyk to

the east. The surrounding land uses are predominantly residential with some commercial properties. As earlier mentioned, the Teen-die-Bult precinct consists of eight erven on gradually sloping terrain with the exception of Farm 180 that has a comparatively steep gradient. Six of the properties are developed with existing duplex flats and low-rise flats that are in good condition and are known as Bellerive and Teen-die-Bult. Two properties are undeveloped Open Spaces which offer opportunities for developments. The properties are owned by the Stellenbosch Municipality.

It is proposed that new development be carried out on the consolidated site consisting of Farm 180 and Erf 2728 (Open Spaces) only. This is motivated by the maximisation of existing infrastructure capacity by the proposed development on the open spaces. It is also proposed that existing buildings in the precincts receive cosmetic upgrades (beautification) as a trade-off for maximising development on the parcels. This may ensure the community support of the project.

Eight-storey buildings are proposed with a proposed density of 184.27 dwelling units per hectare. A housing typology mix is proposed with Social Housing being the primary mix and market orientated rental housing development to cross subsidise the development of one-bedroom and two-bedroom units on the top floors.

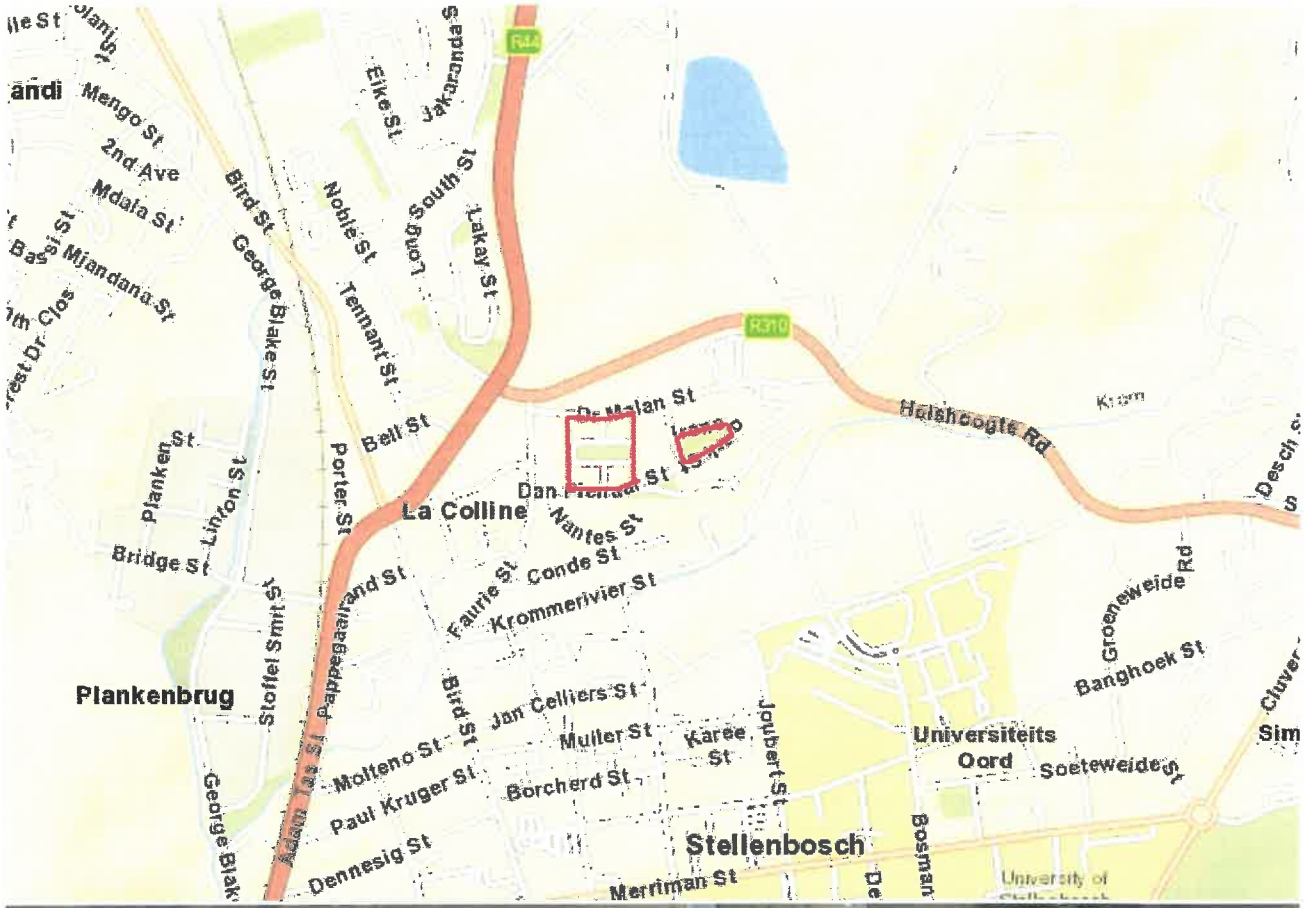
The following is proposed for the Teen-die-Bult Precinct:

Precinct	Unit Type	Number	Expected Rental	Monthly Rental Income	Annual Rental Income
Teen-die-Bult	32m² 1 Bedroom	50	R7 000,00	R350 000,00	R4 200 000,00
	34m² 1 Bedroom	50		R350 000,00	R4 200 000,00
	45m² 2 Bedroom	40	R8 500,00	R340 000,00	R4 080 000,00
	47m² 2 Bedroom	40		R340 000,00	R4 080 000,00
	Total	180			R16 560 000,00

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Pre-Planning	Planning		

2.4. La Coline - Ward 10





Project Name		La Colline Precinct
Property Description		Erven 2644, 2645, 2660, 2661, 2666, 2667, 2683, 2684, 2727 and 2729 Stellenbosch
Town		Stellenbosch
Suburb		Stellenbosch
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		TBD
Housing Programme/s		Social Housing
Housing Opportunities	**Sites**	TBD
	Serviced Sites	TBD
	Top Structures (Units)	TBD
	Other	TBD
Project Readiness	**Land Obtained**	No (properties owned by the Municipality and the Department of Local Government and Housing)
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	TBD
	Readiness Score	0
Project Suitability	**Geotech Conditions**	TBD
	Strategic alignment	TBD
	Planning Opinion	TBD

The La Colline Precinct comprises Erven 2644, 2645, 2660, 2661, 2666, 2667, 2683, 2684, 2727 (General Residential) and 2729 Stellenbosch (Public Open Space). The La Colline Precinct, just a short walk north from the Teen-die-Bult and Lapland Precincts, is easily accessible via Helshoogte Road from the east, Ryneveld Street from the south and the R44 from the north. The La Colline Precinct consists of residential properties built around a public open space, Tobruk Park (which forms part of the La Colline Precinct erven) and an additional public open space called La Colline Park. The residential properties are developed with low rise duplex flats that appear to be structurally sound with some minor cosmetic remedial work required. The properties are owned by the Department of Local Government and Housing and the Stellenbosch Municipality.

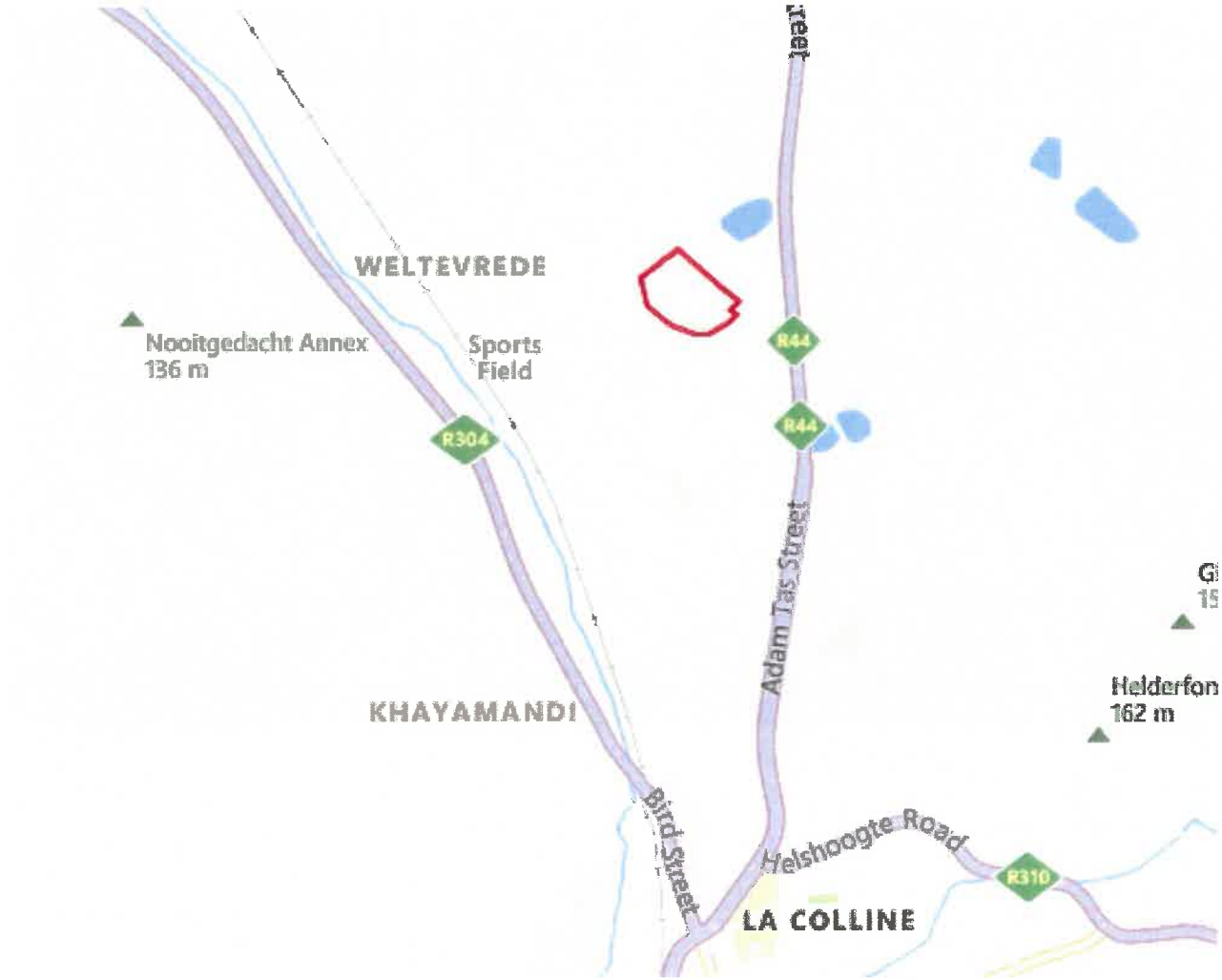
It is proposed that the residential properties remain as is and be the trade-off for the density maximisation development on the consolidated Teen-die-Bult sites. The open spaces should be developed as active open space for the enjoyment of the residents.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
TBD			

3. PROJECTS: CALL FOR PROPOSALS / TENDER PHASE

3.1. Erf 7001 Stellenbosch ("Soek-mekaar") - Ward 17





Project Name		3694 Erf 7001 Cloetesville (360) IRDP
Property Description		Erf 7001
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2023/24
% of Total need addressed by Project		1,5 – 1,8
Housing Programme/s		IRDP / FLISP
Housing Opportunities	**Sites**	250 – 300 sites
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	Yes
	Land Use Approval	No
	DHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	FLISP Beneficiaries
	Readiness Score	4
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Stellenbosch (page 70), and the project is listed on page 199. MHSP 2020 - Project is included in the proposed housing pipeline noted on page 130. IDP 2020 - Project is listed as a priority municipal project on page 189. PHSHDA - The Project is included in the Stellenbosch PHSHDA.

	Planning Opinion	The Planning Directorate fully support this PID application. The Planning Directorate recommends that Tranche 1.1 be released for 360 opportunities. This implies the release of R413 788.00 funding for Tranche 1.1 payment and provisional release of R1 019 988.00 for Tranche 1.2. The release of Tranche 1.1 will allow the Stellenbosch Municipality to continue with the planning process by undertaking preliminary feasibility studies for the site. The following points serve as motivation for project support: • The project is consistent with the PSDF and Municipal SDF (2019) that promotes compaction and densification within the urban edge • The project was in principle supported by PPC in 2017 • The project forms part of the Municipality's housing pipeline and is incorporated in the Municipal 5-year IDP (dated 2017 – 2022) • The project is located within the proclaimed Stellenbosch PHDA • This project will provide new housing opportunities in the Gap Market which is a strategic objective of the Department.

A study was done by a service provider that investigated different sites to for possible developments in Cloetesville. In accordance with the recommendations which were presented to Council, Erf 7001 was identified for possible GAP/ FLISP housing. A Call for Proposal for the mix use development of Erf 7001 Stellenbosch in Cloetesville was advertised on two occasions.

Stage 2 of the Call for Proposals served at the BSC on 4 November 2020 to approve the specifications in order to request bidders to submit their financial proposals. An item served before Council during January 2021 to obtain approval on the preferred conceptual site development layout. As result of discussions at a Council meeting held on 25 February 2021, the tender was cancelled at the BAC on 05 March 2021.

During the public participation process, it was determined that the preferred development should accommodate housing typologies that provides for the middle to high GAP categories to conform to the surrounding neighbourhood.

The proposed development aims to provide housing opportunities to those families that do not qualified for BNG housing due to their income but can be assisted with affordable GAP housing through the FLISP initiative.

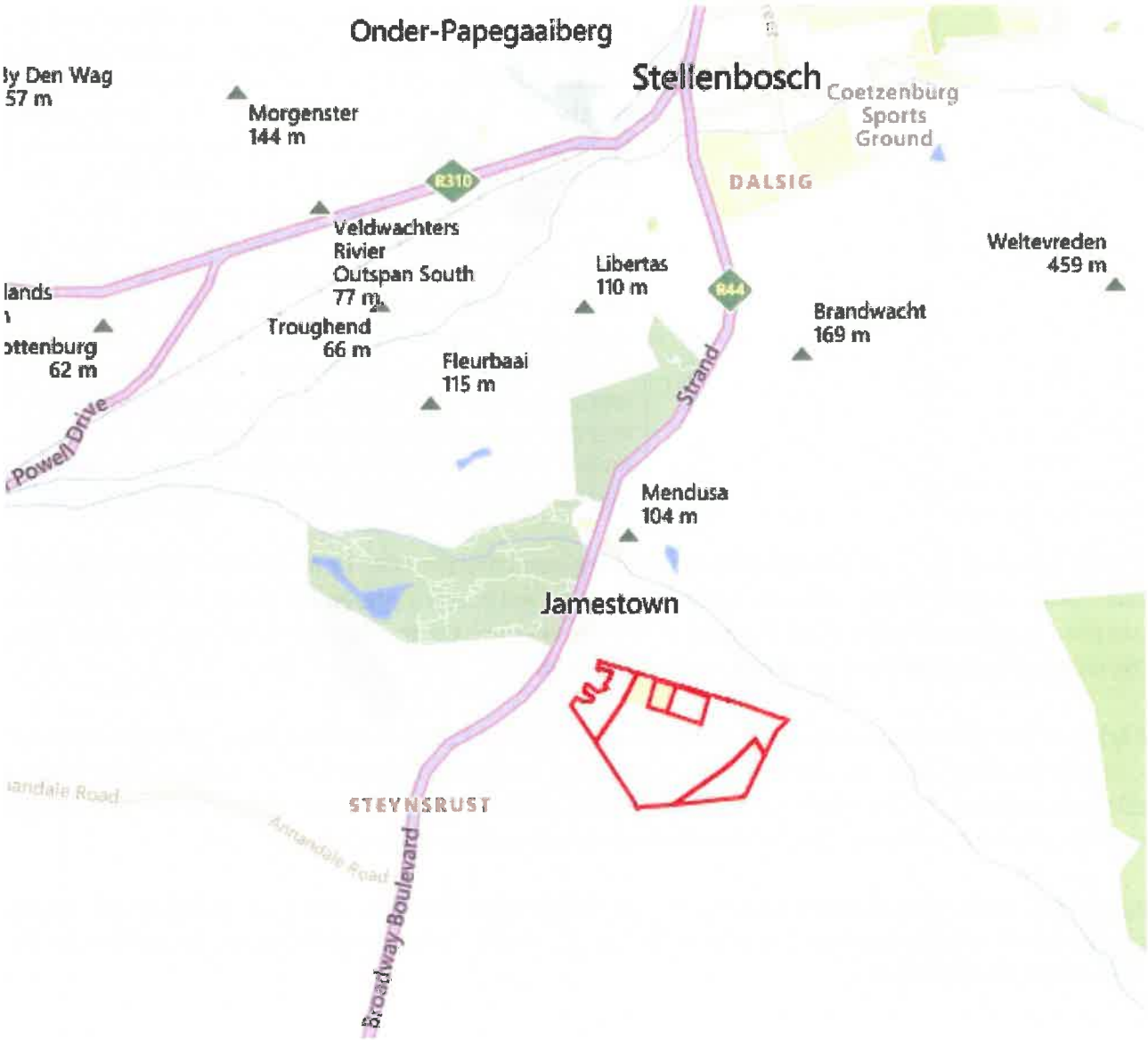
The site is sloped and is constrained with numerous pine trees. The site accommodates a reservoir and cell phone towers which should be taken into consideration when development rights are obtained. Existing servitudes needs to be investigated.

The Housing Development Department is currently in the process of formulating new specifications for a Tender / Call for Proposal and will be submitted to the BSC for approval in due course.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	**2023 - 2025**	**2026 - 2031**	**Beyond 2031**
Planning	Planning and Implementation		

3.2. Jamestown Development: Phase 2 – 4 – Ward 21





Project Name		3269 Jamestown Phases 2 to 4 (1069) IRDP
Property Description		Portion of the Remainder, Portion 3 and a broader portion of Portion 7 of Farm No 527
Town		Stellenbosch
Suburb		Jamestown
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2021/22 (Planning (phase 4) and Implementation (phase 2,3))
% of Total need addressed by Project		12,3
Housing Programme/s		IRDP / FLISP
Housing Opportunities	**Sites**	2 000
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	Large scale of project
	Readiness Score	3

Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Stellenbosch (page 70), and the project is listed on page 199. MHSP 2020 - Project is included in the proposed housing pipeline noted on page 130. IDP 2020 - Project is listed as a priority municipal project on page 189. PHSHDA - The Project is included in the Stellenbosch PHSHDA.
	Planning Opinion	The Planning Directorate fully support this PID application. The Planning Directorate recommends that Tranche 1.1 be released for 1044 opportunities. This implies the release of R 1 199 984.04 funding for Tranche 1.1 payment and provisional release of R 2 957 965.20 for Tranche 1.2. The release of Tranche 1.1 will allow the Stellenbosch Municipality to continue with the planning process by undertaking preliminary feasibility studies for the site. The following points serve as motivation for project support: • The project is consistent with the PSDF and Municipal SDF (2019) that promotes compaction and densification within the urban edge • The project was in principle supported by PPC in 2016 • The project forms part of the Municipality's housing pipeline and is incorporated in the Municipal 5-year IDP (dated 2017 – 2022) • The project is located within the proclaimed Stellenbosch PHDA • This project will provide new housing opportunities in the Gap Market which is a strategic objective of the Department.

The Stellenbosch Municipality embarked on a call for development proposals incorporating a mix of subsidy housing units, affordable housing units and open market units together with a well-balanced non-residential component to cater for the needs of the growing community.

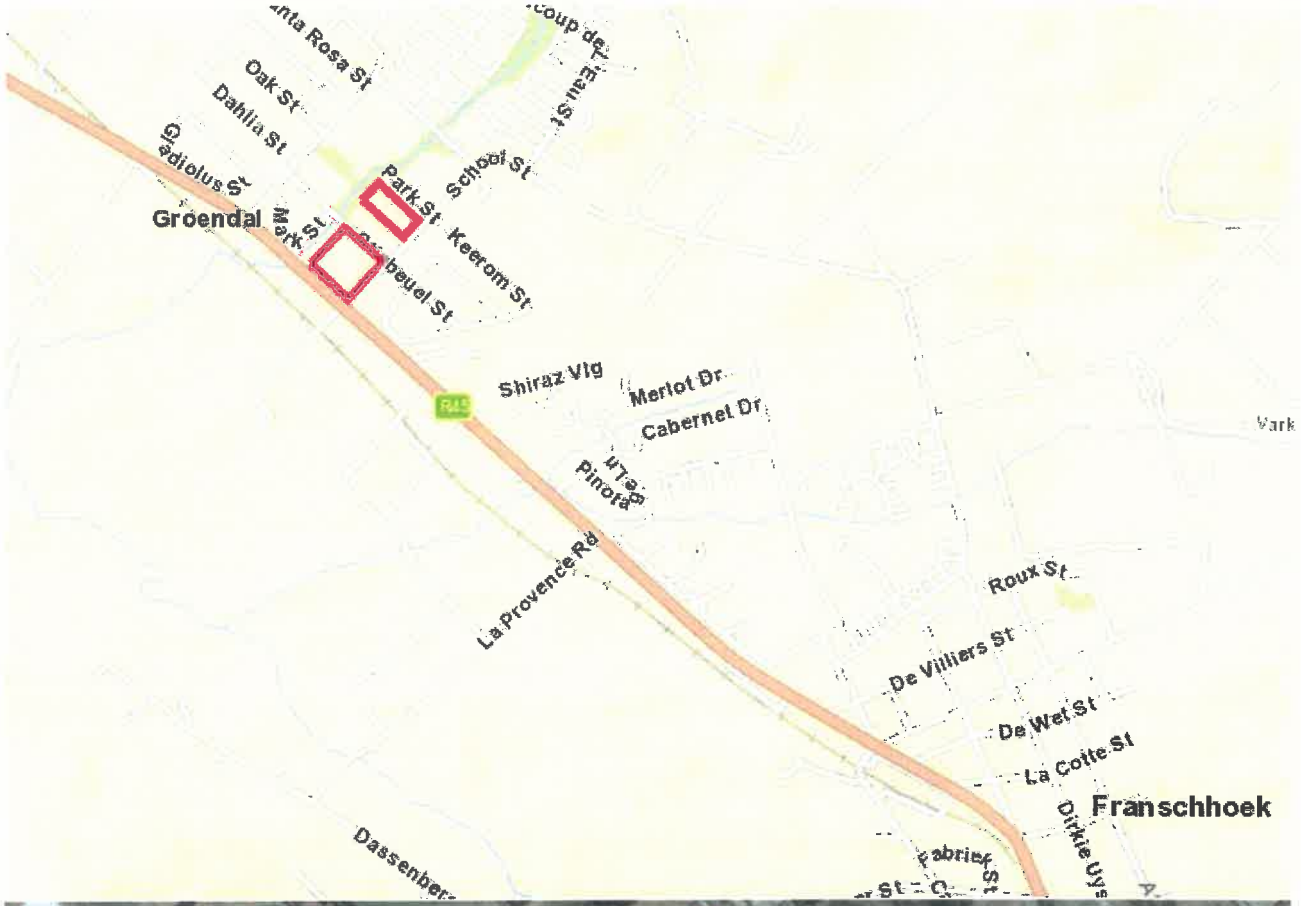
The Stellenbosch Municipality is essentially making the land to a Developer to provide housing opportunities for the delivery of additional state subsidised housing units, serviced sites for affordable housing (plot and plan), GAP housing units, high density units and higher income housing for sale on the open market, where specific preferences should be given to purchasers meeting criteria, pricing and subject to confirmed conditions as stipulated by the Municipality. Accordingly, there is an urgent need for the properties to be developed so as to create an integrated residential environment, providing for a range of housing opportunities and choice by catering inter alia for a mix of housing typologies, together with appropriate public amenities.

The urban edge has been amended as per the Stellenbosch Municipal Spatial Development Framework 2019, which includes extended portions of land for Jamestown. This resulted in the need to review the vision and development proposals for the area. To ensure a broad development view, the call for proposals which was being finalised, has been cancelled. The proposed housing development for Jamestown Phases 2 – 4 now includes the relevant Portion of the Remainder, Portion 3 and a broader portion of Portion 7 of Farm No 527 Stellenbosch, in accordance with the approved urban edge. New tender specifications are in the process to be drawn up for advertisement to proceed with the development proposals for Jamestown Phases 2 – 4.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning (phase 4) and Implementation (phase 2,3)			

3.3. Erven 412, 217 and 284 Groendal, Franschhoek – Ward 2





Project Name		Erven 412, 217 and 284 Groendal
Property Description		Erven 412, 217 and 284 Groendal
Town		Groendal
Suburb		Groendal
Catalytic / PHDA Project		N/A
Urgency (Proposed year of implementation)		2021/2022 – call for proposals
% of Total need addressed by Project		0,9 – 1,2
Housing Programme/s		IRDP / FLISP
Housing Opportunities	**Sites**	150 – 200
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	Yes
	Risks / Issues	TBD
	Readiness Score	2
Project Suitability	**Geotech Conditions**	TBD
	Strategic alignment	TBD
	Planning Opinion	TBD

Erven 412, 217 and 284 Groendal are located along Santa Rose Street in Groendal, a suburb of Franschhoek, next to the R45. The site falls within an area characterised by medium to high-density residential as well as non-residential and light industrial uses.

Various studies have been undertaken over the years regarding the development of Erf 412. Most of the studies included extensive public participation processes. The outcome of these studies was that the property should be developed for high density residential units but also include business (light industrial) opportunities. Erf 412 has been rezoned to subdivisional area during 2016 allowing for general residential, local authority and general business. The initial plans for Erf 284 were to develop an old age home or retirement village, but due to financial constraints, this never materialised.

The Department: Property Management and the Department: Housing Development undertook a process to formulate a Call for Proposal in line with the approved agenda item. A service provider will be appointed to draft different site development options for Council approval, were after the procurement process will continue.

A request for formal quotations has been advertised for the design of site development plans for erven 412, 217 and 284 Groendal. It is envisioned that the proposed Site Development Plan allow for medium to higher density residential opportunities, residential erven to front onto open space, ensuring improved surveillance as well as ensuring that green space becomes a positive element in the urban fabric, mixed-use activity, and A variation of erf sizes, allowing flexibility to the housing typologies that can be accommodated on the sites, thereby catering for a range of different income groups.

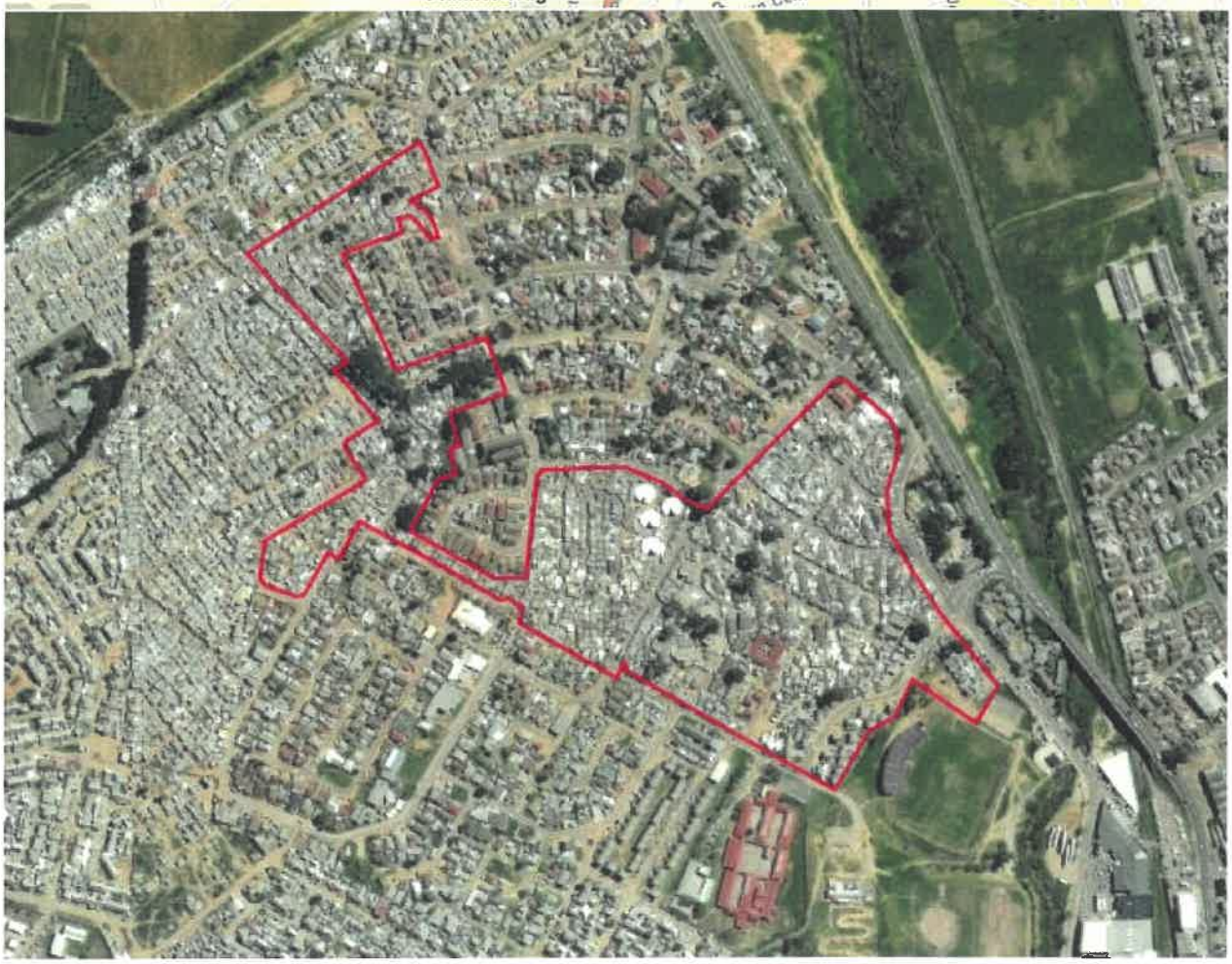
It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

4. PRE-PLANNING AND/OR PLANNING PHASE

4.1. Kayamandi Town Centre Ward 12, 13, 14





Project Name		3258 ISSP Kayamandi Town Centre (1000) UISP
Property Description		Various
Town		Stellenbosch
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2023/2024
% of Total need addressed by Project		11,3
Housing Programme/s		UISP / Institutional
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	1 847
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	Yes
	Land Use Approval	No
	DHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	Large scale of project and need for decanting onto a non-existent TRA
	Readiness Score	4
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Stellenbosch (page 70), and the project is listed on page 200. MHSP 2020 - Project is included in the proposed housing pipeline noted on page 130. IDP 2020 - Project is listed as a current municipal project on page 179. PHSHDA - The Project is included in the Stellenbosch PHSHDA.
	Planning Opinion	This project has already been supported by the release of Tranche 1.1 and the Dept. of Human Settlements is waiting for the PFR application currently. The project will entail the redevelopment of the older town centre of Kayamandi that is in desperate need of attention. The project will require a decanting site. This project can be further supported for feasibility studies.

A service provider has been appointed by Municipality to conduct a feasibility report to assess the redevelopment of the Town Centre of Kayamandi. The scope of their work during the feasibility phase consisted of determining the existing status quo, contextual assessment of the site, planning policy directives, site development plan with housing placing thereon, indicating the development patterns, proposed land uses and residential densities.

The feasibility studies were completed in December 2017 and Council approved the development at a Council Meeting on 28 March 2018. The objective has since been to prepare and submit a detailed planning application for the Town Centre of Kayamandi, to determine the civil services bulk capacity for the Kayamandi Town Centre, to compile engineering designs and submit for approval and to apply for funding approval to install services and build multi-storey top structures. The Environmental and Heritage studies have been completed for the Town Centre and draft layouts and draft house typologies have been concluded. A Geotechnical study of the area has been conducted and a funding application has been submitted to the Provincial Department of Human Settlements during June 2020 for the detailed planning of 1854 units. The planning layout has been approved by Council on 24 August 2020.

A service provider is currently in the process to finalise all detailed planning and is in process of engaging with the Planning Section of the Stellenbosch Municipality and proceeding with further public participation processes. These planning applications will be submitted to obtain development rights. The Municipality is currently awaiting the funding approval from PDoHS. The effective proceeding of the submission of the required town planning applications is subject to the extension of the contract of the service provider currently working on the project.

Extensive engagement with the community has taken place but there were issues which have delayed the implementation of the process. These issues include community buy-in as to the extent of the study area, the incorporation of the business nodes whether centralised or decentralised, and the impact of the COVID-19 pandemic.

The benefit of this project will be to upgrade the living conditions of the inhabitants of Kayamandi, especially those residing in the dilapidated hostels. The project will result in reducing informal settlements and formalising the town centre by providing high density housing opportunities. The deliverables at this end are the planning and implementation to obtain development rights and to provide high density housing, business opportunities and community facilities within the Kayamandi Town Centre. The project will include different housing typologies, business opportunities and community facilities within the Kayamandi Town Centre.

The Town Centre development is linked to the Northern Extension development. A consultant team is in the process of being appointed for the Northern Extension development which unlocks development for the Town Centre development. The required studies and further actions will commence shortly, which will be required to submit the land use applications. A new funding application was submitted to the Provincial Department of Human Settlements and the Municipality awaits approval.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

4.2. Northern Extension, Kayamandi - Ward 12





Project Name		Northern Extension
Property Description		Various
Town		Stellenbosch
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA proposed to National Department of Human Settlements
Urgency (Proposed year of implementation)		2023/24
% of Total need addressed by Project		24,5 – 36,8
Housing Programme/s		IRDP / FLISP
Housing Opportunities	**Sites**	4 000 – 6 000
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	Large scale, and land invasions
	Readiness Score	3
Project Suitability	**Geotech Conditions**	Mostly suitable although some steep slopes are on certain properties
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Stellenbosch (page 70), and the project is listed on page 200. MHSP 2020 - Project is included in the proposed housing pipeline noted on page 130. IDP 2020 - Project is listed as a priority municipal project on page 189. PHSHDA Project proposed to be included in the Stellenbosch PHSHDA.
	Planning Opinion	This project has already been supported through the release of planning funding as well as the funding of land acquisition of the Watergang site that was subsequently invaded. This project is seen as a viable solution to the continued formalisation of Kayamandi and will be critical to the decanting of the rest of the Kayamandi housing projects. Consideration should also be given to the provision of Enhanced Serviced Sites as additional housing opportunities in this project as well.

The Northern Extension Project of Stellenbosch is situated north of Kayamandi, adjacent to Cloetesville and Welgevonden Estate. The site is located on the western side of the R304 (main arterial from the North) to Stellenbosch.

The subject properties as per the sale agreements are Remainder Farm 182 Stellenbosch, Portion 1 of Farm 182 Stellenbosch, A portion of the Remainder of Farm 183 Stellenbosch (Farm 183 A, Farm 183 B, Farm 183 C), Portion 1 of Farm 183 Stellenbosch, Portion 5 of Farm 183 Stellenbosch and Portion 23 of Farm 183 Stellenbosch. As per the Surveyor-General Database, the farms also included in the subject area are Portions 36 and 60 of the Farm 183 Stellenbosch.

The Northern Extension is a potential development of approximately 130 hectares of land located north of Kayamandi. A key factor in this proposed development is the alignment of the proposed Western Bypass

which is to form the western boundary of the project area as well as the new north-western urban edge of Stellenbosch town.

The specific site has been suggested by the Stellenbosch Municipality for the northward extension of the urban area of Stellenbosch. A feasibility study was conducted and it was determined that the potential exists to provide between 4 000 to 6 000 accommodation opportunities in the Northern Extension of Stellenbosch. The Municipality is aiming to facilitate the development of the 4 000 to 6 000 residential opportunities, as well as providing the required social amenities and public facilities required.

The feasibility study identified developable land within the study area (different farm land identified). The development potential of the said site was evaluated from an engineering, planning and environmental perspective. The subsequent planning applications following this feasibility study will include the rezoning of the given properties from Agricultural to the relevant zonings in terms of the Stellenbosch Municipality Zoning Scheme By-Law suitable for the proposed residential densities and mix use development. What remains important is the overall objective of a mixed-income development, creating housing opportunities for the income categories as identified and a range of choice to prospective owners.

The tender was advertised during December 2020 to appoint a professional service provider to assemble a multi-disciplinary team of professionals to undertake a broad conceptual urban design framework for the Northern Extension Stellenbosch and to obtain development rights. The closing date of the tender was 22 February 2021. The evaluation of these tenders has been completed by the Department: Housing Development and served before the Bid Adjudication Committee on 9 April 2021 where a service provider was appointed. The service provider will commence with work during May 2021 if no appeals are received during the appeal period.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

4.3. Erf 3229 Franschhoek (Mooiwater) – Ward 1





Project Name		Erf 3229 Mooiwater, Franschhoek TRA
Property Description		Erf 3229
Town		Franschhoek
Suburb		Mooiwater
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		2020/21 – Planning PID – 2021/22 – Implementation
% of Total need addressed by Project		1,6
Housing Programme/s		UISP
Housing Opportunities	**Sites**	258
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No (Directive from DEADP was issues two years ago, SM needs to address this before processing with EIA process – DEADP & SM to engage)
	Bulk capacity	Yes (Water supply sufficient, Sewerage needs some upgrades)
	Land Use Approval	No (But shorter LUPA process will be followed)
	DHS Approval	No
	Council Approval	Yes
	Risks / Issues	Decanting of beneficiaries, invasion is a high risk
	Readiness Score	1
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge, but is not indicated specifically. MHSP 2020 - Project

		is not included in the HSP. IDP 2020 - Erf 3229 is noted as necessary for the decanting of Langrug, but the project is not specifically mentioned. PHSHDA - Not included in the Stellenbosch PHSHDA, although Langrug Informal Settlement is included.
	Planning Opinion	This project will allow for the partial decanting of the Langrug Informal Settlement and as such can be supported by the Dept. of Human Settlements. The location of the decanting site is within the urban area of Franschhoek and within walking distance of the Langrug settlement. Consideration should be given to a long term solution for this site, as experience with the Langrug Informal Settlement has been that addressing this settlement will not be a speedy process.

Living conditions at informal settlements are typically poor with residents facing a range of basic livelihood challenges, such as poor access to basic sanitation, low to no potable water supply, inadequate electricity provision, detrimental solid waste accumulation in public spaces, frequent shack fires, safety and security risks; to name a few. Langrug informal settlement is no exception to these deplorable living conditions. Furthermore and due to the growing number of informal housing and population in the settlement coupled with the lack of availability of land for housing in the Franschhoek Area, there is a growing need at Langrug for additional basics services and amenities (roads, water, sanitation, electricity etc.), the management of grey and black water emanating from households, and the development of housing projects in the settlement.

In light of the above challenges, there are various projects and interventions which have been identified for planning and eventual implementation. The objective of these projects is to upgrade Langrug incrementally and to, as far as possible, formalise existing development patterns to improve the delivery of basic services. Hereunder is a summary of the projects:

- The construction of phase 2 emergency access road and the installation of underground services
- Rehabilitation of the dam wall to create an Emergency Relocation Site that will accommodate lightweight structures, access roads and communal interim basic services
- Re-blocking of section C and G to improve access and basic services.

Feasibility studies and/or preliminary designs for the above project plans in the settlement indicate that during the various stages of implementing these projects, several households will be impacted. The impact of these projects on existing structures will necessitate that they are relocated to ensure the successful implementation of the above-mentioned projects, and as such, Erf 3229 Franschhoek in Mooiwater has been identified as a relocation site to accommodate families impacted by the implementation of upgrading programmes at Langrug informal settlement. The subject property is currently vacant and is being used for illegal dumping.

The Municipality appointed a multi-disciplinary team of professionals to undertake planning, design and construction monitoring for the proposed development of a Temporary Development Area (TRA) on Erf 3229 Franschhoek. The primary purpose of this project is to create a decanting site (TRA) for the relocation of households impacted by the implementation of various upgrading projects at Langrug informal settlement

The Geotechnical Investigation was concluded in January 2020. An instruction was issued to the consultant to prepare the procurement documents for the site rehabilitation. The design of the layout plan for the proposed development has been completed. A land use development application has been submitted to

obtain development rights for a land use departure to enable the temporary use of the site as a Temporary Relocation Area. The checklist and screening report was submitted to the Department of Environmental Affairs and Development Planning (DEADP) to which was the Municipality was directed to undertake further specialist studies. The Formal Quotation process is currently underway to appoint specialists to deal with the issues as indicated by DEADP. The civil designs have been revised and submitted for final approval on 17 March 2021. The appointment of an electrical engineer has been concluded and the preliminary design for electrification of approximately 258 sites is due for submission.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

4.4. Erf 64 Kylemore - Ward 4





Project Name		2053(20) Stellenbosch Erf 64 Kylemore (171) IRDP
Property Description		Erf 64
Town		Kylemore
Suburb		Kylemore
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		2020/21 – Planning PID
% of Total need addressed by Project		1.0
Housing Programme/s		IRDP
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	171
	Other	0
Project Readiness	**Land Obtained**	No (currently being transferred from the Dept. of Transport and Public Works)
	EIA ROD	No
	Bulk capacity	Yes (Water is sufficient, Sewerage - Upgrades being undertaken. Link service for sewer needs to be upgrade)
	Land Use Approval	No
	DHS Approval	No (Was previously supported by PPC in 2013/14, but no applications have been submitted)
	Council Approval	Yes
	Risks / Issues	Land not in Municipal ownership, land invasion
	Readiness Score	2
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area

	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Kylemore (page 87), and the project is mentioned on page 200. MHSP 2020 - Project is included in the proposed housing pipeline noted on page 131. IDP 2020 - Project is listed in the expenditure budget noted on page 246, and is listed as a priority for Ward 4 on page 144. PHSHDA - Not included in the Stellenbosch PHSHDA.
	Planning Opinion	This project was presented to the PPC in 2013 already, and was in principle supported. Although the project is located on the southern periphery of Kylemore, it can be considered as well located because of the proximity of two schools adjacent to erf 64. The project will provide infill development on a site within the urban edge of Kylemore on well-located land and as such should be further investigated.

Stellenbosch Municipality identified a portion of Erf 64 Kylemore (approximately 8 hectares) as a possible site for a housing development and pre-feasibility studies were concluded a few years ago to determine the potential of this site for a proposed housing development. From the studies, and the outcome of the community meeting held, it was apparent that the site is suitable for the envisaged development. A formal application for land acquisition was lodged with the Department of Public Works and has been ongoing for many years. Currently, the Municipality is engaging with the Housing Development Agency to facilitate the possible transfer of the property to the Stellenbosch Municipality.

The Remainder of Erf 64 Kylemore is located at the south-east end of the Kylemore village. Kylemore High School is situated on the northern side of Erf 64. The property is surrounded by agricultural land to the southern and western sides, immediately to the east there is undeveloped land and then a stream.

The site is a natural extension of Kylemore town. The panoramic views of the surrounding mountains make it a very scenic location nestled amongst orchards of fruit trees. The close proximity of the schools is ideal for a housing development and Kylemore being so small, means that the shops and other amenities are also in close proximity. The site has been heavily infested by mainly Black Wattle which makes it hard to move freely over the property. Apart from a man-made dam that forms a depression towards the south-western end of the property, the site is relatively flat. It has a slight slope to the north-west, but is effectively exposed in all directions. The detention dam on the western side restricts residential development in this area but offers some recreational possibilities (Public Open Space). A few families reside on the study area in structures located on the north-western and south-eastern corners of the property.

It is expected that the existing road network will be able to accommodate a proposed development. Approximately 215 meters of new road will have to be constructed to give access to the edge of the development. No upgrading of the existing municipal storm water disposal system is expected. Upgrades to the sewerage system as a whole will be necessary and is not attributable to this development only. The capacity of the water source and treatment works is adequate to accommodate development; however a new pump station, rising main and reservoir will have to be constructed. The electrical needs of the development can be fed from the existing 11Kv overhead network which has enough capacity. A new 11Kv cable and two new mini substations will have to be constructed as part of the internal network. No issues are anticipated for the installation of engineering services.

A few families reside on the property in houses located in the north-western and south-eastern corners. These dwellings can be retained and accommodated in the development but in the instances where dwellings have to be demolished the inhabitants will have to be relocated.

Three possible development proposals were prepared for consideration. Option 1 provided for 149 low-cost single residential erven with an approximate size of between 180m² and 470m² (affordable housing) with a crèche site, public open spaces, a business site and public roads. Option 2 provided for 178 low-cost single residential erven with approximate sizes of between 180m² and 340m² with a crèche site, public open spaces, two business sites and public roads. Option 3 provided for 82 low-cost single residential erven with an approximate size of between 140m² and 227m² (affordable housing), 418 apartments with a crèche site, public open spaces, a business site and public roads.

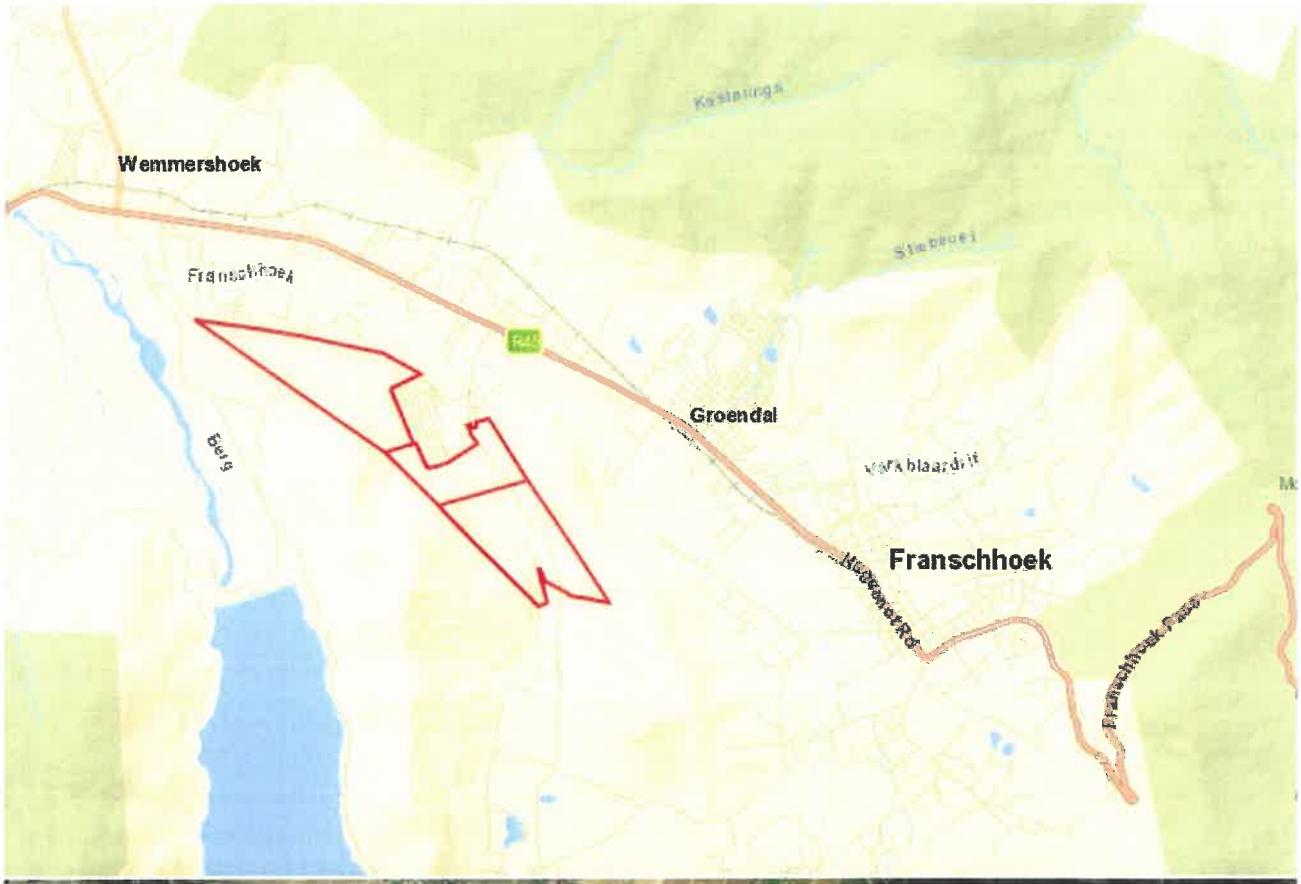
The layout of the proposed development needs to be reviewed. Pre-feasibility studies were conducted more than 10 years ago and need to be reviewed and amended where necessary and additional studies will be required to accurately inform a sustainable housing development.

The land extent required as well as all specialist studies were submitted to the National Department of Public Works on 30 September 2020 for consideration. Discussion is currently taking place between the Stellenbosch Municipality and the Housing Development Agency (HDA) to assist with the transfer of land from the National Department of Public Works (NDPW) to the Stellenbosch Municipality and to further attend to the required applications to obtain land use rights, the registration of diagrams / general plans with the Surveyor General and the relevant applications to the Provincial Department of Human Settlements, Western Cape Government (DHS). The HDA and the Stellenbosch Municipality has finalised the Implementation Protocol to enable the further progress of the project. The document has been submitted for signature by the Municipal Manager. The HDA will then be appointed and instructed to proceed with various projects within the Housing Pipeline, including this project.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

4.5. La Motte: Farm 1339, Farm 1158 and Farm 1158/1 Paarl – Ward 2





Project Name		La Motte Old Forest Station IRDP
Property Description		Farm 1339, Farm 1158 and Farm 1158/1 Paarl
Town		Franschhoek
Suburb		La Motte
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		6,8
Housing Programme/s		IRDP / FLISP
Housing Opportunities	**Sites**	830 + 283
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	No (Currently being transferred from Dpt. Of Transport & Public Works)
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	Land not in municipal ownership
	Readiness Score	2
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Lamotte (page 87), and the project is listed on page 200. MHSP 2020 - Project is included in the proposed housing pipeline noted on page 131. IDP 2020 - Project is listed as a current municipal project on page 245. PHSHDA - The Project is not included in the Stellenbosch PHSHDA.
	Planning Opinion	This project has been supported by the Dept. of Human Settlements with the release of Tranche 1.1 and forms part of the Municipality's approach to dealing with the Langrug Informal Settlement. The project will allow for the decanting of qualifying beneficiaries from Langrug onto the site, but care must be taken with regard to the community dynamics associated with introducing a new group into an older rural community.

La Motte is a former Bosbou Hamlet situated approximately 3.5 km north-west of Franschhoek town, on the Robertsvallei Road, close to where it intersects the R45. Originally built to house forestry workers, the village is made up of the original dwellings and a range of community facilities. During the construction phase of the Berg River Water Scheme, new houses were built adjacent to the existing settlement to temporarily house the construction workers; these houses have been transferred to identified beneficiaries.

The Stellenbosch Municipality and the community of Franschhoek have been pro-active in addressing the need for affordable and subsidised housing and a number of initiatives have successfully been implemented in the past. Despite the efforts, the backlog is continuously increasing and comprises people who could not be accommodated in Mooiwater, who were unable to afford their own accommodation and who have historic justification for living in the valley. A larger need for housing exists in the greater municipal area as changing socio-economic trends have generated migration of people from surrounding rural areas and elsewhere to urban centres. This trend resulted in the informal settlement at Langrug, which is growing by the day.

Portions of Farm 1653, Remainder Farm 1339, Remainder Farm 1158 and Portion 1 Farm 1158 Paarl have been identified for mixed-use housing development for the expansion of La Motte. Feasibility studies and various development options have been completed for consideration. From the findings, it is clear that the identified properties have sufficient capacity for the provision of an integrated housing development. Discussions with the owner of the land, the Department of Transport and Public Works, have occurred to initiate the transfer of land to the Stellenbosch Municipality for housing developments.

The latest preferred development proposals provide for expansion to the north-west which includes 283 housing opportunities with ancillary uses and to the south-east which includes 830 single residential erven. These plans are only an indication of a proposed development layout, and other options are available as indicated in the other options.

It is strongly recommended that all proposed housing projects in La Motte be integrated into one project and application to streamline processes, synchronise activities and budgets and avoid the wroth of the Franschhoek community. It is envisioned that such an integrated development will include different housing typologies, amenities and provide for community-based activities such as small farming and agri-tourism opportunities, which in turn will support social inclusion of previously disadvantaged communities. Ultimately it will address the housing shortage and establish sustainable and liveable settlements.

Discussion is currently taking place between the Stellenbosch Municipality and the Housing Development Agency (HDA) to assist with the transfer of land from the National Department of Public Works (NDPW) to the Stellenbosch Municipality and to further assist with the process to appoint the relevant service providers to attend to the required applications to obtain land use rights, the registration of diagrams / general plans with the Surveyor General and the relevant applications to the Provincial Department of Human Settlements, Western Cape Government (DHS).

The HDA and the Stellenbosch Municipality has finalised the Implementation Protocol to enable the further progress of the project. The document has been submitted for signature by the Municipal Manager. The HDA will then be appointed and instructed to proceed with various projects within the Housing Pipeline, including this project.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning	Planning		

4.6. Portion 1 of the Farm Meerlust No 1006 Paarl, Franschhoek – Ward 3





Project Name		3460 Meerlust, Franschhoek (200)
Property Description		Portion 1 of the Farm Meerlust 1006
Town		Meerlust
Suburb		Meerlust
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		1,2
Housing Programme/s		IRDP
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (serviced)	200
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	Location, site is not located close to any urban settlements and extreme small scale of project
	Readiness Score	3
Project Suitability	**Geotech Conditions**	TBD
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Meerlust (page 87), and is discussed on page 200. MHSP 2020 - The project is included in the HSP's proposed housing pipeline noted on page 131. IDP 2020 - On page 142 the need for housing in Meerlust (Ward 3) is identified, but no mention of the project itself was found in the IDP. PHSHDA - The Project is not included in the Stellenbosch PHSHDA.
	Planning Opinion: The Planning Directorate does not support this PID application. The Planning Directorate recommends that Tranche 1.1 not be released for 200 opportunities. The Planning Directorate rather recommends that Stellenbosch Municipality rather investigate the possibility of undertaking township establishment for the existing 33 residential houses and possible transfer of title to the residents. Or possibly to relocate the current residents to other low-cost housing projects in the area. The following points serve as motivation for project support: • Implementation of this project in Meerlust will mean that scarce Government funding and resources will not be used in a high priority area such as Kayamandi where there is a critical housing need • The project's location is opposed to the spatial strategic objective of locating low-cost residential developments on well-located land close to job opportunities and socio-economic facilities and is not located in the Stellenbosch PHDA • The settlement of Meerlust only represents 0.03% of the total housing demand in Stellenbosch Municipality and government resources should rather be spent in settlements where it will have greater impact • Significant bulk infrastructure upgrades will be required to implement this project and it is unclear how these upgrades will be funded at present.	

In accordance with the housing need, Stellenbosch Municipality has identified a portion of land, Portion 1 of the Farm Meerlust No 1006 Paarl, in the Franschhoek Valley known as Meerlust for residential purposes.

Ownership of the property currently vests with the National Department of Transport and Public Works. The site is located on the southern edge of the R45 close to the intersection of the R45 and the R310 and lies between Werda in the north-west and Allee Bleue, Lekkerwyn and the Pickstones to the east. The site is located on a sub-regional corridor linking the towns of Franschhoek and Paarl. The corridor functions as a sub-regional transport link and local access route providing scenic views of the powerful landscape through which it passes. The main development node along the corridor at this stage is the Simondium node which includes a school and basic shops. The next most obvious point for the R45 to support development is at the intersection of the R45 and the R310. The site is located 3.5km from Pniel on the R310 and 3km from Simondium on the R45.

The property is situated in an area that has been identified as a development node in the Stellenbosch Spatial Development Framework as well as the Cape Winelands Municipal Spatial Development Framework. Surrounding land uses are dominated by agricultural activities such as wine farms and wine estates, fruit farms and fruit estates, accommodation facilities, restaurants, golf estates and tourist attractions.

A portion of this land currently accommodates the Meerlust Bousbou Village consisting of 33 households residing in old timber forestry houses of approximately 87m^2 on 400-450m^2 plots arranged in a rectangular grid pattern on 67 hectares of land. The upgrade and/or re-development of this village has been part of a previous Call for Proposals. It is required to conduct the necessary detailed feasibility studies (in addition to those already completed) and obtain the relevant planning and other approvals to enable township establishment for the proposed development. The particular goal of the Call for Proposals was the delivery of additional state subsidised housing units and GAP housing units (for sale on the open market). Specific preferences would be given to purchasers meeting criteria, pricing and subjected to confirmed conditions as stipulated by the Municipality. There is accordingly an urgent need for the Property to be developed so as to create an integrated rural settlement, providing for a range of housing opportunities and choice by catering inter alia for a mix of housing types, together with appropriate public amenities. A Drakenstein Meerlust Agri-Village: Conceptual Urban Design Framework Draft 1 (December 2012) has been completed and a proposed Site Development Plan should be aligned to the development concept proposed in the study.

The town planning and design principles are to incorporate aspects outlined in the Drakenstein Meerlust Agri-Village: Conceptual Urban Design Framework Draft 1, December 2012. Bulk infrastructure availability needs to be investigated and confirmed, the detail and possible limitations could be verified by the Stellenbosch Municipality Civil- and Electrical Engineering Departments. The market related land costs will have to be recovered from the development.

A 2-stage approach was followed namely Stage 1: Concept Proposal and Functionality and Stage 2: Financial Proposal and Feasibility. The successful bidder will be offered the land for further development by the bidder for the purpose of an affordable housing development in the form of subsidised housing units and GAP housing units. The eventual development mix will be determined through, amongst others, feasibility studies and financial modelling to be completed by prospective developers, a mix of 50% BNG housing and 50% other (lower, middle and upper GAP income) is considered achievable.

The Groot Drakenstein Meerlust Integrated Rural Development Project was initiated by the Cape Winelands District Municipality (CWDM) in the mid-1990's with the intent to secure tenure for the existing residents at Meerlust Bosbou and also to construct additional dwellings to address the housing need in the area. Environmental Authorisation (Record of Decision) was issued in January 2001 for the development of 422 units on the land. Objections against the ROD were lodged but dismissed in October 2001 by the relevant MEC at the time. The appellants, however, challenged the decision in court and the ROD was set aside in 2002.

In December 2003 the MEC for Housing at the time instructed the CWDM to re-initiate the project and a new Environmental Authorisation Process for a new project proposal for 600 units was commenced. In April 2010, the South African Heritage Regulatory Authority (SAHRA) issued a negative permit, siting its non-support for the proposed 600-unit development, but that it would support a smaller development, linked to an agricultural component to promote the sustainability of the settlement over time.

Based on the SAHRA decision and other informants, the following multi-dimensional development concept should be considered for Meerlust:

- A human settlement of approximately 200 to 600 units
- Installation of all the required bulk and internal services infrastructure
- Social and community facilities and possible business opportunities (for example serviced sites)
- The establishment of a sustainable commercial agriculture component in terms of a Public-Private Partnership arrangement
- A sustainable botanical conservation component
- A sustainable food security component through personal / communal food gardens
- SMME development and capacity building (capitalising on the tourism potential of the area)

Discussion is currently taking place between the Stellenbosch Municipality and the Housing Development Agency (HDA) to assist with the transfer of land from the National Department of Public Works (NDPW) to the Stellenbosch Municipality and to further assist with the process to appoint the relevant service providers to attend to the required applications to obtain land use rights, the registration of diagrams / general plans with the Surveyor General and the relevant applications to the Provincial Department of Human Settlements, Western Cape Government (DHS).

The HDA and the Stellenbosch Municipality has finalised the Implementation Protocol to enable the further progress of the project. The document has been submitted for signature by the Municipal Manager. The HDA will then be appointed and instructed to proceed with various projects within the Housing Pipeline, including this project.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Pre-Planning	Planning		

4.7. Simonsig Village: Portion 39 and 40 of the Farm Koelenhof No 66 Stellenbosch – Ward 19





Project Name		Simonsig Village
Property Description		Farm Koelenhof No 66/39 and 66/40 Stellenbosch
Town		Stellenbosch
Suburb		Rural
Catalytic / PHDA Project		N/A
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		0,5
Housing Programme/s		IRDP
Housing Opportunities	**Sites**	75
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	No – private developer
	EIA ROD	TBC
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	No
	Council Approval	No
	Risks / Issues	TBD
	Readiness Score	0
Project Suitability	**Geotech Conditions**	TBC
	Strategic alignment	TBC
	Planning Opinion	TBC

In November 2019 an item served before Council for the authorisation to include the Simonsig Farmworker Housing Project in the Stellenbosch Municipality Housing Pipeline for the development of 75 residential opportunities for farm workers on the Farm De Hoop. This will enable Simonsig Wine Farm to apply for development rights and subdivision of the land for the provision of farmworker housing.

The Simonsig Agri Village proposal is in line with the Stellenbosch Municipality's view of Rural Settlements with a focus on housing for farm workers. This proposal also embraces the need of partnerships between Government and the private sector for the provision of housing, especially for farm workers.

Simonsig Wine Estate currently employs 110 permanent farm workers, many of them living on the farm for generations. There are 55 laborer houses on the property and the community consists of 260 people. Simonsig Wine Estate consists of two properties, both in die Koelenhof area, about 10 km to the north-west of Stellenbosch. The workers are currently residing on the properties but have no prospect of ownership of the houses they currently live in. As part of the Estate's empowerment plan, the owner wants to provide the workers an opportunity to own a house.

A high-level report regarding the provision of basic civil engineering services to the proposed development was conducted.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

5. FORMALISING AND UPGRADING OF EXISTING SETTLEMENTS

5.1. Langrug, Franschhoek (Planning P1) - Ward 1 and 2





Project Name		3256 Franschhoek Langrug (1900) UISP
Property Description		Erven 959 – 1120 and Erf 2901
Town		Franschhoek
Suburb		Langrug
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		TBD
Housing Programme/s		UISP
Housing Opportunities	**Sites**	0
	Serviced Sites	1900
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	Dense informal settlement that will require a large decanting site
	Readiness Score	3
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area, although structures are being constructed on steep mountain slopes.
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Franschhoek (page 77), and the project is listed on page 200. MHSP 2020 - Project is included in the proposed housing pipeline noted on page 131. IDP 2020 - Project is listed as a current municipal project on page 245. PHSHDA - The Project is not included in the Stellenbosch PHSHDA.
	Planning Opinion	This project has been supported by the Dept. of Human Settlements with the release of Tranche 1.1 and is a critical priority for the Dept. of Human Settlements. Addressing the Langrug Informal Settlement must be a major priority for both local and provincial government. Decanting of Langrug Informal Settlement must be detail with carefully so as to avoid damaging the local community.

Langrug informal settlement is located in the north-eastern area of Franschhoek and falls within the jurisdiction of the Stellenbosch Municipality. On the southern side of the settlement is Groendal formal housing developments down to Franschhoek town. On the eastern side is the Mooiwater low-cost housing development. On the northern side of Langrug is a nature reserve that is located on the upper part of the mountain slope on which Langrug informal settlement encroaches.

The community experiences locational risks such as being located on a slope, in an area that is prone to floods and being at risk of rock falls. The settlement has varied access to basic services. The Langrug informal settlement is viable for in-situ upgrading.

Living conditions at informal settlements are typically poor with residents facing a range of basic livelihood challenges, such as poor access to basic sanitation, low to no potable water supply, inadequate electricity provision, detrimental solid waste accumulation in public spaces, frequent shack fires, safety and security risks; to name a few. Langrug informal settlement is no exception to these deplorable living conditions.

Furthermore, and due to the growing number of informal housing and population in the settlement coupled with the lack of availability of land for housing in the Franschhoek Area, there is a growing need at Langrug for additional basics services and amenities (roads, water, sanitation, electricity etc.), the management of grey and black water emanating from households, and the development of housing projects in the settlement.

According to the Stellenbosch Municipality's Spatial Development Framework (SDF) that was approved in July 2019, Franschhoek is viewed as having less livelihood potential. Hence, the focus is on improving living conditions of existing residents as opposed to significant new growth. According to the Stellenbosch Municipality's Informal Settlement Strategy for Langrug, the Municipality is planning to supply Upgrading of Informal Settlements (UISP) services. The Municipality is also providing electricity over time to informal structures without electricity as part of the Municipality's ongoing Electrification Programme. The Medium Term Revenue and Expenditure Framework (MTREF) is continuously updated to provide for such opportunities. The Municipality is planning to undertake detailed planning studies to unlock housing development opportunities, develop a phased approach implementation plan premised on detailed designs for the provision of basic services and formalisation of Langrug, apply for development rights and installation of basic services, and identify suitable land for decanting.

In light of the above challenges, there are various projects and interventions which have been identified for planning and eventual implementation. The objective of these projects is to upgrade Langrug incrementally and to, as far as possible, formalise existing development patterns to improve the delivery of basic services. Hereunder is a summary of the medium to long term projects:

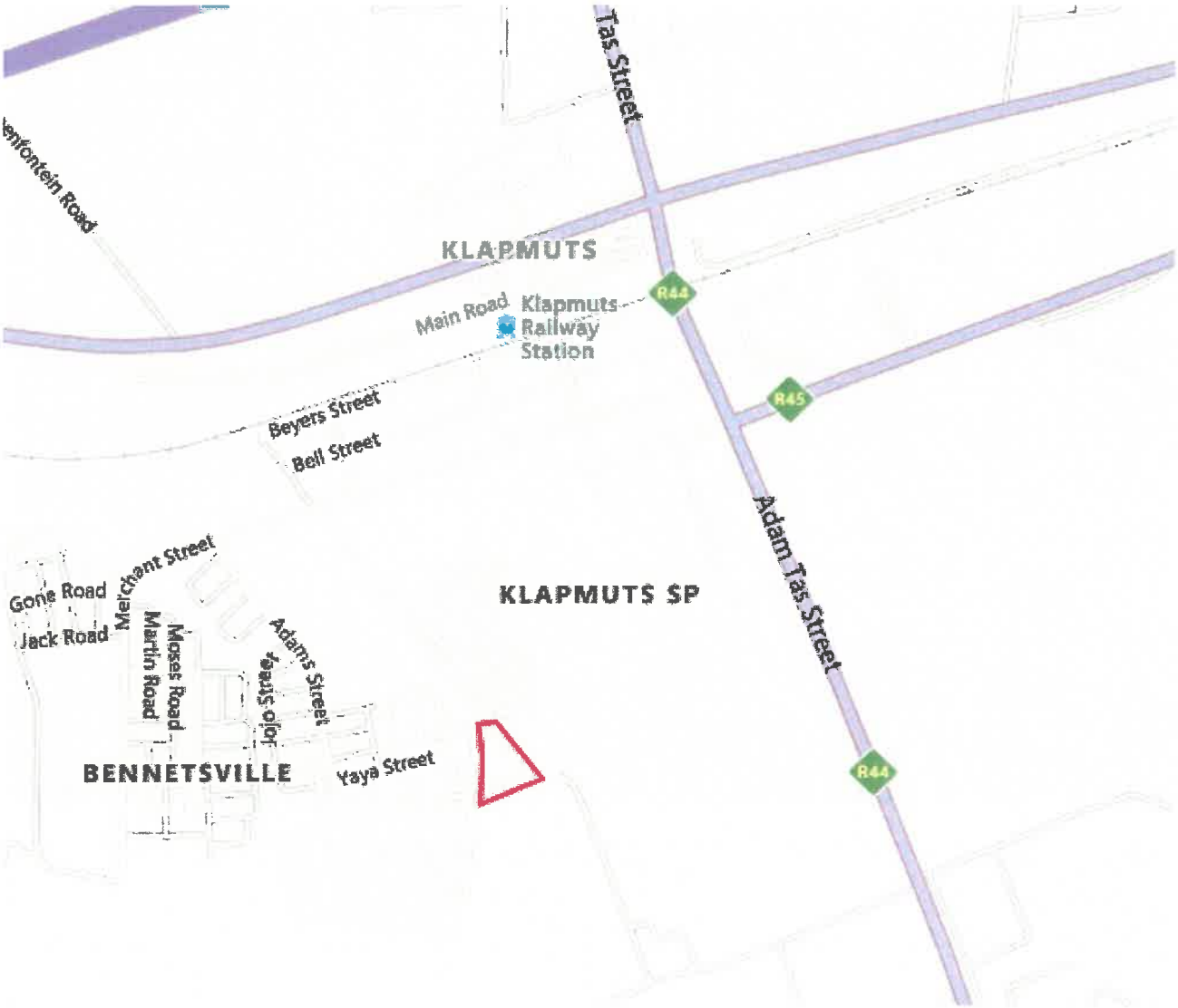
- The construction of phase 2 emergency access road and the installation of underground services.
- Re-blocking of sections to improve access and basic services.
- Upgrading of the bus route.
- Relocation and subsequent rehabilitation of the dam area.
- In order to commence with the re-blocking of Langrug, a decanting site on Erf 3229 Franschhoek (Mooiwater) is being developed (basic services), the process of which is currently underway.
- Cancellation of the existing General Plan and consolidation to create one land unit.

This project is managed dealt by the Department: Informal Settlements.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

5.2. Erf 2183 Klapmuts, La Rochelle – Ward 18





Project Name		La Rochelle Klapmuts
Property Description		Erf 2183 Klapmuts
Town		Klapmuts
Suburb		Klapmuts
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		2021/22 – Planning to commence
% of Total need addressed by Project		0,6
Housing Programme/s		UISP
Housing Opportunities	**Sites**	0
	Serviced Sites	100
	Top Structures (Units)	Possible Temporary Relocation Units
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	Yes
	Bulk capacity	Yes (Water supply is being upgraded ETA 18 months, Sewerage will require upgrades)
	Land Use Approval	No
	DHS Approval	No (Was previously supported by PPC in 2016/17, but no applications have been submitted
	Council Approval	Yes
	Risks / Issues	Small size of project, possible land invasion high risk
	Readiness Score	4
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Klapmuts (page 74), and the project is listed on

		page 199. MHSP 2020 - Project is included in the proposed housing pipeline noted on page 129. IDP 2020 - Project is not indicated in the IDP. PHSHDA - The Project is not included in the Stellenbosch PHSHDA.
	Planning Opinion	This project was previously presented to the PPC in 2016 and in principle supported for further studies. The specific type of housing program to be used was not confirmed by the Municipality. The site is located within in walking distance of socio-economic facilities in Klapmuts and development will increase the urban density of Klapmuts. The site is relatively small and will only be able to assist a small number of beneficiaries.

Klapmuts is situated on the N1 transport corridor and has significant potential to serve as centre for economic activity and residence within the metropolitan region and Stellenbosch Municipality. Erf 2183 Klapmuts is located along Gomas Street, Klapmuts, approximately 1.5km off the R310 that links Stellenbosch to the N1. The site is located on the south-eastern edge of the town of Klapmuts and is bordered by vacant land to its southern and eastern boundaries, with a proposed new housing development on the western and northern boundaries towards Mandela City, Klapmuts. To provide in the dire housing need in the Klapmuts area, especially for current backyarders, this property was identified as a possible option for a "site-and-service" housing project.

Erf 2183 Klapmuts is zoned Subdivisional Area for the following uses: Less Formal Residential Zone, Public Open Space Zone, Public Road and Parking Zone. A tender was advertised to attend to the subdivision of the property into residential erven of approximately 40m² to 50m², the submission of all diagrams to the Surveyor-General's office for approval and registration as well as the submission of all documents to the Provincial Department Human Settlements to obtain the relevant funding for this incremental housing project. The closing date for the submission of bids was 22 February 2021. Evaluation was completed and is currently at Supply Chain Management for further evaluation and appointment.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

5.3. Five housing projects in Kayamandi, Stellenbosch

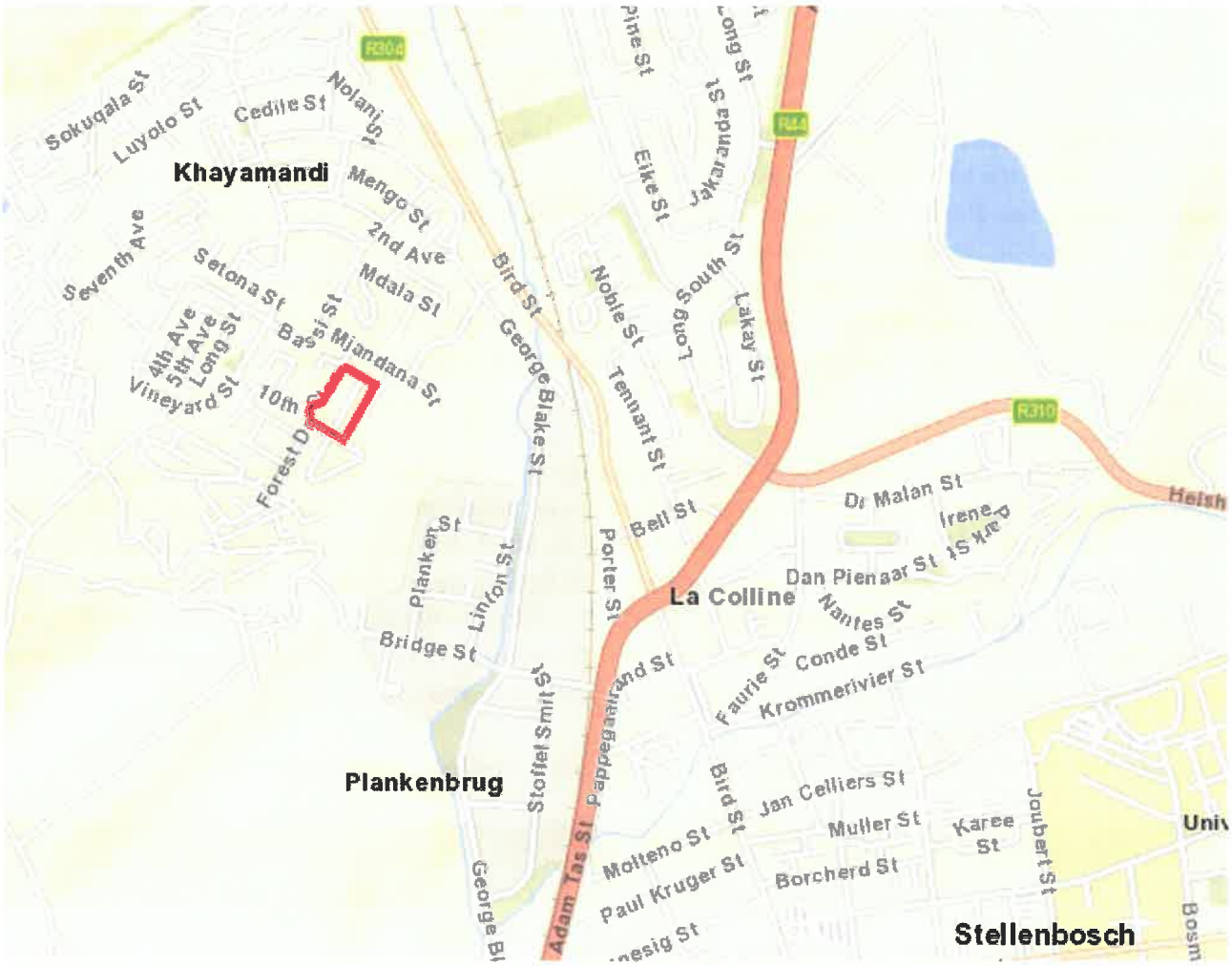
In 1995, in order to direct and accommodate the accelerated growth and severe development pressure that prevailed in the Kayamandi Township, the former Stellenbosch Transitional Council commissioned the drafting of a Spatial Development Framework for Kayamandi and the immediate surrounding area. During 1996 and 1997 Special Council Meetings and workshops were held do deal with the Development Framework of Kayamandi with the aim to identify and implement priority projects within the area. The Spatial Development Framework was formally approved on 11 September 1996 and the priority projects plan during January 1997. Although the projects were implemented during the period, the majority of the erven however have not been formally registered in order to proceed with the individual transfers to the respective end users/beneficiaries. For various reasons the formal township establishment process for certain projects was not completed. The Stellenbosch Municipality is now in a position to finalise the various statutory land use management approvals required for formal township establishment.

Five of these projects are now the subject of a township establishment process. A tender which was advertised for the appointment of a suitable, qualified and experienced professional service provider to

assemble a multi-disciplinary team of professionals in order to obtain the necessary land use rights and registration of diagrams in the Surveyor-General's office for certain housing projects in Kayamandi. The closing date for the submission of bids was 15 February 2021. Evaluation was completed and is currently at Supply Chain Management for further evaluation and appointment.

The five projects are further described below.

5.3.1. Erven 1080 - 1112 Kayamandi (33 erven) – Ward 12





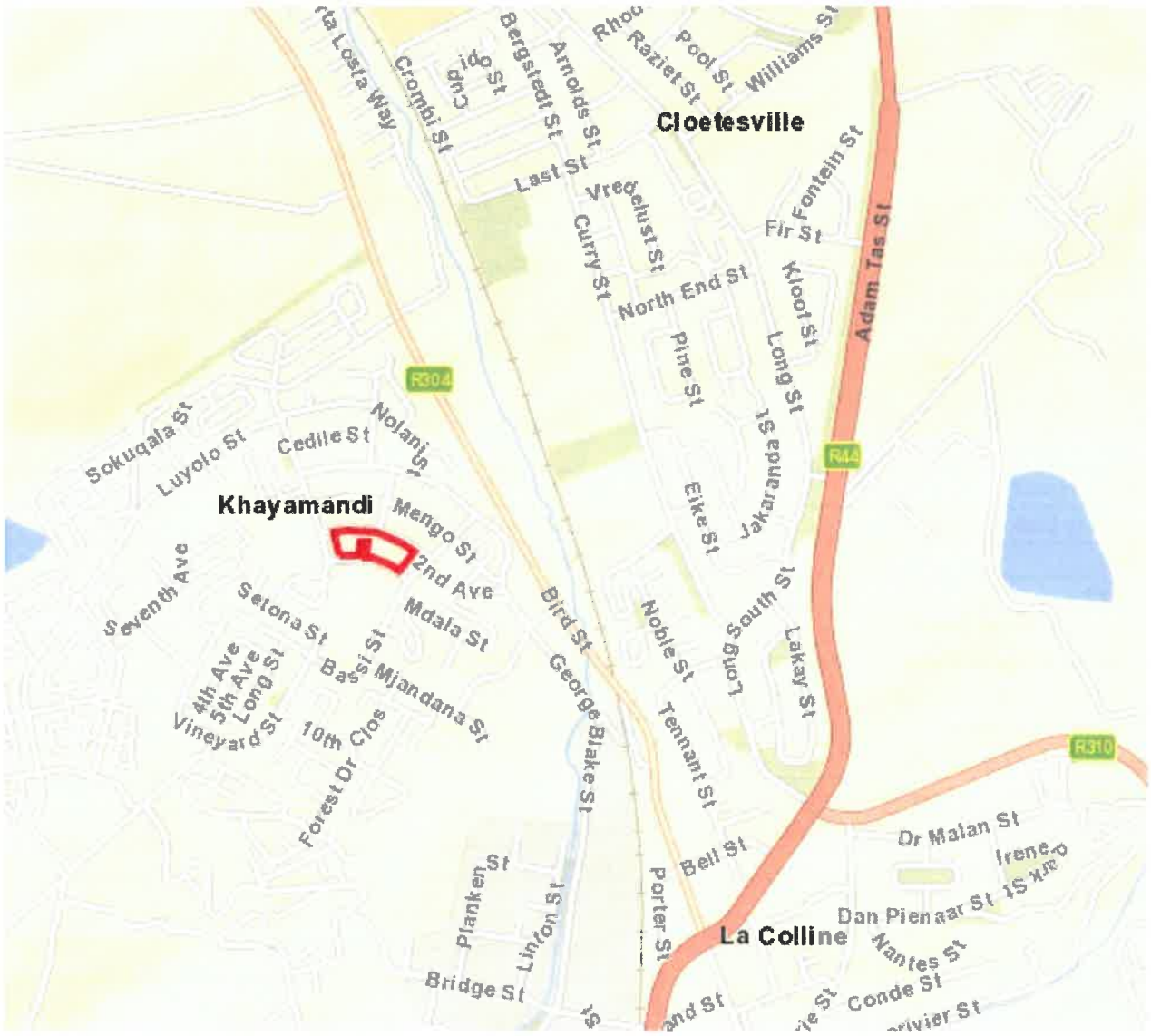
Project Name		Erven 1080 - 1112 Kayamandi (33 erven)
Property Description		Erven 1080 - 1112 Kayamandi
Town		Kayamandi
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2021/2022 Planning to commence
% of Total need addressed by Project		0,2
Housing Programme/s		Township Establishment
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	Completed
	Other	33 erven
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	Yes
	Land Use Approval	No
	DHS Approval	Yes (previous)
	Council Approval	Yes
	Risks / Issues	Community challenges and possible encroachments
	Readiness Score	4
Project Suitability	**Geotech Conditions**	Suitable, already built up area
	Strategic alignment	TBD
	Planning Opinion	TBD

The project was approved by Council during 1996 and comprised the development of 146 family units by Stocks Housing Cape (Pty) Ltd. The 146 units were developed as rental stock units on Erven 1080 to Erven 1112 and were completed during 1998. The relevant statutory land use approvals are required in order to enable the registration of the sectional title scheme on the consolidated properties. This process will also entail the amendment of the approved General Plan (GP 3343/1993).

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning – land use rights			

5.3.2. Red Bricks Hostels: Erven 112, 114, 115, 116 Kayamandi – Ward 13





Project Name		Red Bricks Hostels: Erven 112, 114, 115, 116 Kayamandi
Property Description		Erven 112, 114, 115, 116 Kayamandi
Town		Kayamandi
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2021/2022 Planning to commence
% of Total need addressed by Project		0,3
Housing Programme/s		Township Establishment
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	0
	Other	51 units
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	Yes
	Land Use Approval	No
	DHS Approval	Yes (previous)
	Council Approval	Yes
	Risks / Issues	Community challenges and possible encroachments
	Readiness Score	4
Project Suitability	**Geotech Conditions**	Suitable, already built up area
	Strategic alignment	TBD
	Planning Opinion	TBD

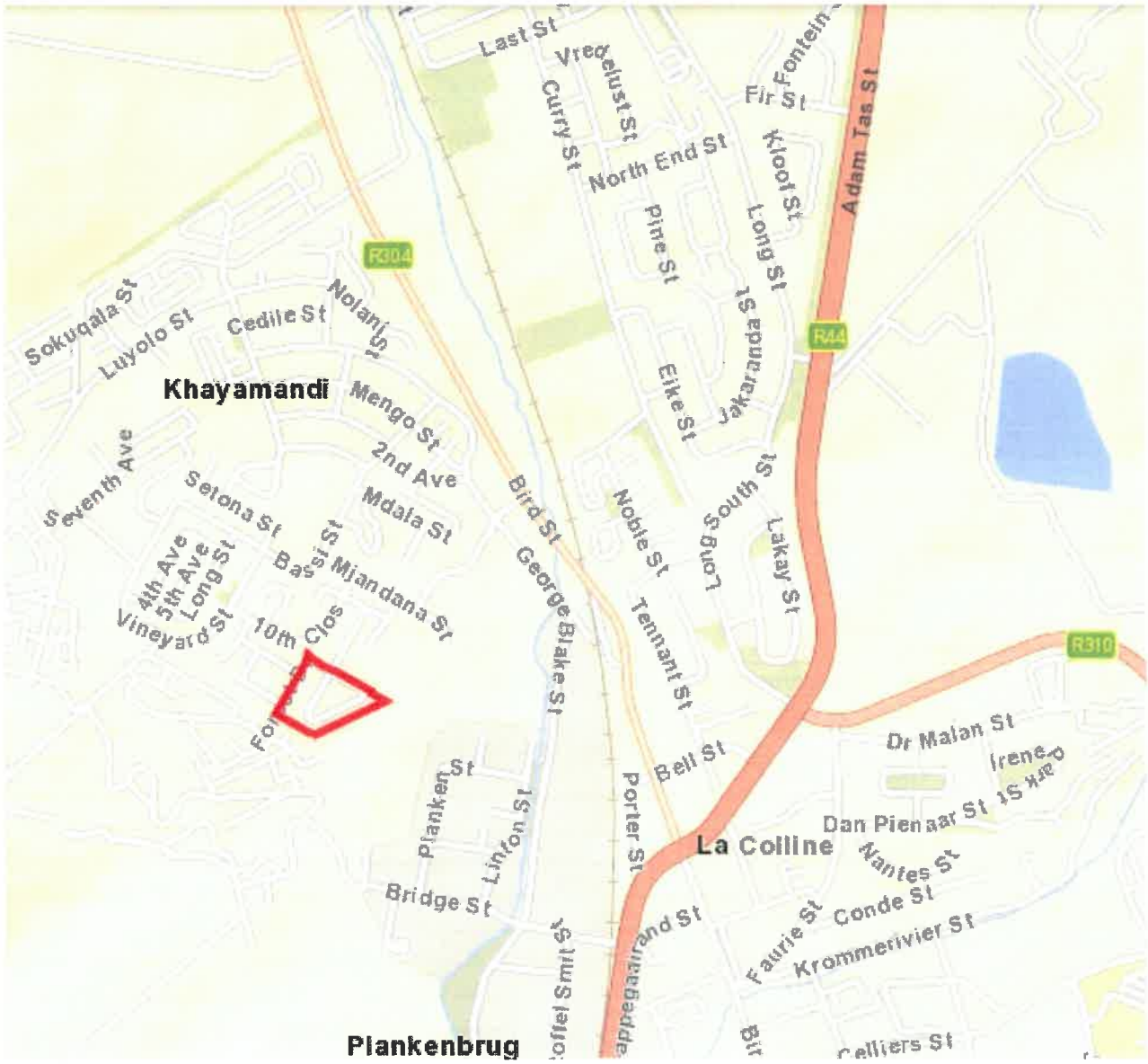
The project formed part of the hostel upgrading programme for Kayamandi and was implemented and constructed during 2004. It comprised the consolidation of erven 112, 114, 115 and 116 as registered in terms

of General Plan L 149/1987. The project entails the rezoning and the subdivision of the property into 51 units and 5 public open spaces.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning – land use rights			

5.3.3. Erven 1123 – 1154 and 1113 – 1120 Kayamandi – Ward 15





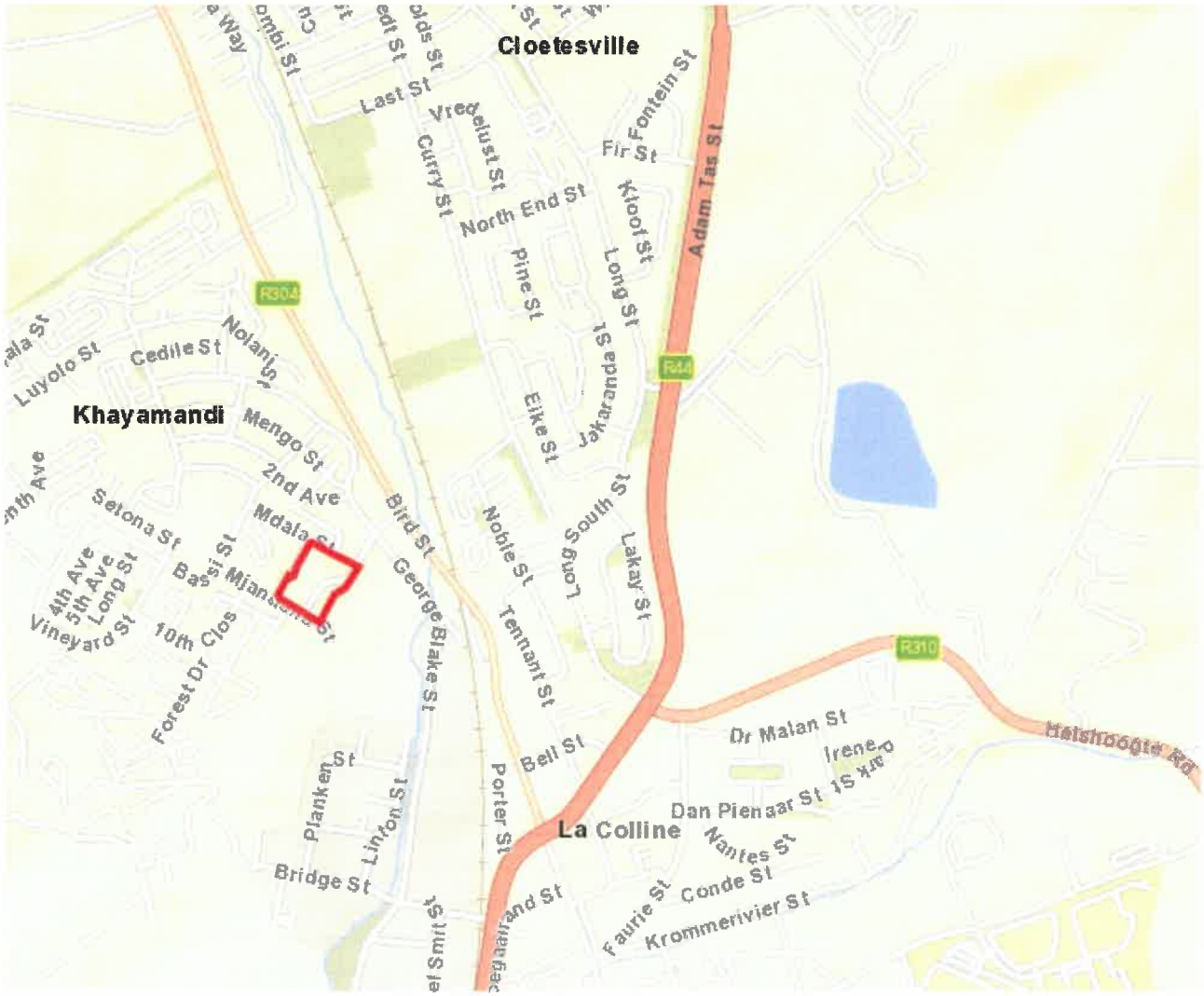
Project Name		Erven 1123 – 1154 and 1113 – 1120 Kayamandi
Property Description		Erven 1123 – 1154 and 1113 – 1120 Kayamandi
Town		Kayamandi
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2021/2022 Planning to commence
% of Total need addressed by Project		1,1
Housing Programme/s		Township Establishment
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	0
	Other	175
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	Yes
	Land Use Approval	No
	DHS Approval	Yes (previous)
	Council Approval	Yes
	Risks / Issues	Community challenges and possible encroachments
	Readiness Score	4
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	TBD
	Planning Opinion	TBD

The project entailed the consolidation of Erven 1123 and 1152 as well as Erven 1113 and 1122 as registered in terms of General Plan 3343/1993. The project entails the subdivision of the property into 175 higher density units and public open spaces. Although the General Plan (Erven 1982 – 2165) was submitted to the Provincial government Western Cape, the registration of the plan was not done to date due to the fact that Erf 1120 (public place) was not closed.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

5.3.4. Erven 513-522, 66, 67, 69 and Portion of Erf 523 Kayamandi – Wards 12 and 15





Project Name		Erven 513-522, 66, 67, 69, a portion of Erf 523 Kayamandi
Property Description		Erven 513-522, 66, 67, 69, a portion of Erf 523 Kayamandi
Town		Kayamandi
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2021/2022 Planning to commence
% of Total need addressed by Project		0,8
Housing Programme/s		Township Establishment
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	0
	Other	137
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	Yes
	Land Use Approval	No
	DHS Approval	Yes (previous)
	Council Approval	Yes
	Risks / Issues	Community challenges and possible encroachments
	Readiness Score	4
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	TBD
	Planning Opinion	TBD

This project formed part of the Kayamandi Town Centre urban renewal project as funded in terms of the overall hostel project upgrading programme. The development made provision for 137 higher density units, a new road and several open spaces. The underlying erven forms part of General Plan 149/1987 and General Plan 290/1989. The development entails the consolidation of Erven 67, 69, a portion of Erf 523 and Erven 513-522 and the re-subdivision thereof into individual higher density units. The project was implemented and constructed during 2004. The project was partially completed due to the construction of informal structures on the remainder of the property. A total of 42 units have been built. It is recommended that the amendments of the General Plans (149/1987 and 290/1989) be done.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning – land use rights			

5.3.5. Mpelazwe: Remainder Erf 288 Kayamandi - Ward 13





Project Name		Mpelazwe: Remainder Erf 288 Kayamandi
Property Description		Mpelazwe: Remainder Erf 288 Kayamandi
Town		Kayamandi
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		2021/2022 Planning to commence
% of Total need addressed by Project		0,3 – 0,4
Housing Programme/s		Township Establishment
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	0
	Other	54 - 65
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No
	Bulk capacity	Yes
	Land Use Approval	No
	DHS Approval	Yes (previous)
	Council Approval	Yes
	Risks / Issues	Community challenges and possible encroachments
	Readiness Score	4
Project Suitability	**Geotech Conditions**	Suitable, location in an already built-up area
	Strategic alignment	TBD
	Planning Opinion	TBD

Mpelazwe is one of the oldest parts of the Kayamandi town and was identify as priority project in light of its historic character and response from the community. The development formed part of the hostel upgrading programme and comprised the development of 54 residential units. Although approval was previously granted for the re-layout of the area, it still forms part of Remainder Erf 288 as per General Plan 149/1987. Erf numbers (Erven 2392-2446) have been allocated; however, the formal rezoning, subdivision and closure of public roads have not been completed to date.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning – land use rights			

5.4. Maasdorp Village, Franschhoek – Ward 2





Project Name		Maasdorp Village, Franschhoek
Property Description		Farm La Motte 1041/27 and 1041/28 Paarl
Town		Rural
Suburb		Rural
Catalytic / PHDA Project		N/A
Urgency (Proposed year of implementation)		Current - planning
% of Total need addressed by Project		0,1
Housing Programme/s		Township Establishment
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	0
	Other	16 existing units
Project Readiness	**Land Obtained**	No
	EIA ROD	Yes - Checklist completed; EA not applicable
	Bulk capacity	No
	Land Use Approval	No
	DHS Approval	No
	Council Approval	Yes – with respect to a Memorandum of Understanding with the Dept. of Public Works
	Risks / Issues	Costly sites
	Readiness Score	2
Project Suitability	**Geotech Conditions**	Suitable, already built-up area
	Strategic alignment	TBD
	Planning Opinion	TBD

The Maasdorp Forest Village comprising Portions 27 and 28 of Farm La Motte No 1041 Paarl is located north of the intersection of Main Road 191 (R45) and Divisional Road 1351 approximately four kilometres north east of Franschhoek.

The site currently accommodates approximately 32 formal houses and outbuildings. The site is currently zoned for Agricultural purposes and must be rezoned and subdivided to enable formal township establishment accommodating the existing households and as otherwise may be determined by further investigations and community engagements.

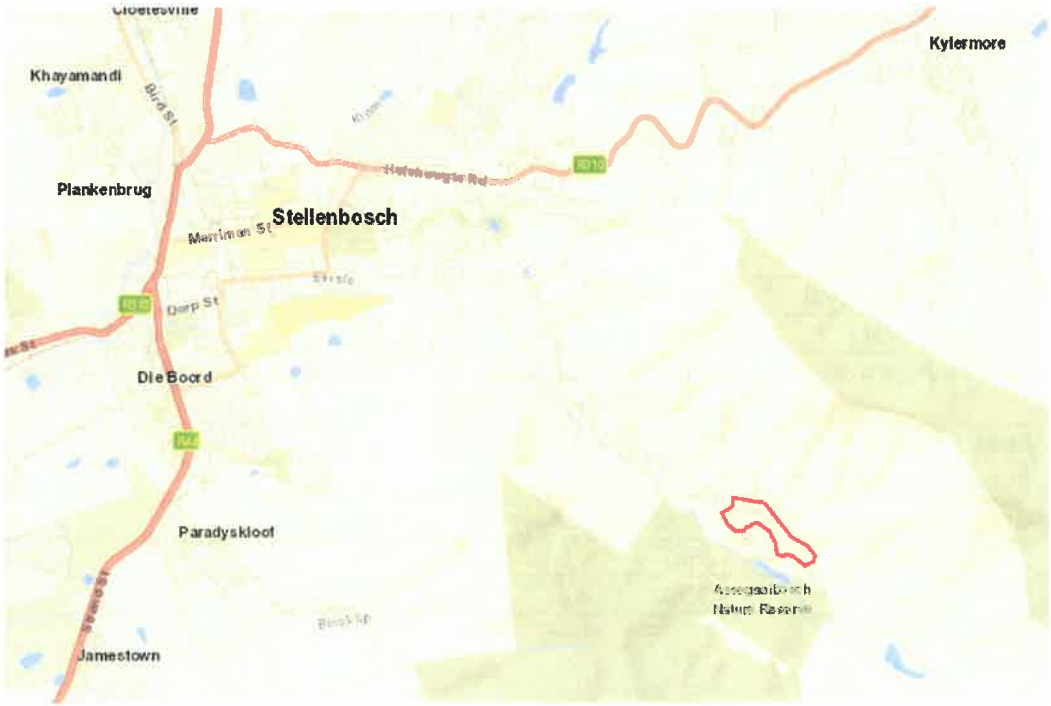
In June 2018 a service provider was appointed to attend to the township establishment process for Maasdorp Forest Village, Franschhoek: Portions 27 and 28 of Farm La Motte No 1041 Paarl, and future expansion on Portions 3 and 7 of Farm La Motte No 1041, Franschhoek; the project has later been referred to only as the detailed planning and design for the Township Establishment of Maasdorp Forest Village.

Community engagements, a traffic impact study, engineering services reports and a geotechnical investigation have been completed together with draft plans of subdivision for further consideration. The required process for Township Establishment took longer than anticipated primarily due to the impact of Covid-19 on processes, the challenges on the ability to interact with relevant stakeholders and also certain aspects in the planning process that arose and now requires additional input. Due to the socio-economic impact of Covid-19 and the relevancy of the socio-economic profile on the feasibility of proposed property extents and accommodation of original Maasdorp residents on these properties, the necessity to update the socio-economic survey and engineering services costing for efficient decision-making purposes on the development proposal, was identified. The submission of the land use applications, is pending, requiring only a mere update of a socio-economic survey and engineering services costing required.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

5.5. Jonkershoek – Ward 5





Project Name		Jonkershoek
Property Description		Various
Town		Stellenbosch
Suburb		Jonkershoek
Catalytic / PHDA Project		N/A
Urgency (Proposed year of implementation)		2021/2022 Planning to commence
% of Total need addressed by Project		0,7
Housing Programme/s		Township Establishment / IRDP / FLISP
Housing Opportunities	**Sites**	TBD
	Serviced Sites	TBD
	Top Structures (Units)	TBD
	Other	40 existing units
Project Readiness	**Land Obtained**	No
	EIA ROD	No
	Bulk capacity	No
	Land Use Approval	No
	DHS Approval	No
	Council Approval	Yes- with respect to a Memorandum of Understanding
	Risks / Issues	Conservation status and bulk service provision restraints
	Readiness Score	0
Project Suitability	**Geotech Conditions**	TBD
	Strategic alignment	TBD
	Planning Opinion	TBD

The Jonkershoek Valley is located about 10 km east of Stellenbosch, below the imposing Hottentots-Holland Mountains. The valley is relatively narrow (3-5 km) and approximately 13 kilometres in length. The upper Jonkershoek Valley has been conserved as part of the Jonkershoek Nature Reserve to preserve the mountain fynbos ecosystems; however, large areas have been converted to plantation forestry. Besides the original Jonkershoek farmyard, Jonkershoek has a bosdorp, which historically accommodated the labour force of forestry and catchment management.

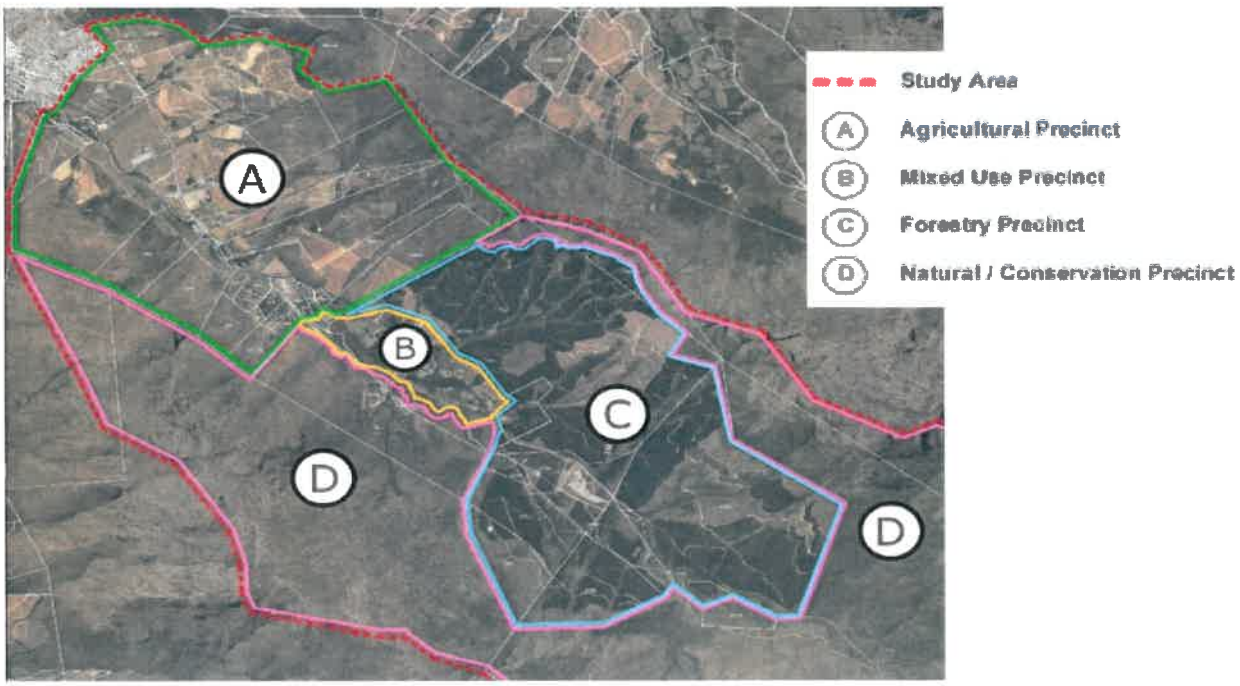
The Jonkershoek Valley is divided into four definite areas:

- An agricultural precinct comprising of farms and smallholdings (lower Valley); Agriculture is the predominant land use in this precinct, with rural residential being a primary use on some of the smallholdings. In most instances, cultivation is restricted to the valley floor or lower slopes, with a clear distinction between mainly vineyards up the slopes, pastures and olive groves in the valley floor and undisturbed fynbos on the upper slopes.

- A mixed use precinct accommodating State and parastatal facilities and housing (central Valley); This central valley area has substantial built infrastructure (e.g. houses, offices, youth camps, educational facilities, research facilities, trout ponds) and presents a unique opportunity for establishing Jonkershoek as an eco-tourism destination and endorsing this area as a public asset. Substantial portions of this area present itself to be integrated into either the agricultural, forestry or conservation precincts. With these portions constituting different land uses, mixed use nodes were delineated that can serve as eco-tourism destinations and residences to support innovation and research and to be managed and maintained according to conservation norms.

- A forestry precinct comprising the upper Catchment and forestry area (Jonkershoek Plantation) (upper Valley) and the designated Jonkershoek Plantation (i.e. planted forestry area) has forestry being employed as the primary activity/land use.

- A conservation and natural vegetation precinct comprising the Jonkershoek Nature Reserve (upper Valley). This area comprises the statutory Jonkershoek Nature Reserve and Assegaaibos Nature Reserve which are reserved for conservation purposes.



As the Valley's prime functions are to conserve the catchment area to maintain sustainable water resources and to protect and reclaim the Fynbos biome, developable land within the Valley is limited. Furthermore, Jonkershoek is not earmarked for residential development as per the Stellenbosch Municipal Spatial Development Framework. Therefore, it is recommended that beneficiary households should be identified by means of establishing a trust (Jonkershoek Trust) with a shared vision regarding housing to establish, as per existing legislation, the rights of those residing currently in the Jonkershoek Valley.

Two alternatives for the provision of housing exist, namely Alternative A: The provision of housing in- and outside the Jonkershoek Valley and Alternative B: The provision of housing only outside the Jonkershoek Valley. Should Alternative A be implemented, no more than 92 units should be provided, including subsidised housing, GAP housing and existing rental housing stock. Alternative B considers the costs to service an erf in Jonkershoek Valley which is greatly excessive in comparison with a standard amount per erf elsewhere and proposes that housing be provided within the various precincts of Stellenbosch as per Stellenbosch 2017 Housing Strategy and the Spatial Development Framework.

Portions of the Remainder and Portion 2 of the Farm No 352 Stellenbosch form part of the study area under investigation for formalisation of existing housing circumstances in the area; however not a viable solution for Jonkershoek.

The provision of housing should take place in the northern sub-precinct (above the road) accommodating a settlement or limited "hamlet" comprising of the existing infrastructure/buildings, together with limited infill. This node will provide accommodation to any person who may have a right to settle in the Jonkershoek Valley as well as persons renting residual existing housing stock.

The southern sub-precinct (below the road and beyond the river) accommodates uses being predominantly associated with research and innovation, forestry, conservation management and eco-tourism within the context of the overall Jonkershoek Valley. Accommodation for eco-tourism purposes should be restricted to the temporary stay of visitors, with permanent residence rights (e.g. sectional title, share block, etc.) being restricted.

The cost of establishing the bulk services in Jonkershoek to support a housing project could be partially subsidised by making the service available to the broad spectrum of owners (farmers) residing in Jonkershoek.

As the households in need for housing were determined the following points of departure were used:

- No extension of any residential components should be allowed beyond those who have rights to live there.
- Accommodate families who have relevant rights together with households of staff working for CNC and Cape Pine. Provide for 38 dwelling units for families that are employed (i.e. total of 38 families, with 24 families employed by CNC and 14 families employed by Cape Pine) and limit the subsidised dwelling units to provide for families that have relevant rights not to exceed 65 subsidised houses keeping in mind that 16 families reside for less than ten years in the Valley.
- No more than 100 units (80% of the current number of households) should be provided for. The housing topology should include subsidised housing, GAP housing and Rental housing
- To establish the beneficiary households a trust (Jonkershoek Trust) should be established to develop a shared vision regarding housing and to establish, as per existing legislation, the rights of those residing currently in the Jonkershoek Valley.

The following proposals regarding existing structures, summarised in the table below, should be noted in the northern sub-precinct:

Area / Name	No of Units	Description	Action	Future use
Op-die-Built	18	Timber cottages	Refurbish	Residential
Compound	23	Rooms, ablution, hall & church.	Demolish	None
Fisheries A Fisheries B	39 3	Temp. structures Brick dwellings	Demolish Keep	None Residential
Cape Pine flats & houses	10	Brick dwellings	Refurbish	Residential & Tourism
Cape Pine settlement	9	Brick and timber dwellings	Keep	Tourism

Table: Existing structures: to be maintained and future use, northern sub-precinct

Refurbish 31 units available for residential purposes (Op die Bult (18), Fisheries B (3) and Cape Pine Flats and Houses (10): Develop fisheries B existing dwelling structures as semi-detached/ cluster houses). Demolish Informal structures and historic hostel/rooms being utilised for family accommodation at Fisheries A, the Compound and the Caravan Park and relocate families. Preferably refurbish Cape Pine settlement and the Central area for Tourism purposes (at the entrance of the Nature Reserve).

The proposed site for which a development plan has been prepared, is a natural extension of the existing Op die Bult bosdorp, consisting of 18 timber cottages.

Op die Bult falls within the mixed-use precinct. It offers the opportunity to establish a very unique housing development that will complement the valley, and have very few negative impacts on the elements that need protection. The existing cottages, which are of sound structure, form part of the proposed development and no demolishment of existing structures would be necessary. Provision can be made for an additional 74 residential units totalling 92 units overall. The proposal has a very low visual impact. Although the development offers beautiful vistas over the valley, its visual impact from the tourist route will be negligible.

The development proposal as per the site development plan provides for 74 low-cost single residential erven with an approximate size of between 230m² and 599m² (affordable housing), public open space erven and public roads. The proposed number of erven is based on an estimated maximum of people in the valley that might qualify for tenure. The use of one node as settlement or limited "hamlet", comprising of the existing infrastructure/buildings, together with limited infill is proposed. This node will provide accommodation to the individuals who may have a right to settle in the Jonkershoek Valley, as well as persons renting residual/existing housing stock. Housing will thus only be provided within this node.

It is further recommended that all other informal structures be demolished and to relocate families to the Op the Bult extension. In order to restrict overspill into the remainder of the mixed-use nodes or the adjacent precincts, nodes have to have a clearly defined settlement extent, with an approved and managed "settlement edge" as proposed in the Jonkershoek Spatial Development Framework. Consideration should be given to Alternative B – Providing housing outside Jonkershoek Valley. Alternative B should be considered given the costs to service an erf. The settling of households other than those who have rights to live there and those working for Cape Nature and for Cape Pine outside Jonkershoek would be best within Stellenbosch as per Alternative B.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Pre-Planning	Planning		

5.6. Faure Agri-Village: Portions 3 and 5 of the Farm 1081 Stellenbosch Ward 20





Project Name		3691 Faure Agri-Village
Property Description		Farm 1081/3 and 1081/5 Stellenbosch
Town		Faure
Suburb		Croydon
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		2,7
Housing Programme/s		IRDP / FLISP
Housing Opportunities	**Sites**	448
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	No (Property in Private ownership)
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	DHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	Land ownership and project dependent on partnership
	Readiness Score	2
Project Suitability	**Geotech Conditions**	TBD
	Strategic alignment	MSDF 2019 - Project does not fall within any of the approved Urban Edges of Stellenbosch, but the project is discussed on page 120. MHSP 2020 - The project is not included in the HSP. IDP 2020 - Project is not listed in the latest IDP. PHSHDA - The Project is not included in the Stellenbosch PHSHDA
	Planning Opinion	This project is supported because of the following reasons, namely: • The project proposes the accommodation of farm residents in a municipality that suffers from large numbers of farm evictions. This project will therefore not only align with the Department's strategic objective of addressing farm resident housing, but it will also positively contribute towards alleviating some of the tension in the agricultural industries of Stellenbosch • This project will entail a partnership between government, both Provincial and Municipal, and the private sector aimed at addressing the needs of farm residents in and around Faure and Croydon. As such this project also aligns with the Department's own strategic goal of promoting better cooperation and partnerships between government and the private sector. This project is supported with the following conditions, namely: • A formal agreement must be reached between the City of Cape Town and Stellenbosch Municipality regarding the bulk infrastructure capacity needed for this project before implementation can be considered. • The developer needs to indicate how the 16 residential structures, and their owners, currently on site will be accommodated in the project going forward.

Portions 3 and 5 of the Farm 1081 Stellenbosch are located on the corner of two major roads namely Baden Powel Drive (R310) and Old Main Road (R102). The Faure Agri-Village will become part of Croydon.

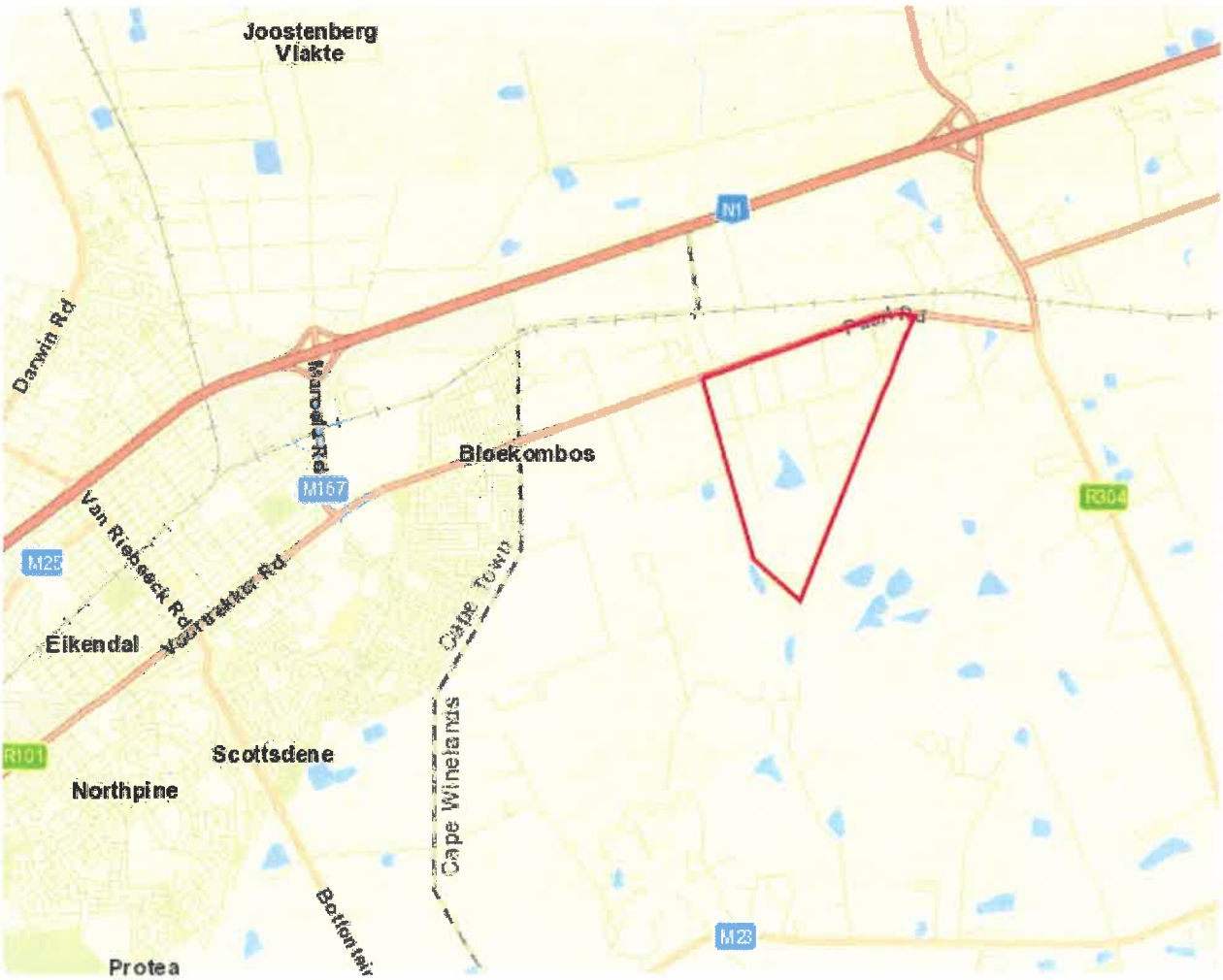
A project initiation document has been submitted to the Provincial Department of Human Settlements in October 2019 relating to obtain funding approval for the Faure Agri-Village project on a portion of Portions 3 and 5 of the Farm 1081 Stellenbosch to enable farm worker housing by means of an IRDP Programme.

The approximate development footprint for the proposed development is 16.2 hectares. The current proposed development layout provides for approximately 448 residential erven and ancillary uses. The service provider is currently busy with the environmental process and to obtain approval in terms of the Subdivision of Agricultural Land Act No 70 of 1970.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
	Planning		

5.7. De Novo – Ward 19





Project Name		3539 De Novo (377) IRDP
Property Description		Portions 10 and 18 of Farm 727
Town		Rural
Suburb		De Novo
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		2,3
Housing Programme/s		IRDP
Housing Opportunities	**Sites**	0
	Serviced Sites	300
	Top Structures (Units)	0
	Other	77
Project Readiness	**Land Obtained**	No (Property owned by Dept. Transport & Public Works. Power of Attorney obtained by Dept. of Human Settlements who is acting as the developer at this stage.
	EIA ROD	No (currently being obtained, busy with WULA)
	Bulk capacity	No (Requires formal agreement between Stellenbosch Municipality and City of Cape Town)
	Land Use Approval	No (LUPA approval dependent on a formal decision regarding the agricultural land use on site and the long term support thereof)
	DHS Approval	Yes (PID)
	Council Approval	No (Project no listed on latest approved Housing Pipeline)
	Risks / Issues	Land invasion, Water Supply, Bulk Capacity, Community dynamics, Design concept
	Readiness Score	0
Project Suitability	**Geotech Conditions**	Suitable, subject to Geotech investigation

	Strategic alignment: MSDF 2019 - Project does not fall within the any approved Urban Edges in Stellenbosch Municipality, but the project is discussed on page 118, with the MSDF noting that Klapmuts must be prioritized above this project. MHSP 2020 - The HSP clearly indicates that this project is not listed in the Municipality's official Housing Pipeline and driven by Provincial Dept. IDP 2020 - Housing need in Ward 19, specifically De Novo is noted in the IDP, but no reference is made to an actual housing project on page 164. PHSHDA - The Project is not included in the Stellenbosch PHSHDA.
	Planning Opinion: This project is conditionally supported because of the following reasons, namely: • Project entails an "agri-village" type development aimed at providing a sustainable and innovative agricultural development with a residential component that is full aligned with this Departments own strategic goals; • Project will provide opportunities to surrounding farm residents that would find difficulty adjusting to other opportunities in more urban settings; and • Project will formalize existing land uses to the better management of the whole De Novo. The project is supported with the following conditions, namely: • Obtaining water rights to support the proposal towards the agricultural component of the development; • Incorporation of beneficiary selection criteria that will act in support of the agricultural nature of this proposed development; and • Provision of sufficient bulk capacity to support the proposed development. Also, through this PID, allow for further feasibility work to be undertaken in the geo-tech and the soil analysis for agricultural use.

The De Novo Site comprises the full extent of Portion 10 and Portion 18 of Farm 727 Joostenbergs Vlakte in Stellenbosch Rural and falls under the jurisdiction of the Stellenbosch Municipality. The site is located approximately 14.5km from Stellenbosch, 11km from Klapmuts and 2.3km from the existing Bloekombos residential area in Cape Town. The site can be accessed from the Old Paarl Rd (R101), and is close to the intersection of the R101 and the R304 roads north of Stellenbosch. Although the site falls within the Stellenbosch Municipality, it is very close to the urban expanse of the City of Cape Town and most activities gravitate towards the City of Cape Town. The site is in a rural setting, surrounded by farms, but within walking distance of the urban fabric of the City of Cape Town.

The De Novo property is owned by the Western Cape Department of Transport and Public Works (DTPW) and this Department has provided a Power of Attorney to the Western Cape Department of Human Settlements (DHS) to proceed with the obtaining of development rights for the future development of De Novo.

Various land uses are located on the De Novo site, including offices and facilities of the Western Cape Department of Social Development (DSD) as well as the Lawrencia Primary School and 77 formal residential structures being rented from the DTPW. A dilapidated hostel building is also located in the centre of the study area housing approximately 22 inhabitants. Forty-four (44) backyard dwellers have also been identified residing at some of the residential structures.

The intention of the project is to formalise the current institutional and residential land uses found on the De Novo site through subdivision, rezoning and township establishment. It is also the aim to establish and develop 300 new housing opportunities (in addition to the existing 77 residential structures), aimed at partially accommodating the housing demand on the site and in the surrounding farming communities in Stellenbosch Municipality. The establishment of a Child Care Village on the De Novo site is also facilitated.

This project has been undertaken by the DHS in conjunction with the Stellenbosch Municipality. Following the initial round of preliminary investigations in 2016, the DHS proposed that the land be developed with some 2800 housing opportunities. The initial assessments of this proposal found that due to issues such as, environmental sensitive areas on the site and the bulk services constraints, the opportunity costs would be too high for the housing subsidy to cover. The number of housing opportunities was then reduced to a more realistic 300 opportunities.

In 2017, the Western Cape Government received a request from a private institution, Liv Village, to establish a child/youth care facility. The De Novo site was identified for the establishment of such a child/youth care facility, and this proposed land use was then incorporated into the layout design. Various development options were considered and tabled at a meeting held on 20 July 2017 between Stellenbosch Municipality and relevant Provincial Departments.

The following resolutions were agreed upon by all participants of this meeting, namely:

- The development of De Novo site would include the Child/youth-care facility.
- Existing houses will be refurbished and retained for use by rightful/current occupants.
- Current institutional uses are to be retained and formalised, namely rehabilitation centres, offices and school.
- Additional new 300 housing opportunities to be provided to cater for the farming community from the immediate surrounding area.
- Balance of site to be used for commercial/economic activity e.g., agricultural.

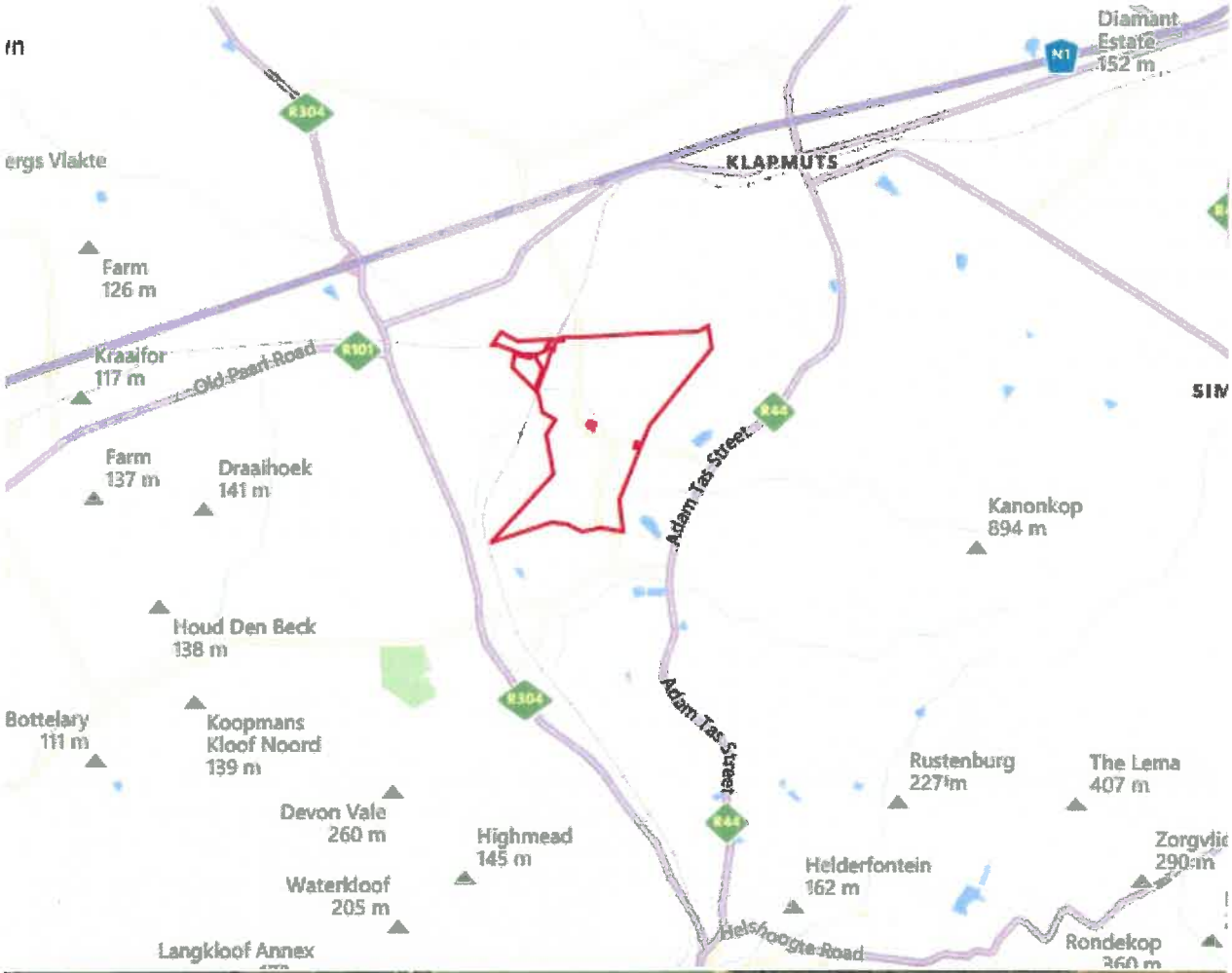
DHS proceeded in 2018 to appoint a Professional Team led by SMEC SA (Pty) Ltd to undertake the necessary feasibility studies and to package the project to obtain all necessary development rights to enact the resolutions taken on 20 July 2017.

At present, the obtaining of development rights has been stalled due to fundamental issues that must be addressed.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Planning			

5.8. A portion of the Farm Elsenburg A No 34 Stellenbosch (Vaaldraai, Elsenburg) – Ward 19





Project Name		Farm 34 Vaaldraai Elsenburg
Property Description		A portion of the Farm Elsenburg A No 34 Stellenbosch
Town		Rural
Suburb		Elsenburg
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		2021 – Planning PID
% of Total need addressed by Project		1,7
Housing Programme/s		IRDP / FLISP
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	283
	Other	0
Project Readiness	**Land Obtained**	No (Transfer from Provincial Department of Public Works – have power of attorney)
	EIA ROD	No
	Bulk capacity	No (Water supply is from Wemmershoek System, but upgrades will be needed; Sewerage – is a problem need further studies)
	Land Use Approval	No
	DHS Approval	No
	Council Approval	Yes
	Risks / Issues	Location, site is located outside the urban edge
	Readiness Score	1
Project Suitability	**Geotech Conditions**	A review of the geological map of Cap Town reveals that Farm 34 is mostly underlain by quaternary deposits which are underlain by rock mass comprising either of Stellenbosch granite and Tygerberg Formation rock mass. Geotechnical Investigation concluded that the development is considered a low risk in terms of structural complexity and load scenarios.
	Strategic alignment	MSDF 2019 - Project is not listed in the MSDF, no indication that the project is within any approved Urban Edges. MHSP 2020 - Is included in the HSP. IDP 2020 - Township establishment for Vaaldraai is noted on page 164 as a priority for Ward 19, but no mention is made of an actual project. PHSHDA - Not included in the Stellenbosch PHSHDA.
	Planning Opinion	This project's location has not been precisely mapped and as such it is difficult to provide a planning assessment. But the general location seems to be close to Elsenburg. Thus, the site will not be close to any urban settlements and will have to be an "Agri-village" type of development. This type of project is currently not a high priority for the Dept. of Human Settlements and should only be considered once inroads have been made in dealing with the pressing needs in Kayamandi and Langurg.

In May 2019 Council resolved that a feasibility study must be undertaken for a portion of the Farm No 34 Stellenbosch (known as Vaaldraai) which is managed by the Provincial Department of Transport and Public Works. A feasibility study was requested to determine how developable the portion of land is to guide the final decision to transferring the land to the Stellenbosch Municipality for further management.

During August 2019, a site inspection was done in order to prepare specifications to appoint a service provider to attend to the required feasibility study.

The property analysis and findings from the feasibility study confirmed that the property is zoned for Rural purposes, with the main land use function on the farm to be the Elsenburg College and its associated supporting agricultural land uses. The study area has a gradual slope with the Vaaldraai Settlement situated on a steeper slope. The contextual assessment showed that there are some natural elements of dense vegetation, a dam close by and some natural sensitive area strips (waterlogging). The study area is not within an urban edge, with no spatial policies and strategic development guidelines for the Elsenburg farm. It was deemed necessary that the Stellenbosch Municipality Rural Area Plan be updated to include spatial development guidelines for the Elsenburg farm. The feasibility study was submitted to Council and was approved. Further discussions with the Provincial Department of Transport and Public Works are currently ongoing, given the fact that the said area is outside the urban edge with bulk infrastructure challenges.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Pre-planning completed			

6. IMPLEMENTATION PHASE

6.1. Zone O, Kayamandi – Wards 14 and 15





Project Name		ISSP Kayamandi Zone O (711) UISP
Property Description		Erf 2991
Town		Kayamandi
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		Current
% of Total need addressed by Project		4,4
Housing Programme/s		UISP
Housing Opportunities	**Sites**	711
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	Yes
	Bulk capacity	Yes
	Land Use Approval	Yes
	DHS Approval	Yes (PIRR)
	Council Approval	Yes
	Risks / Issues	Risk of land invasion and community cooperation
	Readiness Score	Current

Project Suitability	**Geotech Conditions**	Suitable
	Strategic alignment	IDP / SDF / Housing Pipeline
	Planning Opinion	Development rights obtained (MPT approval)

The property is located on the western side of Kayamandi, on the slope leading up to the school and reservoir. The access to the land is through Kayamandi, with the most direct route being from the R304 (Bird Street extension) via the northern entrance to Kayamandi (Sokuqala Street). Zone O comprises an original portion of Remainder Erf 2183, Portion of Erf 1714, Unregistered Erven 863 and 873 (Portions of Erf 707) Kayamandi.

Development rights have been obtained for 532 Group Housing erven, 178 General Residential erven (row housing), 13 General Residential erven (with communal court yards) and public amenities.

Engineering designs and drawings for phases 1, 2 and 3 were finalised and submitted to Infrastructure Services for approval. However, a review of the existing services capacity will be required to commence the construction phasing at phase 3 of the development. Additional temporary services will be required to connect to the existing infrastructure.

The funding from the Provincial Department of Human Settlements for the installation of civil infrastructure services for 711 sites over all three phases has been approved on 27 January 2021. Procurement documentation for a contractor is to be finalised during this financial year, while appointment for the installation of the civil services and the relocation of families residing on Phase 1 will be after 1 July 2021.

The project has been handed over to the Department Project Management Unit for implementation.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Implementation in phases			

6.2. Enkanini ABS (Planning) – Ward 12





Project Name		3259 ISSP Kayamandi Enkanini (1300) UISP
Property Description		Various
Town		Stellenbosch
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		Current (planning and service installation)
% of Total need addressed by Project		8
Housing Programme/s		UISP
Housing Opportunities	**Sites**	1 300
	Serviced Sites	1 000
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	No (Busy with 24G application)
	Bulk capacity	Yes
	Land Use Approval	No
	DHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	Large scale of project and need for decanting onto a non-existent TRA
	Readiness Score	4
Project Suitability	**Geotech Conditions**	Steep slopes, increased cost of development
	Strategic alignment	MSDF 2019 - Project does fall within the approved Urban Edge of Stellenbosch (page 70), and the project is listed on page 199. MHSP 2020 - Project is included in the proposed

		housing pipeline noted on page 130. IDP 2020 - Project is listed as a priority municipal project on page 189. PHSHDA - The Project is included in the Stellenbosch PHSHDA.
	Planning Opinion	This project has already been supported by the release of Tranche 1.1 and the Dept. of Human Settlements is waiting for the PFR application currently. The project will entail the formalisation of the Enkanini Informal Settlement in Kayamandi. The project will require a decanting site. This project can be further supported for feasibility studies.

Enkanini is an informal settlement located to the north-west of Stellenbosch town. It abuts light industrial areas, informal settlements such as Zone O, the Town Centre and Watergang. The footprint of the Enkanini Informal Settlement covers an area of approximately 17.9 hectares of land located on portions of five properties being the Remainder of the Farm 183, the Farm 181, Portion 5 of the Farm 175, Portion 33 of the Farm 175 Stellenbosch and Erf 2175 Kayamandi. The informal settlement has a total number of structures estimated at approximately 3300 units and approximately 10 000 inhabitants.

Urban Dynamics Western Cape has been appointed as lead consultant to obtain the statutory land use planning, environmental and related approvals to enable the formalisation of the Enkanini Informal Settlement.

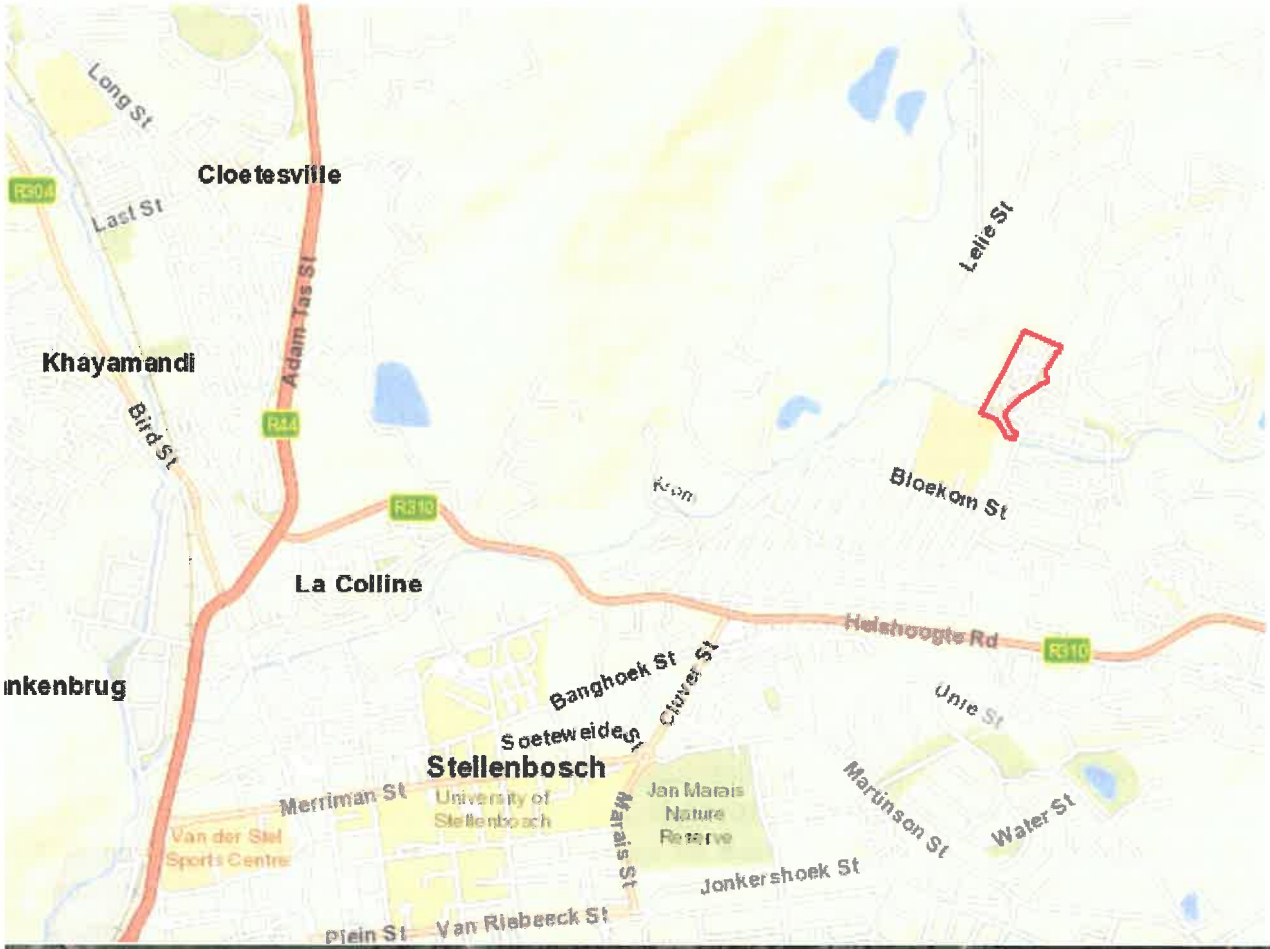
The environmental process is now in its final stage. The Department of Environmental Affairs and Development Planning is reviewing all information submitted in order to make a decision on whether to grant or refuse Environmental Authorisation, where an appeal period will be concluded. On receipt of the Environmental Department's decision, the same will be provided to the Municipality's Land Use Department to finalise the land use planning approval process accordingly and to subsequently finalise the approval of the diagrams and registration in the Deeds Office.

The Department Infrastructure Services is currently busy with the installation of 1 000 electrical connections. Integrated National Electrification Programme (INEP) approved and funded the project. It should be noted that the Programme is rolled out over the next three to four years, which will result in the installation of additional electrical connections.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	**2023 - 2025**	**2026 - 2031**	**Beyond 2031**
Finalisation of Planning approvals			

6.3. A portion of Erf 9445 Stellenbosch: (Oak Tree Village, Idas Valley) – Ward 5





Project Name		Stellenbosch Idas Valley IRDP
Property Description		Erf 9445
Town		Stellenbosch
Suburb		Idas Valley
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		Current
% of Total need addressed by Project		1
Housing Programme/s		IRDP / FLISP
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	166
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	Yes
	Bulk capacity	Yes
	Land Use Approval	Yes
	DHS Approval	Yes (PIRR)
	Council Approval	Yes
	Risks / Issues	Community cooperation and land invasion
	Readiness Score	Current
Project Suitability	**Geotech Conditions**	Suitable
	Strategic alignment	N/A
	Planning Opinion	Development rights obtained

The subject site is located on the original Erf 9445 Stellenbosch in Idas Valley. The required approvals were obtained for the creation of 166 erven which will provide residential opportunities for the GAP market and by means of the FLISP programme.

The 166 erven are to be provided with engineering services and houses to be built by the Developer. Given the site-specific conditions requiring construction of services to commence during the summer season, it is anticipated that the construction of services will commence in September 2021 for completion by the end of March 2022.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Implementation			

6.4. Longlands Village Phase 3 – Ward 20





Project Name		Vlottenburg Longlands IRDP
Property Description		Various – Farm 393
Town		Stellenbosch
Suburb		Vlottenburg
Catalytic / PHDA Project		No
Urgency (Proposed year of implementation)		Current – In process with installation of services
% of Total need addressed by Project		0,9
Housing Programme/s		IRDP
Housing Opportunities	**Sites**	0
	Serviced Sites	6 (plus 138 sites with top structures)
	Top Structures (Units)	138
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	Yes
	Bulk capacity	Yes
	Land Use Approval	Yes
	DHS Approval	Yes (PIRR)
	Council Approval	Yes
	Risks / Issues	N/A
	Readiness Score	Current
Project Suitability	**Geotech Conditions**	Suitable
	Strategic alignment	N/A
	Planning Opinion	N/A

Longlands Village Phase 3 is located along the M12 road, approximately 3 kilometres outside and to the west of Stellenbosch town.

The phase provides a total number of 144 erven of which 107 of these erven have been internally serviced. In order to attend to the servicing of the remaining 37 erven, the existing inhabitants located on the site need to be relocated to already serviced erven. Families on the low-cost housing site must be moved to their new erven once the temporarily electricity supply from the Municipality is available.

It is anticipated that the servicing of the remaining sites will commence during May 2021, subject to the families being relocated, and completed by the end of July 2021. The bulk and link services are to commence during the 2021/2022 financial year. An anticipated 138 top structures will be built as funding has been approved by the Provincial Department of Human Settlements. The practical completion of the project is anticipated to be by the end of March 2022.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Implementation			

6.5. The Steps and Orlean Lounge, Cloetesville – Ward 16





Project Name		The Steps and Orlean Lounge: Rectification of existing units
Property Description		Erven 6846, 8667, 6852, 8937 Stellenbosch
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		Current
% of Total need addressed by Project		1
Housing Programme/s		Rectification (Municipal)
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	0
	Other	161 existing units
Project Readiness	**Land Obtained**	N/A
	EIA ROD	N/A
	Bulk capacity	Yes
	Land Use Approval	N/A
	DHS Approval	N/A
	Council Approval	Yes
	Risks / Issues	Community cooperation, decanting
	Readiness Score	N/A
Project Suitability	**Geotech Conditions**	Suitable location in an already urban area
	Strategic alignment	N/A
	Planning Opinion	N/A

During 2003, the Municipality identified a portion of land in Cloetesville to address the numerous housing challenges in the area. A number of 161 units were built to specifically address overcrowding and backyarders. The project was implemented through the People's Housing Programme and many defects and challenges were experienced on these sites (sub-standard buildings).

A Contractor was appointed to the rectification of various defects and commenced work in July 2020. The aim is to upgrade the 161 units. A total of 38 units have been rectified with a further 4 to 6 units to be completed per month, with final completion scheduled for December 2023. Title deeds will be handed over on completion of the project.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Implementation			

6.6. Smartie Town, Cloetesville – Ward 16





Project Name		Smartie Town: Rectification of existing units
Property Description		Erven 11706 – 11813 Stellenbosch
Town		Stellenbosch
Suburb		Cloetesville
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		Current
% of Total need addressed by Project		0,7
Housing Programme/s		Rectification (Municipal)
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	0
	Other	106 existing units
Project Readiness	**Land Obtained**	N/A
	EIA ROD	N/A
	Bulk capacity	Yes
	Land Use Approval	N/A
	DHS Approval	N/A
	Council Approval	Yes
	Risks / Issues	Community cooperation, decanting
	Readiness Score	N/A
Project Suitability	**Geotech Conditions**	Suitable location in an already urban area
	Strategic alignment	N/A
	Planning Opinion	N/A

Ek-Stasie (also known as Smartie Town) was developed in the 1990's for the purpose of absorbing the overflow of sub-economic dwellings in Cloetesville. During that period the quality of workmanship was not to the standard that is currently accepted by national building requirements and resulted in substandard buildings. A rectification programme was implemented to focus on the repair of these 106 existing houses, for the community with greatest deprivation of social and economic infrastructure.

The rectification programme comprises concrete work, masonry, plastering, roof structures, parapets, ceilings, roof insulation, carpentry, joinery, plumbing, rainwater goods, electrical reticulation, and painting.

A total of 86 units have been rectified up to date. It is anticipated that the completion date will be end of June 2021. The Department Housing Administration is in the process to finalise the Deeds of Transfer for the completed units.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Implementation			

6.7. Watergang Phase 2C – Erf 3603 Kayamandi – Ward 14





Project Name		Watergang Phase 2C
Property Description		Erf 3603 Kayamandi
Town		Kayamandi
Suburb		Kayamandi
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		TBD
% of Total need addressed by Project		0,5
Housing Programme/s		UISP
Housing Opportunities	**Sites**	87
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	Yes
	Bulk capacity	Yes
	Land Use Approval	Yes
	DHS Approval	Yes
	Council Approval	Yes
	Risks / Issues	Cost to install services and rehabilitate site
	Readiness Score	Current
Project Suitability	**Geotech Conditions**	TBC
	Strategic alignment	N/A
	Planning Opinion	Development rights have been obtained

Erf 3603 Kayamandi was subdivided and the General Plan approved by the Surveyor-General. The site provides for 87 residential opportunities and has been serviced. It has been determined that the cost to rehabilitate the site to make it liveable is extremely high, especially considering the retaining walls to be constructed. This project is thus pending further discussions on the way forward.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
TBD			

6.8. Watergang Informal Settlements: Construction of basic services – Ward 12





Project Name		Watergang Informal Settlements: Basic services
Property Description		Erf 3689 Kayamandi
Town		Kayamandi
Suburb		Watergang
Catalytic / PHDA Project		N/A
Urgency (Proposed year of implementation)		Current – implementation (provision of basic services)
% of Total need addressed by Project		N/A
Housing Programme/s		ABS
Housing Opportunities	**Sites**	0
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	**Land Obtained**	Yes
	EIA ROD	N/A
	Bulk capacity	N/A
	Land Use Approval	N/A
	DHS Approval	N/A
	Council Approval	N/A
	Risks / Issues	N/A
	Readiness Score	N/A
Project Suitability	**Geotech Conditions**	N/A
	Strategic alignment	N/A
	Planning Opinion	N/A

The project is for the provision of basic services to residents of the Watergang Informal Settlement. The subject area is situated on the south-western boundary of Kayamandi on the north-western outskirts of Stellenbosch, located -33°-55'-21.66'' South and 18°55'40.71" East.

The work to be carried out includes the construction of 100 new pre-fabricated toilets, stand pipes and basins. The pre-fabricated toilets and basins will be placed on separate platforms, separated with retaining walls. Each platform will consist of ten toilets, two basins will be place on separate platforms, either side of the toilets. Water and Sewer mains will be constructed and connected to the existing water and sewer reticulation systems.

The Works to be carried out by the Contractor comprise mainly the following:

- Bulk earthworks construction for the platforms
- Double brick retaining walls (1m max)
- 100 Pre-fabricated toilets, connected to foul sewer system and water reticulation system
- 80 basins and 60 stand pipes
- 110mmØ HDPE water pipes, saddles and booster pump
- 50mmØ, 110mmØ and 160mmØ uPVC foul sewer pipes and manholes

The tender for the construction of basic services for the Watergang Informal Settlement was advertised and received bids were evaluated. The appointment of a suitable service provider was approved by the Bid Adjudication Committee on 30 April 2021. Taking into consideration the 21 days appeal period, it is estimated that the contractor will be on site by the end of June 2021.

It is suggested that the following time period should be considered for project progression:

2021 - 2022	2023 - 2025	2026 - 2031	Beyond 2031
Implementation - installation of basic services			

11.4.2	CLOETESVILLE FEASIBILITY STUDY FOR INFILL HOUSING DEVELOPMENT OF THE FOLLOWING: ERF 8915; ERF 7135; ERF 7181, ERF 6668; ERF 7271; ERF 6847, ERF 6886, ERF 6300; ERF 8776; ERF 6705 AND ERF 6767, CLOETESVILLE

Collaborator No: 706763
IDP KPA Ref No: Good Governance
Meeting Date: 19 May 2021 and 26 May 2021

1. SUBJECT: CLOETESVILLE FEASIBILITY STUDY FOR INFILL HOUSING DEVELOPMENT OF THE FOLLOWING: ERF 8915; ERF 7135; ERF 7181, ERF 6668; ERF 7271; ERF 6847, ERF 6886, ERF 6300; ERF 8776; ERF 6705 AND ERF 6767, CLOETESVILLE

2. PURPOSE

To report to Council on the feasibility to determine the urgent housing needs and the suitability of the sites as residential development. The study is to investigate the housing requirements of backyarders in Cloetesville and Stellenbosch-areas.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality is actively involved in creating housing opportunities for the disadvantaged, however there are an array of challenges including resources and allocations from National and Provincial Government as well as the availability of land for housing (Integrated Development Plan IDP 2017-2022, 2019, p. 150). This project serves as a means to develop vacant and underdeveloped portions of land within Cloetesville to address the housing need. This report will conduct a site investigation of the relevant properties, make recommendation on the highest and best use and provide a concept plan to illustrate the potential of the site.

The following section provides detailed information on each of the sites under investigation. The screening focuses on land and legal, environmental and infrastructure.

The following sites were under investigation:

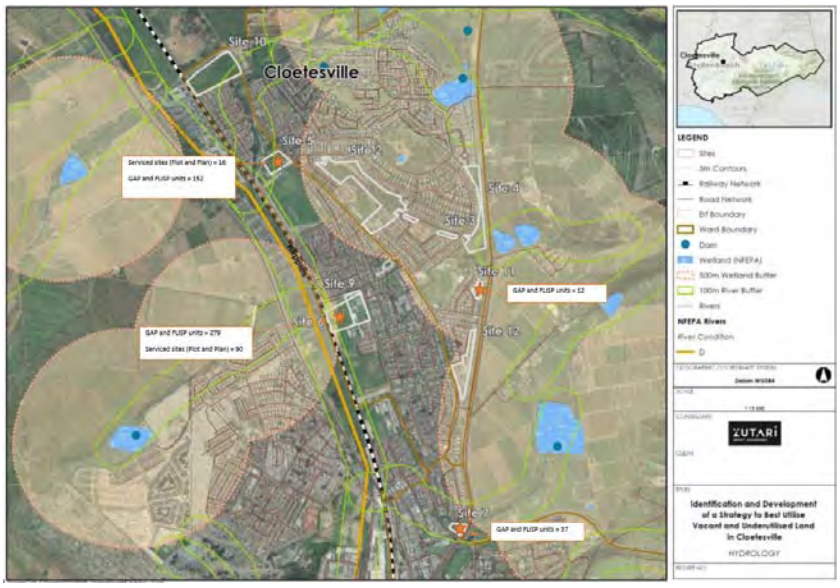


Figure 1: *Map illustrating the location of each the sites*

SITE	TYPE	YIELD	CONSTRAINTS	OPPORTUNITIES	RECOMMENDATION
Site 2: Erf 8915	Serviced sites (Plot and Plan)	84	• steep slope • insufficient infrastructure demand.	Potential to develop the site as serviced sites only.	• It should be noted that due to the steep slope the cost for serviced sites could be extremely high but needs to be investigated for further viable solutions.
Site 3: Erf 7135	Open space	0	A substation is located on the property	Utilised as an open space	Not recommended for future residential development
Site 4: Erf 7181, Erf 6668	Serviced sites (Plot and Plan) GAP and/or FLISP units	17 65	no direct access soil conditions poor significant bulk earth works 50% of the site is developable	Site allows for a mix of opportunities - single residential & and high-rise apartment buildings	• Limited opportunities at high cost. • Need to further investigate for viable solutions.
SITE	TYPE	YIELD	CONSTRAINTS	OPPORTUNITIES	RECOMMENDATION
Site 5: Erf 7271	Serviced sites (Plot and Plan) GAP and/or FLISP units	16 152	Swartland Shale Renosterveld vegetation	• Each high-rise building provide safe recreational space; • Concept plan makes provision for pedestrian walkways.	Serviced sites (Plot and Plan)
Site 6: Option 1: Erf 6847, Erf 6886, Erf 6300 Option 2:	• GAP/ and or FLISP units Serviced sites (Plot and Plan)	279 90	Within 100m from a stream – to be considered during design	The outdoor gym is effectively being used as a hangout area for the youth	• A small apartment block is proposed • Each high-rise building is designed with an internal courtyard which provide safe recreational space. • Serviced sites (Plot and Plan)
Site 7: Erf 8776	• GAP/ and or FLISP units	37	An ESA is located to the north of the site along the stream which should be avoided	Park has great significance to the community U-shaped building will provide the opportunity to develop accommodation	• Ideal location for a high-rise building.
Site 11: Erf 6705	• GAP/ and or FLISP units	12	• Title Deed restrictions visual impact - R44 • Significant groundwater	in an established residential neighbourhood lends itself to be developed	Proposed housing typology should blend with the existing houses
Site 12: Erf 6767	2 additional sites identified for human settlement development		• number of apartment blocks are located on the site. • Title Deed restrictions • Lang Road (Langstraat-Suid) will be greatly impacted by the development of any/all of the sites	• Both sites are located within the Restructuring Zone: Remainder Farm 173; and Remainder Farm 16455	Investigate social housing development

5. RECOMMENDATIONS

(a) that the outcome of the feasibility study be noted;

(b) that the appropriate land use rights be obtained;

(c) that the delay caused by COVID-19 pandemic linked to the previous timeframes as stated by Council be noted;

(d) that the following sites be prioritise for development potential;

- Site 5: 16 Serviced sites (Plot and Plan)
  152 GAP and/ or FLISP
- Site 6: Option 1: 279 GAP and/ or FLISP
  Option 2: 90 Serviced sites (Plot and Plan)
- Site 7: 37 GAP and/ or FLISP
- Site 11: 12 GAP and/ or FLISP

(e) funding be sourced from the Provincial Department of Human Settlements (PDoHS) to implement the projects.

6. DISCUSSION / CONTENTS

6.1 <u>Background</u>

Zutari (Pty) Ltd has been appointed by the Stellenbosch Municipality to conduct a feasibility report (attached as **ANNEXURE A**) for various sites within the Cloetseville area for possible infill housing development.

The scope of their work during the feasibility phase consisted of:

- Desktop study and Pre-planning process with estimated yields

  - Investigate landownership, servitudes, locality, title restrictive conditions and zoning, land uses.

  - Prepare a base plan illustrating the property descriptions, locality, current zoning, servitudes, etc.

  - Site analysis / inspections / physical activities on site (including site constrains / opportunities).

  - Assessment of existing bulk water and waste water infrastructure and the current capacity for further development.

  - Identification of additional land that can possibly transferred for further township development taking in account the number of residents / backyarder currently on the property.

  - Identify existing public social and economic amenities.

  - Prepare a contextual assessment of the site.

  - Identify the implications of the relevant zoning scheme regulations.

  - Identify the existing spatial planning policies for the application area.

Estimated yield should be based on the following housing typology:

a) Serviced sites (Plot and Plan)

This option allows for different housing densities and types, ranging from single-stand units to double storey units as well as row houses and serviced sites or a combination of all of the above.

b) GAP-housing / FLISP

This option is geared towards an outright ownership. The housing typology could be single storey residential units, duplex residential units, 3-4 storey walk ups or a combination of the above.

c) Cadastral and site survey

- Confirmation of outside figure including co-ordinates.
- Survey of all existing services infrastructure.
- Contour plan with 0,50 meter intervals, including a recent aerial photography of the area.

d) Infrastructure status quo assessment

Investigate the availability of bulk infrastructure services and compile a report of the current situation and outline proposals for the upgrading of infrastructure required.

e) Basic Geotechnical assessment

Provide a Phase 1 Geotechnical Site Investigation in accordance with the requirements of the Generic Specification GFSH-2 of the National Department Human Settlements Directorate (Phase 1 Geotechnical report).

f) Basic Environmental Impact Assessment

- Determine the need to conduct a Basic Assessment,
- Investigate the preliminary environmental impact (Basic Assessment) of the proposed development as per the guidelines of the competent authority, including the legal due diligence which outlines the laws of relevance to the proposed development and the required authorisations to lawfully undertake the proposed development, the processes and timelines, ***if required.***
- Provide the findings of the full investigation, including photos (preliminary environmental assessment report).

g) Basic transport assessment

Assess and determine the impact on the existing road infrastructure that will be potentially generated by the additional traffic of the proposed development (preliminary transport report).

h) Conceptual Design layout

A basic design layout illustrating the amount of opportunities that can be planned for each site.

6.2 Discussion

The Stellenbosch Municipality has an important responsibility of ensuring that all its citizens reside in developable, formalised, safe and sustainable human settlements and to the extent possible, within closer proximity to employment opportunities that would improve the quality of life of all citizens. In October 2019, Council resolved that a feasibility study must be undertaken to determine the suitability of Municipal owned vacant erven in Cloetesville for further infill development.

The Municipality commissioned two desktop studies in order to determine the suitability of Municipal owned vacant erven in Cloetesville for further infill development.

The first desktop study was undertaken to identify all Municipal owned vacant property in Cloetesville.

The second study zoomed in on the services available to all properties and from that four (4) properties have been identified with a higher possibility of successful development.

A site visit was undertaken by officials, the Ward Councillor, the Deputy Mayor and the representatives of the Backyarders Committee. During the site visit a few additional possible development sites were identified by the visiting group.

The following site as identified have been screened and assessed and summarised as follows.

IDENTIFIED SITES	FINDINGS/ OUTCOMES
Site 2: Erf 8915	Proposed Development: • 84 serviced sites (Plot and Plan) • It should be noted that due to the steep slope the cost for serviced sites could be extremely high but needs to be investigated for further viable solutions. • Due to the significant slope on site, it is proposed that single residential erven be developed on the site. • Stellenbosch Municipality develops the site for serviced sites (Plot and Plan) (UISP), depending on the subsidy quantum; • As a condition for development, two new 110mmØ (SSW13,9b AND SSW13,9a). • The proposed development planned exceeds the future demand calculated by the Municipality's Master Plan. • Electrical required demand of 252 kVA. • A new 315 kVA miniature substation needs to be cut into a MV ring cable and placed in front of the infill housing site, with LV connections supplying 84 units.
Site 3: Erf 7135	• Site currently utilised as an open space, and is covered with grass, trees, and some urban furniture. • A substation is located on one of the erven. • Undesirable for future residential development.
Site 4: Erf 7181 and Erf 6668	Site Access: • no direct access to this property – need to acquire a portion of erf 7296 or erf 7047; • future development of the site would therefore also have to consider the visual impact of the development due to the R44;

	Environmental Aspects: • Swartland Shale Renosterveld vegetation which is a CR ecosystem; • Numerous pine trees are located on the site; • Pedestrian footpaths have been identified which contributes to erosion within the site. • Illegal dumping activities are taking place on the site; • There are two drainage lines located on the site: • south of the site appears to be near natural and no development should take place within 32m of this draining line • centre of the site which appears to be stormwater runoff from the R44 and would not be considered natural • Only approximately 50% of the site is developable - Watercourse along the southern boundary; and - Thin and narrow space towards the north. Geotechnical Aspects: • Conditions for the use of conventional spread footing foundations seated at shallow depth are not considered to be favourable, due to the presence of potentially expansive soils • Stiffened concrete raft and conventionally seated spread footings can both be considered for support of the various buildings proposed. Proposed development: • The site allows for a mix of opportunities - single residential & and high-rise apartment buildings. • Relatively steep slope and contours should be followed for optimal building design. • The soil conditions of the site are also relatively poor as such the high-rise GAP units proposed along the southern portion of the site should not exceed 3 storeys. • Proposed development: - 17 serviced sites (Plot and Plan); and - 65 GAP/and or FLISP units • Require significant bulk earth works (relatively costly to develop). Proposed to sell the land to SHRA or a private developer who will be able to offset the development cost by developing more expensive residential units. Civil and Electrical Services: • As a condition for development a new connecting 110mmØ pipe (SSW13,8) should be constructed on the southern boundary of the development. • The proposed development exceeds the future demand calculations of the Municipality's Master Plan. • Required demand of 224 kVA. • A new 315 kVA miniature substation needs to be cut into a MV ring Cable and placed in front of the infill housing site, with LV connections for proposed units.
Site 5: Erf 7271	Proposed Development: • Potential for mixed residential development. • Each high-rise building is designed with an internal courtyard which provide safe recreational space; • Concept plan makes provision for pedestrian walkways to be used by Smartie Town residents. • Proposed development: - 16 serviced sites (Plot and Plan); - 152 GAP/ and or FLISP units; and - Significant parking relaxation required.

	Geotechnical: • None of the development area soils can be re-used on site. • Excavation conditions classified as 'soft excavation' in terms of SANS 1200D for the bulk of site soils with some intermediate material exposed locally. • The site development area classified as 'S1' to'S2' in terms of the National Home Builders Registration Council (NHBRC) residential site class designation. • Soil conditions and permanent or perched water table adds to the cost of construction. It is an attractive site for a private developer; however, Stellenbosch Municipality can determine the detailed development costs before making a final decision regarding procurement and development packaging. Environmental: • The Swartland Shale Renosterveld vegetation which is a CR ecosystem. • An ESA is located to the west of the site along the stream (approximately 100m from the site) which should be avoided. • Freshwater ecologist to determine the level of risk to aquatic ecosystems before future development is considered for the site. Civil and Electrical Services: • Site 5 has now development conditions, but the proposed 16 single residential units and four high-rise buildings exceed the future demand calculation of the Municipality's Master Plan. • Required demand of 452 kVA. • A new 500 kVA miniature substation needs to be cut into a MV ring Cable and placed in front of the infill housing site, with LV connections for proposed units.
Site 6: Erf 6886, 6300 and 6847	Proposed Development: • A small apartment block is proposed for the vacant space in the south eastern corner of the site whilst larger high-rise buildings are proposed for the western portion of the site. • Each high-rise building is designed with an internal courtyard which provide safe recreational space. • Proposed development: - 279 GAP/ and or FLISP units; and - Significant parking relaxation required. Geotchnical Assessment: • Excavation conditions classified as 'soft excavation' in terms of SANS 1200D; • Settlement of the order of 45mm are anticipated where founding conventionally. Founding improvements include the use of soil rafts or piling; • Groundwater levels recorded levels ranged from 1,4 to 2,8m depth but can be expected to rise to ground level during the rainy season; • Soil conditions and the permanent or perched water table adds to the cost of construction. Alternative construction methods should be used to mitigate the risks. An attractive site for a private developer, however, Stellenbosch Municipality can determine the detailed development costs before making a final decision regarding procurement and development packaging.

	Environmental: • The outdoor gym is effectively being used and the vacant land is used as a hangout area for the youth. • The site is flat and transformed by footpaths which result in increased run-off. • Swartland Shale Renosterveld vegetation which is a CR ecosystem. • The site's most western section is located within 100m from a stream – to be considered during design. Civil and Electrical Services: • Site 6 was not included in the future demand calculation of the Municipality's Master Plan. • Required demand of 892 kVA. • A new 1000 kVA miniature substation needs to be cut into a MV ring Cable and placed in front of the infill housing site, with LV connections for proposed units. • The LV fault levels will have to be considered for this solution and approval would be needed. • The community Facility is foreseen to have its own LV metered supply from above miniature substation unit.
Site 7: Erf 8776	Proposed Development: • Ideal location for a high-rise building. • U-shaped building will provide the opportunity to develop accommodation whilst retaining many of the existing features of the site. • Retain the pedestrian walkways. • Play park furniture to be relocated to the courtyard at the building. • Proposed development: • 37 GAP/ and or FLISP units. Geotchnical Assessment: • Existing park has great significance to the community. • An ESA is located to the north of the site along the stream which should be avoided. • None of the site soils can be re-used on site. • Excavation conditions classified as 'soft excavation' in terms of South African National Standards (SANS) 1200D. • Soil conditions and the permanent or perched water table adds to the cost of construction. Alternative construction methods should be used to mitigate the risks. Limited number of units and a detailed cost-benefit analysis should be undertaken before the Stellenbosch Municipality makes the final decision regarding procurement and development packaging. Civil and Electrical Services: • Site 7 was not included in the future demand calculation of the Municipality's Master Plan. • Required demand of 111 kVA. • A new 315 kVA miniature substation needs to be cut into a MV ring Cable and placed in front of the infill housing site, with LV connections for proposed units.
Site 11: Erf 6705	Proposed Development: • Proposed housing typology should blend with the existing houses. • Existing embankment along western boundary should be formalised for stormwater drainage. • Proposed development: - 12 serviced sites (Plot and Plan).

	• Located in an established residential neighbourhood. • Title Deed restrictions could impact on the developability of the site. • Future development to consider the visual impact - R44. <u>Environmental Aspects:</u> • Large pine trees located along the eastern boundary. • Swartland Shale Renosterveld vegetation which is a CR ecosystem. <u>Geotechnical Aspects:</u> • Clayey residual soils, although not highly expansive in the technical sense, should be considered susceptible to volumetric change under adversely fluctuating soil moisture conditions. • Significant subterranean groundwater seepages can be expected during periods of high rainfall. • The soil conditions is expecting to impact the cost of construction. The site makes allowance for a limited number of units and a detailed cost-benefit analysis should be undertaken before the Stellenbosch Municipality makes the final decision regarding procurement and development packaging. This site does, however, lends itself to be developed by the Stellenbosch Municipality or SHRA rather than a private developer. <u>Civil and Electrical Services:</u> • Site 11 was not included in the future demand calculation of the Municipality's Master Plan. • Required demand of 36 kVA. • Proposal will be to supply the load from the existing LV Network in the vicinity of the infill site.
Site 12: Erf 6767	• Currently a number of apartment blocks are located on the site. • Title Deed restrictions could impact on the developability of the site. • **Water and Sewage** – all proposed sites should be included in the future demand calculation of the Bulk Water and Sewage Masterplan to determine the exact extent of bulk upgrades required for each site. • **Transport** - Based on the assessments it is evident that Lang Road (Langstraat-Suid) will be greatly impacted by the development of any/all of the sites. The cumulative impact of all these sites would be even greater. Serious consideration must be given to the future of Lang Road. It may be more beneficial to upgrade Lang Road and all associated infrastructure during/before developing more housing. Lang Road requires wider sidewalks, provision for cyclists, public transport facilities (embayment's and shelters). • **Electrical** - The actual spare capacity the existing MV cable will need to be determined, to know which of the defined sites to be supplied by cutting into the existing MV network. However in order to supply the total loading requirement of the developments, noted as 1.5 MVA at MV level, it is foreseen that MV network strengthening on the MV cable ring networks will be needed. • **Site Screening and Findings** • 2 additional sites identified for human settlement development. • Both sites are located within the Restructuring Zone: - Remainder Farm 173; and - Remainder Farm 16455.

CONCLUSION:

The findings of the investigation concluded that:

Sites that were excluded from further investigations	Sites relatively not suitable for subsidised housing for redevelopment due to topography and accessibility concerns	Sites that show development potential
Site 3 -This site dimensions as well as the topography makes this site unfeasible for any kind of development and should remain vacant.	Site 2 will be very costly to develop (due to the poor soil condition and subsequent required bulk earth works) it is recommended that the Stellenbosch Municipality develops the site for Serviced sites (Plot and Plan), depending on the subsidy quantum.	Site 5 is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface, is expecting to impact the cost of construction. The site makes allowance for a substantial number of units and is therefore a more attractive site.
Sites that were excluded from further investigations	**Sites relatively not suitable for subsidised housing for redevelopment due to topography and accessibility concerns**	**Sites that show development potential**
Site 12: This site has existing buildings located on site with insufficient space for additional development (within the parameters of the Stellenbosch Municipal Zoning Scheme By-Law, 2019). The client requested that Erf 6766, across from Site 12 also be considered, however there is currently play equipment on the site. This play park is the only park where children can play and should therefore not be developed. Aside from the play park area, there is not enough land available for development.	Site 4 will require significant bulk earth works and therefore be relatively costly to develop.	Site 6 is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface is expecting to impact the cost of construction since alternative construction methods are used to mitigate the risks. The site makes allowance for a substantial number of units and is therefore a more attractive site.
Site 10: Privately owned land.		Site 7 is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface is expecting to impact the cost of construction since alternative construction methods are used to mitigate the risks. The site makes allowance for a limited number of units and a detailed cost-benefit analysis should be undertaken.
		Site 11 is relatively flat; however, the soil conditions is expecting to impact the cost of construction. The site makes allowance for a limited number of units and a detailed cost-benefit analysis should be undertaken.

6.3 Financial Implications

The provision of link and bulk services needs to be determined.

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

32ND COUNCIL MEETING: 2019-10-23: ITEM 11.4.2

RESOLVED (majority vote)

(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 the Backyarders Committee except those mentioned in paragraph (c) below;

(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;

(c) 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

(d) that a feasibility study report be submitted as soon as possible but not later than the end of the current financial year.

6.7 Risk Implications

This report has no risk implications for the Municipality, however the impact of possible grant funding or the lack thereof due to the COVID-19 pandemic, could present funding limitations.

6.8 Comments from Senior Management

6.8.1 Director: Infrastructure Services

No comments requested.

6.8.2 *Director: Planning and Economic Development*

No comments requested.

6.8.3 Director: Community and Protection Services

No comments requested.

6.8.4 Director: Strategic and Corporate Services

No comments requested.

6.8.5 ***Director Human Settlements and Property Management***

No comments requested.

6.8.6 ***Chief Financial Officer***

No comments requested.

6.8.7 ***Municipal Manager***

No comments requested.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 7.4.2

(a) that the outcome of the feasibility study be noted;

(b) that the appropriate land use rights be obtained as a matter of urgency taking into consideration the Rapid Land Release programme;

(c) that the delay caused by COVID-19 pandemic linked to the previous timeframes as stated by Council be noted;

(d) that the following sites be prioritise for development potential;

- Site 5: 16 Serviced sites (Plot and Plan)

152 GAP and/ or FLISP

- Site 6: Option 1: 279 GAP and/ or FLISP

Option 2: 90 Serviced sites (Plot and Plan)

- Site 7: 37 GAP and/ or FLISP
- Site 11: 12 GAP and/ or FLISP

(e) funding application to be submitted within 30 days after Council approval to the Provincial Department of Human Settlements (PDoHS).

ANNEXURES

ANNEXURE A: Feasibility Report

FOR FURTHER DETAILS CONTACT:

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REPORT DATE	***12.04.2021***

ANNEXURE A

ZUTARI
IMPACT. ENGINEERED.

Feasibility report

Cloetesville Feasibility Study for Infill Housing Development

Feasibility report

Reference: 1000689
Revision: Final Submission

Submission date: 2021/04/08

ZUTARI

Document control record

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Author signature		Approver signature	
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ZUTARI

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Abbreviations

BNG	Breaking New Ground
CBA	Critical Biodiversity Areas
CMA	Catchment Management Agency
CR	Critically Endangered
DEFF	Department of Environment, Forestry and Fisheries
DWS	Department of Water and Sanitation
EA	Environmental Authorisation
EIA	Environmental Impact Assessment
ESA	Ecological Support Areas
GIS	Geographic Information System
HWC	Heritage Western Cape
IDP	Integrated Development Plan
LV	Low Voltage
MV	Medium Voltage
NEMA	National Environmental Management Act
NFEPA	National Freshwater Ecosystem Priority Area
NHBRC	National Home Builders Registration Council
NHRA	National Heritage Resources Act
NHW	Neighbourhood Watch
NWA	National Water Act
SAHRA	South African Heritage Resource Agency
SANBI	South African National Biodiversity Institute
SANS	South African National Standards

SDF	Spatial Development Framework
SG	Surveyor General
SHRA	Social Housing Regulatory Authority
UISP	Upgrading of Informal Settlements Programme
WUL	Water Use License

1 Introduction

1.1 Project background

Like many other local municipalities in South Africa, the task of addressing municipal challenges remains a great and intricate task for Stellenbosch Local Municipality. Despite this, Stellenbosch Local Municipality has been proactive and strategic in identifying vacant portions of land for the provision of housing to help alleviate and improve living conditions of Cloetesville, a township situated 4km to the north of Stellenbosch.

In 2017 Stellenbosch Municipality undertook a study to determine the development potential of eight vacant and underdeveloped sites within Cloetesville. The study conducted by Aurecon South Africa (Pty) Ltd assessed the development potential of the sites by conducting a site screening of the land and legal aspects pertaining to each site, environmental sensitivities that could impact the developability of the site as well as the availability of infrastructure to support proposed developments on the sites.

The sites under investigation included:

- Site 1 - Erf 7001;
- Site 2 - Erf 8915;
- Site 3 - Erf 7135 (two separate properties);
- Site 4 - Erf 7181, 6668;
- Site 5 - Erf 7271;
- Site 6 - Erf 6847, 6886, 6300;
- Site 7 - Erf 8776; and
- Site 8 (Redevelopment site) - Erf 6868, 7555, 7231, 9049, 7630 – 7636, 5354, 6859 - 6860, 6851, 16431, 8938 – 8960, 6865, 8937, 15172 – 15196, 14599, 15228 – 15261, 9527, 8932.

The findings of the investigation concluded that:

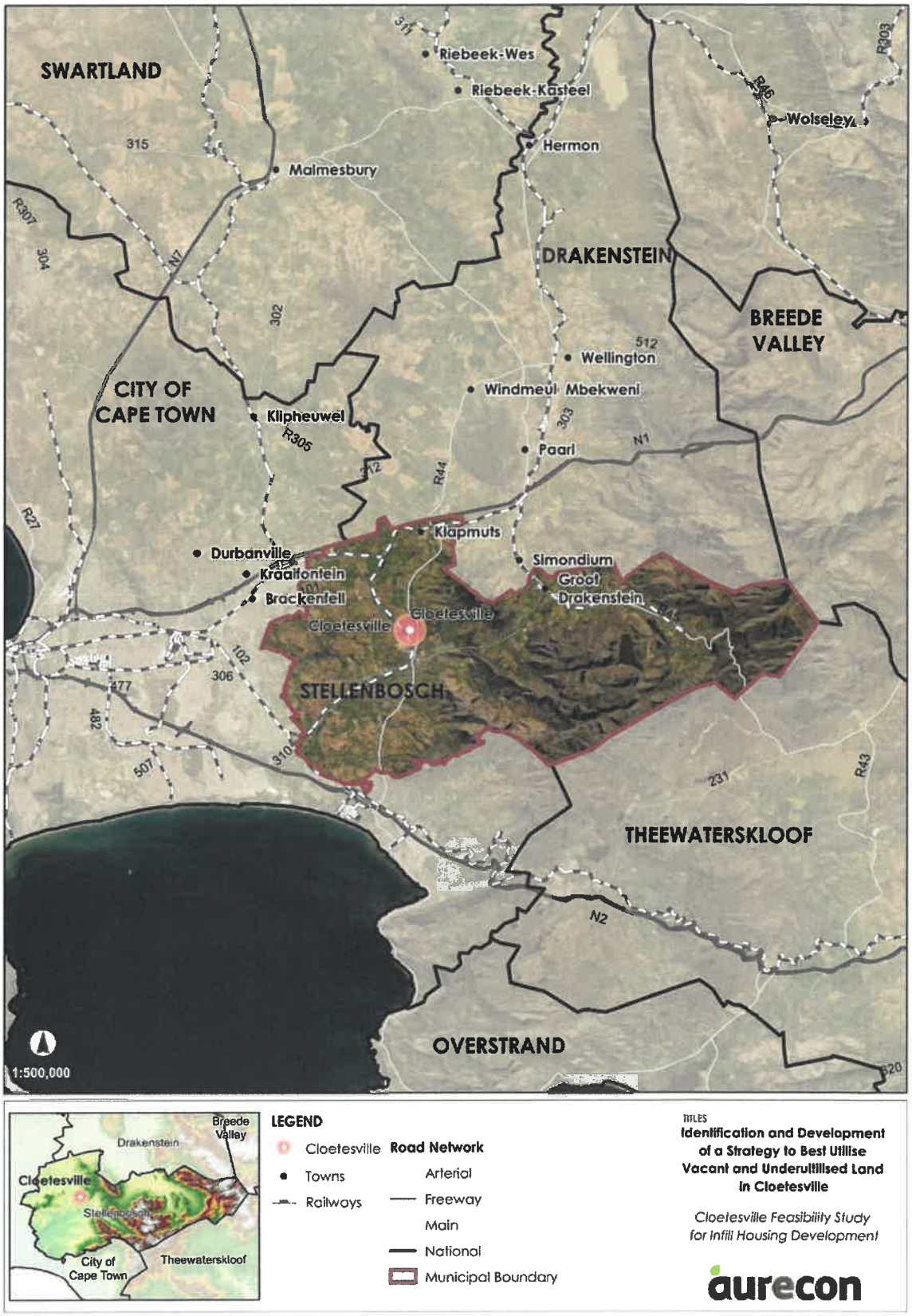
- Sites not suitable for redevelopment due to topography and accessibility concerns:
  - Site 3 - Erf 7135 (two separate properties); and
  - Site 7 – Erf 8776; and
  - Site 2 – Erf 8915 has considerable topography concerns; however, a cost benefit analysis should be conducted;
- Sites with no fatal flaws and that show development potential:
  - Site 1 – Erf 7001;
  - Site 4 – Erf 7181 and Erf 6668;
  - Site 5 – Erf 7271;
  - Site 6 – Erf 6847, 6886 and Erf 6300; and
  - Site 8 (Redevelopment site) - Erf 6868, 7555, 7231, 9049, 7630 – 7636, 5354, 6859 - 6860, 6851, 16431, 8938 – 8960, 6865, 8937, 15172 – 15196, 14599, 15228 – 15261, 9527, 8932.

1.2 Purpose of the Report

Stellenbosch Municipality's IDP highlights the challenges faced in terms of the provision of housing. These include an array of challenges including resources and grant allocations from National and Provincial Government as well as the availability of land for housing (Integrated Development Plan IDP 2017-2022, 2019, p. 150). This project serves to provide vacant and underdeveloped portions of land within Cloetesville for development and to address the housing need. This report will conduct a site investigation of the relevant properties, make recommendations on the highest and best use and provide a concept plan to illustrate the potential of the site.

1.3 Project Location

Cloetesville is situated approximately 4km north of Stellenbosch on the R44 towards Paarl. It forms part of the greater Stellenbosch town that is known for its natural beauty, oak-lined avenues, Cape Dutch architecture, history and culture and wine routes.



Map 1: Locality map

2 Spatial Planning Policy Overview

The objective of this chapter is to assess the practicality, within its legislative and policy context, of Stellenbosch Local Municipality to achieve its development initiative that is to guide future growth and development of Cloetesville. To maximise the success of the project, it is crucial to ensure the alignment of adopted governmental priorities with the vision for the area. The following sections discusses relevant policies and legislation that is applicable to the study area.

2.1 Stellenbosch SDF 2019

The 2019 Stellenbosch Spatial Development Frameworks (SDF) is intended to influence the overall spatial distribution of current and future land use within the municipality, in order to give effect to the vision, goals and objectives of the IDP. With its focus on spatial restructuring, the SDF guides the location of future development in a manner that addresses the imbalances of the past. Furthermore, it enables the municipality to manage its land resources in a sustainable manner.

To achieve this, the Stellenbosch SDF (2019), has adopted the following seven principles:

- Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
- Respect and grow our cultural heritage, the legacy of physical artefacts and intangible attributes of society inherited from past generations maintained in the present and preserved for the benefit of future generations;
- Within developable areas – areas not set aside for limited development owing to its natural or cultural significance – allow future opportunity to build on existing infrastructure investment, on the opportunity inherent in these systems when reconfigured, augmented or expanded;
- Clarify and respect the different roles and potentials of existing settlements;
- Address human settlement needs – the need for housing, infrastructure, and facilities – clearly in terms of the constraints and opportunity related to natural assets, cultural assets, infrastructure, and the role of settlements;
- Pursue balanced communities; and
- Focus developmental energy on a few catalytic areas that offer extensive opportunity and address present risk.

Moreover, these principles aim to direct development and the development rights of property owners. Ultimately the results of possible development outcomes on the vacant and underutilised land need to promote shared and inclusive growth, sustainability, and access to opportunities; consequently, adding value and meaning to the progress of the community of Cloetesville.



Figure 1: Stellenbosch SDF, 2019

Source Adapted from: (Spatial Development Framework, 2019, p. 70)

2.2 IDP 2017 – 2022 (2019 Review)

The greater Stellenbosch area strategic vision is described as "Valley of Opportunity and Innovation". The municipality aims to achieve this vision through "cost effective services that will provide the most enabling environment for civil and corporate citizens". The IDP strategic focus areas for 2019 review are as follows:

- Strategic Focus Area 1: Valley of Possibility;
- Strategic Focus Area 2: Green and Sustainable Valley;
- Strategic Focus Area 3: Safe Valley;
- Strategic Focus Area 4: Dignified Living; and
- Strategic Focus Area 5: Good Governance and Compliance.

The Cloetesville project aims to assist the Stellenbosch Local Municipality to achieve their goals through encouraging innovation e.g. through strategy development for vacant and underutilised land which ultimately provides an enabling and conducive environment for the local community.

2.3 Stellenbosch Municipality Zoning Scheme By-Law 2019

The Stellenbosch Municipality Zoning Scheme By-Law, 2019 was adopted by the Municipal Council on 29 May 2019 and took effect on 1 November 2019. The Zoning Scheme By-Law provides detailed land use planning information, indicating for which purposed properties may be used as well as the regulatory process(es) to follow for development applications. The Stellenbosch Municipal Zoning Scheme By-Law, 2019 will be used to determine the current zoning for each property and subsequently a recommendation will be made in terms of the development processes given the concept development for each Site.

2.4 National Environmental Management Act, Act 107 of 1998

In terms of the National Environmental Management Act (NEMA), Act 107 of 1998, certain activities may not commence without an Environmental Authorisation (EA) having been received from the Department of Environmental Affairs and Development Planning (DEADP). In terms of the 2014 Environmental Impact Assessment (EIA) regulations, as amended in 2017, pursuant to NEMA (GN R982), certain activities that may have a detrimental impact on the environment (termed Listed Activities) require an EA from DEADP The installation of pipelines / services, construction of infrastructure, construction through or in close proximity to watercourses, upgrades to existing infrastructure and construction of roads could potentially trigger NEMA Listing Notices 1 (GN R983), 2 (GN R983) and 3 (GN R985). As a result, any future development may require authorisation from DEADP.

2.5 National Heritage Resources Act, Act 29 of 1999

With regards to the National Heritage Resources Act (NHRA), Act 29 of 1999, certain activities may not be initiated without any prior approval / consent from the competent authority, which in this case would be Heritage Western Cape (HWC), if they have a potential to impact on the heritage or cultural features (structures older than 60 years, landscapes and natural features of cultural significance, geological sites of scientific or cultural importance, archaeological and palaeontological sites, graves and burial grounds, sites of significance relating to slavery or movable objects) considered to be a national estate and need to be preserved or protected.

Section 38 (1) of the NHRA provides a list of the activities which should be authorised by HWC and is quoted below:

38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-

(a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;

(c) any development or other activity which will change the character of a site—

(i) exceeding 5,000m2 in extent; or

(ii) involving three or more existing erven or subdivisions thereof; or

(iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or

(iv) the costs of which will exceed a sum set in terms of regulations by South African Heritage Resource Agency (SAHRA) or a provincial heritage resources authority;

(e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority.

2.6 National Water Act, Act 36 of 1998

The National Water Act (NWA), Act 36 of 1998, aims to regulate the use of water and/or activities which may potentially impact on water resources through the categorisation of water use activities as described in Section 21 of the said Act:

(a) Taking water from a water resource;

(b) Storing water;

(c) Impeding or diverting the flow of water in a watercourse;

(d) Engaging in a stream flow reduction activity contemplated in section 36;

(e) Engaging in a controlled activity identified as such in section 37(1) or declared under section 38(1);

(f) Discharging waste or water containing waste into a water resource through a pipe, canal, sewer, sea outfall or other conduit;

(g) Disposing of waste in a manner that may detrimentally affect a water resource;

(h) Disposing in any manner of water which contains waste from, or which has been heated in, any industrial or power generation process;

(i) Altering the bed, banks, course or characteristics of a watercourse;

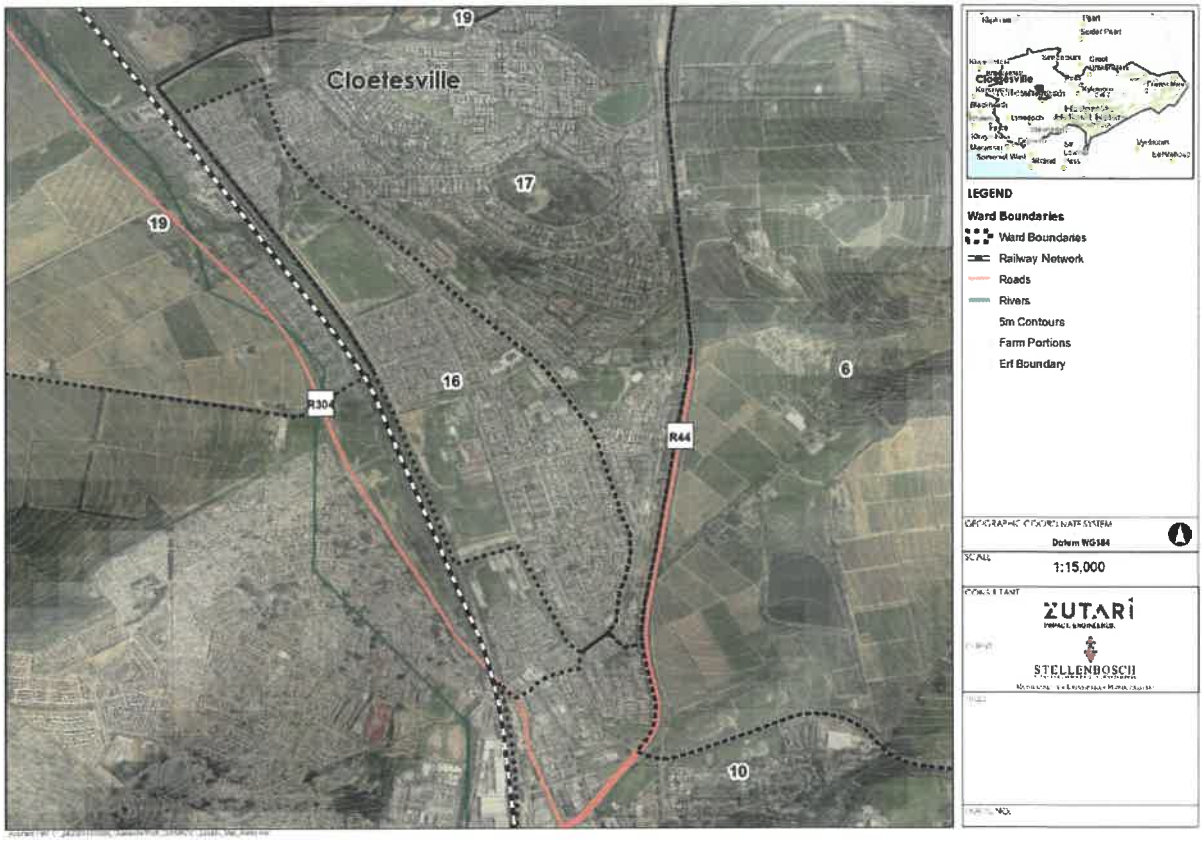
(j) Removing, discharging or disposing of water found underground if it is necessary for the efficient continuation of an activity or for the safety of people; and

(k) Using water for recreational purposes.

2.7 Ward Based Plans 2018/2019

The following section highlights key aspects from the relevant ward plans. The relevant sites under investigation are located in wards 10, 16, 17 and 19 and therefore only these ward plans are discussed.

The ward plans identify the main priorities or needs for each ward (Ward Plan 2018/2019: Ward 10, 2018, p. 5). The development of the ward plans was initiated in 2017 and the ward committees which represent the communities were established by February 2017 (Ward Plan 2018/2019: Ward 10, 2018, p. 4). The drafting of the ward plans took place in February 2018 which was followed by formal public participation in April 2018.



Map 2: Ward locality map

2.7.1 Ward 10

Ward 10 description: "Ward 10 is mostly a residential ward with a small portion in and around Tennantville as a light industrial area. The residential areas include Tennantville, La Coline, Kromrivier, Municipal flats (Lavanda, Aurora, Phyllaria) and part of Universiteitsoord" (Ward Plan 2018/2019: Ward 10, 2018, p. 7).

Ward 10: Strategic Forecast	
5 Year Strategic Goals	**10 Year Vision**
• A clean river and riverbanks; and • Young couples should move into our ward.	• A safer, cleaner and greener ward; • Better infrastructure etc. upgrading of water, storm and sewerage system; and • No informal structures.

Source: (Ward Plan 2018/2019: Ward 10, 2018, p. 11)

The Ward priorities for 2019/20, as indicated in the IDP, are as follows (Integrated Development Plan IDP 2017-2022, 2019, p. 135):

- Priority 1: Safety:
  - Accredited Neighbourhood Watches (NHW) and private companies to assist with patrols.
- Priority 2: Ongoing Learnership (& Mentorship Programmes):
  - Trade skills at the small business level, IT skills and Job shadowing Programmes.
- Priority 3: Parking:
  - Establishment of bicycle lanes; and
  - 2 Pieces of land identified on the fringes of town and servicing the main entry and exit
  - Corridors of Stellenbosch that can be used for parking.
- Priority 4: Overall Cleanliness:
  - Ongoing river rehabilitation programme;
  - Setting up of communal vegetable gardens – i.e. principles used at the Lynedoch ecovillage, and how waste management ties into, and benefits this.
- Priority 5: More sustainable, consistent interventions for the overall health & well-being of the aged:
  - Liaise with the local university around ongoing stimulating programme that can be facilitated.

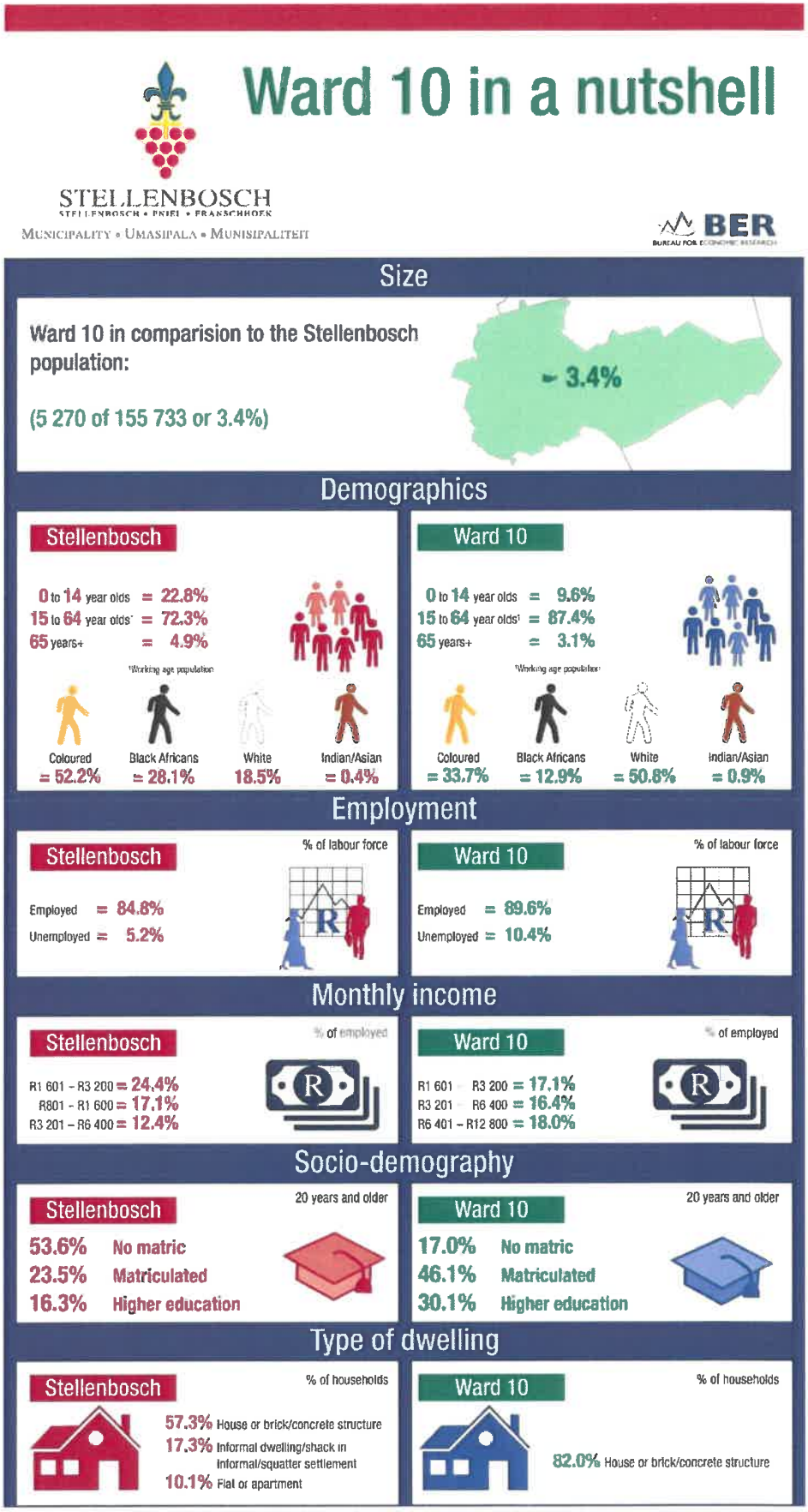


Figure 2: Ward 10 Profile – size and demographics

Source: (Ward 10 in a nutshell)

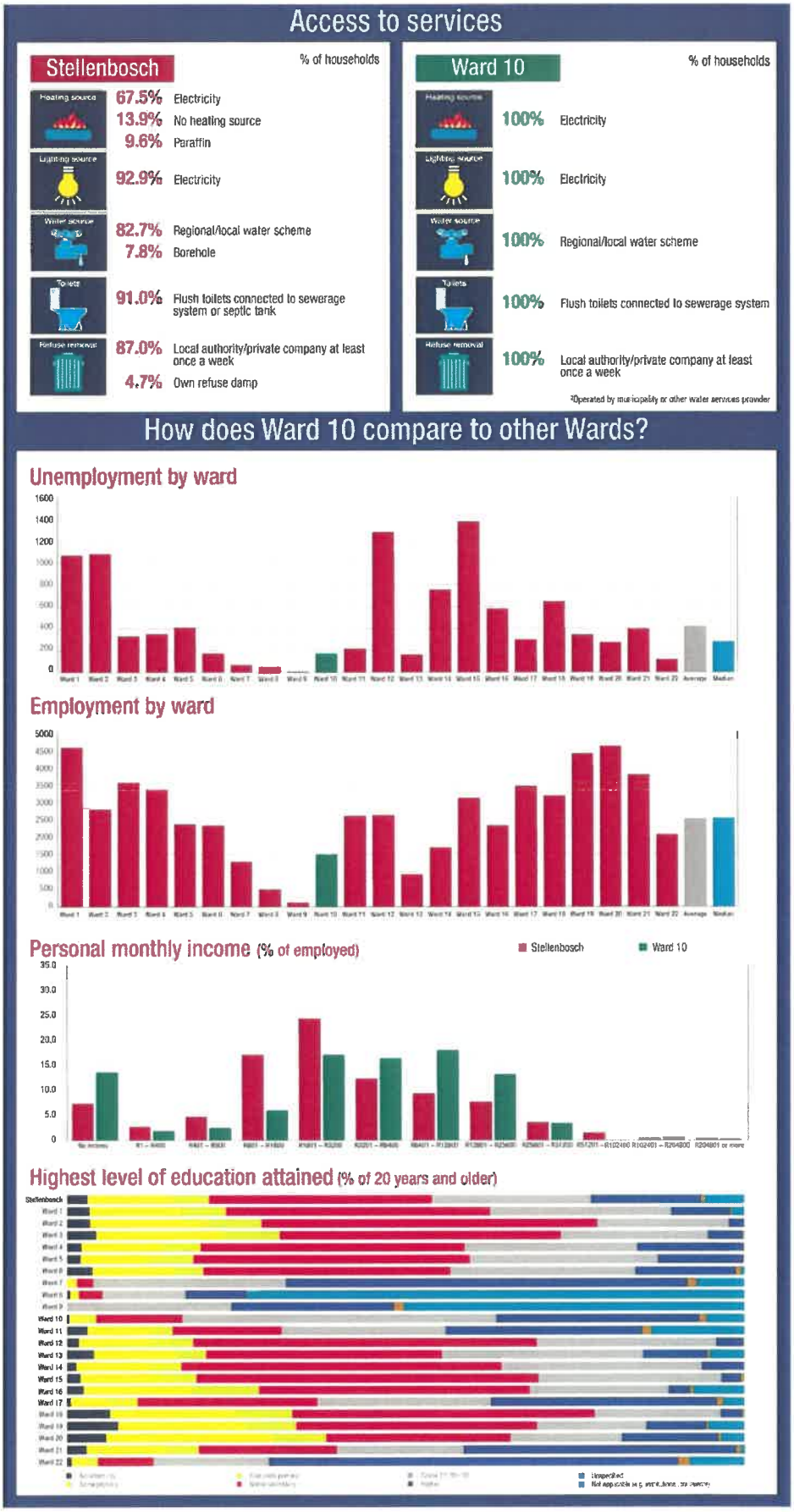


Figure 3: Ward 10 Profile access to services and socio-economic profile

Source: (Ward 10 in a nutshell)

2.7.2 Ward 16

Ward 16 description: "Ward 16 is situated within the residential areas of Cloetesville, White City, Letitia Park and part of Tennantville. The border of the ward is the Sports field, Lang and Tennant streets and the Railway line to the West" (Ward Plan 2018/2019: Ward 16, p. 6)

Ward 16: Strategic Forecast	
5 Year Strategic Goals	**10 Year Vision**
• Land be identified for housing; • That the backlog of housing be meaningfully addressed; • Current recreational facilities upgraded; • Training Centre being established; • Various job creation projects to be in place; • Better policing; • Safe area; • Adequate parks; and • Improved service delivery.	• Land to be made available; • Our ward must be a safe environment for its residents; • More than 50% is home owners; • A meaningful decrease in crime; • Residents of the ward to have taken ownership of their environment; • Better education, higher pass rate; • Employment opportunities should be made available to large number of youth; • Opportunities for entrepreneurs created/ establish; and • Youth development programmers in progress.

Source: (Ward Plan 2018/2019: Ward 16, p. 10)

The Ward priorities for 2019/20 as indicated in the IDP are as follows (Integrated Development Plan IDP 2017-2022, 2019, p. 140):

- Priority 1: Housing:
  - Land for housing;
  - Basic services to backyard dwellers; and
  - The Steps/ New Orleans Upgrading.
- Priority 2: Safety:
  - More visible law enforcement in the community; and
  - Law enforcement to assist with school patrols.
- Priority 3: Unemployment:
  - More EPWP projects for youth and disabled persons.
- Priority 4: Universal access to:
  - Swimming pool;
  - Shopping centre; and
  - Disabled sign boards to be erected at the sport field, shopping centre and Cloetesville complex.
- Priority 5: Central community play park:
  - Complete fencing of park; and
  - More play park equipment.

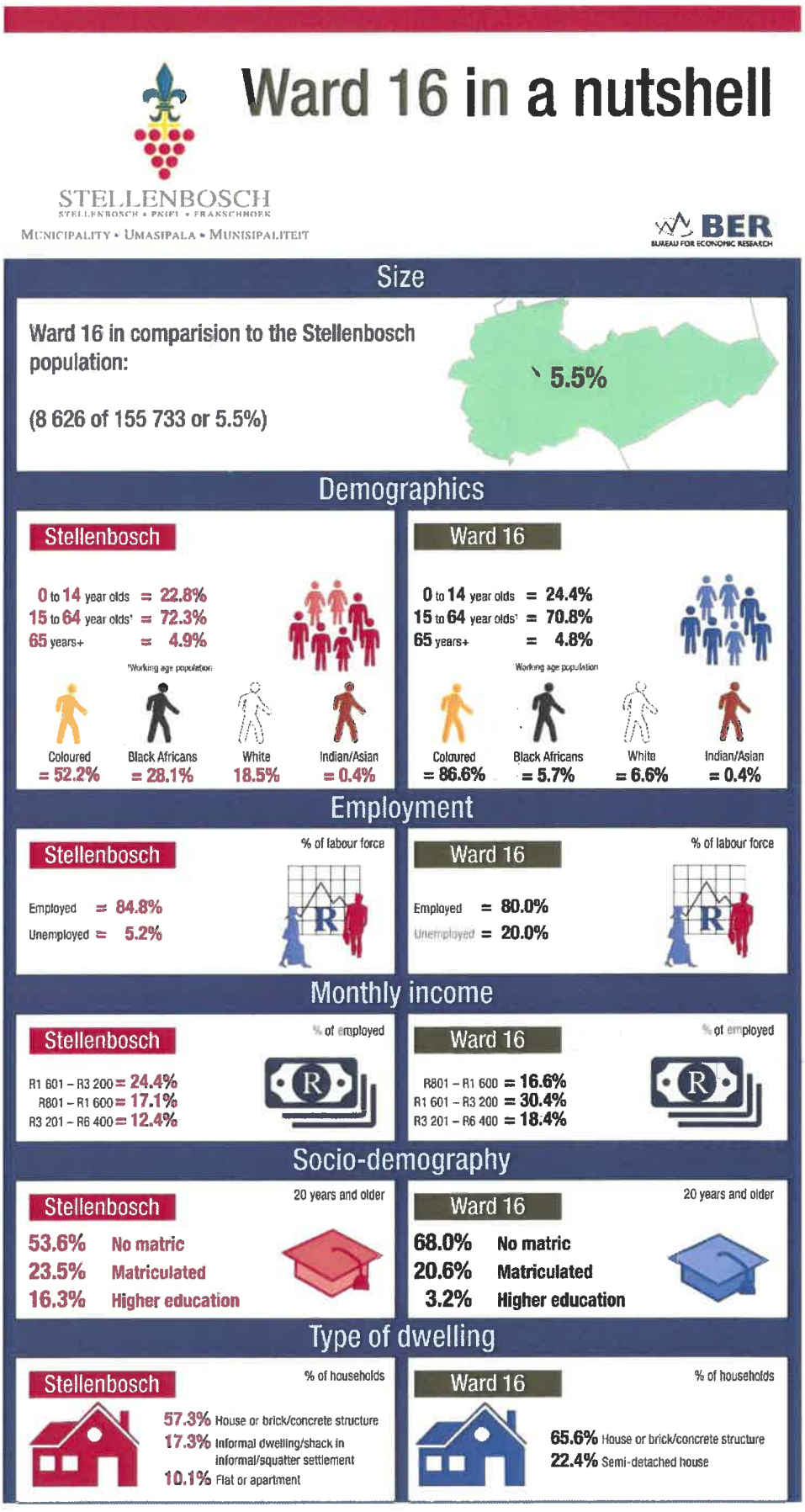


Figure 4: Ward 16 Profile – size and demographics

Source: (Ward 16 in a nutshell)

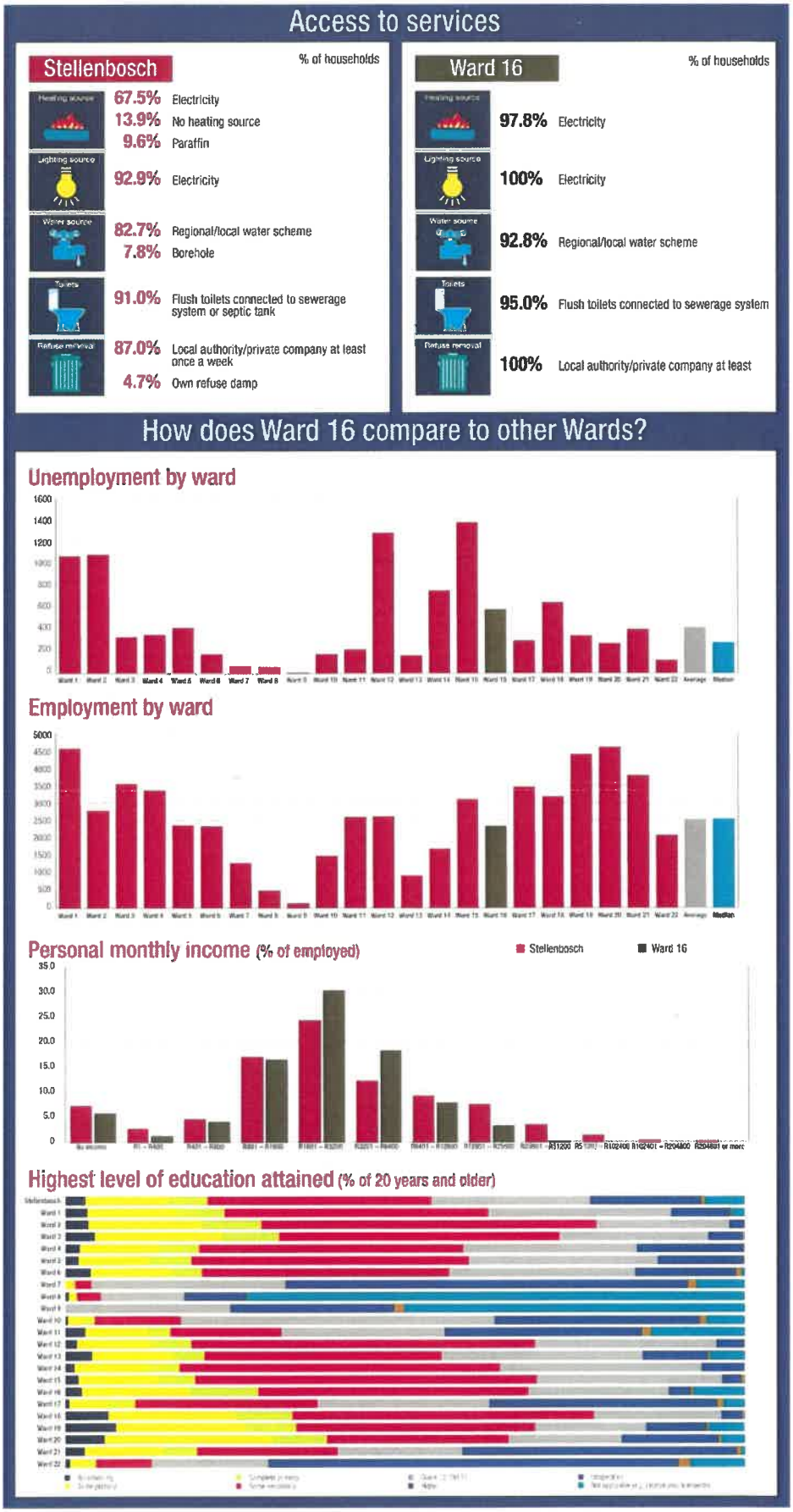


Figure 5: Ward 16 Profile – access to services and socio-economic profile

Source: Source: (Ward 16 in a nutshell)

2.7.3 Ward 17

Ward 17 description: "Ward 17 is a residential ward which includes a part of Cloetesville as well as Welgevonden, Green Oaks, Stellita Park, Weltevrede and the Municipal Flats in Rhode, Kloof and Long Streets. The borders of the ward are the R44 Klapmuts road, Lakey and Long streets (Ward plan 2018/2019: Ward 17, p. 6)

Ward 17: Strategic Forecast	
5 Year Strategic Goals	**10 Year Vision**
• Ensure that existing infrastructure is improved and maintained; • Protect and preserve natural areas (Parks, open spaces, rivers); • Dedicated cycle and pedestrian pathways; • Installations of traffic calming measures; • Maintain an active and efficient ward committee; • Housing opportunities; and • Developing a business hub at the open space behind Rietenbosch School using the "shipping container shopping centre" concept in Melville (Gauteng) for job opportunities; and • A fully functional multi – purpose centre housing the necessary social assistance and service delivery agencies in Cloetesville.	• Improved cycle and pedestrian paths (dedicated); • Reduction in traffic by the implementation of park and ride initiatives; • Secure and safe crime– free environment; • Enhancement and maintenance of recreational facilities including parks; and • Economic opportunities.

Source: (Ward plan 2018/2019: Ward 17, p. 9)

The Ward priorities for 2019/20 as indicated in the IDP are as follows (Integrated Development Plan IDP 2017-2022, 2019, p. 141):

- Priority 1:
  - Developing a business hub at the open space behind Rietenbosch School using the "shipping container shopping centre" concept for job opportunities.
- Priority 2: Housing:
  - Soekmekaar Erf 7001, open space behind Pieter Langeveld School.
- Priority 3:
  - Beautification of sidewalk and open spaces in Cloetesville.
- Priority 4:
  - Creating job opportunities for unemployed youth (create an enabling environment.
- Priority 5:
  - Upgrading of Lang/Rhode Street flats.

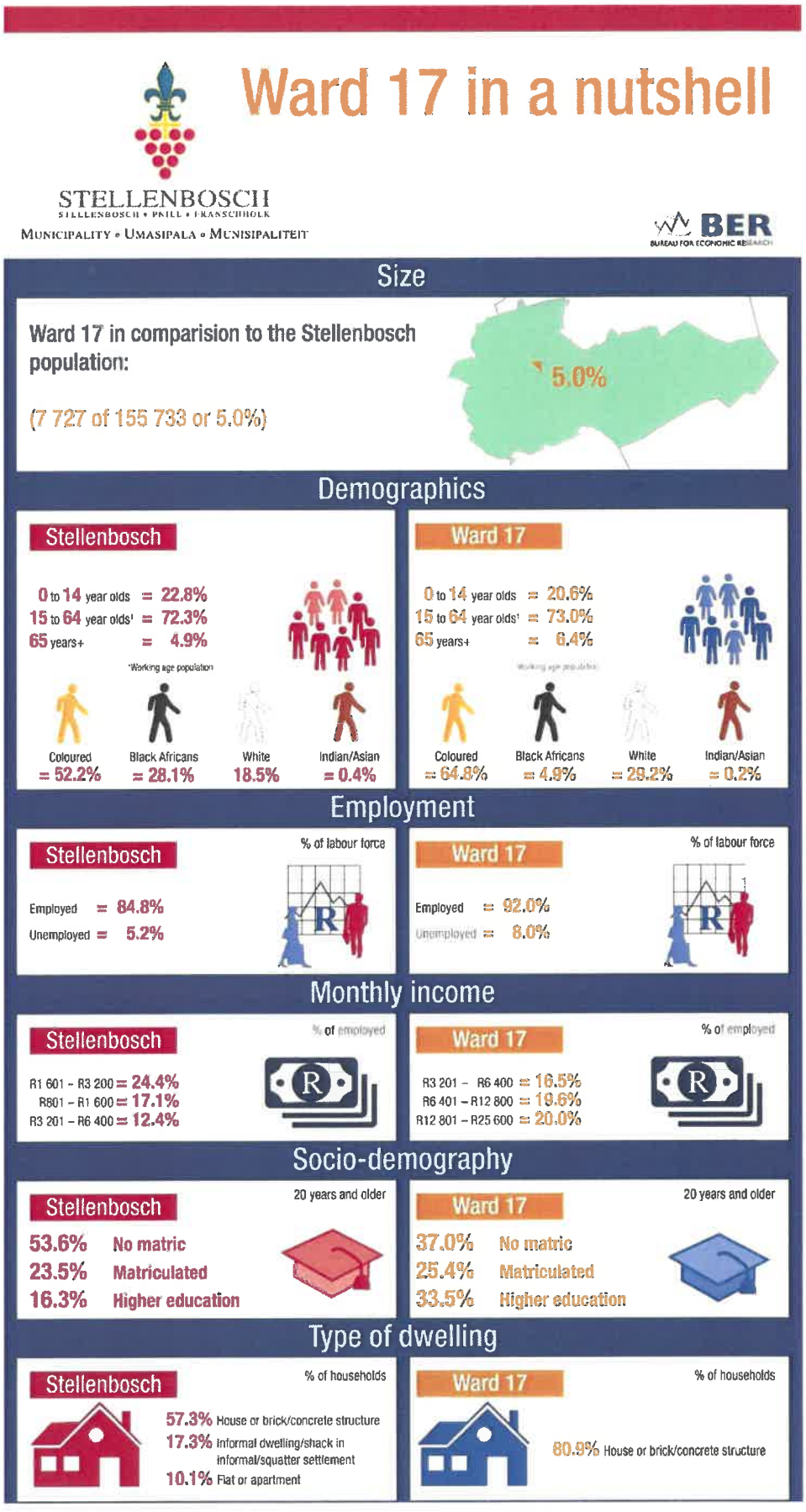


Figure 6: Ward 17 Profile size and demographics

Source: (Ward 17 in a nutshell)

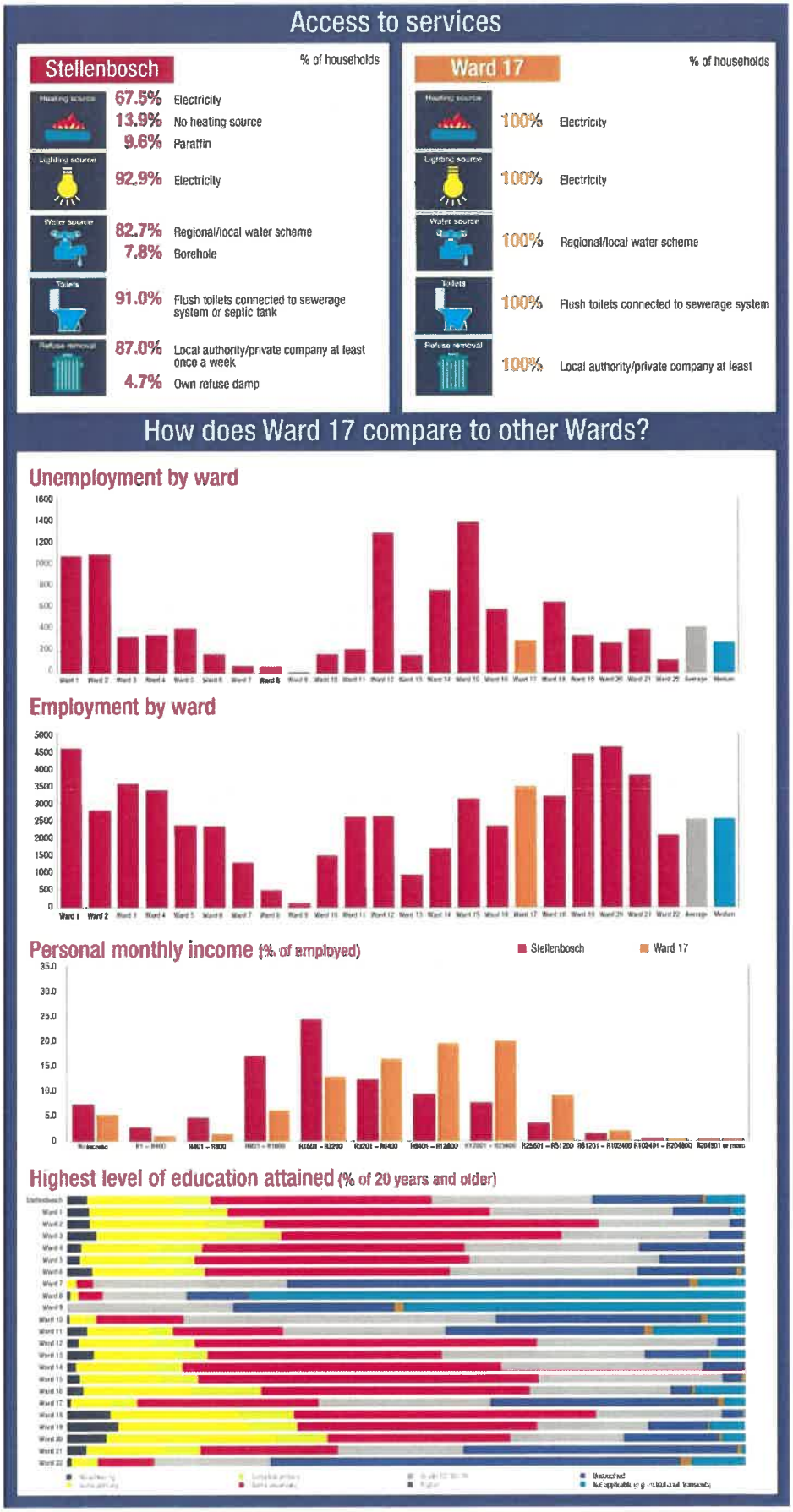


Figure 7: Ward 17 Profile – access to services and socio-economic profile

Source: (Ward 17 in a nutshell)

2.7.4 Ward 19

Ward 17 description: "Ward 19 is a rural ward and most probably the biggest ward of Stellenbosch Municipality. The ward consists mostly of farms with only Elsenburg and De Novo as small residential areas. The agriculture sector is the biggest employer in the ward" (Ward Plan 2018/2019: Ward 19, p. 7)

Ward 17: Strategic Forecast	
5 Year Strategic Goals	**10 Year Vision**
• Land available for housing; • Socio-economic survey completed to address housing and unemployment; • Land being made available for churches; • All planning completed to provide sports grounds and facilities; • Identified empty buildings utilize clothing factory; • Programmes in place to address and prevent further drug and alcohol abuse; • Waiting list for housing farmworkers only; • Public transport; and • Lights on the De Novo/ Old Paarl Road.	• Unemployment sufficiently addressed; • Old Age home in place to address shortage; • The needs of the youth address in terms of centres; • Sport grounds with decent facilities made available; • No illegal shebeens; • No drug trafficking; • Sufficient lighting; • Safe environment; • Established clothing factory; • Shopping complex; • Public swimming pool; and • Quality housing provided for the residents of Ward 19.

Source: (Ward Plan 2018/2019: Ward 19, p. 11)

The Ward priorities for 2019/20 as indicated in the IDP are as follows (Integrated Development Plan IDP 2017-2022, 2019, p. 143):

- Priority 1:
  - Housing for farm worker community.
- Priority 2:
  - Job creation/ training opportunities and entrepreneurial skills workshops for the whole ward including De Novo.
- Priority 3:
  - Town establishment Elsiesrivier Project – Elsenburg, Vaaldraai, Kromme Rhee and De Novo.
- Priority 4: Mobile/ Satellite Clinic (Health) possibilities:
  - Vaaldraai – Apply to utilise the building at the entrance;
  - De Novo- Waiting room (Apply to use waiting room);
  - Kromme Rhee- Clubhouse; and
  - Bottelary Farm – currently using the hall as waiting room.
- Priority 5: Safety on farms in ward 19:
  - Koelenhof;
  - Vaaldraai;
  - De Novo- Old Paarl Road;
  - Kromme Rhee; and
  - Bottelary Road.

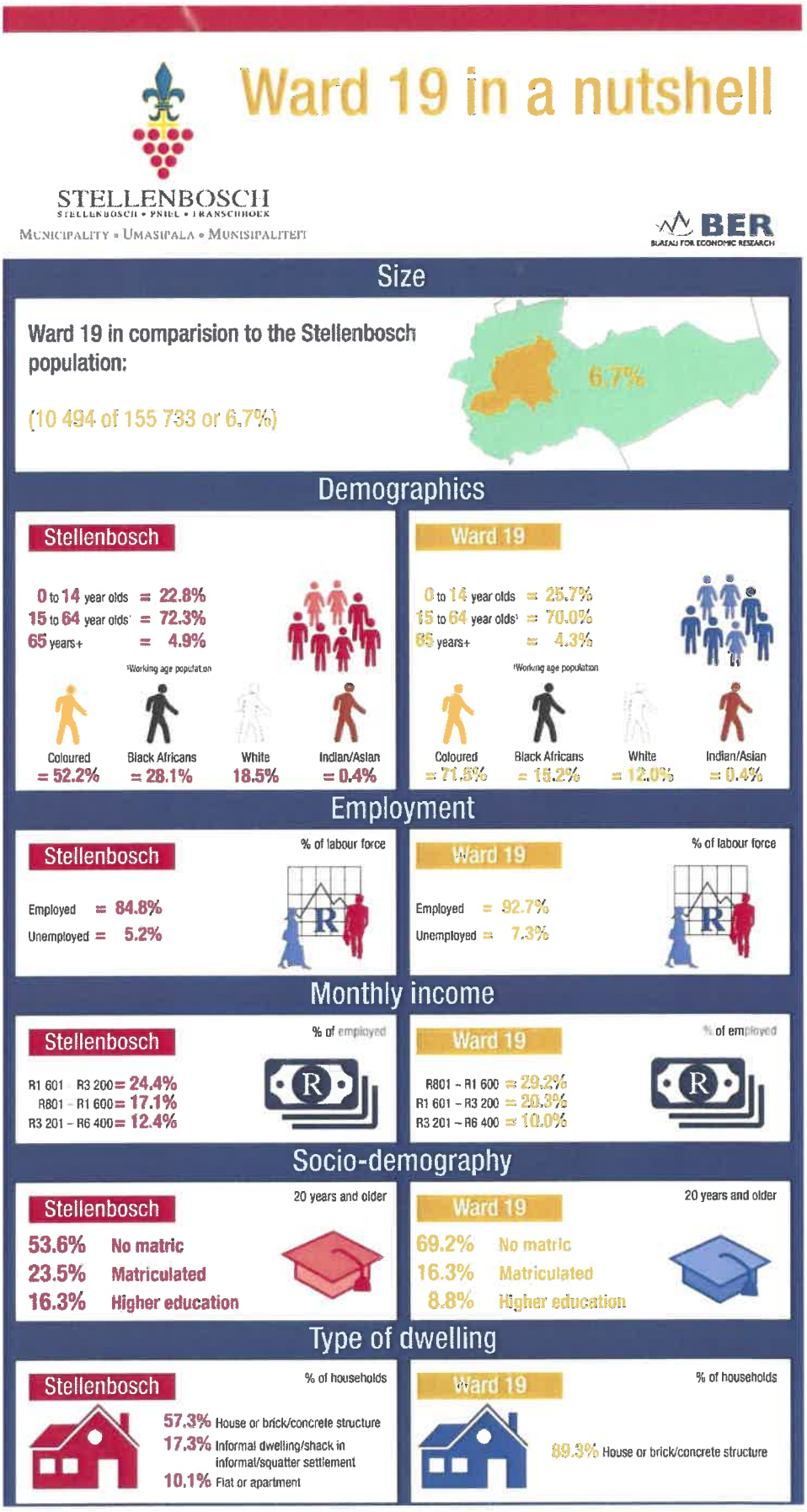


Figure 8: Ward 19 Profile – size and demographics

Source: (Ward 19 in a nutshell)

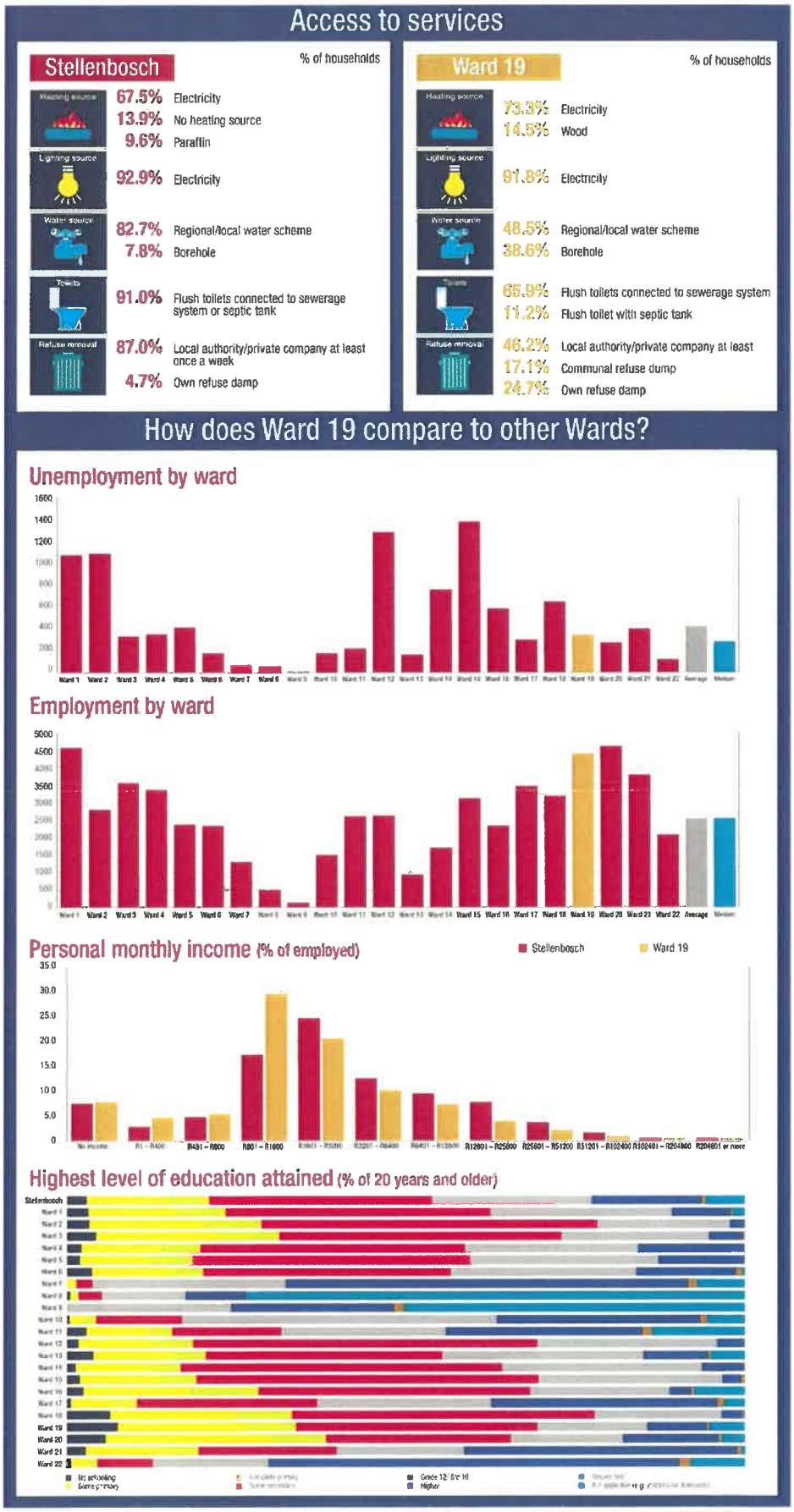


Figure 9: Ward 19 Profile – access to services and socio-economic profile

Source: (Ward 19 in a nutshell)

3 Strategic Screening of Cloetesville

3.1 Urban planning

Cloetesville is an urban settlement situated in Stellenbosch Local Municipality, with a predominantly young Afrikaans speaking population. Cloetesville has a total population of 15,390 (StatsSA, 2011) who fall predominantly within the low-income brackets. It is also considered to be a well serviced community in terms of infrastructure and social facilites.

Cloetesville is bordered by the R304 and an existing railway line on the west and the R44 on the east. Cloetesville experienced some residential development in recent years. The Welgevonden Estate extends towards the north of Cloetesville as well as other residential apartment developments along the western boundary.

The predominant retail node in Cloetesille is located along Lange road and comprises a number of small-scale grocery shops. The Stone Square Shopping Centre is located at the R44 and Hendrikse Road, however, this shopping centre mostly caters to the residents of Welgevonden Estate. The figure below illustrates the various facilities located within and surrounding Cloetesville. A number of informal retail activities are located throughout Cloetesville as illustrated in the figure below. Other community facilities located within Cloetesville includes a health care facility, schools and worship facilities.

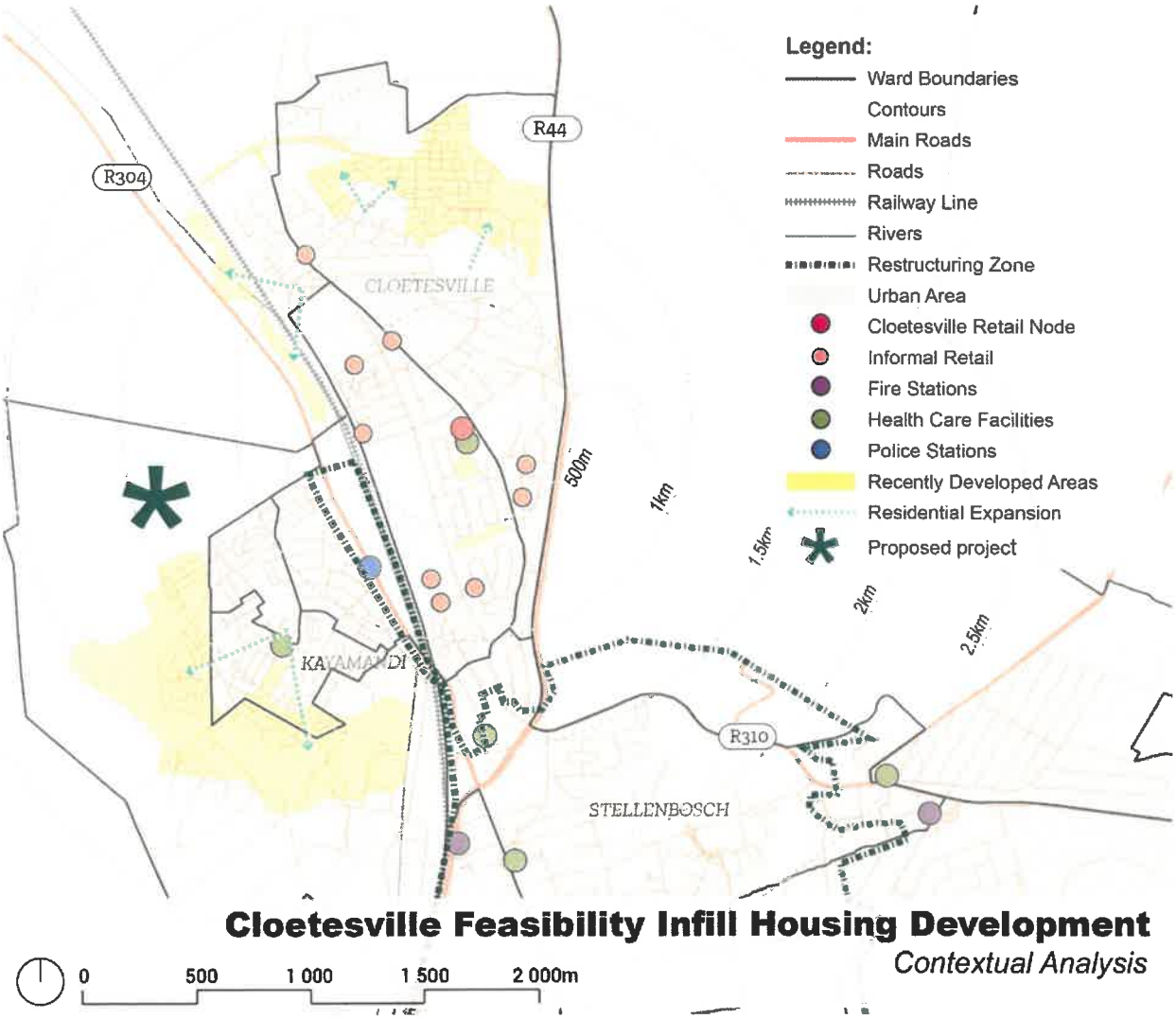


Figure 10: Contextual Analysis

Kayamandi located west of Cloetesville expands towards the west. In March 2020 the Stellenbosch Municipality requested proposals to be submitted for a multi-disciplinary team to undertake the Broad Conceptual Urban Design framework for the Northern Extension, to guide the development framework as well as to obtain town planning and development rights for a mixed use development north of Kayamandi. This project will endeavour to provide between 4,000 and 6,000 residential opportunities.

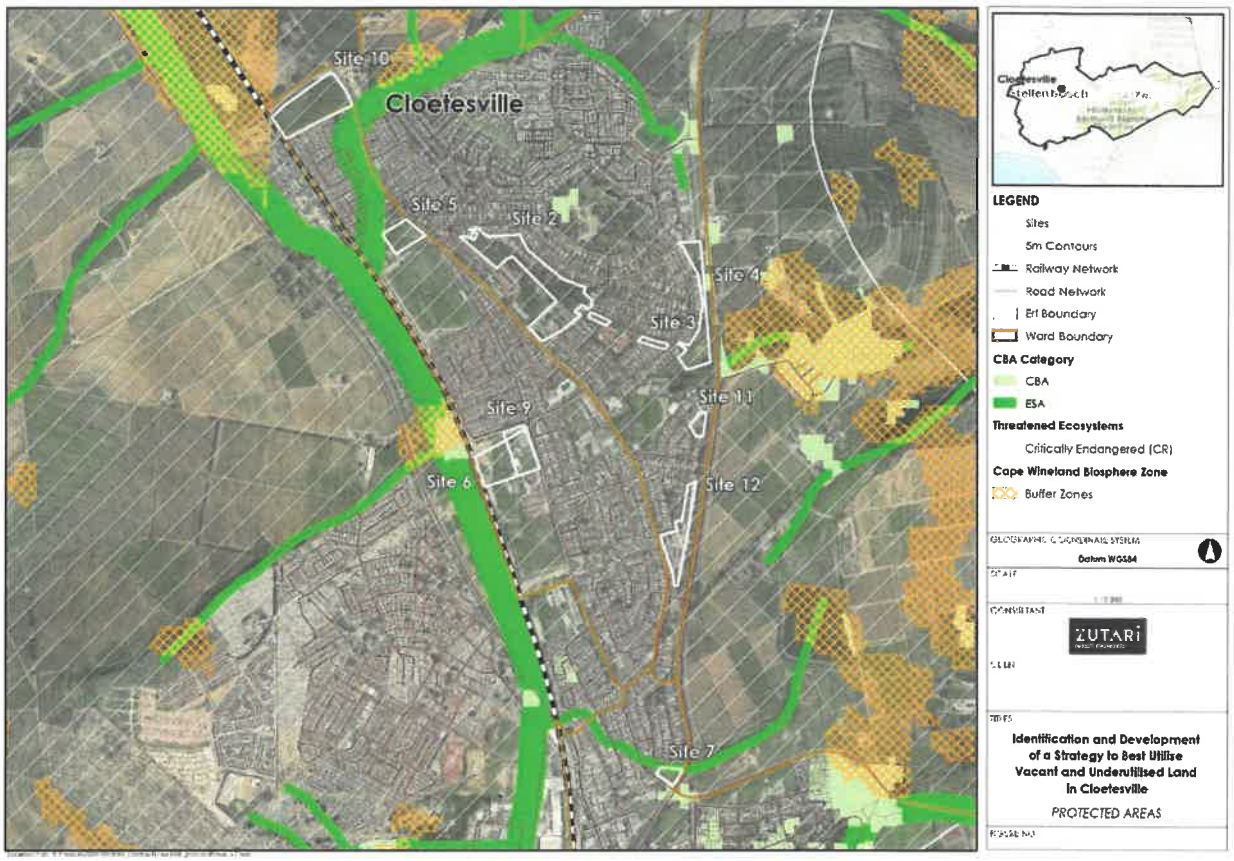
3.2 Environmental

A desktop screening and site confirmation exercise was undertaken to identify any environmental sensitivities within the proposed development areas and in close proximity to the regulated areas of ecological features using the online South African National Biodiversity Institute (SANBI) Geographic Information System (GIS) data, Cape Farm Mapper tool and online screening tool of the Department of Environment, Forestry and Fisheries (DEFF). The results of the screening and site assessment are discussed per site in Section 4.

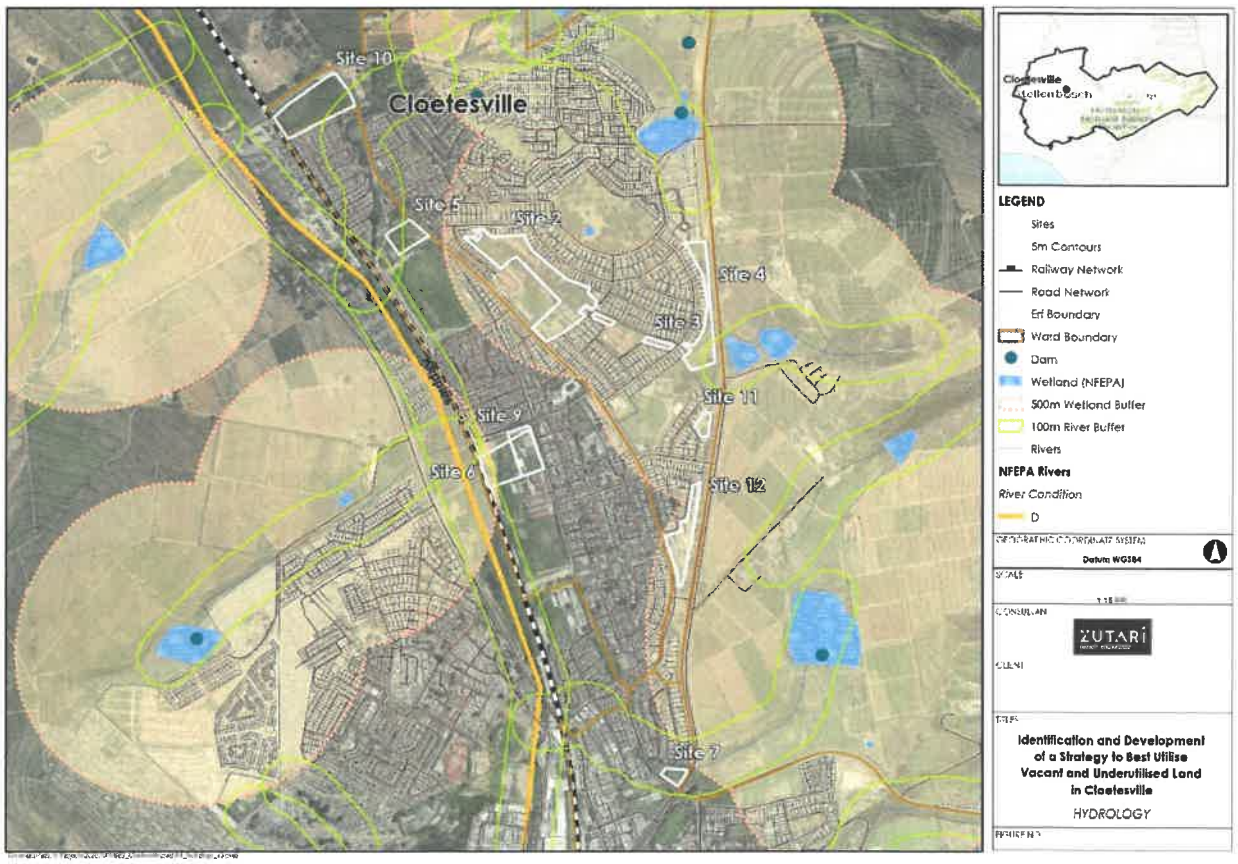
There are very few CBAs in the Cloetesville area with some areas of remaining indigenous vegetation. Due to the fact that the entire area is mapped as critically endangered Swartland Shale Renosterveld, it would be important to obtain the inputs of a botanical specialist for the development of any areas where natural vegetation is present, as these would have to be protected at all cost. Most of the area is disturbed or developed and for this reason most of the open spaces are covered in kikuyu lawn and small patches of alien invasive vegetation. Most of the large trees in the area act as visual screens, wind breaks or have historical value due to their age and size, even if they are not indigenous. The removal of any of these large trees should be avoided as far as possible. The mapped Ecological Support Areas (ESA) in the Cloetesville area are mostly linked to the protection of aquatic ecosystem functioning around watercourses and wetlands. These should be avoided as far as possible. Cloetesville is furthermore located within the Cape Winelands Biosphere.

The regulated area of a watercourse is 100m from the edge of a stream / river and 500m from the edge of a wetland. Any activities taking place within this regulated area has the potential to impact on the quality or characteristics of that watercourse. Map 4 below illustrates all buffer areas for watercourses within the Cloetesville area. Any activity taking place in this regulated area should be authorised in terms of a general authorisation or a WULA through the DWS, or any relevant CMA. For the Stellenbosch Municipality, the DWS is the competent authority for water use authorisations. In terms of residential developments, the main water uses to be assessed would be Section 21 (c), (i) and potentially (f), should the sites be developed in such a way that stormwater from the sites are discharged into a natural stream, since the water could contain contaminants. It is recommended that all stormwater outlets be linked to existing stormwater systems in the surrounding area and not be discharged directly into natural streams or wetland areas. It should also be noted that most of the wetlands mapped in the Cloetesville area.

The listed activities which could potentially be triggered by the proposed developments at the sites in Cloetesville would have to be reviewed once the details of the proposed developments are known.



Map 3: Terrestrial sensitivities within the Cloetesville area



Map 4: Aquatic sensitivities within the Cloetesville area

3.3 Infrastructure

Stellenbosch Municipality has an important responsibility to ensuring all its citizens reside in developable, formalised, safe and sustainable human settlements and to the extent possible, within closer proximity to employment opportunities that would improve the quality of life. As part of the Feasibility Study an Engineering Services Report which details existing Municipal Infrastructure capacity and possible upgrades for each of the 10 sites, please refer to Appendix D for the detailed report.

The Engineering Services report addresses the needs of Stellenbosch Municipality with regards to the provision of engineering services, such as potable water, sanitation and electrical services. The infrastructure design of each erf is based on technical requirements and guidelines as stated by the Design Guidelines and Minimum Standards for Civil Engineering Services (Stellenbosch Municipality, 2015) and the general subdivision/rezoning conditions and planning by-laws of Stellenbosch Municipality. Additionally, design considerations are also based on Guidelines for Human Settlement Planning and Design (CSIR, 2005) and the Drainage Manual 6th Edition (SANRAL, 2013). The level of service for the proposed infrastructure will be to the accepted standard associated with that of BNG housing, GAP Housing and Social Housing as per the town planner's details.

Until 2019, GLS Consulting Engineers were appointed to provide support as potable water and foul sewer master planning consultants for Stellenbosch Municipality. At the time of this report, GLS have not yet concluded their capacity analysis model for development of all 10 proposed erven. The downsteam municipal waste water treatment plant does not have suffiencient capacity to manage the raw wastewater that is expected to be produced by the proposed development of all 10 erven. Although a new bulk sewer pipeline, along the existing railway is planned for the Cloetesville area, the current master plan should be updated to include the development of the proposed erven.

Erven not included in the current master plan capacity analysis is as follows:

- Site 6: Erf 6847, 6886, 6300, 6301;
- Site 7: Erf 8776; and
- Site 11: Erf 6705.

The proposed electrical bulk infrastructure design philosophy for the intended development will be based on the above regulations and standards. It is anticipated that the development distribution networks will be handed over to Stellenbosch Municipality who will operate and maintain the complete network up to the metering point. Demand calculations are based on NRS 034-1: 2014 and Stellenbosch Local Municipal guidelines (for detail refer to Appendix C: Electricity Services Directives Rev 2 March 2016).

For Single Residential Erven, internal network connections to each stand will be equipped with metering equipment to measure the power consumption per unit. Larger power users and high-rise multiple-dwelling unit buildings might have a bulk connection with sub-metering within the building electrical design layout.

It is foreseen that all medium voltage (MV) works needed for the infill site expect to be accommodated within the current road reserve with no MV works within any of the infill sites. All sites will be serviced via an upgraded low voltage (LV) network supply with the possible scope for each defined under section 6.4 of the Engineering Services Report.

A TN-C-S System earthing will be planned where the neutral and protective functions in a single conductor between the source of energy and the point of supply and separated in the consumer's installation.

4 Focused Site Screening

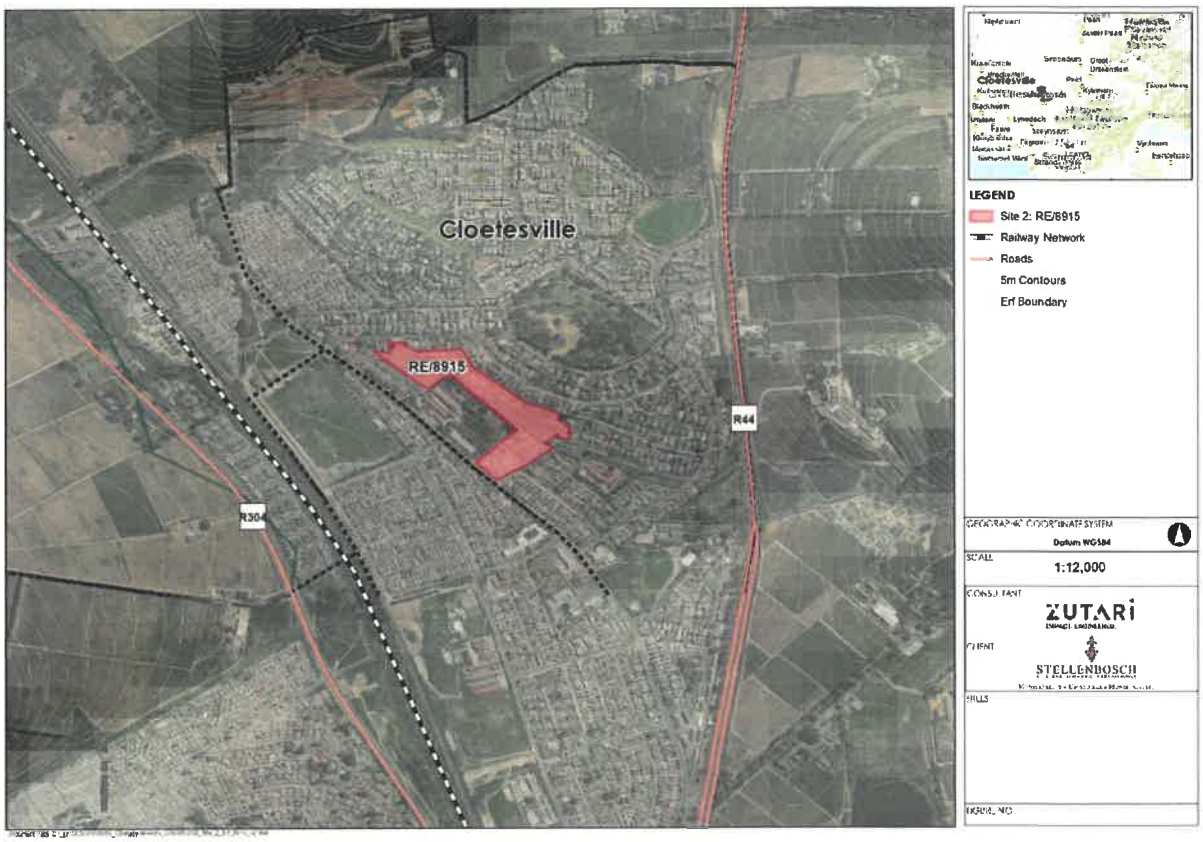
The following section provides detailed information on each of the sites under investigation. The screening focuses on land and legal, environmental and infrastructure.

The following sites are under investigation:

- Site 2: 8915;
- Site 3: Erf 7135;
- Site 4: Erf 7181, Erf 6668;
- Site 5: Erf 7271;
- Site 6: Erf 6847, Erf 6886, Erf 6300;
- Site 7: Erf 8776;
- Site 11: Erf 6705; and
- Site 12: Erf 6767.

4.1 Site 2: Erf 8915

Erf 8915 is situated adjacent to and stretches behind Pieter Langeveldt Primary School. Moreover, it is situated behind one row of houses. A concern raised for this site is that the expense of servicing the land could possibly jeopardise the feasibility of providing facilities for the disadvantaged. Another concern is the number of trees on the site, especially behind the school, and their environmental and heritage impact. Currently the site is being utilised as an illegal dumping site.



Map 5: Locality map site 2: Erf 8915

4.1.1 Land and Legal Screening

Land and Legal

Erf Number:	Erf 8915, Stellenbosch
Site Extent:	49,607 m²
Ownership:	Stellenbosch Municipality
Property Value:	R15,600,000.00
Title Deed Number:	T22311/1987
SG Diagram Number:	9158/86
Restrictive Conditions:	The relevant Title Deed (Appendix B) and SG Diagrams (Appendix C) were screened to identify any elements that could potentially affect development on the site. In terms of the SG Diagram, Erf 8915 is comprised of three entities: 1. Erf 6949, Stellenbosch; 2. Erf 7225, Stellenbosch; and 3. Remainder Erf 6943, Stellenbosch Erf 6949 and Erf 7225 are subjected toa number of conditions as stipulated in Title Deed No. T22311/1987 and Title Deed No. T22311/1987, respectively. Here follows a summary of the conditions which are applicable to both sites (the full details are annexed to Annexure B): Section B(c) and C(d) - a 12.59 metre right of way; Section D(f) - right of watering stock in Plankenberg River; and Section E (1 and 2) - water use rights.
Ward:	17
Existing Land Use:	Vacant
Zoning	Public Open Space

4.1.2 Environmental Screening

The site is currently undeveloped and is indicated to potentially contain Swartland Shale Renosterveld vegetation which is a Critically Endangered (CR) ecosystem. Initial indications from the site visit show that the site does not seem to host any indigenous vegetation as its largely disturbed and covered by kikuyu lawn. Numerous pine trees are found on the site. The site does not fall within any CBAs or ESAs. The site falls within 500m of a mapped National Freshwater Ecosystem Priority Area (NFEPA) wetland; however, this appears to be a concrete reservoir and not a natural wetland.

The recent site visit revealed that the surrounding areas are predominantly residential in character. Furthermore, the site has scattered litter, debris and rubble and parts of the site are fenced off.

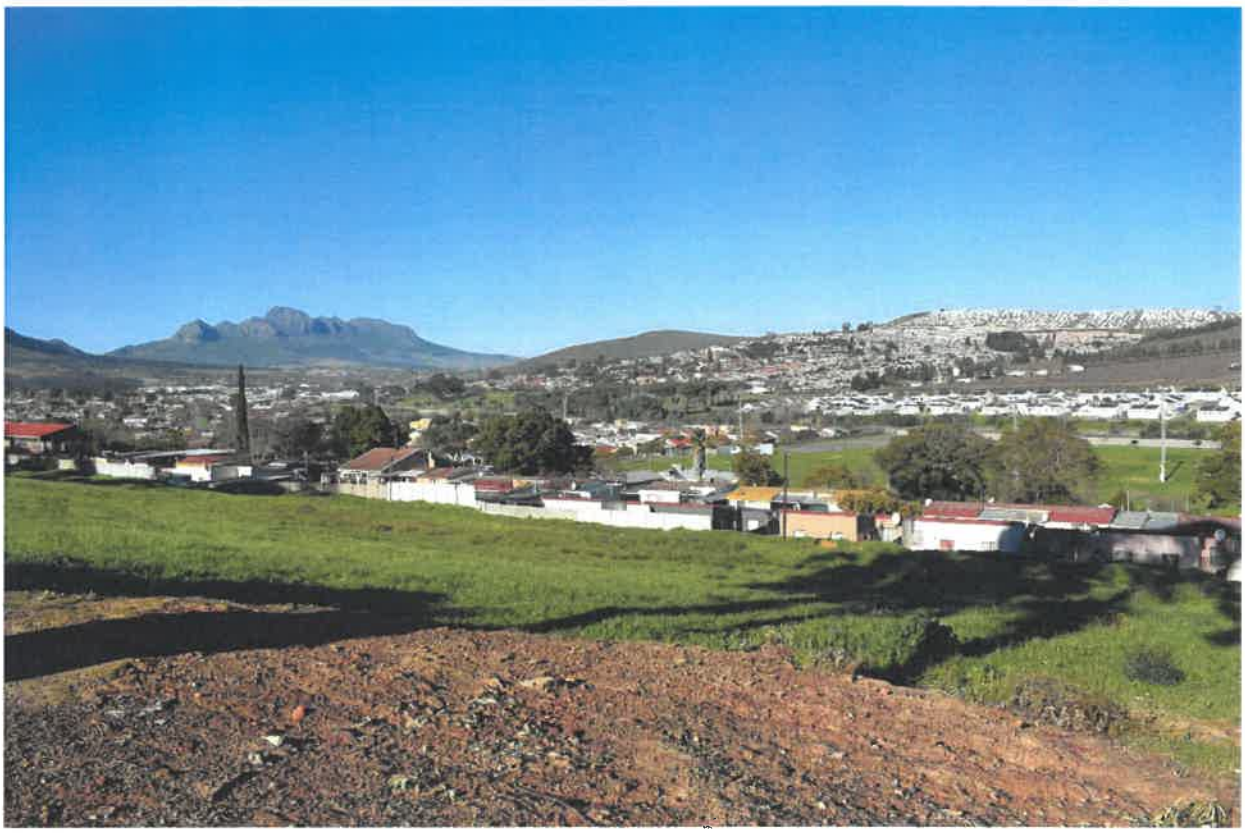


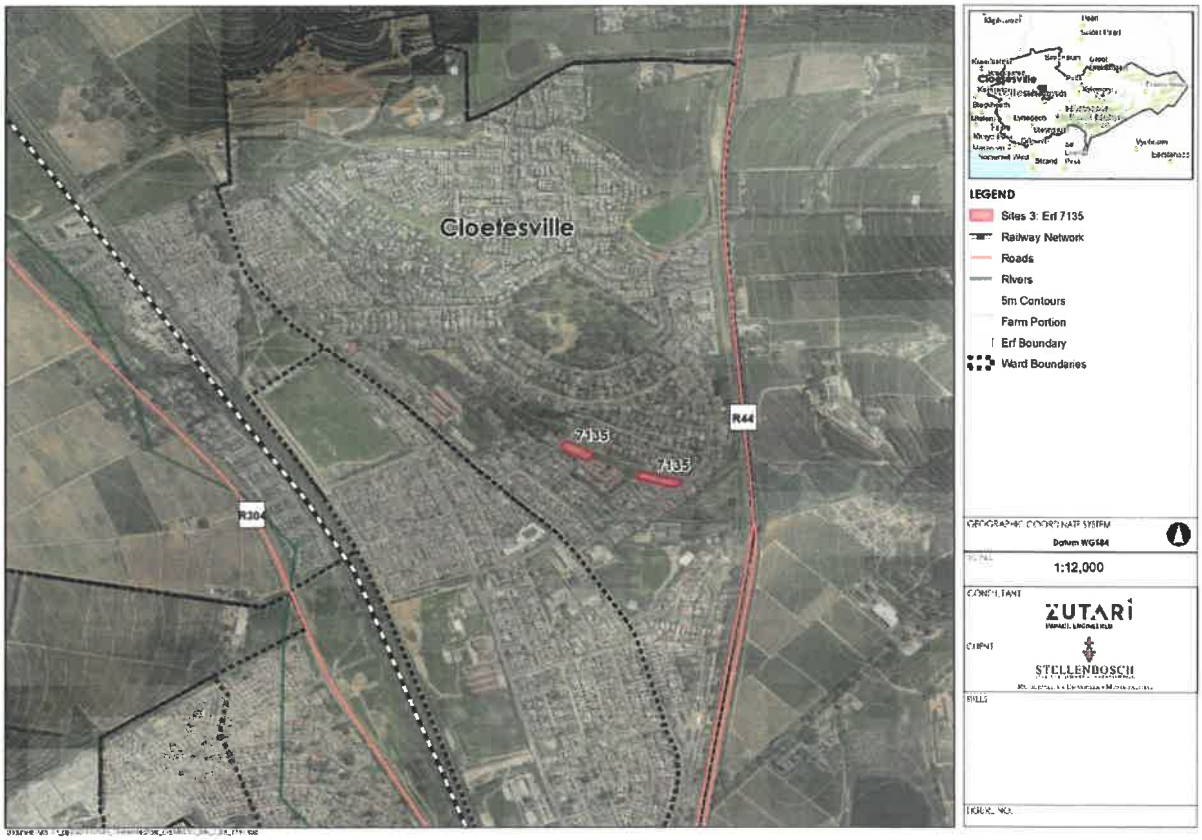
Figure 11: Erf 8915 View from Gabriels Road

4.1.3 Geotechnical findings

- The site is underlain by 'unconsolidated' transported material, and at depth, Malmesbury Group strata in the form of residual soils grading into very soft rock deeper into the profile;
- Conditions for the use of conventional spread footing foundations seated at shallow depth are not considered to be favourable, due to the presence of potentially expansive soils;
- Competent non expansive founding material generally underlies the site at a depth of 1,5m below existing ground level;
- The competent founding material ranges from residual soils and to very soft rock, all offering a bearing capacity of 150kPa;
- Stiffened concrete raft and conventionally seated spread footings can both be considered for support of the various buildings proposed;
- The clayey residual soils, although not highly expansive in the technical sense, should be considered susceptible to volumetric change under adversely fluctuating soil moisture conditions. The design of the buildings should be undertaken accordingly and allowance made for a degree of flexibility in the structures, irrespective of founding solution finally adopted; and
- Significant subterranean groundwater seepages can be expected during periods of high rainfall, runoff control and subsurface drainage considered an essential part of the design of the new development.

4.2 Site 3: Erf 7135

Erf 7135 (two separate pockets of land) is utilised as an open space, and is currently covered with grass, trees, and some urban furniture. There is a substation on one of the erven.



Map 6: Locality map site 3: Erf 7135

4.2.1 Land and Legal Screening

Land and Legal	
Erf Number:	Erf 7135
Site Extent:	3,445m^2
Ownership:	Municipal
Property Value:	R420,000
Title Deed Number:	T34918/1989
SG Diagram Number:	938/88
Restrictive Conditions:	The relevant Title Deed and SG Diagrams were screened to identify any elements that could potentially affect development on the Site. Erf 7135 is a public open space and is subject to conditions stipulated in Title Deed no. 34918/89. Here follows a summary of the conditions: • Section B(c), (d) and (e) - a 12.59 metre right of way; and • Section D (1) and (2) - water use rights. Refer to Annexure A for detailed deed information.
Ward:	17
Existing Land Use:	Open Space
Zoning	Undetermined

4.2.2 Environmental Screening

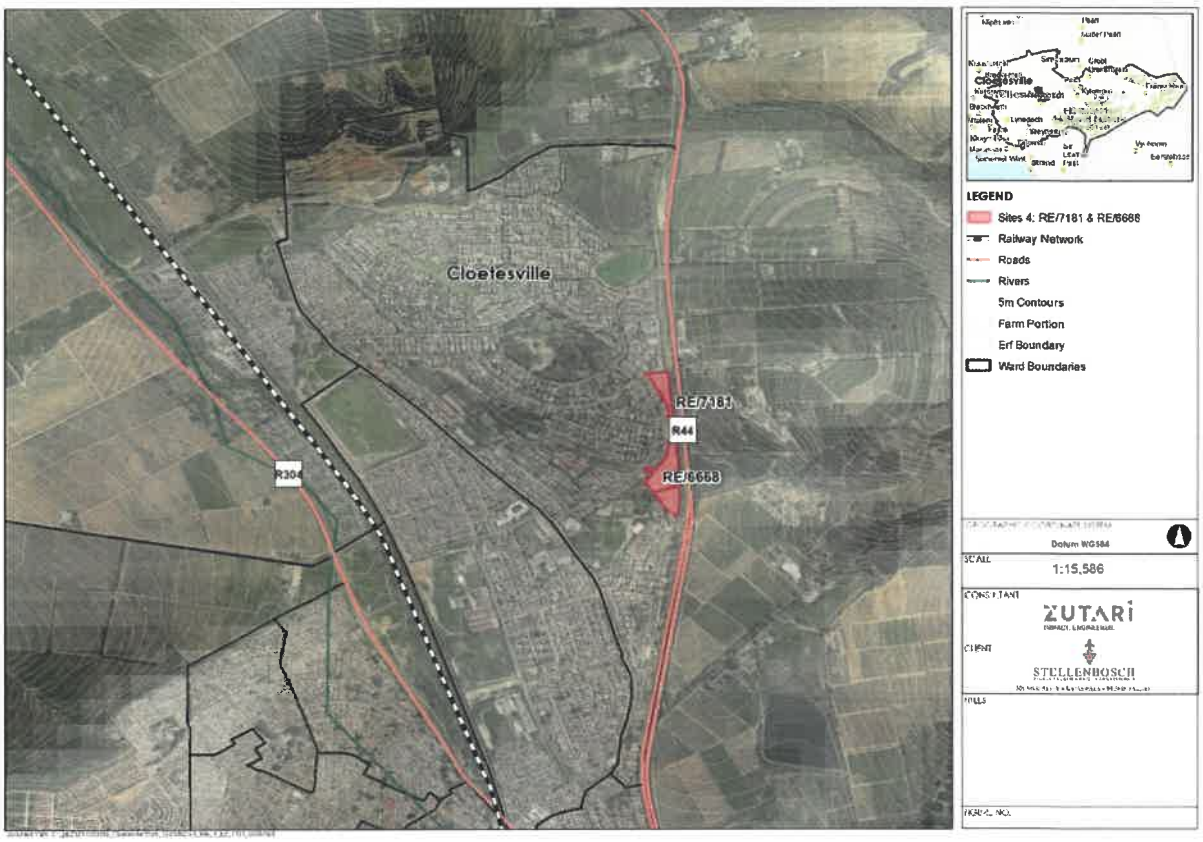
The site is currently undeveloped and is indicated to contain Swartland Shale Renosterveld vegetation which is a CR ecosystem. The site does however not seem to host any indigenous vegetation as it is largely disturbed, covered by kikuyu lawn and numerous pine trees are located on the site. The site does not fall within any CBAs or ESAs. The site falls within 500m of mapped NFEPA wetlands, however the two wetlands to the east of the site seem to be farm dams and not natural wetlands and are also located upstream of the site. It is therefore not believed that development at this site would have any impact on these.



Figure 12: Erf 7135 View from Ortell Road looking towards Rhode Road

4.3 Site 4: Erf 7181 and Erf 6668

Erf 7181 and erf 6668 are situated adjacent to the R44 arterial road and is in close proximity to Rietenbosch Primary School. The old Drakenstein road passes between the property and the R44. The site is relatively steep and located in close proximity to a wetland area. This wetland area is currently in a poor condition and there are several illegal dwelling units onsite. Currently there is no direct access to this property.



Map 7: Locality map site 4: Erf 7181 and Erf 6668

4.3.1 Land and Legal Screening

Land and Legal		
Erf Number:	Erf 7181	Erf 6668
Site Extent:	1.8458ha	5,105m²
Ownership:	Municipal	
Property Value:	R1,150,000	R330,000
Title Deed Number:	T37699/1983	
SG Diagram Number:	5142/79	
Restrictive Conditions:	Erf 7181 is subject to conditions stipulated in Title Deed no. T37699/1983. Here follows a summary of the conditions. Erf 7181 consists of: Figure q1, p1, c, d, e, f, g, h, j, k and l on SG no. 5142/79 • Section 3(B)(e) - usage of Plakkenberg River; and • Section 3(C) and 3(D) – water usage and servitude. There are a number of endorsements attached to the Title Deed. Refer to Annexure A for detailed deed information.	
Ward:	17	
Existing Land Use:	Vacant	
Zoning	Public Open Space	

4.3.2 Environmental Screening

The site is located adjacent to the R44, which is also a major tourist route in the area. Any future development of the site would therefore also have to consider the visual impact of the development.

The site is currently undeveloped and is mapped as Swartland Shale Renosterveld vegetation which is a CR ecosystem. The site does however not seem to host any indigenous vegetation as its largely disturbed and covered by kikuyu lawn. Numerous pine trees are located on the site. The site does not fall within any CBAs or ESAs, however there are small patches of CBA mapped to the east of the site - outside the site boundary. The site falls within 500m of mapped NFEPA wetlands, however the wetlands to the east and the north of the site seem to be farm dams and not natural wetlands and are also located upstream of the site. It is therefore not believed that development at this site would have any impact on these.

Pedestrian footpaths have been identified which contributes to erosion within the site. Furthermore, illegal dumping activities are taking place on the site.

There are two drainage lines located on the site. The drainage line to the south of the site appears to be near natural and no development should take place within 32m of this draining line. There is also a drainage line through the centre of the site which appears to be stormwater runoff from the R44 and would not be considered natural. Future development within 32m of the southern drainage line would require authorisation in terms of the National Environmental Management Act (NEMA), Act 107 of 1998.



Figure 13: Erf 7181 view from R44



Figure 14: Pedestrian path on Erf 7181

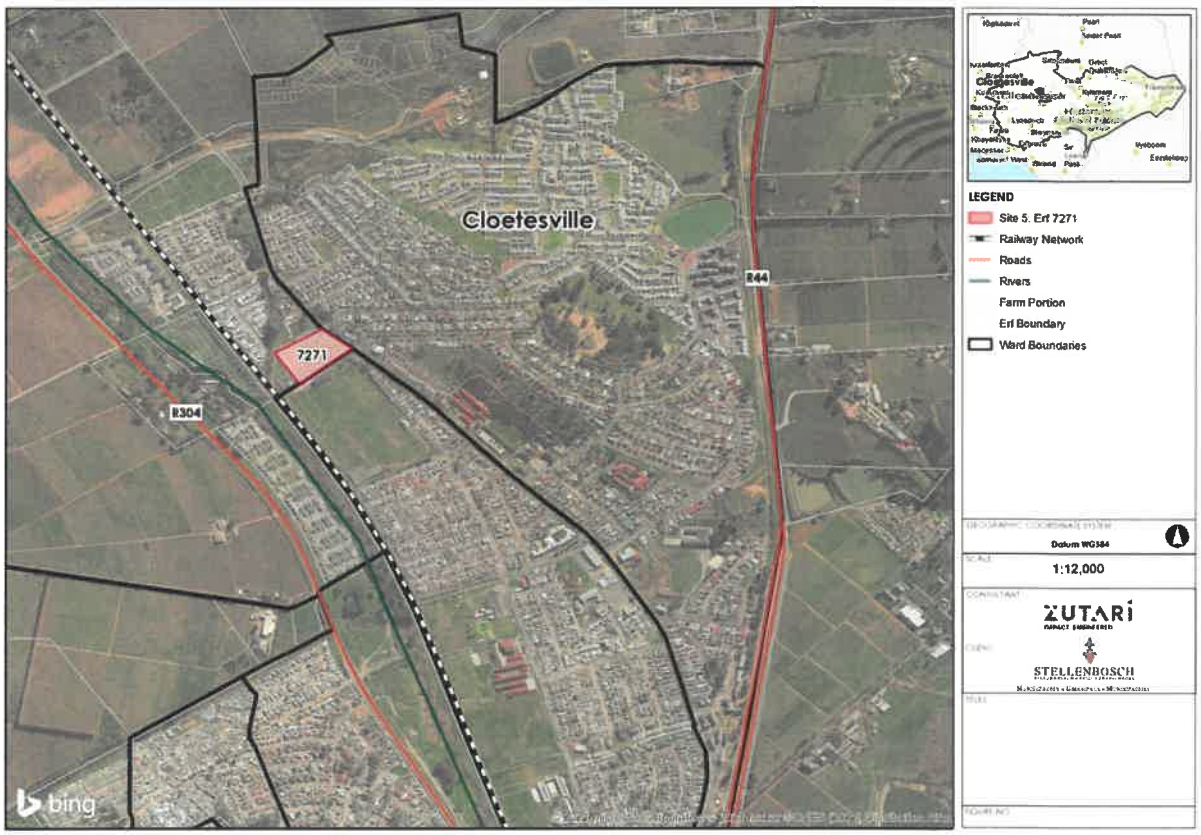
4.3.3 Geotechnical findings

- The site is underlain by 'unconsolidated' transported material, and at depth, Malmesbury Group strata in the form of residual soils grading into very soft rock deeper into the profile. Fill of poor quality mantles the naturally deposited soils locally;
- Conditions for the use of conventional spread footing foundations seated at shallow depth are not considered to be favourable, due to the presence of potentially expansive soils;

- Competent, non expansive founding material generally underlies the site at a depth of 1,0 to 1,5m below existing ground level;
- The competent founding material ranges from residual soils and to very soft rock, all offering a bearing capacity of up to 150kPa;
- Stiffened concrete raft and conventionally seated spread footings can both be considered for support of the various buildings proposed;
- The clayey residual soils, although not highly expansive in the technical sense, should be considered susceptible to volumetric change under adversely fluctuating soil moisture conditions. The design of the buildings should be undertaken accordingly, and allowance made for a degree of flexibility in the structures, irrespective of founding solution finally adopted; and
- Significant subterranean groundwater seepages can be expected during periods of high rainfall, runoff control and subsurface drainage considered an essential part of the design of the new development.

4.4 Site 5: Erf 7271

Erf 7271 is located on Long Street, behind Cloetesville sports ground. It is located in close proximity to Plakenberg River, which separates Smartie town from the site area. Opposite erf 7271 is a Muslim crèche and a park. This area has previously been used as a parking lot for the sports ground, more recently the area was earmarked to house 'Slab town'.



Map 8: Locality map site 5: Erf 7271

4.4.1 Land and Legal Screening

Land and Legal	
Erf Number:	Erf 7271
Site Extent:	16,030m^2
Ownership:	Municipal
Property Value:	
Title Deed Number:	T21038/ 1976
SG Diagram Number:	7445/71
Restrictive Conditions:	The relevant Title Deed and SG Diagrams were screened to identify any elements that could potentially affect development on the Site. In terms of the SG Diagram Erf 7271 are comprised of four (4) entities: • Portion 17 of farm 81 (Cloetesdal); • Remainder of portion 13 of farm 81 (Cloetesdal); • Portion 25 of farm 81 (Cloetesdal); and • Portion 14 of farm 81 (Cloetesdal). Erf 7271 is underpinned by a number of conditions as stipulated in the Title Deed. Here follows a summary of the conditions. The full details are annexed: • Section 1 (1) and (2) – water use rights; • Section 2 (B)(c) and 2(C)(d) – 12,59 meter right of way; • Section 2 (D)(f) – right of way; • Section 2 (F) – endorsement; • Section 3 – water use rights; • Section 4 (B)(e) – 12.,59 meter right of way; and • Section 4 (C) – water use rights. Refer to Annexure A for detailed deed information, Title Deed no: T21038/1976.
Ward:	16
Existing Land Use:	Vacant, parking, sports field
Zoning	Undetermined

4.4.2 Environmental Screening

The site is currently undeveloped and is mapped as Swartland Shale Renosterveld vegetation which is a CR ecosystem. The site does however not seem to host any indigenous vegetation as it is largely disturbed and covered by kikuyu lawn. The site does not fall within any CBAs, however there is an ESA to the west of the site along the stream (approximately 100m from the site) which should be avoided. Illegal dumping activities are taking place on the site.

It is recommended that a freshwater ecologist determines the level of risk to aquatic ecosystems before future development is considered for the site. Should the risk be *low*, then a general authorisation would be required in terms of Section 21 of the National Water Act, Act 36 of 1998.

Furthermore, future development within 32m of the stream would require authorisation in terms of the National Environmental Management Act (NEMA), Act 107 of 1998.



Figure 15: Erf 7271

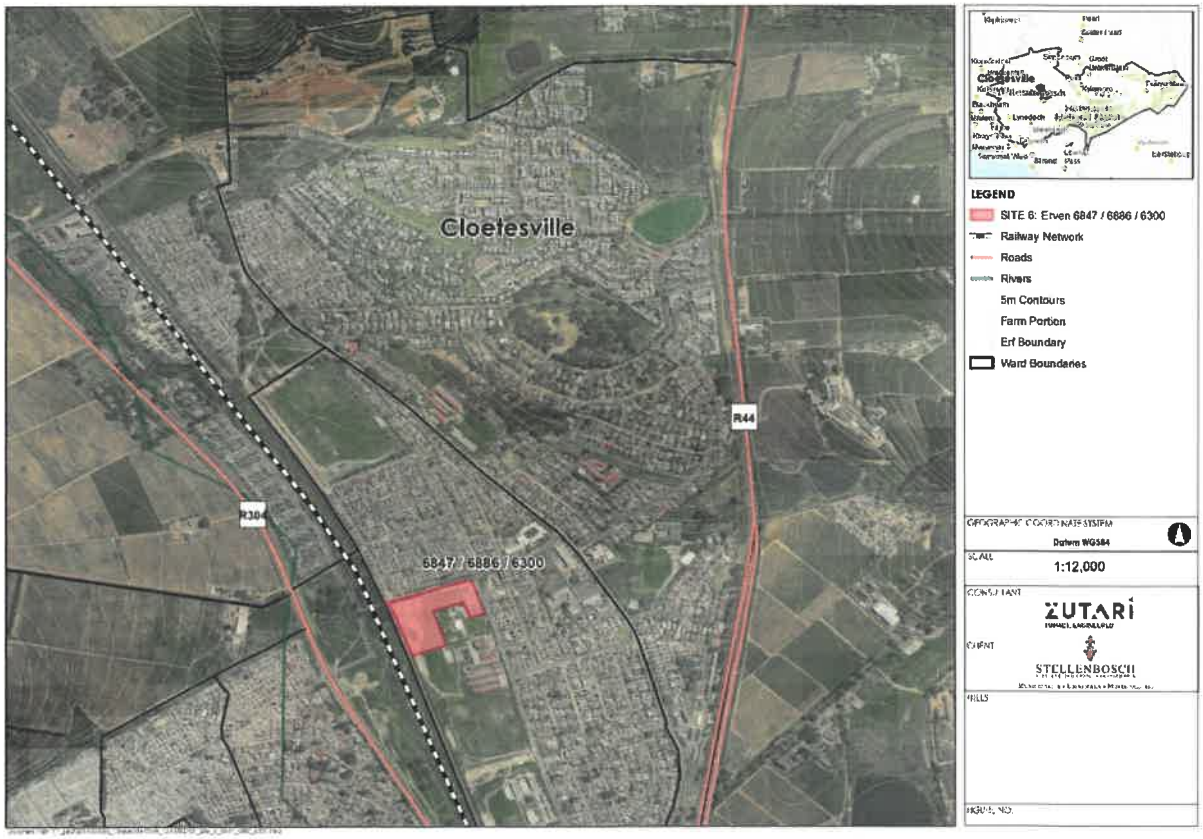
4.4.3 Geotechnical findings

- The site development area is underlain by compressible naturally transported soils which are mantled by variable fill up to 0,3mm thick;
- Settlement of the order of 10 to more than 20mm are anticipated where founding conventionally. Founding improvements include the use of soil rafts or founding at depth;
- None of the development area soils can be re-used on site. Base, subbase, selected subgrade and pipe bedding must all be imported;
- Groundwater levels recorded ranged from 1,35 to 2,7m depth but can be expected to rise to ground level during the rainy season;
- Excavation conditions will classify as 'soft excavation' in terms of SANS 1200D for the bulk of site soils with some intermediate material exposed locally; and
- The site development area will classify as 'S1' to'S2' in terms of the National Home Builders Registration Council (NHBRC) residential site class designation.

4.5 Site 6: Erven 6886, 6300 and 6847

Erven 6886, 6300 and 6847 are located between the railway line and Curry Road and adjacent to Cloetesville swimming pool and tennis courts. The swimming pool facility and the identified erven are directly situated behind the Cloetesville High School. Moreover, the swimming facility is clustered with a park and outdoor gym. Many attempts have been made to start a skateboard park in one of the tennis courts as the tennis courts are constantly affected by acts of vandalism. However, the outdoor gym is being used effectively and the vacant land is used as a hangout area for the youth. The area is monitored by houses on Last Street (street adjacent to swimming pool and vacant land), should matters get out of hand, law enforcement is called. Concerns raised were the lack of recreational activities for youths in the community.

The Surveyor General Plan No. 9620/67 indicates Erf 6847 is a public place and an application to the Surveyor General for the closure of public place should be submitted prior to the development of this erf.



Map 9: Locality map site 6: Erven 6886, 6300 and 6847

4.5.1 Land and Legal Screening

Land and Legal			
Erf Number:	6886	6300	6847
Site Extent:	Municipal	Municipal	Municipal
Ownership:	5,195m²	1,730m²	3.3187ha
Property Value:	R520,000	1,000	R7,541,000
Title Deed Number:	T10639/1987	T10640/1987	DUM
SG Diagram Number:	862/81	860/81	863/81 SG Diagram 9620/67
Restrictive Conditions: **Erf 6886**	Erf 6886 is subject to conditions stipulated in the Title Deed. Here follows a summary of the conditions. The full details are annexed: • Section B(c)(d)(e) - a 12.59 metre right of way; • Section C – water use rights; and • Section D (1) and (2) – water use rights. Refer to Annexure A for detailed deed information, Title Deed no: T10639/1987.		
Restrictive Conditions: **Erf 6300**	Erf 6300 is subject to conditions stipulated in the. Here follows a summary of the conditions. The full details are annexed: • Section B(c)(d)(e) - a 12.59 metre right of way; • Section C – water use rights; and • Section D (1) and (2) – water use rights. Refer to Annexure A for detailed deed information, Title Deed no: T10640/1987.		
Restrictive Conditions: **Erf 6847**	Erf 6847 is subject to conditions stipulated in Title Deed no. DUM. Erf 6847, Stellenbosch are represented by figure AadT as per the LG. No. 883/81. There are no conditions pertaining Erf 6847, however there is referred to a few endorsements on the general plan 7873.		
Ward:	16		
Existing Land Use:	Vacant	Open Space	Vacant
Zoning	Undetermined	Private Open Space	Undetermined

4.5.2 Environmental Screening

This site is located adjacent to the Cloetesville Public Swimming Pool and an outdoor gym area. The site is flat and transformed by footpaths which result in increased run-off. A significant amount of illegal dumping was observed on the site. The site is also close to a railway line.

The site is currently undeveloped and is mapped as Swartland Shale Renosterveld vegetation which is a CR ecosystem. The site is however largely disturbed and covered by kikuyu lawn and other invasive species. The site does not fall within any CBAs or ESAs nor does it fall within 500m of mapped NFEPA wetlands. The site's most western section is located within 100m from a stream, however there is a railway line between the site and the stream, and it is therefore not anticipated that any work undertaken at the site would have an impact on the stream. However, a detailed assessment is required to determine if any authorisation in terms of Section 21 of the National Water Act (NWA), Act 36 of 1998 is required.



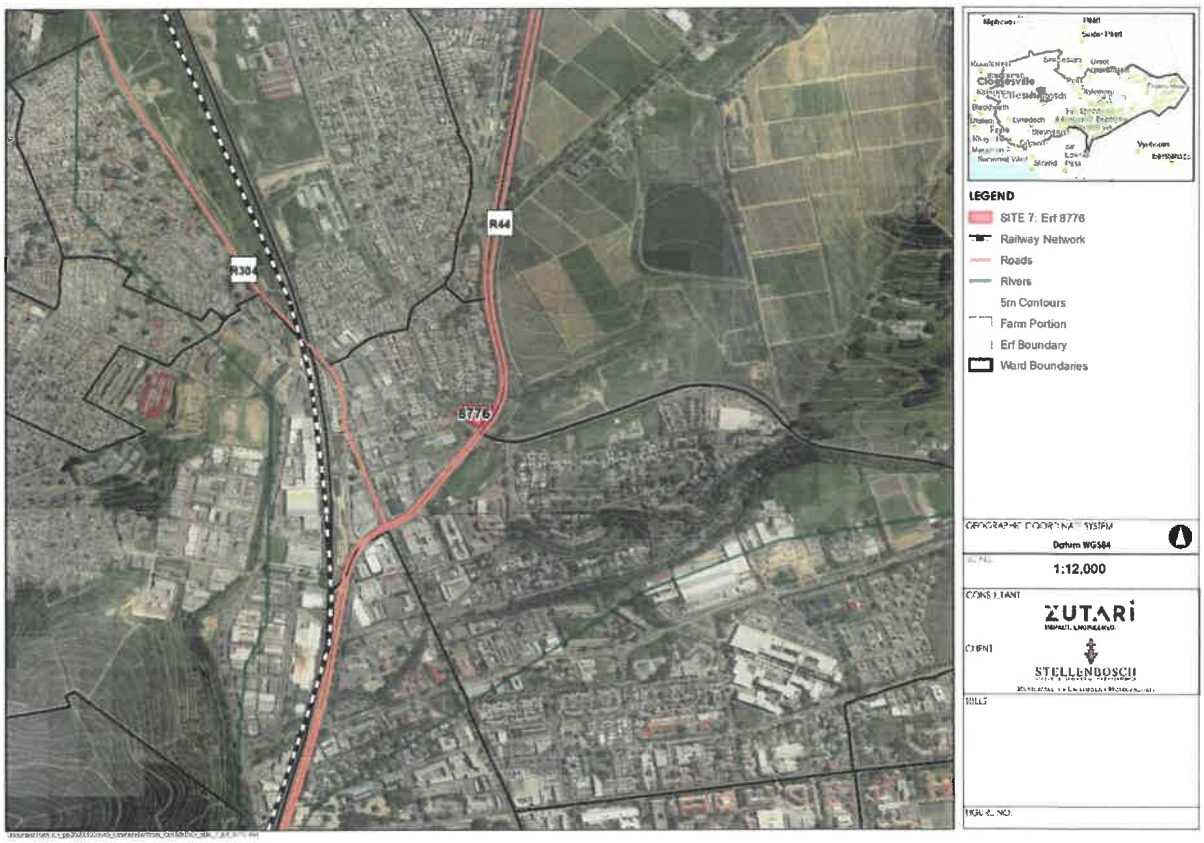
Figure 16: Erf 6886, 6300 and 6847 facing west

4.5.3 Geotechnical findings

- The site development area is underlain by compressible naturally transported soils which are mantled by variable fill up to 0,55mm thick;
- Settlement of the order of 45mm are anticipated where founding conventionally. Founding improvements include the use of soil rafts or piling;
- Only the fill material, where selected, can be used as G9 material. Base, subbase selected subgrade and pipe bedding must all be imported;
- Groundwater levels recorded levels ranged from 1,4 to 2,8m depth but can be expected to rise to ground level during the rainy season;
- Excavation conditions will classify as 'soft excavation' in terms of SANS 1200D; and
- The site development area will classify as 'S2' in terms of the residential site class designation.

4.6 Site 7: Erf 8776

Erf 8776 erf is located on a four-way traffic intersection, Adam Tas Road and Helshoogte Road. Concerns raised relate to the existing park and wall that have great significance to Cloetesville as a community.



Map 10: Locality map site 7: Erf 8776



Figure 17: Erf 8776 View from Langstraat Suid Road

4.6.1 Land and Legal Screening

Land and Legal	
Erf Number:	8776
Site Extent:	3,419m^2
Ownership:	Municipal/Sub division
Property Value:	R750,000
Title Deed Number:	DUM
SG Diagram Number:	3706/86
Restrictive Conditions:	Erf 8776 is subject to conditions stipulated in the Title Deed. Here follows a summary of the conditions. The full details are annexed: There are no conditions pertaining Erf 8776, however, there are endorsements stipulated in General Plan No.11439 Refer to annexure for detailed deed information, Title Deed no: DUM.
Ward:	10
Existing Land Use:	Open Space
Zoning	Public Open Space

4.6.2 Environmental Screening

This site is an existing park (Tennantville Park) and is located at the intersection of Lang Straat and Adam Tas Road and includes an outdoor gym area. The site is fenced and is fairly disturbed with kikuyu lawn.

The site is mapped as Swartland Shale Renosterveld vegetation which is a CR ecosystem. The site does however not appear to host any indigenous vegetation due to the presence of kikuyu lawn. The site does not fall within any CBAs however, there is an ESA to the north of the site along the stream which should be avoided.

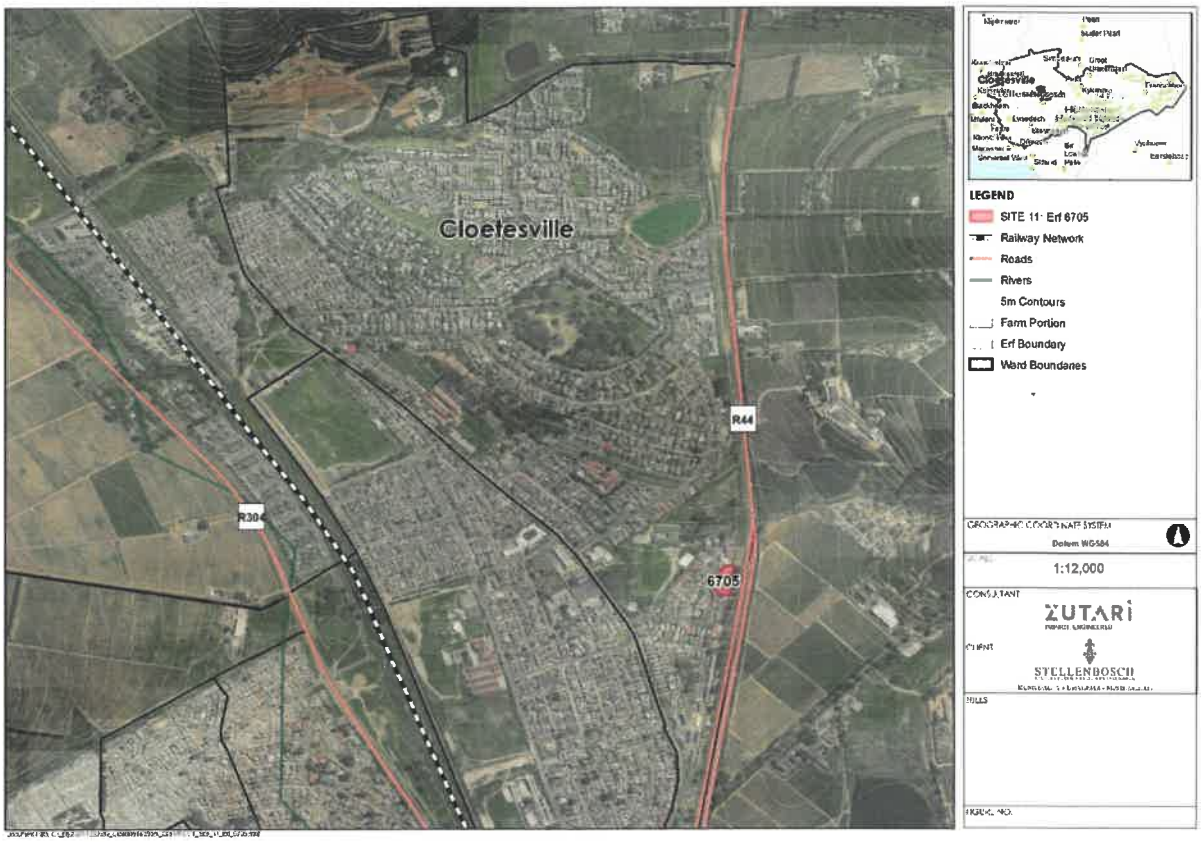
The site does not fall within 500m of mapped NFEPA wetlands; however, the site is located within 100m of a stream. It is noted though that the natural course of the stream, west of the R44, has been completely transformed and the flow seems to be redirected on the eastern side of the R44, not allowing the stream to flow towards the site. For this reason, it is not believed that development at this site would have an impact on the stream to the east, also considering the site is downslope of the stream.

4.6.3 Geotechnical findings

- The development area is mantled by variable fill of up to 1,45m thick which is underlain by naturally transported firm to stiff slightly clayey sandy silt to variably silty fine grained sand of alluvial origin;
- Settlements of the order of 10 - 20mm are anticipated where founding conventionally. Founding improvements include the use of soil rafts or founding at depth. Minor foundation movement associated with the underlying presence of moderately expansive clayey soils can also be anticipated;
- None of the site soils can be re-used on site. Base, subbase, selected subgrade and pipe bedding must all be imported;
- Groundwater recorded ranged from 1,35 to 2,7m depth but can be expected to rise to within 1,0m of the existing ground level during the rainy season;
- Excavation conditions will classify as 'soft excavation' in terms of South African National Standards (SANS) 1200D; and
- The site development area will classify as 'S1' in terms of the residential site class designation.

4.7 Site 11: Erf 6705

Erf 6705 is a triangular shaped erf with access from Wilger Road. Located to the north, north west and south of the site are residential erven measuring between 450m² and 510m². The site is relatively flat and vacant.



Map 11: Locality map site 11: Erf 6705

4.7.1 Land and Legal Screening

Land and Legal	
Erf Number:	Erf 6705
Site Extent:	3,167m^2
Ownership:	Municipal
Property Value:	R200,000
Title Deed Number:	T31788/1973
SG Diagram Number:	SG No. 9620/67 and General Plan No. 7873
Restrictive Conditions:	Erf 6705 is subject to conditions stipulated in the Title Deed. The full details are annexed. Erf 6705 is subject to the following conditions: • Burial rights • Water rights; • The right to allow cattle to drink in the Plakenberg River and for pumping water from the River for household purposes; • Right of way of a 30 foot wide road - which intended use will not be an exclusive use; • Cemetery servitude depicted by the figure p, q, r, s, is on Diagram No. 1544/71; • The aforementioned endorsement states that 'rights to use of a road, erection of electric light poles, laying water pipes and use of water in a bore hole on the remainder of the property have been given to the owner for the time being of the property thereby conveyed subject to the conditions as will more fully appear on reference to the said transfer and relative diagram; • Section 6 (V)(C) - In terms of figure l'm'n'e' on Diagram No. 1544/71; are NOT entiled to the benefit of the servitude as referred to in the endorsement dated 6th June 1941 in the Title Deed No. 9594 dated 30th October 1934 in terms of Article 28 of Act 101/1969; • The Owners and their successors in title as well as such persions are entitled to visit the Cemetery or burying ground situate on the said Lot Cloetesdal Proper, shall be entitled to the use of the crossing the said Land along the Western boundary thereof and marked "Road 30' wide"'; • Water pipe servitude; and • Right of Way servitudes. Refer to Annexure A for detailed deed information.
Ward:	17
Existing Land Use:	Vacant
Zoning	Public Open Space

4.7.2 Environmental Screening

The site is located adjacent to the R44, which is also a major tourist route in the area. Any future development of the site would therefore also have to consider the visual impact of the development. The site is a vacant with large pine trees along the eastern boundary.

The site is currently undeveloped and is mapped as Swartland Shale Renosterveld vegetation which is a CR ecosystem. The site does however not seem to host any indigenous vegetation as its largely disturbed and

covered by kikuyu lawn. The site does not fall within any CBAs or ESAs. The site falls within 500m of mapped NFEPA wetlands, however the wetlands to the north east of the site, on the other side of the R44, appears to be farm dams and not natural wetlands. Furthermore, the farm dams are located upstream of the site. It is therefore believed that the future development of the site would not have any impact on these dams. There are no drainage lines or streams nearby.



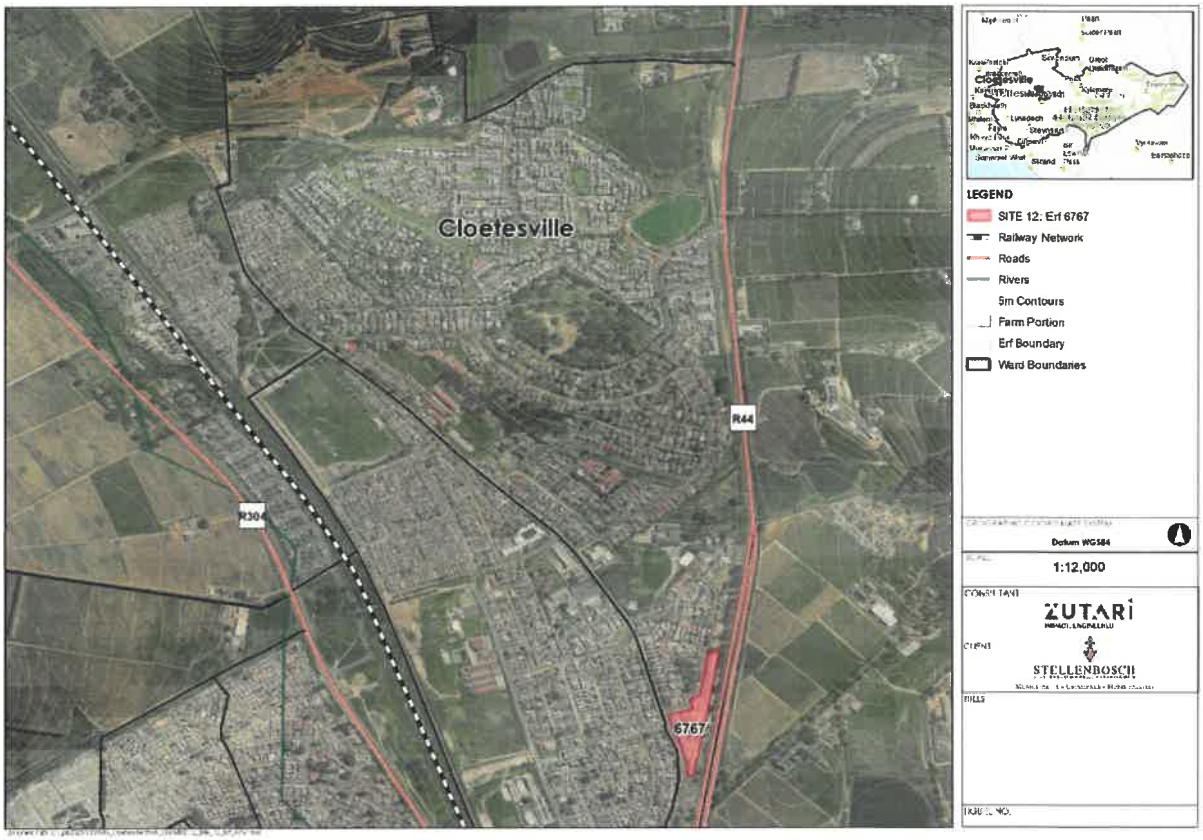
Figure 18: Erf 6705 View from Wilger Road facing R44

4.7.3 Geotechnical findings

- The site is underlain by a relatively thin layer of 'unconsolidated' transported material and fill, and at depth, Malmesbury Group strata in the form of residual soils;
- Conditions for the use of conventional spread footing foundations seated at shallow depth are not considered to be favourable, due to the presence of potentially expansive soils;
- A soil raft and shallow founding or modified construction on spread footings can both be considered for support of the various buildings proposed;
- The clayey residual soils, although not highly expansive in the technical sense, should be considered susceptible to volumetric change under adversely fluctuating soil moisture conditions. The design of the buildings should be undertaken accordingly and allowance made for a degree of flexibility in the structures, irrespective of founding solution finally adopted; and
- Significant subterranean groundwater seepages can be expected during periods of high rainfall, runoff control and subsurface drainage considered an essential part of the design of the new development.

4.8 Site 12: Erf 6767

Erf 6767 is a triangular shaped erf located along the R44. Currently a number of apartment blocks are located on the site.



Map 12: Locality map site 12: Erf 6767

4.8.1 Land and Legal Screening

Land and Legal	
Erf Number:	Erf 6767
Site Extent:	1.4685ha
Ownership:	Municipal
Property Value:	R12,666,000
Title Deed Number:	T31788/1973
SG Diagram Number:	SG No. 9620/67 and General Plan No. 7873
Restrictive Conditions:	Erf 6767 is subject to the following Title Deed conditions: • Burial rights • Water rights; • The right to allow cattle to drink in the Plakenberg River and for pumping water from the River for household purposes; • Right of way of a 30 foot wide road - which intended use will not be an exclusive use; • Cemetery servitude depicted by the figure p, q, r, s, is on Diagram No. 1544/71;

	• The aforementioned endorsement states that 'rights to use of a road, erection of electric light poles, laying water pipes and use of water in a bore hole on the remainder of the property have been given to the owner for the time being of the property thereby conveyed subject to the conditions as will more fully appear on reference to the said transfer and relative diagram; • Section 6 (V)(C) - In terms of figure l'm'n'e' on Diagram No. 1544/71; are NOT entiled to the benefit of the servitude as referred to in the endorsement dated 6th June 1941 in the Title Deed No. 9594 dated 30th October 1934 in terms of Article 28 of Act 101/1969; • The Owners and their successors in title as well as such persions are entitled to visit the Cemetery or burying ground situate on the said Lot Cloetesdal Proper, shall be entitled to the use of the crossing the said Land along the Western boundary thereof and marked "Road 30' wide"'; • Water pipe servitude; and • Right of Way servitudes. Refer to Annexure A for detailed deed information.
Ward:	17
Existing Land Use:	14 Apartment blocks
Zoning	Multi-unit Residential

4.8.2 Environmental Screening

The site is located adjacent to the R44, which is also a major tourist route in the area. The site is already transformed with residential buildings and a substation located on the site and would already have a visual impact on road users and the surrounding area.

The site is currently developed but is mapped as Swartland Shale Renosterveld vegetation which is a CR ecosystem. The site does however not seem to host any indigenous vegetation as its largely developed and covered by kikuyu lawn. The site does not fall within any CBAs or ESAs. The site falls within 500m of mapped NFEPA wetlands, however the wetlands to the north east of the site, on the other side of the R44, appears to be a farm dams and not natural wetlands. Furthermore, the farm dams are located upstream of the site. It is therefore believed that the future development of the site would not have any impact on these dams. There are no drainage lines or streams nearby.

5 Site screening findings

Based on the initial screening there are 3 sites that are faced with factors that affect the development potential and will be excluded from further investigations:

- Site 3 -This site dimentions as well as the topography makes this site unfeasible for any kind of development and should remain vacant.
- Site 12: This site has existing buildings located on site with insufficient space for additional development (within the parameters of the Stellenbosch Municipal Zoning Scheme By-Law, 2019). The client requested that Erf 6766, across from Site 12 also be considered, however there is currently play equipment on the site. This play park is the only park where children can play and should therefore not be developed. Aside from the play park area, there is not enough land available for development.

Two additional sites have been identified which could potentially be considered as alternative sites for future human settlement develop:

- Remainder Farm 173: This site is located near the R44 and Helshoogte road intersection. The site forms part of a larger farm, however the portion indicated on the map below could potentially be developed. This portion of the Farm is also located within the Restructuring Zone.
- Remainder Farm 16455: This site is located south of Helshoogte road across from Remainder Farm 173. This site has access from Dr Malan Road and future development could blend in with the existing development to the south and east of the site.

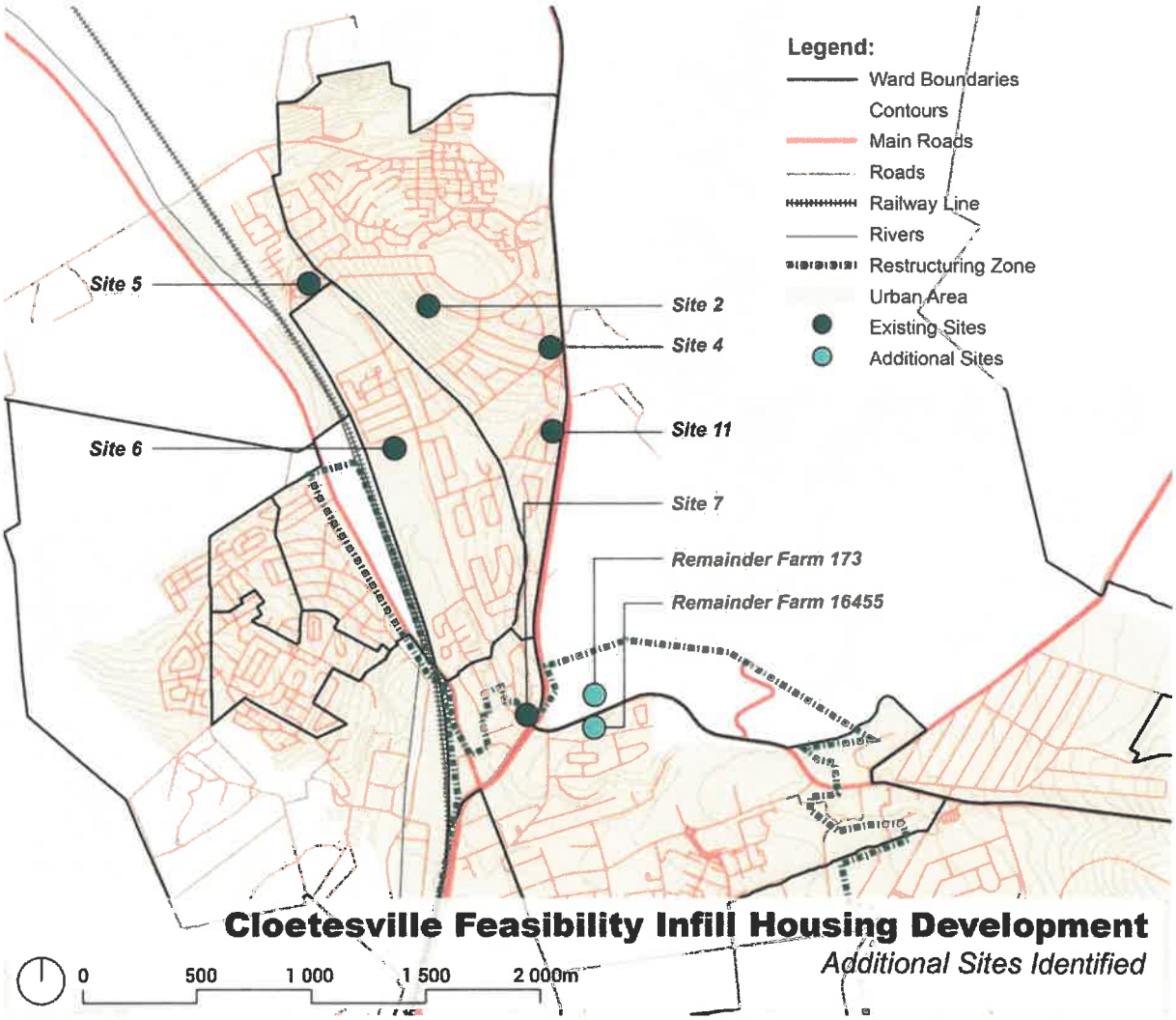


Figure 19: Additional sites identified

6 Conceptual layout and recommendation

Conceptual layouts for the remaining six sites were developed. Each site provides unique opportunities for human settlement development and provides a mix of residential opportunities. As mentioned earlier, the topography and soil conditions pose a significant constraint for future development for many of the sites, however the various site constraints have been considered and the following concept layouts have been prepared.

6.1 Site 2: Erf 8915

6.1.1 Site features

Site 2 is 49,607 m² and has a very irregular shape which could impact the design of the houses. The site is located along a steep slope (slope range from 165m to 135m) and a large number of mature trees are located on the site. A sewer network traverses the site along the western boundary and one sewer line cuts down towards the school south of the site. There are two storm water channels traversing the northern portion of the site. Existing apartment blocks are found on the southern portion of the site. The site has two potential access points: one along Gabriels Road at the northern side and the second access point is along Rhode Road at the southern side of the site.



Figure 20: Site 2 - Physical features

6.1.2 Concept

Due to the significant slope on site, it is proposed that single residential erven be developed on the site. The orientation of the erven should follow the contours to reduce bulk earth works and reduce required platforms. The proposed erf sizes are 17m x 10m which provides ample space for the platforms with retaining walls, sewer servitude, on-site parking as well as the dwelling house. The proposed layout orientates the new erven along the north eastern boundary of the site. These newly created erven will provide line of site over the remainder of the site and therefore act as a security feature. In total 84 Breaking New Ground (BNG) units can be accommodated on the site. Depending on the socio-economic profile of the beneficiaries and potential available subsidies. These sites can also be develop as part of the Upgrading of Informal Settlements Program (UISP) and the Stellenbosch Municipality would then be required to provide serviced sites (water, sewer and electrical connection) to the beneficiary.

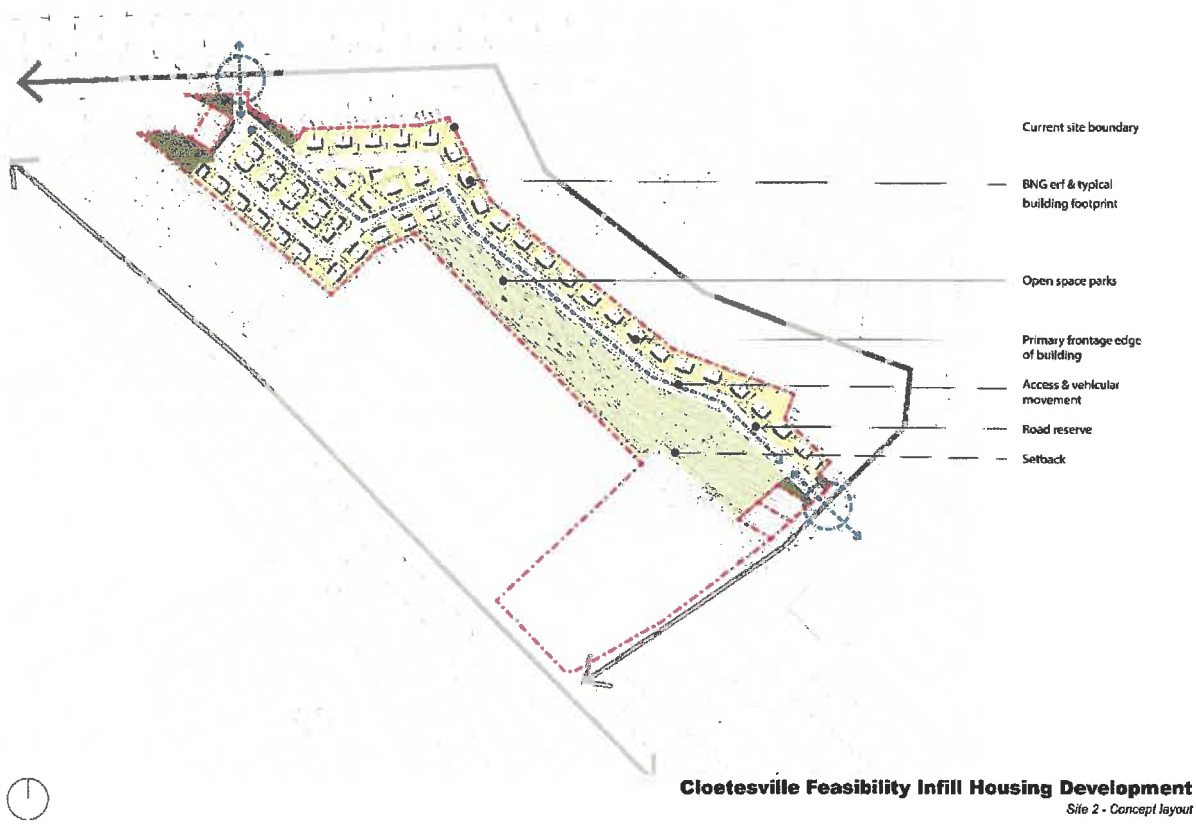


Figure 21: Site 2 - Concept layout

6.1.3 Statutory planning

In terms of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019 the site is zoned Public Open Space and therefore a township establishment application would be required. It is expected that application for the following would be required:

- Closure of Public Open Space;
- Rezoning to Subdivisional Area;
- Subdivision of Erf 8915 to make provision for the 84 residential units, public open space, roads as well as the existing apartment blocks; and
- Rezoning of the BNG erven to Conventional Residential Zone. The road should be zoned Public Roads and Parking Zone. The southern portion of the property where the existing apartments are located should be zoned Multi-unit Residential Zone and the remainder of the property should be zoned Public Open Space Zone.

6.1.4 Recommendation

Although it is expected that Site 2 will be very costly to develop (due to the poor soil condition and subsequent required bulk earth works) it is recommended that the Stellenbosch Municipality develops the Site for either BNG units or only serviced sites, depending on the subsidy quantum.

6.2 Site 4: Erf 7181 and Erf 6668

6.2.1 Site features

Site 4 measures approximately 2.35ha in extent. The site has a triangular shape which could impact the design of the houses. The site is located along a relatively steep slope (slope range from 170m to 140m). Other features on the site include a number of embankments, a pedestrian walking path as well as a watercourse traversing the southern portion of the site. An existing sewer network runs along the western site boundary to provide services to the existing erven.

The only access point is situated along Williams Road between erf 7047 and erf 7296, however there is currently not sufficient space for a 10m road reserve and it is suggestion that Stellenbosch Municipality acquires a portion of erf 7047 to construct the access road;thereby unlocking the development potential of the site.



Figure 22: Site 4 - Physical features

6.2.2 Concept

The northern portion of the site does not possess any development potential since the site is very narrow and it would become very costly to provide services for a limited number of housing stands. Another area

that is excluded from development is the southern portion of the site where the watercourse traverses the site. It should be noted that a 150m buffer along the watercourse should be applied. Therefore, only approximately 50% of the site is developable.

The developable portion of the site allows for a mix of opportunities in the form of single residential erven and high-rise apartment buildings. The orientation of the erven should follow the contours to reduce bulk earth works and reduce required platforms. The proposed erf sizes are 17m x 10m which provides ample space for the platforms with retaining walls, sewer servitude, on-site parking as well as the dwelling house. The soil conditions of the site are also relatively poor as such the high-rise GAP units proposed along the southern portion of the site should not exceed 3 storeys. In total 17 BNG units and 65 GAP units can be accommodated on the site. Depending on the socio-economic profile of the beneficiaries and the available subsidies, these sites can also be developed as part of the UISP and the Stellenbosch Municipality would then be required to provide serviced sites (water, sewer and electrical connection) to the beneficiary. The GAP units can be developed by the Municipality or the land can be sold to the Social Housing Regulatory Authority (SHRA) which provides rental accommodation to people earning between R1,500 and R15,000 per month.



Figure 23: Site 4 - Concept layout

6.2.3 Statutory planning

In terms of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019 the site is zoned Public Open Space and therefore a township establishment application would be required. It is expected that application for the following would be required:

- Closure of Public Open Space;
- Consolidation of erf 7181 and erf 6668;
- Rezoning to Subdivisional Area;
- Subdivision of the consolidated property to make provision for the 17 residential units, 2 high-rise apartment building, public open space and roads; and
- Rezoning of the BNG erven to Conventional Residential Zone, the erf with the GAP units should be zoned Multi-unit Residnetial Zone, the road should be zoned Public Roads and Parking Zone and the remainder of the erf should be zoned Public Open Spa Zone.

6.2.4 Recommendation

It is expected that Site 4 will require significant bulk earth works and therefore be relatively costly to develop. As such, it is recommended that Stellenbosch Municipality sell the land to SHRA or a private developer who will be able to offset the development cost by developing more expensive residential units.

6.3 Site 5: Erf 7271

6.3.1 Site features

Site 5 measures approximately 16,030m² with a relative square shape. The north western portion of the site is in close proximity to a watercourse which will impact on the developability of this area and in the south western corner is existing Stellenbosch Municipal containers. There are sewer network and storm water networks onsite. The sewer networks run parallel to the western and southern site boundary whilst the sewer network runs along the northern boundary. The sewer network is located approximately 12m from the site boundary and may impact on the developability of this area. A pedestrian walking path traverses the site and leads from the centre of Cloetesville to Smartie town located west of the site. Access can potentially be obtained from Lang Road and there is a possibility of two access points.



Figure 24: Site 5 - Physical features

6.3.2 Concept

Site 5 has potential for a mixed residential development. A row of single residential or BNG units located along the northern and eastern boundary of the site with the remainder of the site comprising of high-rise GAP units. It is expected that a total of 16 BNG units and 152 GAP units can be developed on the site, however significant relaxation of the parking requirement will be required. Each high-rise building is designed with an internal courtyard which provide safe recreational space. The design of the concept plan makes provision for a number of pedestrian walkways that can be used by the residents of Smartie Town.

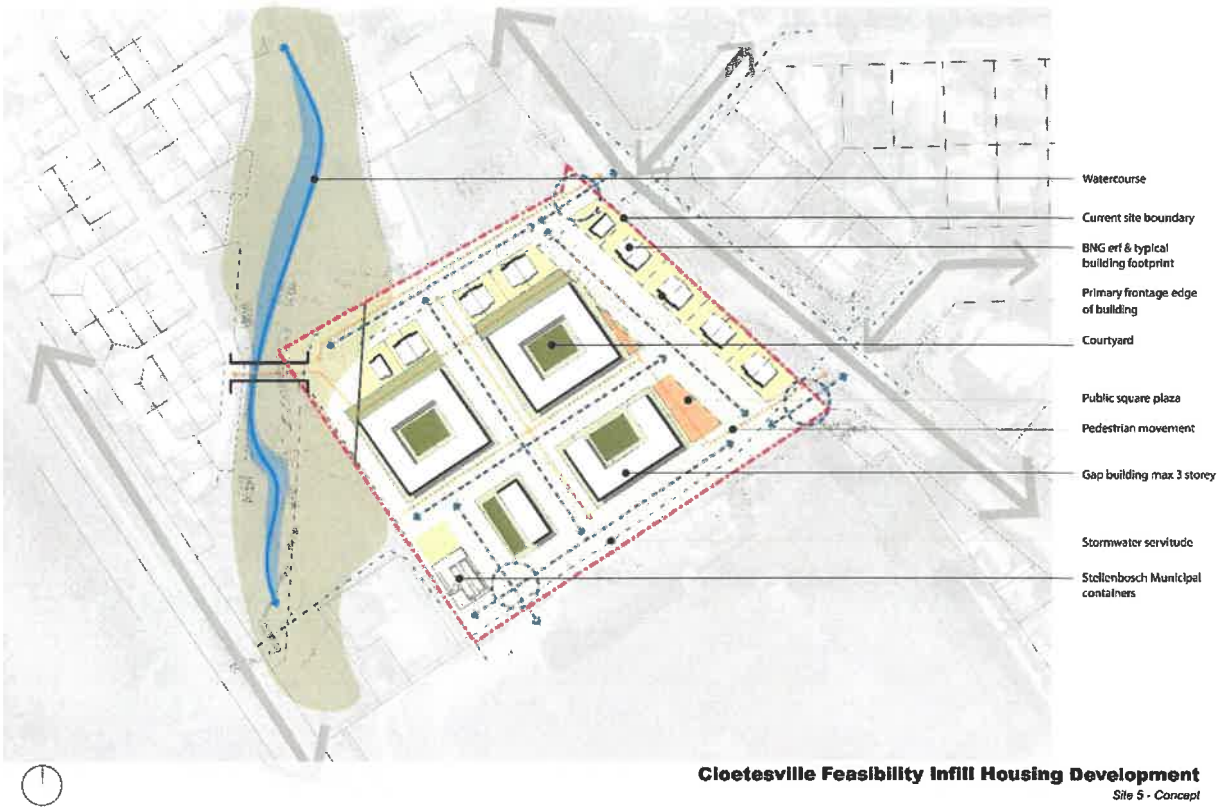


Figure 25: Site 5 - Concept layout

6.3.3 Statutory planning

In terms of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019 the site has a Community Zone and as such a township establishment application would be required. It is expected that application for the following would be required:

- Rezoning to Subdivisional Area;
- Subdivision of the consolidated property to make provision for the 16 residential units, 4 high-rise apartment building, public open space and roads; and
- Rezoning of the BNG erven to Conventional Residential Zone and the erf with the GAP units should be zoned Multi-unit Residential Zone and the erf with the Municipal containers should be rezoned to Utility Service Zone.

6.3.4 Recommendation

Site 5 is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface, is expecting to impact the cost of construction. The site makes allowance for a substantial number of units and is therefore a more attractive site for a private developer, however, Stellenbosch Municipality can determine the detailed development costs before making a final decision regarding procurement and development packaging.

6.4 Site 6: Erven 6886, 6300 and 6847

6.4.1 Site features

Site 6 measures approximately 3.2ha with a relatively square shape and is located east of the existing railway line. There are a number of physical structures and features located on the site. An outdoor gym is located along the northern boundary of the site whilst a swimming pool, tennis court and related buildings are located towards the eastern side of the site. Furthermore, a number of sewer networks and storm water networks traverse the site. A watercourse is found east of the railway line; however, this watercourse poses a risk to the future development of the site since the water table is less than 1m below ground surface and water is pushed up to ground level during the rainy season. Potential access to the site is along Curry Road.



Figure 26: Site 6 - Physical features

6.4.2 Concept

The corner of Last Road and Curry Road provides good line of sight and, together with the sports facilities, provides an ideal location for a community facility. A small apartment block is proposed for the vacant space in the south eastern corner of the site whilst larger high-rise buildings are proposed for the western portion of the site. It is expected that a total of 279 GAP units can be developed on the site, however significant relaxation of the parking requirement will be required. Each high-rise building is designed with an internal courtyard which provide safe recreational space.



Figure 27: Site 6 - Concept layout

6.4.3 Statutory planning

In terms of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019 erf 6300 and 6886 is zoned Public Open Space whilst erf 6301 and erf 6847 is zoned Community Zone and as such a township establishment application would be required. It is expected that application for the following would be required:

- Closure of Public Open Space;
- Consolidation of erven 6300, 6886, 6301 and 6847;
- Rezoning to Subdivisional Area;
- Subdivision of the consolidated property to make provision for the 4 high-rise apartment building, community facility, public open space and roads; and
- Rezoning of the high-rise apartment building site to Muti-unit Residential Zone, the existing sport facilities should be zoned Public Open Space Zone and the site with the community facility should be zoned Community Zone.

6.4.4 Recommendation

Site 6 is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface is expecting to impact the cost of construction since alternative construction methods are used to mitigate the risks. The site makes allowance for a substantial number of units and is therefore a more attractive site for a private developer, however, Stellenbosch Municipality can determine the detailed development costs before making a final decision regarding procurement and development packaging.

6.5 Site 7: Erf 8776

6.5.1 Site features

Site 6 measures approximately 3,419m² located on the corner of Lang straat-Suid Road and Adam Tas Road. A play park is located on the site with two paved pedestrian walkways traversing the site. A small wall has been constructed at the most southern point of the site. The permanent or perched water table, which is found less than 1,0m below the ground surface is expecting to impact the cost of construction.



Figure 28: Site 7 - Physical features

6.5.2 Concept

The corner of Last Road and Adam Tas Road is an ideal location for a high-rise building. It is proposed that a U-shaped building will provide the opportunity to develop accommodation whilst retaining many of the existing features of the site. The building should be located along the eastern portion of the side in order to retain the pedestrian walkways and the play park furniture can be relocated to the courtyard at the building. Parking can be provided where the existing play park furniture is located. It is expected that a total of 37 GAP units can be developed on the site.

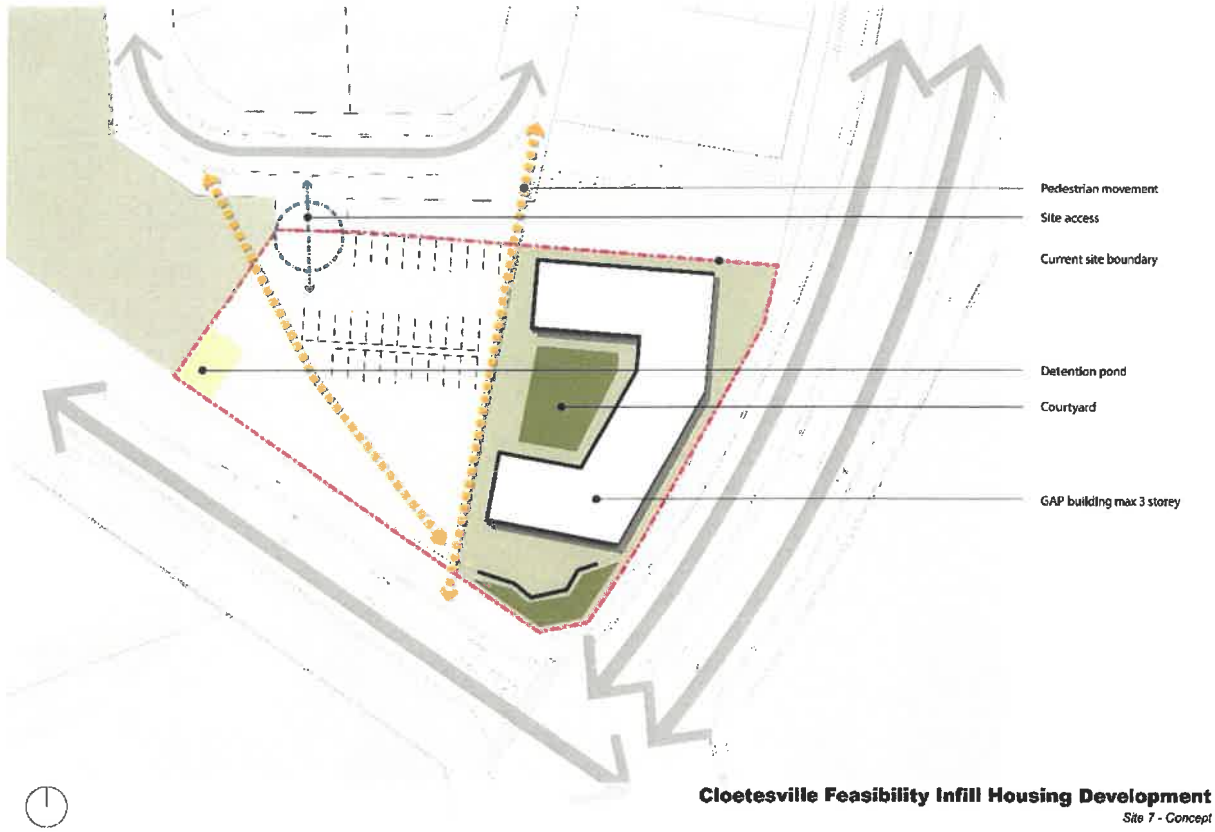


Figure 29: Site 7 - Concept layout

6.5.3 Statutory planning

In terms of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019 erf 8776 is zoned Public Open Space and as such a township establishment application would be required. It is expected that application for the following would be required:

- Closure of Public Open Space; and
- Rezoning to Multi-unit Residential Zone

6.5.4 Recommendation

Site 7 is relatively flat, however the soil conditions and the permanent or perched water table, which is found less than 1,0m below the ground surface is expecting to impact the cost of construction since alternative construction methods are used to mitigate the risks. The site makes allowance for a limited number of units and a detailed cost-benefit analysis should be undertaken before the Stellenbosch Municipality makes the final decision regarding procurement and development packaging.

6.6 Site 11: Erf 6705

6.6.1 Site features

Site 11 measures approximately 3,167m² and is located between houses. A number of mature trees are located along the eastern and southern portion of the site and an embankment is located along the western boundary. All infrastructure services are located outside the property boundary. Access to the site can be obtained from Wilger Road.



Figure 30: Site 11 - Physical features

6.6.2 Concept

The site is considered a part of an existing neighbourhood and proposed housing typology should therefore blend with the existing houses. As such, BNG units are proposed and a total of 12 BNG units can be developed on the site. The site contains an embankment along the western boundary, and it is proposed that it should be formalised for stormwater drainage.



Figure 31: Site 11 - Concept layout

6.6.3 Statutory planning

In terms of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019 erf 8776 is zoned Public Open Space and as such a township establishment application would be required. It is expected that application for the following would be required:

- Closure of Public Open Space;
- Rezoning to Subdivisional Area;
- Subdivision of the consolidated property to make provision for the 12 residential units, and access road; and
- Rezoning of residential units to Conventional Residential Zone and the road to Public Roads and Parking Zone.

6.6.4 Recommendation

Site 11 is relatively flat; however, the soil conditions is expecting to impact the cost of construction. The site makes allowance for a limited number of units and a detailed cost-benefit analysis should be undertaken before the Stellenbosch Municipality makes the final decision regarding procurement and development packaging. This site does, however, lends itself to be developed by the Stellenbosch Municipality rather than a private developer.

In diversity there is beauty and there is strength.

MAYA ANGELOU

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IMPACT. ENGINEERED.

11.4.3	**ENTERING INTO LAND AVAILABILITY AGREEMENTS WITH SOCIAL HOUSING INSTITUTIONS (SHIs) OR OTHER DEVELOPMENT AGENCIES (ODAs) FOR THE DEVELOPMENT AND MANAGEMENT OF SOCIAL HOUSING ESTATES – *STATUS QUO***

Collaborator No:
IDP KPA Ref No: **Dignified Living**
Meeting Date: **19 May 2021 and 26 May 2021**

1. SUBJECT: ENTERING INTO LAND AVAILABILITY AGREEMENTS WITH SOCIAL HOUSING INSTITUTIONS (SHIs) OR OTHER DEVELOPMENT AGENCIES (ODAs) FOR THE DEVELOPMENT AND MANAGEMENT OF SOCIAL HOUSING ESTATES – *STATUS QUO*

2. PURPOSE

To provide Council with a *status quo* on the processes the Municipality have followed to ultimately appoint a suitable and accredited SHIs and/or ODAs for the development and management of rental stock for families earning between R1 500 and R15 000.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality was identified by the Western Cape Provincial Administration as one of “Leader Towns” in the Province that have the necessary capacity to partake in the Social Housing Programme. Accordingly, there are not many land transactions that could be followed as best practices in order to expedite the delivery on Social Housing.

Notwithstanding, the Division Integrated Human Settlements can report on the following progress:

1) Feasibility report has been completed and approved by Council on 2 February 2020, Item 7.4.1;

2) The Public Participation Process completed and approved by Council on 29 July 2020, Item 11.4.1; and

3) The Call for Proposals is currently being finalised by the Department: Housing Development.

There are some challenges that the Municipality is currently experiencing (partly as result of the limited experience on how to roll out the Social Housing programme by Municipalities). One of these challenges is the time it takes to receive assistance/input on any related matter from relevant stakeholders involved in Social Housing. Case in point on the final inputs on the specifications for the Call for Proposals.

5. RECOMMENDATIONS

that Council take note of the *status quo* and progress to date.

6. DISCUSSION / CONTENT

6.1 Background

Stellenbosch Municipality was identified by the Western Cape Provincial Administration as one of "Leader Towns" in the Province that have the necessary capacity to partake in the Social Housing Programme. Accordingly, there are not many land transactions that could be followed as best practices in order to expedite the delivery on Social Housing. Notwithstanding, the Division Integrated Human Settlements can report on the following progress:

1) Feasibility report has been completed and approved by Council on 2 February 2020, Item 7.4.1;
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There are some challenges that the Municipality is currently experiencing (partly as result of the limited experience on how to roll out the Social Housing programme by Municipalities). One of these challenges is the time it takes to receive assistance/input on any related matter from relevant stakeholders involved in Social Housing. Case in point on the final inputs on the specifications for the Call for Proposals.

A Call for Proposal was drafted and served at the Bid Specification Committee (BSC) during October 2020. The BSC request that the user department must liaise with the Provincial Department of Human Settlements (PDoHS) as well as the Social Housing Regulatory Authority (SHRA) to give input on the formulation of the specifications for the Call for Proposals.

Several strategic sessions were held with the SHRA, PDoHS and the Department of Human Settlements (Affordable Housing)- WCG to provide input on the specifications and criteria for the Call for Proposals.

During November 2020, the SHRA made one of their senior officials available to engage with the Municipality and assist with the compilation of the specifications. After all inputs were received from the various specialists in the Social Housing environment, a submission was made to the BSC during January 2021 for approval. At the said meeting, the BSC highlighted certain procurement requirements that were not included in the Call for Proposal. 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 Department: Supply Chain Management has also liaise with the Provincial Treasury on the legalities pertaining to the preferential scoring criteria in terms of the 90/10-point system.

A strategic workshop was held on 18 March 2021 with National Association of Social Housing Organisations (NASHO) to look at a viable development concept that makes optimum use of the identified site and to create a plan for partnering with SHIs and/or ODAs.

Notwithstanding the above challenges, the user department appointed three (3) professional service providers to undertake additional studies (geotechnical investigation, flood line studies and a traffic impact assessment) on Farm 81/2 and Farm 81/9, Stellenbosch which will form part of the Call for Proposal.

In order for the Integrated Human Settlements officials to gain further experience in the Social Housing environment, a Municipal Social Housing Support Programme

(MSHSP) workshop is scheduled on 19 and 20 May 2021 to explore ways of developing a structured platform for mechanisms to improve the implementation of Social Housing projects.

6.2 Discussion

The action plan and projected timelines are outlined below for the Social Housing implementation process at Stellenbosch Municipality:

	Milestone	Activity/ies	Targeted Timeline	Comments / Progress
1.	Items to Council for the in-principle approval of the recommendations made in Feasibility Study Reports for the development of Social Housing Estates in the specified Restructuring Zones areas	The recommendations in this item were approved by Council in the January and February 2020 Council Meetings	Achieved	
2.	Item to Council to get consent to advertise the intention to enter into Long-Term Lease Agreements/ Land Availability Agreements(LAA) with SHIs/ ODAs, for Public Input	This item was approved by Council in May 2020	Achieved	
3.	Public Participation Process	Adverts for the PPP have been placed in the print media and on the municipal website.	Achieved	
4.	Item to Council to provide feedback on the Public Input and obtain mandate for the Administration to commence with and conclude the Public Competitive Bid Process	An Item on Feedback after the Public Participation Process has been compiled and is ready for tabling at the 29 July Council Meeting.	Achieved	
5.	Appointment of service providers to undertake specialist studies	• Geotechnical study • Floodline study • Traffic Impact assessment	• Appointment of services providers concluded in April 2021. • Draft studies to form part of the Call for Proposal	Draft reports have been received by the user department. It is currently under review.
6.	Advertisement of the Public Competitive Bid for 1 month	Final approval of Terms of Reference (ToR) Public Competitive Bid Process	End June 2021	Advertising of the Call for Proposal during the first week of July 2021.

	Milestone	Activity/ies	Targeted Timeline	Comments / Progress
7.	Public Competitive Bid procurement process for the Call for Proposal	• Advertisement period (30 days) • Evaluation and awarding of bid (30 days) • Appeal period (21 days) • Appointment of service provider (10 days)	From July 2021 – September 2021	Assistance will be sort from specialist/s in the Social Housing environment (PDoHS, SHRA and NASHO) with the evaluation of the tender.
8.	Item to Council on the outcome of the successful service provider and provisions/ conditions in the of the Land Availability Agreement (LAA).	Compile an item for Council	November 2021 (taking into consideration possible local government elections)	The LAA will *inter alia* explore the incentives for a successful development of affordable rental stock with SHIs and/or ODAs.
9.	Signing of Long-Term Lease Agreements/ Land Availability Agreements with successful SHIs and/or ODAs	Develop and obtain approval on Long-Term Lease Agreements/ Land Availability Agreements with SHIs and/or ODAs	January 2022	Only after Council decision has been taken, a LAA will be concluded with the successful SHIs and/or ODAs.

6.3 Financial implications

There are no financial implications for the Municipality.

6.4 Legal Implications

The recommendations contained in this report comply with Council's policies and relevant legislation.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2020-03-20: ITEM 7.4.2

(a) that the land in question, remainder of Erf 2149, Stellenbosch (Lapland flats), Remainder of Farm 180 (open spaces near Teen-die-Bult flats) and Erf 81/2 and Erf 81/9 Stellenbosch, be identified as land parcels **not needed for the municipality's own use** during the period for which the right is to be granted;

(b) that Council, **in principle**, approves the Municipality's entering into **Land Availability Agreements** with SHIs and ODAs successful in the Public Competitive Process (with SHIs and ODAs successful in the Public Competitive Process in terms of Regulation 34(1) (b) of the Asset Transfer

Regulation (ATR), read with paragraph 9.2.2.1 (l) of the Policy on the Management of Council owned property, subject to the following conditions:

(i) that **Council's intention** so to act, i.e. the awarding of rights on a private treaty agreement basis, **be advertised** for public comments;

(ii) that, simultaneously, the **public participation** process envisaged in Regulation 35 of the ATR **be followed**;

(iii) that Lease Agreement be concluded, based on a **40 year term** based on applicable tariffs;

(iv) that the Lease Agreement provide for **review/revision**, should the need arise for further development/redevelopment of the area; and

(c) that, following the public participation process referred to above, a report be submitted to Council in order for Council to give a mandate to the Administration to proceed with the Public Competitive Process that will result in the awarding of the long-term use rights.

6.7 Risk Implications

None

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 7.4.3

that Council takes note of the *status quo* and progress to date.

FOR FURTHER DETAILS CONTACT:

NAME	**Lester van Stavel**
POSITION	***Manager: Housing Development***
DIRECTORATE	***PLANNING & ECONOMIC DEVELOPMENT***
CONTACT NUMBERS	***021-808 8462***
E-MAIL ADDRESS	*Lester.Vanstavel@stellenbosch.gov.za*
REPORT DATE	***2021-05-18***

11.5	**INFRASTRUCTURE: (PC: CLLR Q SMIT)**

11.5.1	**INTEGRATED WASTE MANAGEMENT PLAN FOR STELLENBOSCH MUNICIPALITY**

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **19 May 2021 and 26 May 2021**

1. SUBJECT: THE INTEGRATED WASTE MANAGEMENT PLAN FOR STELLENBOSCH MUNICIPALITY

2. PURPOSE

For Council to adopt the Integrated Waste Management Plan (IWMP) (**APPENDIX 1**).

3. DELEGATED AUTHORITY

Municipal 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 JPCE Consulting Engineers (Pty) Ltd (JPCE) to review and finalize this draft IWMP. This revised IWMP has been internally reviewed and has been circulated for public comment.

The public commenting period was from 14 January 2021 – 15 February 2021. A notice was published on 14 January in the Eikestadnuus newspaper and on the Municipal website requesting comments.

Comments were received from the Department of Environmental Affairs and Development Planning and the Franschhoek Heritage and Ratepayers Association. All comments received were incorporated into the final document.

5. RECOMMENDATIONS

(a) that Council accepts the final Integrated Waste Management Plan (IWMP) with all comments being included;

(b) that Council adopts the 3rd generation Integrated Waste Management Plan (IWMP) as a sectoral plan of the Integrated Development Plan; and

(c) that Council requests the Provincial Government's Member of the Executive Council (MEC) for Local Government to endorse this Integrated Waste Management Plan (IWMP).

6. DISCUSSION / CONTENTS

6.1 Background

JPCE (Pty) Ltd has been appointed by the Stellenbosch Municipality to review and finalize the third generation Integrated Waste Management Plan (IWMP). This third generation IWMP was developed during 2020 and will now replace the draft third

generation IWMP developed by Green Cape in 2017. The development of the IWMP is necessary as it is an integral tool to identify current needs and act as a guide towards sustainable waste management. With regular updates of this document the changing needs as well as progress in the waste management field can be tracked and strategies adapted accordingly.

It also provides a framework for budgeting purposes. The IWMP must be incorporated as part of each Municipality's Integrated Development Plan (IDP) but is submitted as a separate document. The IWMP also shows alignment of its goals with the Western Cape IWMP, the District Municipality IWMP and the National Waste Management Strategy (NWMS). This generation IWMP improved upon the previous generation document in that progress has been made with shortcomings identified in the previous draft plan.

The scope of this local municipal IWMP included an investigation into the *status quo* of the solid waste management system of the Stellenbosch Local Municipality and provides the overview thereof. This investigation aims to include all the various aspects of the solid waste management system which ranges from legislation, waste types and generation, waste facilities and infrastructure to financing and all other details as listed under the terms of reference above.

The *status quo* has been evaluated in order to determine the gaps and needs of the system. The scope also included goals and objectives to improve the system currently and into the future, where required but is limited to implementation on the local authority level. The implementation items in order to improve the waste management system and to achieve goals are coupled with a monitoring and review programme to ensure that the IWMP is kept up to date and is implemented as required.

The Plan takes particular note of the importance of ongoing local authority waste management planning. The IWMP underlines the following principles of the National Waste Management Strategy:

• The prevention of waste generation;

• The recovery of waste of which the generation cannot be prevented, and

• The safe disposal of waste that cannot be recovered.

The IWMP addresses all areas of waste management – from generation, to waste prevention and minimisation (Waste avoidance), to its collection, storage, transport, treatment, recovery and final disposal. It does not only address the practicalities of waste management in context of this Municipality, but also the issues of public education and incorporates changing legislation and concepts, as these are vital to a successful waste management system.

6.2 Discussion

The following chapters in the IWMP provides the *status quo* and the plan for waste management in the Municipality.

6.2.1 Policy and Legislation

All applicable and updated waste management legislation is listed and discussed under Section 2 of the IWMP. The latest published legislation and regulations have been added in the IWMP updated document. This mainly consists of various Norms & Standards published under the National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008) (the Waste Act) as well as the Updated National Waste Management Strategy. These have been promulgated or updated since the previous version of the Stellenbosch IWMP. The current Stellenbosch Integrated Waste Management By-Law has been drafted and approved by Council.

6.2.2 Waste Quantities and Types

A waste characterisation study was conducted in 2017 by Stellenbosch Municipality's Solid Waste Management Department, and analysed in 2019 by JG Afrika (see full report in **ANNEXURE A**). The waste characterised was solely black bag waste, i.e. waste destined for landfill. Waste materials separated at source by households and placed in clear recycling bags for collection by means of the recycling programme, was not sampled. The characterisation focused on residential/household waste and not commercial or business waste.

6.2.3 Existing Waste Management Structure, Systems and Practices

The Municipality operates only one landfill facility for the disposal of waste, but since August 2019 has made use of the Vissershok Private Landfill (Vissershok Waste Management Facility (Pty) Ltd). The waste collected in Stellenbosch is transported to the Klapmuts Solid Waste Transfer Station from where it gets taken to the Vissershok Landfill.

The approved Waste management departmental organogram is provided in the report. The Senior Manager: Waste Management (Municipal Waste Manager) is supported by two Section Managers. One for the Area Cleansing and Collections Section and one for Waste Minimization & Disposal Section. There are presently a number of vacancies that need to be urgently filled with competent staff to these positions. The vacancies include - 66 General Workers, 15 Supervisors, 2 Technicians, 1 Superintendent and 1 Team Leader. The provision of services are being hampered by the lack of these staff members. It is envisaged that more technical staff will be required in future to assist in the adequate management of waste within the Municipality to maintain standards as set out in this IWMP.

The Municipality currently serves approximately 38,500 households with solid waste management services. The 28,751 collection points are spread across the 22 wards of the Municipality. The refuse collection breakdown is approximately 20,000 wheelie bins and 4,000 standard refuse bags as of 2019.

The Municipality utilises eleven (11) refuse collection trucks, operated by more than 60 crew members in a 30-hour working week. The Municipality reports that 100% of urban households receive kerb side collection once per week.

In order to minimise waste the Municipality currently provides a two waste collections where clear recycling bags with recyclable material are collected once a week. The recyclables are transported to the new Stellenbosch materials recovery facility (MRF) that is situated off Adam Tas Road. This facility started operations in April 2021 after being official opened by the Executive Mayor on 25 March 2021.

The Waste Department is in the process of expanding the sorting at source programme to include more households in the initiative.

The new MRF has been constructed adjacent to the landfill site and is designed to handle 450 tonnes of waste per month. This is based on an adjusted ultimate public participation rate in the source separation scheme of 50%.

A public drop-off facility is also in operation since 1 April where resident drop off non-putrescible waste and mixed recyclables.

The Municipality currently diverts organic garden waste via chipping and composting. Chipping takes place at the landfill under a private contract and composting takes place off site. The provision of an organic waste transfer station adjacent to the MRF is being planned to further divert kitchen organic waste from landfill.

The Stellenbosch Municipality conducts comprehensive awareness and education campaigns with continual involvement with the public in terms of solid waste management and the promotion of better waste management practices. Residents are informed and given feedback through the means of newsletters, pamphlets, social media

and the municipal website. Schools are visited to educate learners about solid waste and recycling.

The Waste Management Department underwent a Section 78(3) process as required by the Municipal Systems Act in order for the Municipality to identify certain waste management functions that could be more efficiently outsourced to private parties. The process has been completed and the item has been approved by Council

The landfill is the only operating landfill within the Stellenbosch Municipality. The landfill has reached its current capacity and work to authorise the extension into Cell 4 is underway. An Eskom Servitude traverses the site, with overhead electrical pylons running from north-west to south-east respectively. Approval for these power lines to be moved to make space for landfill cell extensions, has been obtained.

6.2.4 Gaps and Needs Assessment

The main gaps and needs identified for waste management as discussed in Chapter 3 are set out below.

- Legislation
  - Adherence to hazardous waste and landfill closure legislation. Stellenbosch integrated waste management by-laws to be approved by council and enforced.
- Waste generation quantities
  - Detailed records should be kept at the Klapmuts transfer station of all incoming and outgoing waste volumes.
- Waste minimisation recycling and reuse initiatives
  - There remains a need for the development of a transfer station and MRF in the Franschhoek area as well as an upgrade of the current Drop-off.
- Institutional and organisational needs
  - All vacant positions must be filled urgently and the appointment of dedicated technical waste management personnel must be prioritised;
- Identification of alternatives
  - Continue to look for ways in which to reduce waste to landfill by beneficiation the waste in innovative ways, with a focus on organic waste, waste to energy and builder's rubble.
- Funding mechanisms
  - Improvements require funding and new funding mechanisms need to be explored continuously. Funding is provided in terms of GRAP 19 in order to successfully rehabilitate all closed landfill cells as per requirements and stipulated time-frames;
- Public awareness and education
  - Improve on successful public awareness and education campaigns and develop new ones.

6.2.5 Implementation Strategy, Monitoring and Review

Based on the gaps and needs identified, aligned goals of the IWMP, and planned projects by the municipality, an implementation strategy was developed that contains the objectives, timeline and required resources for implementation of the IMWP. These goals are linked to the main goals contained in the Western Cape Provincial IWMP.

To ensure that the IWMP remains up to date as far as practically possible and stays relevant, it must go through a review process. This process will be initiated and followed by the IWMP advisory committee.

The implementation of the third generation IWMP will start following Council approval. Budgeting must take place in order to adequately address shortfalls.

The continuous project implementation and goal tracking, must be done by each project team with regular reports to the designated Waste Management Officer. In addition, an annual IWMP report giving progress must be submitted along with the other Municipal annual reports. A copy must sent to D:EA&DP as well.

6.3 Financial Implications

Please find below additional funding needed to implemented the IWMP

Stellenbosch Municipality - IWMP Implementation cost estimates.

Project	2021	2022	2023	2024
Public Awareness and Education (OPEX)	R 100 000,00	R 105 000,00	R 110 000,00	TBD
IWMP Annual Report (consultant cost if not done in-house)	R 40 000,00	R 40 000,00	R 40 000,00	R 40 000,00
Replacement of Vehicles as required	R0.5 Million to R5 Million depending on need			
Transfer Station (CAPEX)		R 10 000 000,00	R 10 000 000,00	TBD
Franschhoek Drop-Off (CAPEX)	R 4 000 000,00	R 4 000 000,00		
MRF Completion (if not already done)	R 2 000 000,00			
Cell 4 landfill construction (estimate)		R 5 000 000,00	R 25 000 000,00	R 25 000 000,00
Diversion infrastructure and contracts (OP/CAPEX)	R 250 000,00	R 400 000,00	R 450 000,00	R 500 000,00
External Audits (Consultants)	R 80 000,00	R 80 000,00	R 80 000,00	R 80 000,00
Landfill and contaminated land rehabilitation	R 4 000 000,00	Cell 1&2 (R96 Million), Cell 3 (R41 Million)		
	R 10 470 000,00	R 19 625 000,00	R 35 680 000,00	R 25 620 000,00

6.4 Legal Implications

In terms of Municipal Systems Act (Act no. 32 of 2000) Section 25:

25. Adoption of integrated development plans

(1) Each municipal council must, within a prescribed period after the start of its elected term, adopt a single, inclusive and strategic plan for the development of the municipality which-
(a) links, integrates and co-ordinates plans and takes into account proposals for the development of the municipality;
(b) aligns the resources and capacity of the municipality with the implementation of the plan;
(c) forms the policy framework and general basis on which annual budgets must be based;
(d) complies with the provisions of this Chapter; and
(e) is compatible with national and provincial development plans and planning requirements binding on the municipality in terms of legislation.

6.5 Staff Implications

Currently the Waste Management department have a number of unfunded vacancies. The successfully implementation of the IWMP is dependent on the department having sufficient resources, such as staff and budget.

6.6 Previous / Relevant Council Resolutions:

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.

6.7 Risk implications

None

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2021-05-19: ITEM 7.4.1

(a) that Council accepts the final Integrated Waste Management Plan (IWMP) with all comments being included;

(b) that Council adopts the 3rd generation Integrated Waste Management Plan (IWMP) as a sectoral plan of the Integrated Development Plan; and

(c) that Council requests the Provincial Government's Member of the Executive Council (MEC) for Local Government to endorse this Integrated Waste Management Plan (IWMP).

ANNEXURE

Appendix 1: Integrated Waste Management Plan (Final)

FOR FURTHER DETAILS CONTACT:

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REPORT DATE	***16 April 2021***

ANNEXURE A

STELLENBOSCH MUNICIPALITY

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

INTEGRATED WASTE MANAGEMENT PLAN
(3rd Generation)

(Final Report)

COMPILED BY:

JPCE
(Specialist Consulting Engineers)

September 2020

REPORT: STELLENBOSCH MUNICIPALITY – INTEGRATED WASTE MANAGEMENT PLAN – FINAL REPORT

JPCE Project Number: A288

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STELLENBOSCH MUNICIPALITY

INTEGRATED WASTE MANAGEMENT PLAN
(Third Generation)

(Final Report)

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ABBREVIATIONS

AHP	Analytical Hierarchy Process
CBD	Central Business District
CoCT	City of Cape Town
COGTA	Cooperative Governance and Traditional Affairs
CRR	Cash Reserve Ratio
CWDM	Cape Winelands District Municipality
D:EA&DP	The Department: Environmental Affairs and Development Planning
DBE	Department of Basic Education
DEA	Department of Environmental Affairs
DOE	Department of Energy
DoH	Department of Housing
dti	Department of Trade & Industry
ECA	Environmental Conservation Act
EDP	Economic Development Plan
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency
EPR	Extended Producer Responsibility
GN	Government Notice
HCGW	Health Care General Waste
HCRW	Health Care Risk Waste
HDPE	High Density Polyethylene
IDP	Integrated Development Plan
IPWIS	Integrated Pollutant and Waste Information System
ITAC	International Trade Administration Commission
IUDF	Integrated Urban Development Framework
IWMP	Integrated Waste Management Plan
IWMSA	Institute of Waste Management of South Africa
kg	Kilograms
kg/m^3	Kilogram per cubic meter
kg/p/d	kilograms per person per day
KPI	Key Performance Indicator
LC	Leachable Concentration
LDPE	Low Density Polyethylene
LDV	Light Duty Vehicle
LM	Local Municipality
m^2	Square meter
MBT	Mechanical Biological Treatment
MEC	Member of the Executive Council
mg/kg	Milligram per kilogram
mg/l	Milligram per litre
MJ/kg	Mega joule per kilogram
MOU	Memorandum of Understanding
MRF	Material Recovery Facility
NCC	National Consumer Commission
NCPC-SA	National Cleaner Production Centre South Africa
NDP	National Development Plan
NEM:WA	National Environmental Management Waste Act

NEMA	National Environmental Management Act
NPA	National Prosecuting Authority
NU	Non-urban
NWA	National Water Act
NWMS	National Waste Management Strategy
ODM	Overberg District Municipality
ODS	Operational Data Store
OPEX	Operational Expenditure
PCB	Polychlorinated Biphenyls
PET	Polyethylene Terephthalate
PH	Potential of Hydrogen
POP	Persistent Organic Pollutants
ppm	Parts per Million
PVC	Polyvinyl Chloride
RDI	Research Development and Innovation
REL	Rear end Loader
RO-RO	Roll on, Roll off
RTS	Refuse Transfer Station
S&EIR	Scoping and Environmental Impact Report
SALGA	South African Local Government Association
SANAS	South African National Accreditation System
SANRAL	South African National Roads Agency Limited
SANS	South African National Standards
SAPS	South African Police Service
SARS	South African Revenue Service
SAWIS	South African Waste Information System
SDF	Spatial Development Framework
SP	Sub-place
TBD	To be determined
TC	Total Concentration
TDS	Total Dissolved Solids
TIA	Technology and Innovation Agency
TOC	Total Organic Content
WCDM	West Coast District Municipality
WCG	Western Cape Government
WCIWMP	Western Cape Integrated Waste Management Plan
WCPSDF	Western Cape Provincial Spatial Development Framework
WCS	Waste Characterisation Study
WEEE	Waste Electrical and Electronic Equipment
WMO	Waste Management Officer
WWTW	Waste Water Treatment Works

STELLENBOSCH MUNICIPALITY

INTEGRATED WASTE MANAGEMENT PLAN

THIRD GENERATION

EXECUTIVE SUMMARY

INTRODUCTION AND GENERAL DESCRIPTION

JPCE (Pty) Ltd has been appointed by the Stellenbosch Municipality in the Cape Winelands District of the Western Cape Province to assist in developing their third generation Integrated Waste Management Plan (IWMP). This third generation IWMP was developed during 2020 and will now replace the draft third generation IWMP developed by Green Cape in 2017. The development of the IWMP is necessary as it is an integral tool to identify current needs and act as a guide towards sustainable waste management. With regular updates of this document the changing needs as well as progress in the waste management field can be tracked and strategies adapted accordingly.

It also provides a framework for budgeting purposes. The IWMP must be incorporated as part of each Municipality's Integrated Development Plan (IDP) but is submitted as a separate document. The IWMP also shows alignment of its goals with the Western Cape IWMP, the District Municipality IWMP and the National Waste Management Strategy (NWMS). This generation IWMP improved upon the previous generation document in that progress has been made with shortcomings identified in the previous draft plan.

The scope of this local municipal IWMP includes an investigation into the current state of the solid waste management system of the Stellenbosch Local Municipality and provides the overview thereof. This investigation aims to include all the various aspects of the solid waste management system which ranges from legislation, waste types and generation, waste facilities and infrastructure to financing and all other details as listed under the terms of reference above.

The status quo is evaluated in order to determine the gaps and needs of the system. The scope also includes goals and objectives to improve the system where required but is limited to implementation on the local authority level. The implementation items in order to improve the waste management system and to achieve goals are coupled with a monitoring and review programme to ensure that the IWMP is up to date and is implemented.

The primary objective of Integrated Waste Management (IWM) planning is to integrate and optimise waste management, in order to maximise efficiency and minimise the associated environmental impacts and financial costs and to improve the quality of life of all residents within the Stellenbosch Municipality.
The Plan takes particular note of importance of local authority waste management planning. This document underlines the following principles of the National Waste Management Strategy:

- The prevention of waste generation;
- The recovery of waste of which the generation cannot be prevented, and
- The safe disposal of waste that cannot be recovered.

The Plan will address all areas of waste management – from waste prevention and minimisation (Waste avoidance), to its collection, storage, transport, treatment, recovery and final disposal. It will not only address the practicalities of waste management in context of this Municipality, but also the issues of public education and changing concepts, as these are vital to a successful management system.

POLICY AND LEGISLATION

All applicable waste management legislation is listed and discussed under section 2 of the IWMP. The latest published legislation have been added in the IWMP update, which mainly consists of Norms & Standards published under the Waste Act as well as the Draft Updated National Waste Management Strategy since the previous Stellenbosch IWMP. The current Stellenbosch Integrated Waste Management By-Laws are drafted and have been approved by council.

WASTE QUANTITIES AND TYPES

The Stellenbosch Municipality operates only one landfill facility for the disposal of waste, but since August 2019 has made use of the Vissershok Private Landfill (Vissershok Waste Management Facility (Pty) Ltd) operated by Enviroserv and Averda. The waste collected in Stellenbosch is transported to the Klapmuts Solid Waste Transfer Station from where it gets taken to the Vissershok Landfill.

A waste characterisation study was conducted in 2017 by Stellenbosch Municipality's Solid Waste Management Department, and analysed in 2019 by JG Afrika (see full report in **Annexure A**). The waste characterised was solely black bag waste, i.e. waste destined for landfill. Waste materials separated at source by households and placed in clear bags for collection by means of the recycling programme, was not sampled. The characterisation focused on residential/household waste and not commercial or business waste.

The municipality has a split bag system. The 2017 waste characterization study outcomes and recovered waste quantities demonstrates that these initiatives are effective in waste reduction

Based on the combined results obtained, it is clear that the major fraction of the waste stream consists of organic waste, which if you combine food waste and garden waste makes up more than 31% of the total municipal black bag waste stream by weight. Plastics (22.96%), Metals (2.51%), Glass (10.58%) and Paper & Cardboard (20.34%) makes up the other large waste portions. These fractions combined make up more than half of the total waste stream (56.39%) and have potential for recovery, depending on contamination levels and feasibility of successful sorting. Based on these results alone, the biggest diversion potential lies with the organic waste fraction and removing the potentially recyclable materials from the black bag waste streams.

From the available information it can be seen that the Stellenbosch Municipality did well over the last two years with diverting waste from landfill. If using a generally accepted 20% as a diversion target the information shows that they have achieved more than double this (about 45%) on average over the last two years. The applicable graph further shows that diversion was most prolific during 2018 when large amounts of builder's rubble was crushed and diverted. The Municipality has known for a number of years that their landfill airspace was running out and they were thus forced to embark on additional diversion strategies which clearly made a difference when assessing the available information. Based on the waste characterisation study, which is based on household waste put out for disposal, there exists further potential in increasing diversion rates especially in the organic fraction. These values only include waste from residents that receive a waste collection service and thus excludes portions of the rural population of the Municipality. The data indicates that the vast majority (more than 60%) of all landfilled waste is considered domestic waste. This is the normal black bag municipal waste on which the waste characterisation study was done, and even though the WCS was done in 2017, the results of the study shown earlier indicates that this waste stream still contains large quantities of recoverable organic waste and recyclable material.

The waste generation rates shows that the public generated in the order of 4,900 tonnes of waste each month which required landfilling. The Municipality records and reports landfilled waste tonnages to the Western Cape Integrated Pollutant and Waste Information System (IPWIS). The average transported to Vissershok since September 2019 is just over 3,100 tonnes per month, but is expected to be closer to 3,600 tonnes per month if the impact of the nationwide lockdown and the end of year student holidays are allowed for. There is thus a case to be made that being forced to pay for transport and disposal of waste resulted in an increase in waste diversion, either at household level or through municipally introduced recycling and beneficiation programmes.

EXISTING WASTE MANAGEMENT STRUCTURE, SYSTEMS AND PRACTICES

The municipal waste management responsibilities lie with the Directorate: Infrastructure Services (together with Electricity, Water, Sewerage, Stormwater, Transport, Roads and Robots). The Waste Manager is Mr Clayton Hendricks. Provision must be made for the continuous training and education of the Stellenbosch waste management employees. Waste management information sharing/capacity-building events such as the Departmental Waste Forum, Waste Khoro and the IWMSA's WasteCon should be attended by waste management employees determined by the Municipality.

The approved Stellenbosch Waste Management division organogram is provided in the report. The Senior Manager Waste Management (Municipal Waste Manager) is supported by two Section Managers. One for the Area Cleansing and Collections Section and one for Waste Minimization & Disposal Section. There are a number of vacancies that need to be filled and the Municipality is working on appointing competent staff to these positions. The vacancies are for 66 general workers, 15 supervisors, 2 technicians, 1 superintendent and 1 team leader. The management of the waste division have indicated that they require more technical staff to be appointed to the two sections in order assist in the management of waste within the Municipality.

Stellenbosch municipality serves approximately 38,500 households with solid waste management services. The 28,751 collection points are spread across the 22 wards of the Municipality. The refuse collection breakdown is approximately 20,000 wheelie bins and 4,000 standard refuse bags as of 2019. The Municipality utilises eleven (11) refuse collection trucks, operated by more than 60 crew members in a 30-hour working week.

The Municipality reports that 100% of urban households receive kerb side collection once per week. All the urban and informal areas of Stellenbosch Municipality have access to at least a basic refuse removal service. Some refuse removal services exist in the rural areas and farming communities, but all the rural areas at least have access to drop-off facilities.

The Municipality currently provides a two bag collection system where clear bags are collected from middle to higher income areas once a week. The clear bags are to be filled with recyclable materials which households are required to sort waste into two streams namely; general landfill waste (black bags) and recyclable waste (clear bags). The recyclables were transported to a mini materials recovery facility (MRF) that is situated at the landfill. Since the landfill ceased operations the clear bags are collected and taken directly to the Kraaifontein MRF in the City of Cape Town. The MRF currently under construction near the landfill should start operations towards the end of 2020 after which the clear bags collected in the Municipality will be taken to this new facility for processing and recycling.

The Municipality is in the process of expanding the sorting at source programme to include more households in the initiative. The department reported that the total number of indigent households was 6,995 as of July 2020 and in the order of 75% to 80% of these households receive at least a basic refuse collection service.

The Municipality has a standard operating procedure to deal with all waste related complaints. All received complaints regarding solid waste are logged on the internal system. A complaint is logged when a service desk consultant answers the call and captures the complaint on the service request register to be addressed by the relevant official or department. This person must then address the complaint and report back in order to complete the process and for the complaint to be removed from the request register.

Recycling of waste was predominantly taking place at the mini MRF facility located on the landfill site. Here the separately collected clear bag waste (up to August 2019), and waste obtained from landfill working face by informal recyclers, got sorted into recyclable portions and beneficiated by either selling them to the market or donating to other users. After closure of the landfill the clear bags are collected and taken directly to Kraaifontein MRF in the City of Cape Town.

The Municipality have identified the need for increased recycling and is in the process of developing a fully functional MRF at the Devon Valley landfill site. The new MRF is constructed at the landfill site and will be able to handle 450 tonnes of waste per month based on an adjusted ultimate public participation rate in the source separation scheme of 50%.As there is already a demand for a public drop-off facility, it is anticipated that residents will independently come to the MRF to drop off mixed recyclables. The mixed recyclables projections model does not take into account the mass of mixed recyclables coming in independently from residents.

Much potential for diversion exists within the organic fraction of the waste stream with reference to the characterisation results discussed, indicating potentially 31% organics present in the household waste stream. This study must be further refined in order to indicate the breakdown of these organics and how they have changed since 2017 when the WCS was done in order to see what the diversion potential with each is and the appropriate treatment/re-use methods.

The Stellenbosch Municipality currently diverts organic waste via chipping and composting. Chipping takes place at the landfill under a private contract and the material is taken to a licensed composting facility. The Municipality is also planning the development of an organic waste refuse transfer station at the landfill site to further divert organic waste from landfill. The main option with building rubble diversion is crushing the clean rubble and using it as road building material (or other appropriate uses depending on material quality) or using it as cover material in landfilling, eliminating the need to use natural materials such as soil. No building rubble received is directly disposed. Oversized rubble is stockpiled separately until sufficient volumes are reached for crushing operations. Manageable rubble is used as cover material. A contract was recently awarded to a private contractor who will be tasked with the crushing of builder's rubble and beneficiation of the crushed material at the landfill.

The Stellenbosch Municipality conducts comprehensive awareness and education campaigns with continual involvement with the public in terms of solid waste management and the promotion of better waste management practices. Residents are informed and given feedback through the means of newsletters, pamphlets, social media and the municipal website. Schools are visited to educate learners about solid waste and recycling.

The Municipality underwent a Section 78(3) process recently as required by the Municipal Systems Act in order for the Municipality to outsource municipal waste management functions to private parties. The process has neared completion and the item is with the Council for approval at the time of writing of this report. Under this process all Municipal Waste Management services will be outsourced to private companies with the exception of area cleaning, waste collection and transportation which will stay a Municipal function.

The Devon Valley landfill is the only operating landfill within the Stellenbosch Municipality. The Devon Valley landfill has reached its current capacity and licence applications and preliminary designs for the development of Cell 4 is underway. The proposed development area for the new Cell 4 is within the central portion of the existing Devon Valley Landfill. At present, the study area is bounded by two existing landfill footprints, Cells 1 & 2 to the south and Cell 3 to the north. The entire site is surrounded by concrete palisade fencing. An Eskom Servitude traverses the site, with overhead electrical pylons running from north-west to south-east respectively.

There are no dedicated garden waste or building & demolition waste sites in Stellenbosch. Garden waste and building & demolition waste are accepted at the landfill and stockpiled for chipping and crushing. A new garden waste transfer station is planned as part of the Stellenbosch integrated waste management facility at the landfill. This facility is still in the planning stages and if developed will divert municipal organic waste from the landfill. The Stellenbosch Municipality currently only has one fully operational licensed transfer station at Klapmuts with one mini public drop off located in Franschhoek. The drop-off does not require licensing due to its size, and there is a great need for the development of a larger transfer station in the Franschhoek area.

Since the closure of the Stellenbosch Devon Valley Landfill Site, the Klapmuts Transfer Station is being used to transfer all waste from Stellenbosch Municipality to the Vissershok private landfill site. The transfer station and landfill is internally and externally audited with the latest external audit for both facilities conducted in early 2020 by JG Afrika (Pty) Ltd. The available internal audit reports were included in the external audit reports, but the Municipality must ensure that the amount of internal audits undertaken are in line with the licence conditions.

GAPS AND NEEDS ASSESSMENT

The main gaps and needs identified for waste management within the Stellenbosch Municipality are discussed in Chapter 3. They are:

- Legislation – Adherence to hazardous waste and landfill closure legislation. Stellenbosch integrated waste management by-laws to be enforced.
- Waste generation quantities – Detail records should be kept on how much waste gets collected from households and businesses, how much waste is accepted at the Devon Valley landfill and Klapmuts transfer station, and how much waste is being transported to the Vissershok site so that a waste flow and volume balance can be established.
- Waste minimisation recycling and reuse initiatives – There remains a need for the development of a solid waste transfer station in the Franschhoek area.

- Institutional and organisational needs – fill all vacant positions and appoint dedicated waste management personnel;
- Identification of alternatives – Continue to look for ways in which to reduce waste to landfill by beneficiation the waste in innovative ways, with a focus on organic waste and builder's rubble.
- Funding mechanisms – Improvements require funding and new funding mechanisms need to be explored continuously. Funding is required in order to successfully rehabilitate all closed landfill cells as per requirements and stipulated time-frames;
- Public awareness and education – improve on successful public awareness and education campaigns and develop new ones.

IMPLEMENTATION STRATEGY, MONITORING AND REVIEW

Based on the gaps and needs identified, aligned goals of the IWMP, and planned projects by the municipality, an implementation strategy was developed that contains the objectives, timeline and required resources for implementation of the IMWP. These goals are linked to the main goals contained in the Western Cape Provincial IWMP. The main goals and associated strategic objectives are indicated in the tables below. Refer to Section 4: Strategy and Implementation for detailed implementation:

Goal 1: Strengthened education, capacity and advocacy towards Integrated Waste Management	
Objectives	
Strategic Objective 1:	Facilitate consumer and industry responsibility in integrated waste management
Strategic Objective 2:	Promote and ensure awareness and education of integrated waste management
Strategic Objective 3:	Build and strengthen waste management capacity

Goal 2: Improved integrated waste management planning and implementation for efficient waste services and infrastructure	
Objectives	
Strategic Objective 1:	Facilitate municipal waste management planning
Strategic Objective 2:	Promote industry waste management planning
Strategic Objective 3:	Promote the establishment of integrated waste management infrastructure and services
Strategic Objective 4:	Ensure effective and efficient waste information management

Goal 3: Effective and efficient utilisation of resources	
Objectives	
Strategic Objective 1:	Minimise the consumption of natural resources
Strategic Objective 2:	Stimulate job creation within the waste economy
Strategic Objective 3:	Increase waste diversion through reuse, recovery and recycling

Goal 4: Improved compliance with environmental regulatory framework	
Objectives	
Strategic Objective 1:	Strengthen compliance monitoring and enforcement
Strategic Objective 2:	Remediate and rehabilitate contaminated land
Strategic Objective 3:	Facilitate the development of waste policy instruments
Strategic Objective 4:	Promote self/co-regulatory measures

To ensure that the IWMP remains up to date as far as practically possible and stays relevant, it must go through a review process. This process will be initiated and followed by the IWMP advisory committee.

The implementation of the third generation IWMP will start following Council approval. Apart from the continuous project implementation and goal tracking, which must be done by each individual project team as and when each project is running and report to Mr Hendricks as the designated Waste Management Officer, an annual IWMP report must be submitted along with the other Municipal annual reports and a copy sent to D:EA&DP as well.

STELLENBOSCH MUNICIPALITY

INTEGRATED WASTE MANAGEMENT PLAN

THIRD GENERATION

1. INTRODUCTION

1.1 TERMS OF REFERENCE

JPCE (Pty) Ltd has been appointed by the Stellenbosch Municipality in the Cape Winelands District of the Western Cape Province to assist in developing their third generation Integrated Waste Management Plan (IWMP). This third generation IWMP was developed during 2020 and will now replace the draft third generation IWMP developed by Green Cape in 2017.

The terms of reference for this development are to review and update the draft 2017 IWMP, source the required information, interpret the relevant data and plan accordingly in order to complete the IWMP in terms of the requirements as set out in the National Environment Management: Waste Act (Act no. 59 of 2008) and the contents listed below as required by the Western Cape Department of Environmental Affairs and Development Planning (D:EA&DP).

Chapter 3, Section 11 (4) of the Waste Act states that each Municipality must submit its IWMP to the Member of the Executive Council of a province (MEC) for approval and include the approved IWMP in its Integrated Development Plan (IDP) contemplated in Chapter 5 of the Municipal Systems Act.

Chapter 3, Section 12 of the Waste Act further states that the contents of an IWMP must be at least the following:

(a) A situation analysis that includes
   i. A description of the population and development profiles of the area to which the plan relates;
   ii. An assessment of the quantities and types of waste that are generated in the area;
   iii. A description of the services that are provided, or that are available, for the collection, minimisation, reuse, recycling and recovery, treatment and disposal of waste; and
   iv. The number of persons in the area who are not receiving waste collection services;

(b) Within the domain of the Department, provincial department or municipality, set out how that Department, provincial department or municipality intends –
   i. To give effect, in respect of waste management, to Chapter 3 of the National Environmental Management Act;
   ii. To give effect to the objects of this Act;
   iii. To identify and address the negative impact of poor waste management practices on health and the environment;
   iv. To provide for the implementation of waste minimisation, reuse, recycling and recovery targets and initiatives;
   v. In the case of a municipal IWMP, to address the delivery of waste management services to residential premises;
   vi. To implement the Republic's obligations in respect of any relevant international agreements;
   vii. To give effect to best environmental practice in respect of waste management;

(c) Within the domain of the Department or provincial department, set out how the Department or provincial department intends to identify the measures that are required and that are to be implemented to support municipalities to give effect to the objects of this Act;

(d) Set out the priorities and objectives of the Department, provincial department or municipality in respect of waste management;

(e) Establish targets for the collection, minimisation, re-use and recycling of waste;

(f) Set out the approach of the Department, provincial department or municipality to the planning of any new facilities for disposal and decommissioning of existing waste disposal facilities;

(g) Indicate the financial resources that are required to give effect to the plan;

(h) Describe how the Department, provincial department or municipality intends to give effect to its IWMP; and

(i) Comply with the requirements prescribed by the Minister.

The IWMP content requirements further detailed by the D:EA&DP IWMP guideline table of contents are as follows. Only the main headings are shown here. This IWMP was developed to contain all the required information:

- Introduction and background information to the IWMP
- Status Quo:
  - Legislation
  - Demographic profile
  - Waste management cost and financing
  - Services and delivery
  - Compliance and enforcement
  - Waste generation and composition
  - Waste avoidance, reduction and recycling
  - Operational structure and staff capacity
  - Waste awareness and education
  - Waste information management
- Gaps and needs analysis
- Objectives and targets
- IWMP implementation
- Monitoring and review

The 2017 draft third generation IWMP developed by GreenCape was not submitted to D:EA&DP for review. JPCE (Pty) Ltd have, however, recently updated the IWMPs of a number of other local Municipalities within the Western Cape Province, and received comments from the department on these plans.

This IWMP revision thus aims to address the requirements listed in the D:EA&DP evaluation reports of other Municipalities, on matters applicable to the Stellenbosch Municipality.

1.2 BACKGROUND

The IWMP is a statutory requirement of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) that has been promulgated and came into effect on 1 July 2009 and has as its goal the transformation of the current methodology of waste management, i.e. mostly collection and disposal, to a sustainable practice focussing on waste avoidance and environmental sustainability. Implementation of this IWMP will be through municipal by-laws and in accordance with an implementation schedule.

The development of the IWMP is necessary as it is an integral tool to identify current needs and act as a guide towards sustainable waste management. With regular updates of this document the changing needs as well as progress in the waste management field can be tracked and strategies adapted accordingly. It also provides a framework for budgeting purposes. The IWMP must be incorporated as part of each Municipality's Integrated Development Plan (IDP) but is submitted as a separate document. The IWMP also shows alignment of its goals with the Western Cape IWMP, the District Municipality IWMP and the National Waste Management Strategy (NWMS). This generation IWMP improved upon the previous generation document in that progress has been made with shortcomings identified in the previous draft plan.

There is increasing pressure on government, the public and industry to be more environmentally responsible especially in terms of solid waste generation and management. Making waste disposal priority can be seen as archaic planning and is not sustainable as disposal airspace is becoming limited and the establishment of new disposal facilities are becoming increasingly difficult due to the unavailability of suitable land. Establishing new disposal facilities are also increasingly expensive due to the design and construction requirements in order to safely dispose the waste to land. Although the eradication of the practice of waste disposal is currently not possible, the IWMP aims to identify ways on how to decrease disposal, increase diversion and move towards being an environmentally responsible society.

1.3 SCOPE OF THE IWMP

The scope of this local municipal IWMP includes an investigation into the current state of the solid waste management system of the Stellenbosch Municipality and provides the overview thereof. This investigation aims to include all the various aspects of the solid waste management system which ranges from legislation, waste types and generation, waste facilities and infrastructure to financing and all other details as listed under the terms of reference above.

The status quo is evaluated in order to determine the gaps and needs of the system. The scope also includes goals and objectives to improve the system where required but is limited to implementation on the local authority level. The implementation items in order to improve the waste management system and to achieve goals are coupled with a monitoring and review programme to ensure that the IWMP is up to date and is implemented.

The waste types measured and discussed are the following:

- Domestic waste
- Garden waste
- Building & demolition waste
- Household hazardous waste
- Hazardous waste (including health care risk waste)

The sources of the above waste types are also discussed and include the following:

- Residential areas
- Businesses
- Industry
- Farms
- Waste as a result of illegal dumping
- Street cleansing waste

1.4 METHODOLOGY AND APPROACH TO THE IWMP

The planning phase of the 3rd generation IWMP included the following:

JPCE has successfully developed a number of IWMP documents for municipalities within the Western Cape. This creates an opportunity to be in regular contact with D:EA&DP on what the IWMP requirements are through evaluation reports on other IWMP documents etc. Planning thus included addressing the standard D:EA&DP requirements as well as recently received comments on other municipal IWMP documents in the Western Cape.

Aquila Environmental (Pty) Ltd was appointed as sub-consultant to JPCE in order to conduct the hazardous and health care risk waste survey in the Stellenbosch Municipal Area. All the generators of these waste types were identified and interviewed in order to obtain the quantities generated and the treatment and/or disposal methods used. A list was compiled based on the physical survey for each town. All the possible industries were listed but not all businesses, as some were regarded as non-hazardous waste producers due to their nature of business, size, physical structure, etc. Each business listed in the hazardous waste survey list was contacted, telephonically and/or via e-mail.

The general waste characterisation information included in this IWMP was obtained from the data collected by the Municipality during 2017 and completed in 2019. The data was analysed by JGAfrika (Pty) Ltd and also used in a 2020 MSc Thesis by C Nell entitled "*Determining Spatial and Temporal Change in Household Solid Waste Composition within Stellenbosch Local Municipality*".

SRK Consulting (Pty) Ltd was appointed to conduct the geological and geohydrological study for the Stellenbosch Municipal area and generate the accompanying maps.

Extensive input and information were provided by the Stellenbosch Municipality and the plan development included lengthy discussions with and guidance received from the Project Manager: Waste Management, and the Municipal Waste Manager. All the acquired information was reworked into the format presented in this report in order to reflect the status quo, draw conclusions and to make recommendations.

It was intended to get public input by feedback from ward committee meetings and from a viewing of the draft IWMP document at the public library. Due to the national COVID-19 lockdown the public were only able to access the draft IWMP document via the Stellenbosch web site for downloading and commenting, which was successfully done.

The IWMP will be submitted to the D:EA&DP for evaluation and approval once public comments have been received. The IWMP is only finalised after the Stellenbosch Municipal Council and the D:EA&DP approves and endorses it.

1.5 OVERALL AIMS AND GOALS OF THE IWMP

The primary objective of Integrated Waste Management (IWM) planning is to integrate and optimise waste management, in order to maximise efficiency and minimise the associated environmental impacts and financial costs and to improve the quality of life of all residents within the Stellenbosch Municipality.

The Plan takes particular note of importance of local authority waste management planning. This document underlines the following principles of the National Waste Management Strategy:

- The prevention of waste generation;
- The recovery of waste of which the generation cannot be prevented, and
- The safe disposal of waste that cannot be recovered.

The Plan will address all areas of waste management – from waste prevention and minimisation (Waste avoidance), to its collection, storage, transport, treatment, recovery and final disposal. It will not only address the practicalities of waste management in context of this Municipality, but also the issues of public education and changing concepts, as these are vital to a successful management system.

The main goals of the Stellenbosch IWMP are aligned with the goals of the Western Cape Provincial IWMP, the NWMS, the Municipal Spatial Development Framework (SDF), the municipal Integrated Development Plan (IDP), the National Development Plan (NDP) and the Provincial Spatial Development Framework (SDF). These are shown in **Table 1-1** and these main goals are shown in further detail and sub-goals and implementation items in **Section 5: Implementation and Strategy Plan** of the report.

Table 1-1: National and Provincial Goals and Strategic Linkages

Western Cape IWMP (2017-2022)		*NWMS 2011		NDP 2030		Western Cape SDF (2014)	
Goal 1:	**Strengthened education, capacity and advocacy towards Integrated Waste Management**						
Strategic Objective 1:	Facilitate consumer and industry responsibility in integrated waste management	Goal 3:	Grow the contribution of the waste sector to the green economy	Chapter 9:	Improving education, training and innovation	Aim 5 (iii):	Seeks to improve the effectiveness of public investment in the Western Cape's built and natural environments by opening-up opportunities for community and business development in targeted areas.
Strategic Objective 2:	Promote and ensure awareness and education of integrated waste management	Goal 4:	Ensure that people are aware of the impact of waste on their health, well-being and the environment				
Strategic Objective 3:	Build and strengthen waste management capacity						
Goal 2:	**Improved integrated waste management planning and implementation for efficient waste services and infrastructure**						
Strategic Objective 1:	Facilitate municipal waste management planning	Goal 5:	Achieve integrated waste management planning	Chapter 3:	Develop proposals for an acceptable minimum standard of living and proposals on how to achieve this over time.	Aim 3	Supports municipalities to fulfil their municipal planning mandate in line with the national and Provincial agendas.
Strategic Objective 2:	Promote industry waste management planning					Aim 2	Serve as basis for coordinating, integrating and aligning 'on the ground' delivery of national and Provincial departmental programmes.
Strategic Objective 3:	Promote the establishment of integrated waste management infrastructure and services	Goal 2:	Ensure the effective and efficient delivery of waste services			Aim 1	Give spatial expression to the National and Provincial development agendas.
		Goal 1:	Promote waste minimisation, re-use, recycling and recovery of waste			Aim 4	Communicate government's spatial development intentions to the private sector and civil society.
Strategic Objective 4:	Ensure effective and efficient waste information management						

Western Cape IWMP (2017-2022)		*NWMS 2011		NDP 2030		Western Cape SDF (2014)	
Goal 3:	**Effective and efficient utilisation of resources**						
Strategic Objective 1:	Minimise the consumption of natural resources	Goal 1:	Promote waste minimisation, re-use, recycling and recovery of waste	Chapter 5:	Environmental Sustainability and Resilience: Put in place a regulatory framework for land use to ensure the conservation and restoration of protected areas.		
Strategic Objective 2:	Stimulate job creation within the waste economy	Goal 3:	Grow the contribution of the waste sector to the green economy	Chapter 3:	Economy and Employment	Aim 5 (iii):	- opening-up opportunities for community and business development in targeted areas.
Strategic Objective 3:	Increase waste diversion through reuse, recovery and recycling	Goal 2:	Ensure the effective and efficient delivery of waste services	Chapter 5:	Environmental Sustainability and Resilience: Absolute reductions in the total volume of waste disposed to landfill each year.	Aim 3	Supports municipalities to fulfil their municipal planning mandate in line with the national and Provincial agendas.
Goal 4:	**Improved compliance with environmental regulatory framework**						
Strategic Objective 1:	Strengthen compliance monitoring and enforcement	Goal 8:	Establish effective compliance with and enforcement of the Waste Act.	Chapter 5:	Environmental Sustainability and Resilience: Put in place a regulatory framework for land use to ensure the conservation and restoration of protected areas.	Aim 4	Communicate government's spatial development intentions to the private sector and civil society.
Strategic Objective 2:	Remediate and rehabilitate contaminated land	Goal 7:	Provide measures to remediate contaminated land.				
Strategic Objective 3:	Facilitate the development of waste policy instruments	Goal 5:	Achieve integrated waste management planning				
Strategic Objective 4:	Promote self/co-regulatory measures	Goal 2:	Ensure the effective and efficient delivery of waste services				

*Note that the goal alignment includes the NWMS 2011 since the updated NWMS 2019 is still in the process of incorporating public comments and thus not final at the time of writing of this report.

The Stellenbosch Municipality IWMP links with these national and provincial documents in that it will adopt the goals and strategic objectives of the Western Cape Provincial Integrated Waste Management Plan.

The Stellenbosch Spatial Development Framework (SDF, 2019) contained a table showing the alignment of the Stellenbosch Integrated Development Plan (IDP, 2017-2022) and Strategic Focus Areas with the Strategic Directions of the SDF. This table is replicated in **Table 1-2** with the Stellenbosch IWMP goals and their specific strategic objectives linked to them.

The Stellenbosch Municipality forms part of the Cape Winelands District Municipality (CWDM) and the CWDM is currently busy with the review of their next generation IWMP document. The existing (3rd Generation) CWDM IWMP developed by JPCE in 2015 contains the following 7 goals for the district in terms of waste management.

Goal 1: Awareness and Education
Goal 2: Improve Waste Information Management
Goal 3: Effective Solid Waste Service Delivery
Goal 4: Promote and Ensure Waste Minimisation
Goal 5: Improve Regulatory Compliance
Goal 6: Ensure Safe and Integrated Management of Hazardous Waste
Goal 7: Ensure Sound Budgeting for Integrated Waste Management

These goals are expected to be updated during the development of the fourth generation CWDM IWMP in order to align with the goals of the Western Cape Provincial IWMP.

Table 1-2: Linking the IWMP with the Municipal IDP and SDF

Stellenbosch IWMP (2020)		Stellenbosch IDP (2017 - 2022)	Stellenbosch SDF (Approved by Council November 2019)
IWMP Goal 1: Strengthened education, capacity and advocacy towards Integrated Waste Management			
Strategic Objective 1:	Facilitate consumer and industry responsibility in integrated waste management	Strategic Focus Area 1: Valley of Possibility: Aimed at attracting investment, growing the economy and employment.	Strategic Direction 1: Containment of settlements to protect nature/ agricultural areas and enable public and non-motorized transport and movement. A focus on public and non-motorized transport and movement.
Strategic Objective 2:	Promote and ensure awareness and education of integrated waste management	Strategic Focus Area 4: Dignified Living: Aimed at improving conditions for residents through access to education and economic opportunities.	Strategic Direction 4: A specific focus on the needs of "ordinary" citizens, experiencing limited access to opportunity because of restricted available material resources.
Strategic Objective 3:	Build and strengthen waste management capacity	Strategic Focus Area 2: Green and Sustainable Valley: Aimed at ensuring that the asset base of the municipality is protected and enhanced.	Strategic Direction 2: Protection of nature areas, agricultural areas, and river corridors.
IWMP Goal 2: Improved integrated waste management planning and implementation for efficient waste services and infrastructure			
Strategic Objective 1:	Facilitate municipal waste management planning	Strategic Focus Area 5: Good Governance and Compliance: Aimed at ensuring that municipality is managed efficiently and effectively to the benefit of all stakeholders.	Strategic Direction 5: Presenting information, including opportunities and choices in a manner that assists its internalization by all.
Strategic Objective 2:	Promote industry waste management planning	Strategic Focus Area 2: Green and Sustainable Valley: Aimed at ensuring that the asset base of the municipality is protected and enhanced.	Strategic Direction 2: Protection of nature areas, agricultural areas, and river corridors.
Strategic Objective 3:	Promote the establishment of integrated waste management infrastructure and services	Strategic Focus Area 4: Dignified Living: Aimed at improving conditions for residents through access to education and economic opportunities.	Strategic Direction 4: A specific focus on the needs of "ordinary" citizens, experiencing limited access to opportunity because of restricted available material resources.
Strategic Objective 4:	Ensure effective and efficient waste information management	Strategic Focus Area 5: Good Governance and Compliance: Aimed at ensuring that municipality is managed efficiently and effectively to the benefit of all stakeholders.	Strategic Direction 5: Presenting information, including opportunities and choices in a manner that assists its internalization by all.

Stellenbosch IWMP (2020)		Stellenbosch IDP (2017 - 2022)	Stellenbosch SDF (Approved by Council November 2019)
IWMP Goal 3: Effective and efficient utilisation of resources			
Strategic Objective 1:	Minimise the consumption of natural resources	Strategic Focus Area 3: Safe Valley: Aimed at ensuring that its residents are and feel safe.	Strategic Direction 3: Denser settlements with diverse activity to ensure surveillance.
Strategic Objective 2:	Stimulate job creation within the waste economy	Strategic Focus Area 5: Good Governance and Compliance: Aimed at ensuring that municipality is managed efficiently and effectively to the benefit of all stakeholders.	Strategic Direction 5: Presenting information, including opportunities and choices in a manner that assists its internalization by all.
Strategic Objective 3:	Increase waste diversion through reuse, recovery and recycling	Strategic Focus Area 2: Green and Sustainable Valley: Aimed at ensuring that the asset base of the municipality is protected and enhanced.	Strategic Direction 2: Protection of nature areas, agricultural areas, and river corridors.
IWMP Goal 4: Improved compliance with environmental regulatory framework			
Strategic Objective 1:	Strengthen compliance monitoring and enforcement	Strategic Focus Area 3: Safe Valley: Aimed at ensuring that its residents are and feel safe.	Strategic Direction 3: Denser settlements with diverse activity to ensure surveillance.
Strategic Objective 2:	Remediate and rehabilitate contaminated land	Strategic Focus Area 2: Green and Sustainable Valley: Aimed at ensuring that the asset base of the municipality is protected and enhanced.	Strategic Direction 2: Protection of nature areas, agricultural areas, and river corridors.
Strategic Objective 3:	Facilitate the development of waste policy instruments	Strategic Focus Area 5: Good Governance and Compliance: Aimed at ensuring that municipality is managed efficiently and effectively to the benefit of all stakeholders.	Strategic Direction 5: Presenting information, including opportunities and choices in a manner that assists its internalization by all.
Strategic Objective 4:	Promote self/co-regulatory measures	Strategic Focus Area 4: Dignified Living: Aimed at improving conditions for residents through access to education and economic opportunities.	Strategic Direction 4: A specific focus on the needs of "ordinary" citizens, experiencing limited access to opportunity because of restricted available material resources.

1.6 GEOGRAPHIC AREA OF STUDY

Stellenbosch Local Municipality spans an area comprising approximately 900km2 and is one of five local municipalities that fall under the Cape Winelands District Municipality. It is an area known for its vineyards and Stellenbosch is the second oldest town in South Africa. Three local municipalities and one metropolitan municipality flank Stellenbosch Municipality. Two Cape Winelands municipalities - Drakenstein and Breede Valley - flank Stellenbosch Municipality to the north and east respectively, with Theewaterskloof (a municipality in the Overberg District) and City of Cape Town (CoCT) Metropolitan Municipality sharing boundaries with Stellenbosch to the south and west respectively (**Figure 1-1**).

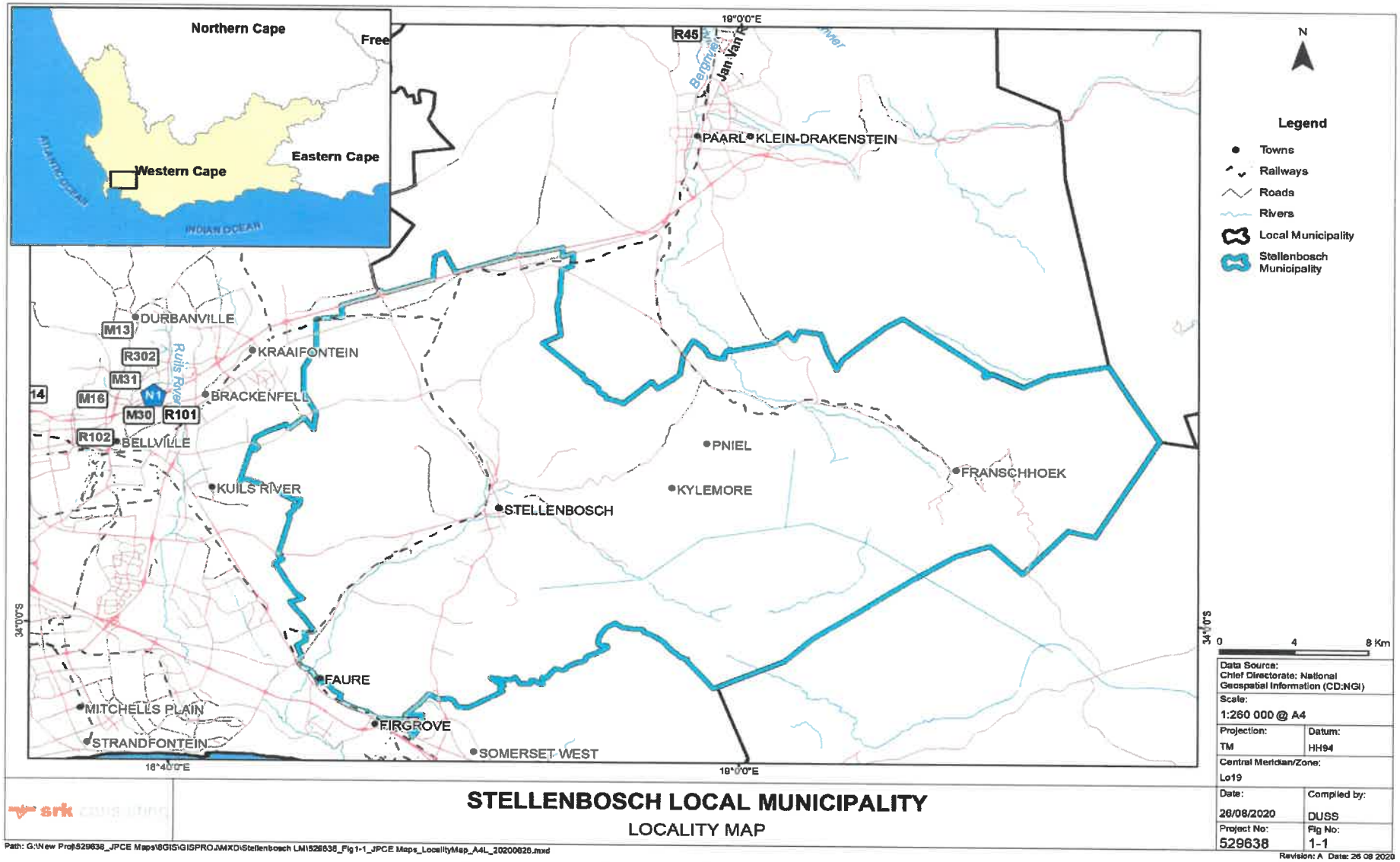


Figure 1-1: Stellenbosch Municipality Locality Map

1.6.1 Climate

The area experiences a Mediterranean climate, with cool winters and hot summers. Rainfall occurs throughout the year, with most of it occurring from April to September, peaking in June (**Figure 1-2**). Monitored rainfall and evaporation data from the Wemmershoek Dam weather station (station number G1E003; co-ordinates: -33.83342 S; 19.08272 E) indicates that February displays the lowest rainfall averaging 20.4 mm, whereas the highest monthly rainfall is in June, averaging 164.9mm (**Table 1-3).** The long-term rainfall data indicates a MAP of 952mm (**Figure 1-2**).

Evaporation trends are opposite to that of rainfall, with maximum evaporation rates in January averaging 188.4mm, and minimum evaporation rates in June averaging 36.4mm (Table 1-3). Long-term evaporation rates display a mean annual evaporation of 1256.9 mm/a.

Table 1-3: Monthly average rainfall and evaporation for the period of 2015 - 2019

Average Monthly	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Rainfall	25.9	20.4	32.1	80.0	128.6	164.9	149.9	137.7	81.5	58.4	40.3	32.4
Evaporation	188.4	164.6	138.3	84.8	55.7	36.4	36.7	48.4	65.9	113.5	148.8	175.4

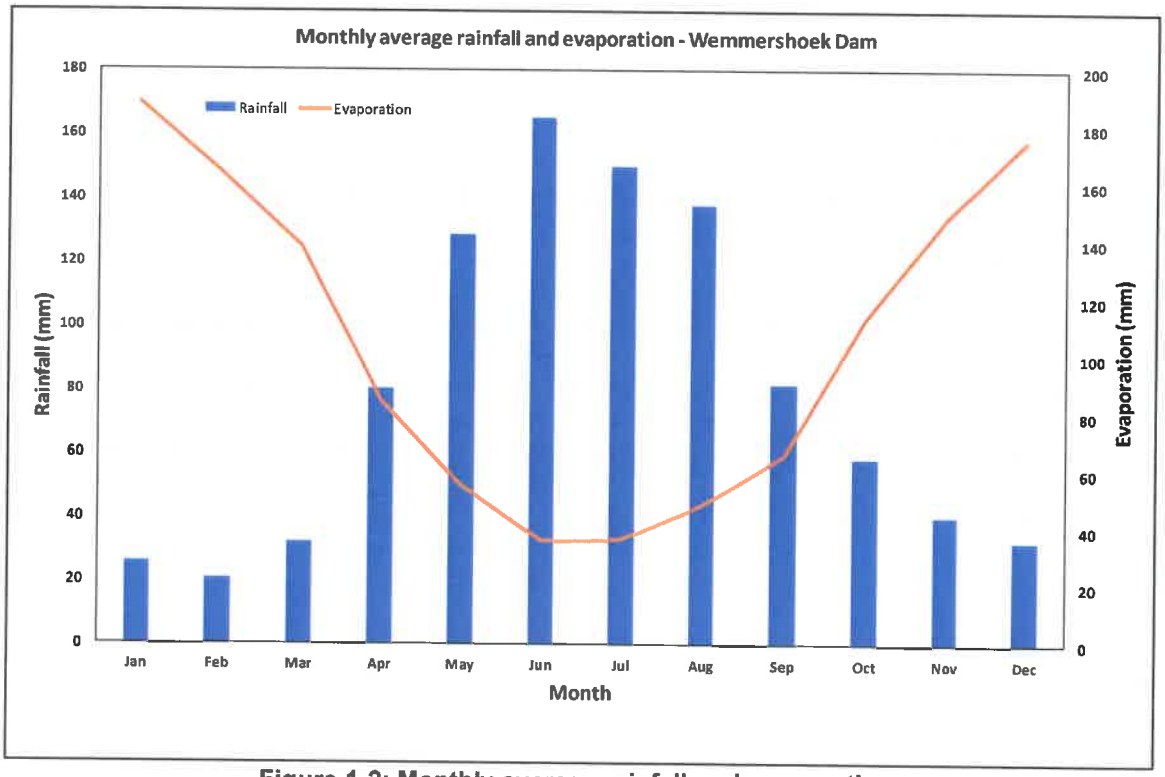


Figure 1-2: Monthly average rainfall and evaporation

1.6.2 Geology and Geohydrology

1.6.2.1 Geology

The Stellenbosch Municipal area is underlain by three geological rock formations. From oldest to youngest, these formations are the Malmesbury Group, Cape Granite Suite and Table Mountain Group (TMG). Recent deposits of river alluvium and scree cover these bedrock units in places to varying thicknesses.

The low-lying areas are underlain by rocks of the Malmesbury Group, which dates back over 600 million years ago. The Malmesbury Group has been compacted over this long period to form impermeable rocks such as phyllites and slates with clayey soils. Present within the Malmesbury Group are granite intrusions (dated approximately 600 million years).

The TMG comprises resistant quartzitic sandstones which form the mountains to the East of Stellenbosch and Franschhoek. These form the spine of the western limb of the Cape Fold Belt. The two main components of the TMG are the Peninsula Formation (~1500 m thick) and the Nardouw Subgroup (~500 m thick), which are separated by the Pakhuis and Cedarberg Formation that are mainly shaley in nature. Resistant sandstones form the rugged grey mountain crags typical of the Western Cape scenery. Sandy and boulder alluvium are evident on the floodplain of the Berg River as well as the central parts of the area, which cover the underlying geology in places at varying thickness.

The lithology of the study area comprises of four main types (**Figure 1-3**) (1) the undifferentiated rocks comprising the major part of the north western study area, (2) the arenaceous rocks which form the eastern boundary, (3) the alluvium found in the central study area and (4) intermediate intrusive rocks which are interspersed within the central and western study area.

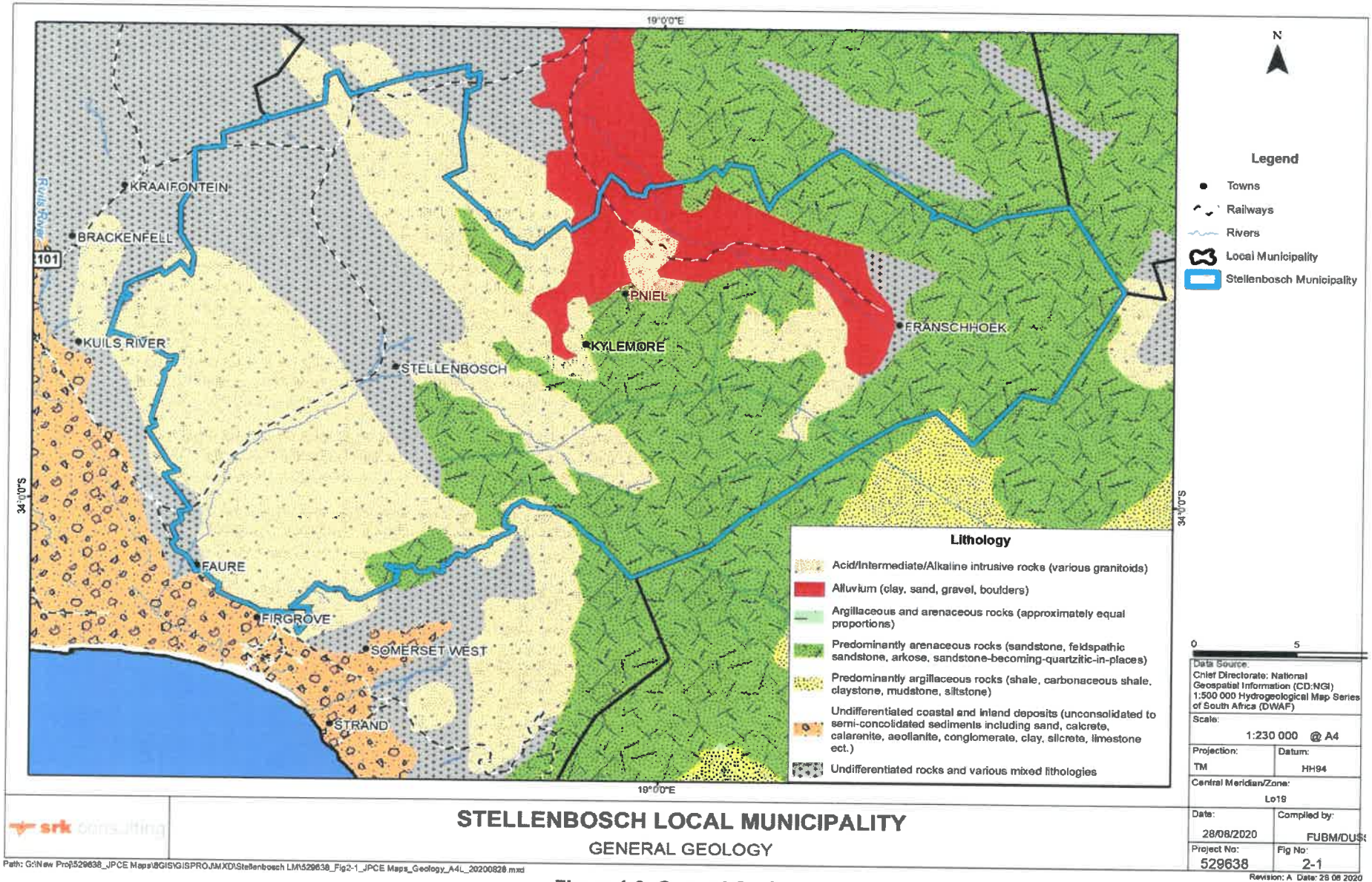


Figure 1-3: General Geology

1.6.3 Geohydrology

The study area is classified into three types of aquifers, intergranular, fractured and intergranular and fractured. Intergranular aquifers comprise Quaternary unconsolidated sediments which are intergranular in nature (shown as violet coloured areas in **Figure 1-4**), whereas fractured aquifers develop from the Malmesbury or TMG formations (shown as green coloured areas in **Figure 1-4**). The aquifers formed by granites are classified as intergranular and fractured (beige colour).

In terms of groundwater, the main aquifer formation in the area is the TMG Aquifer. This formation is being targeted by City of Cape Town for the development of additional water supply to Cape Town. The aquifer can obtain borehole yields of >10 L/s, with the average for the area between 2 and 5 L/s Groundwater quality in the TMG Aquifer displays very low salinity, with Total Dissolved Solids commonly being <100 mg/ℓ/s (**Figure 1-4**). This indicates good water quality, however the pH is very low (acidic), making it prone to corroding metal pipes and fittings. The groundwater also has a high dissolved iron content which is a common problem that has the potential to cause aesthetic impediments of taste, staining and clogging.

The groundwater potential and quality of the Malmesbury group in general is highly variable. The fault zones and sandstone horizons that are in close contact to the TMG aquifer or granites, display relatively high yields with moderate to good water quality. However, moving further away from these zones, towards the west the water quality is poorer.

The granite formations obtain a moderate to poor yield but with good water quality, whereas the alluvium deposits display a shallow groundwater table that is limited in extent and thickness. Currently, there are no significant wellfields developed within the area as all existing groundwater use is mainly for domestic farming and stock-watering. The TMG around the Wemmershoek dam is being investigated by the CoCT for high volume abstraction.

1.6.4 Hydrology

The Berg and Eerste River is the only significant river that flows through the Stellenbosch area and is listed as an ecologically sensitive river by the Department of Water and Sanitation.

Two major storage dams for potable water to the Cape Peninsula are located within the boundaries of the Stellenbosch Local Municipality. The Berg River and Wemmershoek dams are located close to Franschhoek.

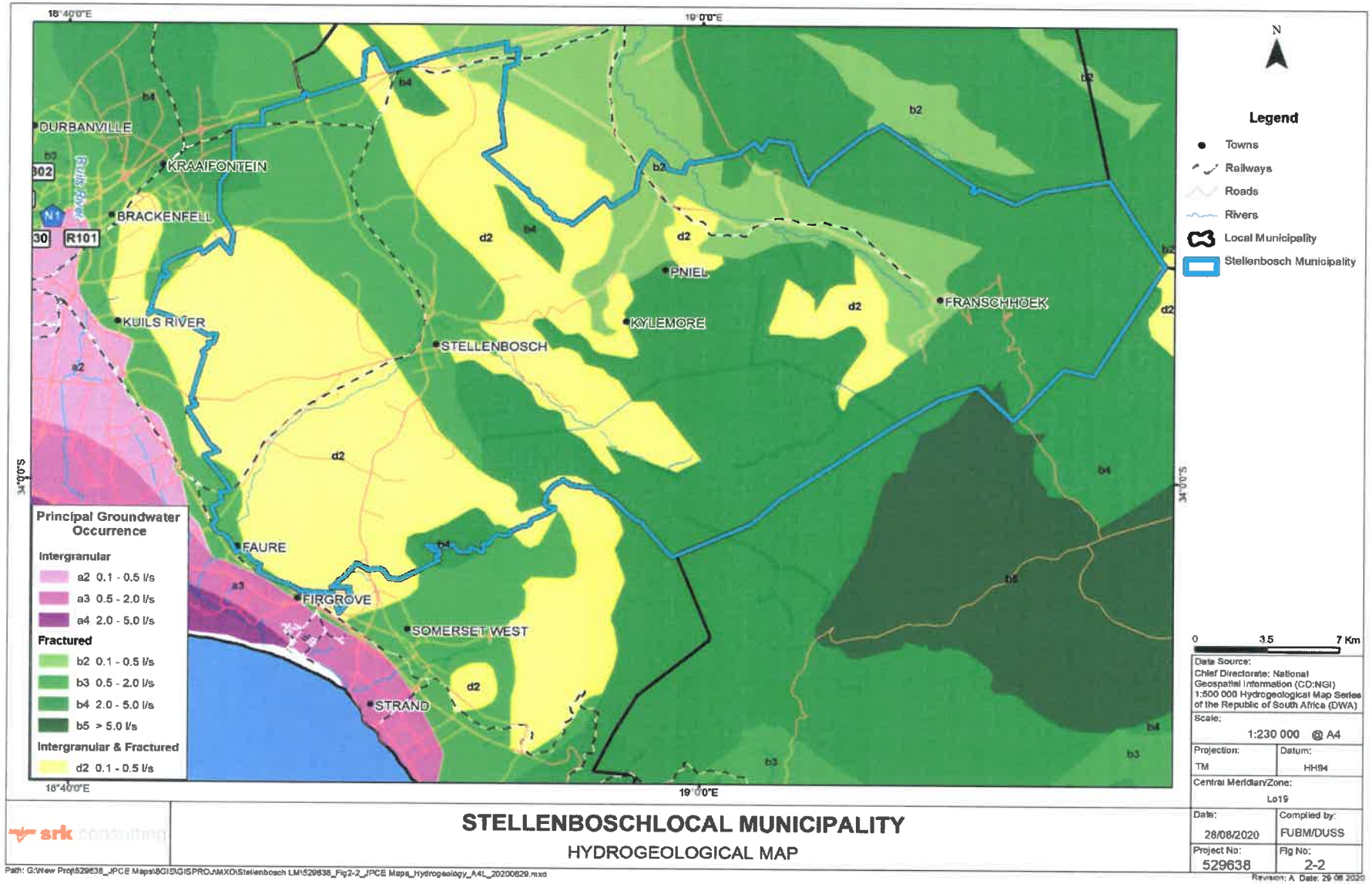


Figure 1-4: Hydrogeological Map

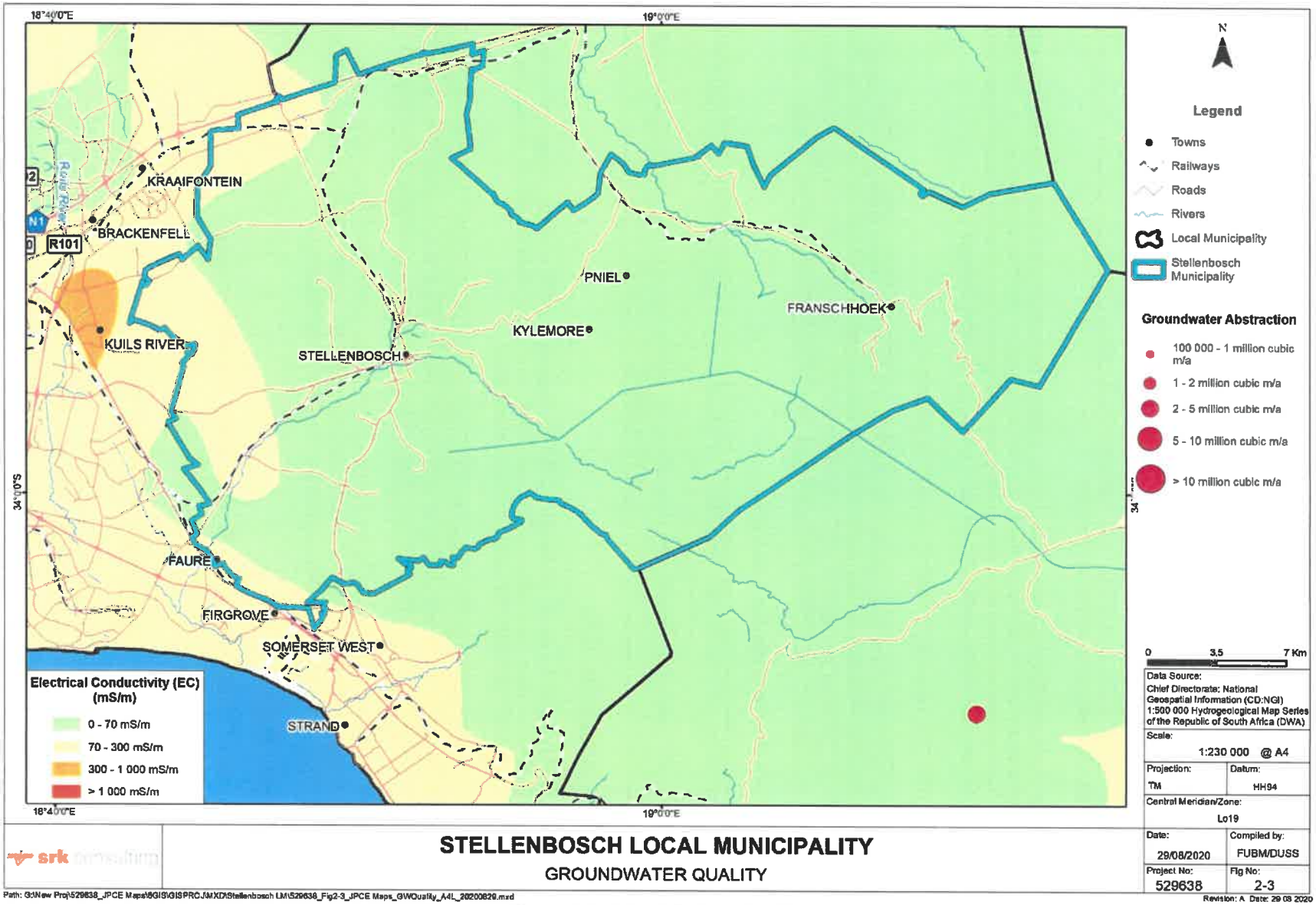


Figure 1-5: Groundwater Quality

1.7 DISTRICT MUNICIPALITY

The Stellenbosch Municipality is located in the Cape Winelands District Municipality (CWDM) in the Western Cape Province. The CWDM was established in December 2000 and includes the local municipalities of Stellenbosch, Drakenstein, Breede Valley, Langeberg and Witzenberg.

The role of the District Municipality does not affect the solid waste functions of the local municipalities. Only when waste from more than one municipality is disposed of at a regional site, does it become a district function and currently there are no regional landfill facilities within the CWDM. A waste licence for the development of a regional landfill serving the municipalities of Breede Valley, Langeberg and Witzenberg was granted some years ago, but the development of the facility is pending the outcome of a legal dispute, and it is not clear when this facility will be built.

The Cape Winelands District has a District Solid Waste Forum where the local municipalities within the District can discuss waste related matters. This forum allows for the municipalities in the District to work and plan together and achieve the solid waste goals and targets as a District. Further opportunities and solutions can also be further explored between Forums of different Districts.

The CWDM's core values are stated in their IDP as follows:

Our core values are largely shaped by the moral fiber of the administrative and political leadership of our municipality, guidance by the Batho Pele service delivery principles and the strategic compass provided to us by the Western Cape Government through its Strategic Plan, which reflects the core values of the Western Cape Government.

The WCDM's vision and mission is as follows:

Vision – "A unified Cape Winelands of excellence for sustainable development"

Mission – "Working together towards effective, efficient and economically sustainable development"

1.7.1 District Municipality IWMP

The CWDM adopted their 3rd generation IWMP document in 2015 and is currently in the process of developing their next generation IWMP document. The 2015 CWDM IWMP states the following strategic objective of waste management within the district.

To ensure that Waste Management in the Cape Winelands District complies with South African and International environmental standards so that it is beneficial to industrial and agricultural growth and the public's right to a clean and healthy environment.

The above strategic objective is to be implemented through adoption of the waste hierarchy and the effective management of waste to ensure minimal waste to landfill. The Drakenstein Municipality's IWMP will tie in to this overarching objective of the District Municipality.

1.8 LOCAL MUNICIPALITY

The Stellenbosch Municipality has the following policies, vision and mission:

1.8.1 Vision and Mission

The Stellenbosch Municipality's Vision and Mission as described in the most recent IDP and on their website is:

Vision – to be the Valley of Opportunity and Innovation

Mission – to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens

The Strategic Focus Areas are indicated in the IDP as follows:

- Strategic Focus Area 1 – Valley of Possibility;
- Strategic Focus Area 2 – Green and Sustainable Valley;
- Strategic Focus Area 3 – Safe Valley;
- Strategic Focus Area 4 – Dignified Living;
- Strategic Focus Area 5 – Good Governance and Compliance;

1.9 STAKEHOLDER PARTICIPATION

1.9.1 Consultation with Authorities

JPCE (Pty) Ltd have had meetings with D:EA&DP on the compilation of municipal IWMP documents and have been informed by D:EA&DP of what their requirements for these plans are. Also, JPCE have compiled a number of local and district municipality IWMP documents recently and all of them have been reviewed by D:EA&DP. The recommendations in these review reports were taken into consideration when compiling the IWMP for the Stellenbosch Municipality.

A draft IWMP will be sent to the D:EA&DP and any comments made by them will be addressed in the final report to be approved by Council. See **Annexure D** for comments by D:EA&DP and how they have been addressed in this final report.

1.9.2 Consultation with the public and other interested and affected parties

The draft IWMP was submitted for comment to the public. Due to nationwide COVID-19 lockdown the public were only able to access the draft IWMP document via the Stellenbosch web site.

Comments were received from the Franschhoek Heritage and Ratepayers Association and these comments were attached as **Annexure E** to this report. These comments ere mostly focused on waste diversion, recycling and service delivery and have been addressed in this final report.

2. STATUS QUO

This section of the IWMP entails the situational analysis of the Stellenbosch Municipality, which includes amongst others, the applicable legislation, population description, waste types and quantities generated and waste management services overview.

2.1 LEGISLATION

The applicable legislation is listed here in chronological order and includes the Stellenbosch municipal integrated waste management by-law. Where policies or guidelines are linked to a certain piece of legislation, these are discussed under the main heading of the legislation in question.

2.1.1 Environment Conservation Act, 1989 (Act NO. 73 of 1989)

On 1 July 2009 the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("the Waste Act") came into effect. The Waste Act repealed Section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) ("ECA") and introduces new provisions regarding the licensing of waste management activities.

The Waste Tyre Regulations (2009) which were published on 13 February 2009 came into effect on 30 June 2009 and makes provision for effective and integrated management of waste tyres in the country. It provides regulations for tyre producers, tyre dealers and waste tyre stockpile owners.

The regulations furthermore require the compilation of industry waste tyre management plans and waste tyre stockpile abatement plans and details the requirements for waste tyre storage areas.

2.1.2 White Paper on Education and Training (1995)

The 1995 *White Paper on Education and Training* states that "environmental education, involving an interdisciplinary, integrated and active approach to learning, must be a vital element of **all levels and programmes of the education and training system**, in order to create environmentally literate and active citizens and ensure that all South Africans, present and future, enjoy a decent quality of life through the sustainable use of resources".

The White Paper advocates environmental education and training **at all levels**. This would include the local government sphere, particularly when it comes to the environmental education & training of government officials and workers.

The education of the youth is the responsibility of national and provincial government. However, the Constitution does state that where the capacity exists, functions can be delegated to local government, and that the spheres of government, while distinctive, are interdependent and interrelated. Local government should support the other spheres of government (such as the national Department of Education, DoE) in areas of its own focus, such as environmental management and sustainable development.

2.1.3 Constitution of the Republic of South Africa (1996)

In 1996 the new Constitution created the right to the environment as a fundamental right. This fundamental right to the environment ensures everyone's right to an environment that is not harmful to their health or well-being. South African law, the environment and all South Africans have a constitutional right to have the environment protected for present and future generations. This means that there must be reasonable legal and other measures to prevent ecological degradation, promote conservation and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

All legislation has to fall within the stipulations of the Constitution. The following sections are of particular relevance where waste is concerned:

- **Section 24(a)**

  Provides everyone the right to an environment that is not harmful to a person's health and well-being.

- **Section 24(b)**

  Provides everyone the right to have the environment protected through reasonable legislative and other measures. The implementation of section 21, 22 and 26 of the Environment Conservation Act, 1989 is such a legislative measure to protect the environment.

- **Section 25**

  Provides for property rights. The Constitution makes provision for both property rights and the right to a healthy environment. A situation may arise in extreme cases where there is a conflict due to rejecting an application for a listed activity from taking place. In such cases it will be up to the court to decide whether the interest of the community (right to a healthy environment) weights heavier than the right to the individual.

- **Section 32**

  Provides the right to access to information. The lack of information is one of the major obstacles in environmental impact management. Provision has been made in the regulations in terms of section 26 of the Environment Conservation Act, 1989, that any report submitted becomes a public document.

- **Section 38**

  Provides *locus standi* or the "right to get involved" to any member of the public. This means that any member of the public has the right to take appropriate action to prevent environmental damage. This may include taking action against the relevant authority for failing to perform its duties in preventing environmental damage or any individual or authority who is in the process of undertaking listed activities in terms of section 21 of the Environment Conservation Act, 1989, without the necessary authorisation to undertake such activities.

- **Section 41**

  Provides principles for co-operative governance and intergovernmental relations. The Constitution allocates legislative authority as well as executive and administrative powers to all three levels of government. Schedules 4 and 5 determine the functional areas of government. The environment is a cross-sectorial matter and it is therefore important that co-operation between government on all levels is necessary. Furthermore, Chapter 7 of the Constitution of South Africa (Act 108 of 1996) describes the role and responsibilities of Local Government, which include the objectives in Section 152:

  "The objects of local government are:

  - to promote social and economic development.
  - to promote a safe and healthy environment...".

  These principles are further developed in the National Environmental Management Act 1998 (Act 107 of 1998).

  The Constitution (Act No. 108 of 1996) is relevant to pollution and waste management for two reasons. Firstly, the Bill of Rights (Chapter Two of the Constitution) contains a number of rights relevant to integrated pollution and waste management, to the extent that an Act or particular statutory provision that does not uphold these rights, is unconstitutional. Secondly, the Constitution provides the legal basis for allocating powers to different spheres of government and is thus relevant to the institutional regulation of integrated pollution and waste management.

Sovereign

The Constitution states that South Africa is a sovereign, democratic state. In terms of environmental management, it is important to recognize that sovereignty includes the ability to limit sovereign powers by entering into international agreements where the need arises.

The Bill of Rights

The most pertinent fundamental right in the context of integrated pollution and waste Management is the Environmental Right (Section 24), which provides that:

" Everyone has the right

(a) to an environment that is not harmful to their health or well-being; and
(b) to have the environment protected, for the benefit of present and future generation through reasonable legislative and other measures that –

(i) prevent pollution and ecological degradation.
(ii) promote conservation; and
(iii) Secure ecologically sustainable development and the use of natural resources while promoting sustainable economic and social development."

The section of the Bill of Rights specifically imposes a duty on the State to promulgate legislation and take other steps to ensure that the right is upheld and that, other things, pollution and ecological degradation are prevented.

2.1.4 National Water Act (Act no. 36 of 1998)

The purpose of the Act is to ensure that the Municipality's water resources are protected, used, developed and conserved in ways which take into account the protection of aquatic and associated ecosystems; that addresses basic human needs; that ensures the reduction and prevention of pollution; and that meets international obligations.

Section 19 of the NWA deals with landowners and users involved in any activity or process which causes, has caused or is likely to cause pollution of water resources. Such landowners and users are obliged to take all reasonable measures to prevent any such pollution from occurring, continuing or recurring. This includes measures to comply with any prescribed waste standard or management practice.

Furthermore, the NWA requires anyone who intends undertaking a water use, as defined, to obtain a licence. The water uses that may be relevant to waste management activities are:

- discharging waste or water containing waste into a water resource through a pipe, canal, sewer, sea outfall or other conduit; and
- Disposing of waste in a manner which may detrimentally impact on a water resource.

The applications for permits, licences and exemptions made before the promulgation of this Act could still be dealt with in terms of the Water Act 1956 (Act No. 54 of 1956).

2.1.5 National Environmental Management Act (1998)

The NEMA (Act 107 of 1998) provides for co-operative environmental governance by establishing principles for decision making on matters affecting the environment, institutions that will promote co-operative governance and procedures for co-ordinating environmental functions exercised by organs of state; and to provide for matters connected therewith.

As the principal framework act for environmental issues, it has direct relevance to the implementation of the National Waste Management Strategy, one of the key implications being the designation of the DEAT as lead agent for the environment. Chapter 7 of NEMA has important direct implications for the achievement of the NWMS initiative.

The environment as defined in NEMA is the natural environment along with its physical chemical, aesthetic and cultural properties that influence human health and well-being.

NEMA contains the following environmental principles:

- Environmental management must put people and their needs at the forefront and must serve their interest fairly.
- Development must be socially, environmentally and economically sustainable. This means that the following things must be considered before there is development:
  a) Disturbance of ecosystems and loss of biodiversity
  b) Pollution and degradation of the environment
  c) Disturbance of landscapes and sites where the nation's cultural heritage is found
  d) Non-renewable resources must be used responsibly
  e) The precautionary principle must be applied
  f) Negative impacts must be anticipated and prevented and if they can't be prevented, they must be minimized or remedied.
- Environmental management must be integrated. The best practical environmental option must be pursued.
- Environmental justice must be pursued so that there is not unfair discrimination in the way that negative environmental impacts are distributed
- There should be equitable access to environmental resources, benefits and services to meet basic human needs. Special measures may be taken to ensure access for persons disadvantaged by unfair discrimination.
- Responsibility for environmental health and safety of any policy, programme or project must continue throughout the life cycle of a project

- Public participation in environmental decision-making must be promoted. The participation of vulnerable and disadvantaged groups must be ensured
- Decisions must take into account the interests, needs and values of all interested and affected parties. This includes recognizing all forms of knowledge including traditional and ordinary knowledge
- Community well-being and empowerment must be promoted through environmental education
- The social, economic and environmental impacts of the activities must be assessed
- The rights of workers to refuse to do work that is harmful to human health or the environment and to be informed of dangers must be respected
- Decisions must be taken in an open and transparent manner and access to information provided in accordance with the law
- There must be inter government co-ordination and harmonization of policies and laws
- Actual or potential conflicts of interest between organs of state must be resolved through conflict resolution procedures
- Global and international responsibilities relating to the environment must be discharged in the national interest
- The environment is held in a public trust for the people and the use of environmental resources must serve the public interest, and be protected as the people's common heritage
- The polluter must pay for the costs of remedying pollution, environmental degradation and adverse health impacts
- The vital role of youth and women in environmental management must be recognized and their full participation promoted
- Sensitive or stressed ecosystems must receive special attention in planning which might affect them especially when they are subject to significant resource usage and development pressure.

NEMA also stipulates in Section 24 that there must be an environmental impact assessment before any activity or development that needs permission by law and which may significantly affect the environment.

Section 28 places a specific duty of care on every person to prevent, or mitigate and remediate, environmental damage and pollution. Any person, who was responsible for, or directly or indirectly contributed to the pollution, can be held liable. This includes the owner of the land at the time the pollution occurred or their successor in title, a person in control of the land at that time, or any person who negligently failed to prevent the situation.

The public can use NEMA to exercise their rights when they believe that the right procedures were not followed. Therefore it is extremely important to make sure that when there is a proposed development where the municipality is involved e.g. change of land-use – to make sure that the consultant and/or developers follow the right procedures.

2.1.5.1 The NEMA Environmental Impact Assessment Regulations

Sections 24 and 44 of NEMA make provision for the promulgation of regulations that identify activities that may not commence without environmental authorisation or existing activities in respect of which an application for environmental authorisation is required. In this context, EIA Regulations contained in three General Notices in terms of NEMA (GN R385, 386 and 387) (came into force on 3 July 2006.)

The 2006 Regulations were repealed by the June 2010 EIA Regulations (GN R543), and the June 2010 EIA Regulations were repealed and replaced by the 2014 EIA Regulation (GNR 982, GNR 983, GNR 984 and GNR 985.) The purpose of the Regulations is to regulate the procedure and criteria as contemplated in Chapter 5 of the Act relating to the submission, processing and consideration of, and decision on, applications for environmental authorisations for the commencement of activities in order to avoid detrimental impacts on the environment, or where it can con be avoided, ensure mitigation and management of impacts to acceptable levels, and to optimise positive environmental impacts, and for matters pertaining thereto.

2.1.5.2 National Environmental Management Act: Fees for consideration and processing of applications for environmental authorisations and amendments thereto (Government Notice 28 February 2014)

These regulations apply to the above applications excluding community based projects funded by government grants or applications made by organs of state. The commencement date is 1 April 2014. Payment details are discussed regarding the different applicable fees which are listed as follows:

Application	Fee
Application for an environmental authorisation for which basic assessment is required in terms of the Environmental Impact Assessment Regulations	R2 000.00
Application for an environmental authorisation, for which a S&EIR is required in terms of the Environmental Impact Assessment Regulations	R10 000.00
Application dealt with in terms of section 24L of the Act	(a) 100% of the most expensive application, namely, R10 000.00 (Ten Thousand Rand) if S&EIR is triggered and R2 000.00 (Two Thousand Rand) if the basic assessment is triggered;
	(b) 50% of the other application, namely, R5 000.00 (Five Thousand Rand) if the S&EIR is triggered or R1 000.00 (One Thousand Rand) if the basic assessment is triggered)
Amendment of an environmental authorisation on application by the holder of an environmental authorisation.	R2 000.00

2.1.6 The Municipal Structures Act, 1998 (Act no. 117 of 1998)

This act makes provision for the establishment of municipalities in accordance with the requirements relating to categories and types of municipality. It establishes criteria for determining the category of municipality to be established in an area and defines the types of municipality that may be established within each category.

The Act furthermore provides for an appropriate division of functions and powers between categories of Municipality and regulates the internal systems, structures and office-bearers of the municipalities. It also provides for appropriate electoral systems for matters in connection therewith.

2.1.7 White paper: policy on pollution prevention, waste minimisation, impact management and remediation (March 2000)

In line with international trends and our national objectives of efficient and effective management of our nation's resources, priority is given to prevention of waste. Unlike previous policies that focused predominantly on so called "end of pipe" treatment, this White Paper underscores the importance of preventing pollution and waste and avoiding environment degradation.

Effective mechanisms to deal with unavoidable waste will remain necessary, but much greater attention must be directed to the introduction of preventative strategies aimed at waste minimisation and pollution prevention. Ever increasing urban and industrial development throughout the world is leading to levels of pollution, which seriously threaten the natural resources upon which humankind depends for its survival.

Although South Africa has extensive environment, pollution and waste management legislation, responsibility for its implementation is scattered over a number of departments and institutions.

The fragmented and uncoordinated way pollution and waste is currently being dealt with, as well as the insufficient resources to implement and monitor existing legislation, contributes largely to the unacceptably high levels of pollution and waste in South Africa.

The White Paper on Integrated Pollution and Waste Management will result in a review of the existing legislation and the preparation of a single piece of legislation dealing with waste and pollution matters.

Pollution and waste management is not the exclusive preserve of government. The private sector and civil society have crucial roles to play. The fostering of partnerships between government and the private sector is a prerequisite for sustainable and effective pollution and waste management to take place. Similarly, the spirit of partnerships and co-operative governance between organs of state is equally important due to the crosscutting nature of pollution and waste management.

Monitoring and collection of information on pollution and waste generation are crucial for the implementation of pollution and waste reduction measures. Moreover, the sharing of such information and creating awareness about the issues will enable all stakeholders, including communities, to gain a better understanding of the relation between pollution, waste management and the quality of life.

The White Paper proposes a number of tools to implement the objectives of the policy it sets out. The most significant of these is a legislative programme that will culminate in new pollution and waste legislation. This proposed legislation, amongst other things, will address current legislative gaps, and clarify and allocate responsibilities within government for pollution and waste management.

The policy presents seven strategic goals, which are as follows:

Goal 1: Effective Institutional Framework and Legislation
Goal 2: Pollution Prevention, Waste Minimisation, Impact Management and Remediation
Goal 3: Holistic and Integrated Planning
Goal 4: Participation and Partnerships Governance in Integrated Pollution and Waste Management
Goal 5: Empowerment and Education in Integrated Pollution and waste Management
Goal 6: Information Management
Goal 7: International Cooperation

The role of Local Government

Municipalities will be responsible for providing waste management services, and managing waste disposal facilities. Specific functions to be carried out by municipalities will include:

- compiling and implementing general waste management plans, with assistance from provincial government
- implementing public awareness campaigns
- collecting data for the Waste Information System
- providing general waste collection services and managing waste disposal facilities within their areas of jurisdiction
- implementing and enforcing appropriate waste minimisation and recycling initiatives, such as promoting the development of voluntary partnerships with industry, including the introduction of waste minimisation clubs where possible, regional planning, establishment and management of landfill sites, especially for regionally based general waste landfills.

2.1.8 The Municipal Systems Act (Act 32 of 2000)

This Act outlines the role and responsibilities of local governments as to:

- Provide democratic and **accountable** government for local communities;
- Ensure the provision of services to communities in a **sustainable** manner;
- Promote **social** and economic development;
- Promote a safe and healthy **environment**;
- Encourage the **involvement** of communities and community organisation in the matters of local government; and
- Strive, within its financial and administrative capacity, to achieve the objectives above.

These responsibilities indicate a need for an environmentally educated work force (accountable) as well as an environmentally educated public (involvement). The municipal Systems Act (32 of 2000) requires municipalities to promote public participation and to build the capacity of residents, councillors and municipal officials to engage in participatory processes. As a means of tracking progress in this area, the executive of a municipality is obliged to report annually on the level of public participation in municipal matter.

Each Municipality must include in its integrated development plan contemplated in Chapter 5 of the Municipal Systems Act, an integrated waste management plan that is consistent with the relevant provincial integrated waste management plan. The annual performance report which must be prepared in terms of section 46 of the Municipal Systems Act must contain information on the implementation of the municipal integrated waste management plan.

2.1.9 National Environment Management: Air Quality Act 2004 (Act no. 39 of 2004)

This Act has been promulgated in order to reform the law regulating air quality in order to protect the environment by providing reasonable measures for the prevention of pollution and ecological degradation and for securing ecologically sustainable development while promoting justifiable economic and social development. It also provides for national norms and standards regulating air quality monitoring, management and control by all spheres of government; for specific air quality measures; and for matters incidental thereto.

The object of this Act is:

a) to protect the environment by providing reasonable measures for-

   (i) The protection and enhancement of the quality of air in the Republic;
   (ii) The prevention of air pollution and ecological degradation; and
   (iii) Securing ecologically sustainable development while promoting justifiable economic and social development; and

b) Generally to give effect to section 24(b) of the Constitution in order to enhance the quality of ambient air for the sake of securing an environment that is not harmful to the health and well-being of people.

2.1.10 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008) ("The Waste Act")

On 1 July 2009 the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("the Waste Act") came into effect. The Waste Act repealed Section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) ("ECA") and introduces new provisions regarding the licensing of waste management activities.

Provision has been made in the form of legislative and regulatory tools to facilitate and ensure implementation of the Act by all spheres of government.

The Waste Act was published to reform the law regulating waste management in order to protect the health of the environment by providing reasonable measures for the prevention of pollution and ecological degradation and for securing ecologically sustainable development.

The purpose of this Act is to protect health, well-being and the environment by providing reasonable measures for –

- the minimisation of the consumption of natural resources;
- the avoidance and minimisation of the generation of waste;
- the recovery, re-use and recycling of waste;
- the treatment and safe disposal of waste as a last resort;
- the prevention of pollution and ecological degradation;
- securing ecologically sustainable development while promoting justifiable economic and social development;
- promoting and ensuring the effective delivery of waste services;
- remediating land where contamination presents, or may present, a significant risk of harm;

- achieving integrated waste management reporting and planning;
- to ensure that people are aware of the impacts of waste on health and the environment;
- to provide for compliance and generally to give effect to section 24 of the Constitution in order to secure an environment that is not harmful to the health and well-being of people.

The interpretation and application of this Act must be guided by the national environmental management principles set out in section 2 of the National Environmental Management Act.

The Waste Act allows for the compilation of a Waste Management Strategy, national, provincial and local standards.

Municipalities must in terms of their by-laws:

- establish service standards and levels of service for the collection of waste;
- may identify requirements in respect of the separation, compacting and storage of waste;
- may identify requirements for the management of waste, including requirements in respect of the avoidance of the generation of waste and the recovery, reuse and recycling of waste;
- the requirements in respect of the directing of waste to specific treatment and disposal facilities.

Each Municipality must include in its integrated development plan contemplated in Chapter 5 of the Municipal Systems Act, an integrated waste management plan that is consistent with the relevant provincial integrated waste management plan.

The annual performance report which must be prepared in terms of section 46 of the Municipal Systems Act must contain information on the implementation of the municipal integrated waste management plan.

Municipalities must also in terms of the Act:

- conduct municipal activities in accordance with the National Waste Management Strategy and any national or provincial norms and standards;
- compile an integrated waste management plan;
- ensure that waste management services are provided within the municipality in a manner which prioritises the recovery, re-use or recycling of waste and provides for the treatment and safe disposal of waste as a last resort;
- designate a waste management officer;
- ensure that provision is made for the management and collection of litter;
- secure compliance with the objects of this Act that are in the domain of the municipality; and
- Implement any other measures that are necessary for securing the objects of this Act that are within the domain of the municipality.

Duty to provide collection services - Every municipality has an obligation to progressively ensure that efficient, effective and affordable waste collection services are provided in its area.

A municipality may, by notice, require any person making use of the municipal collection service to separate specified types of waste from the general waste for the purposes of recovery, re-use or recycling.

In terms of Section 19(1) of the Waste Act, the Minister may publish a list of waste management activities that have, or are likely to have, a detrimental effect on the environment. In terms of Section 20 of the Waste Act no person may commence, undertake or conduct a waste management activity except in accordance with the following:

- the requirements or standards determined in terms of Section 19(3) of the Waste Act for that activity; or
- a waste management licence issued in respect of that activity, if a license is required.

On 3 July 2009 a list of waste management activities were published. These activities were published in Government Notice 178 in Government Gazette No. 32368 of 3 July 2009. No person may commence with, undertake or conduct these activities unless a waste management licence is issued in respect of the activity.

A person who wishes to commence, undertake or conduct an activity listed under Category A must conduct a Basic Assessment process whilst activities listed under Category B requires a Scoping and EIA process to be undertaken.

In terms of Section 49(2) of the Waste Act a decision to grant a waste management licence in respect of a waste disposal facility is subject to the concurrence of the Minister responsible for Water Affairs. The Waste Act further specifies that the issuing of a waste management licence for a waste disposal facility is subject of the inclusion in the licence of any conditions contained in a Record of Decision issued by the Minister responsible for Water Affairs regarding any measures that the Minister responsible for Water Affairs considers necessary to protect a water resource as defined in the National Water Act, 1998 (Act No. 36 of 1998).

As far as hazardous waste goes, the National Department of Environmental Affairs (DEA) is the regulatory body for the licensing of Hazardous Waste Facilities, according to NEM:WA's Chapter 5. In addition, the management of hazardous waste is included in the concurrent legislative competence of both National and Provincial Government assigned by the South African Constitution with respect to environment and pollution control.

2.1.10.1 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): List of waste management activities that has or is likely to have a detrimental effect on the environment. Government Gazette No. 41175, 11 October 2017

The notice replaces the amended 2013 list of activities that trigger a waste licence requirement and because of its impact on financial budgets and budget scheduling, all the activities, quoted verbatim (except where grammatically corrected) from the notice, are listed below:

"GENERAL

No person may commence, undertake or conduct a waste management activity listed in this schedule unless a licence is issued in respect of that activity.

CATEGORY A

3. A person who wishes to commence, undertake or conduct an activity listed under this Category, must conduct a basic assessment process, as stipulated in the environmental impact assessment regulations made under section 24(5) of the National Environmental management Act, 1998 (Act No. 107 of 1998) as part of a waste management licence application.

Storage of waste

(1) The storage of general waste in lagoons.

Recycling or recovery of waste

(2) The recycling of general waste at a facility that has an operation area in excess of 500m^2, excluding recycling that takes place as an integral part of an internal manufacturing process within the same premises.
(3) The recycling of hazardous waste in excess of 500kg but less than 1 tonne per day calculated as a monthly average, excluding recycling that takes place as an integral part of an internal manufacturing process within the same premises.
(4) The recovery of waste including the refining, utilisation, co-processing of the waste in excess of 10 tonnes but less than 100 tonnes of general waste per day or in excess of 500kg but less than 1 tonne of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process with in the same premises.

Treatment of waste

(5) The treatment of general waste using any form of treatment at a facility that has the capacity to process in excess of 10 tonnes but less than 100 tonnes.
(6) The treatment of hazardous waste using any form of treatment at a facility that has the capacity to process in excess of 500kg but less than 1 tonne per day excluding the treatment of effluent, wastewater or sewage.
(7) The remediation of contaminated land.

Disposal of waste

(8) The disposal of inert waste in excess of 25 tonnes and with a total capacity of 25 000 tonnes, excluding the disposal of such waste for the purposes of levelling and building which has been authorised by or under other legislation.

(9) The disposal of general waste to land covering an area of more than 50m^2 but less than 200m^2 and with a total capacity not exceeding 25 000 tonnes.

(10) The disposal of domestic waste generated on premises in areas not services by the municipal service where the waste disposed exceeds 500kg per month.

Construction, expansion or decommissioning of facilities and associated structures and infrastructure

(11) The construction of facilities for waste management schedule activity listed in Category A of this Schedule (not in isolation to associated activity)

(12) The expansion of waste management activity listed in Category A or B of this Schedule which does not trigger an addition waste management activity of this Schedule

(13) The decommissioning of facility for a waste management activity listed in Category A or B of this Schedule.

CATEGORY B

4. A person who wishes to commence, undertake or conduct a waste management activity listed under this Category, must conduct a scoping and environmental impact reporting process, set out in the Environmental Impact Assessment Regulations made under section 24(5) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as part of a waste management licence application contemplated in section 45 read with section 20(b) of this Act.

Storage of hazardous waste

(1) The storage of hazardous waste in lagoons excluding storage of effluent, wastewater or sewage.

Reuse, recycling and recovery of waste

(2) The reuse and recycling of hazardous waste in excess of 1 tonne per day, excluding reuse or. Recycling that takes place as an integral part of an internal manufacturing process within the same premises.

(3) The recovery of waste including the refining, utilisation or co-processing of waste at a facility with a facility that processes in excess of 100 tonnes of general waste per day or in excess of 1 tonne of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises.

Treatment of waste

(4) The treatment of hazardous waste in excess of 1 tonne per day calculated as a monthly average; using any form of treatment excluding the treatment of effluent, wastewater or sewage.

(5) The treatment of hazardous waste in lagoons, excluding the treatment of effluent, wastewater or sewage.

(6) The treatment of general waste in excess of 100 tonnes per day calculated as a monthly average, using any form of treatment.

Disposal of waste on land

(7) The disposal of any quantity of hazardous waste to land.

(8) The disposal of general waste to land covering an area in excess of 200m^2 and with a total capacity exceeding 25 000 tonnes.

(9) The disposal of inert waste to land in excess of 25 000 tonnes, excluding the disposal of such waste for the purposes of levelling and building which has been authorised by or under other legislation.

Construction of facilities and associated structures and infrastructure

(10) The construction of facilities for a waste management activity listed in Category B of this this Schedule (not in isolation to associated waste management activity).

CATEGORY C

5. A person who wishes to commence, undertake or conduct a waste management activity listed under this Category, must comply with the relevant norms or standards determined by the Minister listed below-
   (a) Norms and Standards for Storage of Waste, 2013 or
   (b) Standards for Extraction, Flaring or recovery of Landfill Gas, 2013; or
   (c) Standards for Scrapping or Recovery of Motor Vehicles, 2013; or
   (d) National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening or Baling of General Waste, 2017.

Storage of waste

(1) The storage of general waste at a facility that has the capacity to store in excess of $100m^3$ of general waste at any one time, excluding the storage of waste in lagoons or temporary storage of such waste.
(2) The storage of hazardous waste at a facility that has the capacity to store in excess of $80m^3$ of hazardous waste at any one time, excluding the storage of hazardous waste in lagoons or temporary storage of such waste.
(3) The storage of waste tyres in a storage area exceeding $500m^2$.

Recycling or recovery of waste

(4) The scrapping or recovery of motor vehicles at a facility that has an operational rea in excess of $500m^2$.
(5) The extraction, recovery or flaring of landfill gas.
(6) The sorting, shredding, grinding, crushing, screening or baling of general waste at a waste facility that has an operational area that is $1000m^2$ and more."

2.1.10.2 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): National Domestic Waste Collection Standards, Government Gazette No. 33935, 21 January 2011

The purpose of this publication is to redress past imbalances in the provision of waste collection services. The provision of waste collection services improves the quality of life of the entire community and ensures a clean and more acceptable place to live and work in. The lack of or poor quality waste collection services can however result in a number of environmental and human health problems.

It is recognised that South Africa is a developing country and the purpose of the setting of standards is to ensure a service to all while complying with health and safety regulations without unnecessarily changing current creative collection processes as long as they function well and deliver a service of acceptable standard to all households. These National Domestic Waste Collection Standards are therefore applicable to all domestic waste collection services throughout the country.

This notice distinguishes between the levels of service relating to waste collection. It further states that equitable waste collection services must be provided to all households within the jurisdiction of the municipality. In areas where travelling distances and the resulting costs may render regular waste collection services impractical, the municipality, through by-laws, must allow for more feasible alternative ways of waste handling, such as on-site disposal.

From here regulations and guidelines on separation at source, collection of recyclable waste, receptacles, bulk containers, communal collection points, and frequency of collection, drop-off centres and collection vehicles are given.

Existing Occupational Health and Safety legislation must be adhered to and the general health of waste collection workers must be addressed by ensuring they receive:

(i) regular medical check-ups to ensure their health and well-being;
(ii) appropriate personal protective equipment e.g. gloves, masks, overalls and raincoats, gumboots; and
(iii) on-going training on health and safety issues.

The role of the Waste Management Officer regarding waste awareness and the handling of complaints are prescribed. The municipality must create awareness amongst households about the following:

(i) the types of waste collection services provided;
(ii) Separation at source - the removal of recyclables and re-usable waste from the general household waste;
(iii) The potential of composting of some of the household waste and the benefit of such to the household;
(iv) The unacceptability of illegal dumping and littering;
(v) Measures to be taken against individuals that litter and dump waste illegally;
(vi) The cost of cleaning up illegal dumping and littering, and the implications on household waste collection rates; and
(vii) The advantages of reporting illegal dumping activities.

The municipality must provide clear guidelines to households about the following:

(i) The different types of waste generated in households;
(ij) separation of non-recyclable and non-reusable household waste from compostable waste and recyclable waste;
(iii) Appropriate containers for each type of waste;
(iv) Removal schedules for each type of waste; and
(v) What to do with waste other than those waste forming part of the regular schedule of waste collection services.

Awareness raising and guideline communications must be done at regular intervals to ensure that all households are well informed about the issues listed above.

The Waste Collection customer service standards for Kerbside collection are described with respect to collection schedule, interruptions, the replacement of bins, collection during holidays and general points.

2.1.10.3 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): National Waste Information Regulations, Government Gazette No. 35583, 13 August 2012

The purpose of the Regulations is to regulate the collection of data and information to fulfil the objectives of the national waste information system set out in section 61 of the Act.

The Regulations apply uniformly to all persons conducting an activity listed in Annexure A of the Regulations. A person who conducts an activity in a province that has an established waste information system in terms of section 62 of the Act and collects the minimum information required by the Regulations must submit the information to the provincial waste information system.

Where a province has developed waste information regulations that are compatible with the Regulations, a person who conducts an activity contemplated in Annexure A to the Regulations must comply with the provincial waste information regulations.

2.1.10.4 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): Waste Classification and Management Regulations, Government Gazette No. 36784, 23 August 2013

The purpose of the Regulations is to regulate the classification and management of waste in a manner which supports and implements the provisions of the Act; to establish a mechanism and procedure for the listing of waste management activities that do not require a Waste Management Licence; to prescribe requirements for the disposal of waste to landfill; to prescribe requirements and timeframes for the management of certain wastes and to prescribe general duties of waste generators, transporters and managers. It is stated in the Regulations that waste transporters and waste managers must not accept waste that has not been classified in terms of regulation 4 unless such a waste is listed in Annexure A of the Regulations.

Chapter 2 of the Notice covers Waste Classification and Safety Data Sheets. This regulation imposes an obligation on waste generators to prepare safety data sheets for all hazardous waste.

Chapter 3 covers Waste Management in General, Waste Treatment and Waste Disposal to Landfill. Waste Transporters and Waste managers must NOT accept waste that has not been classified in terms of Section 4 unless such waste is listed in Annexure A of the Regulations.

Chapter 4 covers Waste Management Activities that do not require a Waste Management Licence. With reference to section 4: Waste classification: Wastes which were not previously classified in terms of the Minimum Requirements for the Handling, Classification and Disposal of Hazardous Waste, 2nd Edition 1998 must be classified in terms of SANS 10234 within 18 months from the publication of the regulations, thus on or before 23 February 2015. Wastes which were previously classified in terms of the Minimum Requirements for the Handling, Classification and Disposal of Hazardous Waste, 1998 must be classified in terms of SANS 10234 within 3 years from the publication of the regulations of 23 August 2013 (thus on or before 23 August 2016).

The safety data sheets for wastes listed in item 2(b)(i) of Chapter 7: Annexure A must be prepared (in accordance with SANS 10234) for the product the waste originates from. The safety data sheets for hazardous waste, must be prepared (in accordance with SANS 10234) reflecting the details of the specific hazardous wastes or hazardous chemicals in the waste.

Chapter 5 covers the Record Keeping and Waste Manifest System:

10(1) the waste **generators** must keep accurate and up to date records of the management of the waste generated, the records must reflect:-
- (a) The classification of the waste
- (b) The quantity of each waste generated in tonnes or cubic metres per month;
- (c) The quantity of each waste that has been re-used, recycled, recovered, treated or disposed of, and
- (d) By whom the waste was managed

10(2) the sub regulation does not apply to item 2(a) of Annexure A *(general waste)*

11(4) Waste Transporters must NOT accept waste that has not been classified in terms of Section 4(2) or waste that has been listed in 2(b) of Annexure A of the Regulations for Transport unless the Waste Manifest Document accompanies the Waste

11(5) All transporters of hazardous waste in terms of Regulation 4(2) or waste that is listed in item 2(b) of Annexure A to the Regulations must:-
- (a) Complete a waste manifest for each consignment of waste transported
- (b) Provide information to the generator before the waste is transported from the premises
- (c) Provide the information to the facility waste manager at the time of delivery.

11(8) all waste generators, transporters and managers subjected to the requirements of sub-regulation 1, 2, 4, 5, 6 and 7 must-
- (a) Retain copies or be able access copies/records, of the waste manifest document for at least (5) years.

Chapter 6 covers General Matters which includes Implementation and Transitional Provisions and Offences and Penalties.

Chapter 7 contains the following Annexures:

Annexure 1: Wastes that do not require Classification or Assessment

(2) General waste.
- (i) Domestic Waste;
- (ii) Business waste not containing hazardous waste or hazardous chemicals;
- (iv) Non-infectious animal carcasses;
- (iv) Garden waste;
- (v) Waste packaging;
- (vi) Waste tyres;
- (vii) Building and demolition waste not containing hazardous waste or hazardous chemicals; and
- (viii) Excavated earth material not containing hazardous waste or hazardous chemicals.

(3) Hazardous waste
  (i) Waste Products;
  Asbestos
  PCB or PCB containing waste
  Expired, spoiled or unusable hazardous products
  (ii) Mixed waste
  General waste excluding domestic- that may contain hazardous waste or hazardous chemicals.
  Mixed hazardous chemical wastes from analytical laboratories and laboratories from academic institutions less than 100 litre.
  (iii) Other:
  Health Care Risk Waste (HCRW)

Based on physical and chemical characteristics hazardous waste can be grouped according to the South African National Standards 10234 (SANS 10234:2008) into the following classes:

Hazardous Waste Class (SANS 10234:2008)	
Classes	**Description**
9.1	Explosives
9.2	Flammable gases
9.3	Flammable aerosols
9.4	Oxidising gases
9.5	Gases under pressure
9.6	Flammable liquids
9.7	Flammable solids
9.8	Self-reactive substances and mixtures
9.9	Pyrophoric substances
9.10	Self-heating substances and mixtures
9.11	Substances and mixtures that, on contact with water, emit flammable gases
9.12	Oxidizing substances and mixtures
9.13	Organic peroxides
9.14	Corrosive to metals

Annexure 2: Waste Manifest System Information Requirements

(1) The information required in (2) must be reflected in the Waste Manifest Document required in terms of Regulation 11.
(2) (a) Information supplied by the waste generator(consignor):
  (i) Unique consignment identification number
  (ii) South African Waste Information Number (SAWIS), if applicable
  (iii) Generator's contact details
  (iv) Physical address of site where the waste was generated
  (v) Contact number
  (vi) Origin/source of the waste. (process or activity)
  (vii) Classification of the waste (*SANS 10234*) and Safety Data Sheet (SDS)
  (viii) Quantity of waste by volume or tonne
  (ix) Date of collection/dispatch
  (x) Intended receiver (waste Manager)
  (xi) Declaration (content of the assignment is fully and accurately described, classified, packed, marked and labelled, and in all respects in a proper condition for transportation in accordance with the applicable by-laws and applications
  (b) Information to be supplied to the waste Transporter:
  (i) Name of transporter
  (ii) Address and telephone number
  (iii) Declaration acknowledging receipt of the waste.

(c) Information supplied by the waste manager (consignee):
(i) Name, address and contact details
(ii) Receiving facility details
(iii) Waste management facility licence number
(iv) Date of receipt
(v) Quantity of waste received
(vi) Type of waste management applied
(vii) Any discrepancies in information between the different holders of waste
(viii) Waste management reporting description and code in terms of the National Waste Information Regulations 2012
(ix) Details on any waste diverted to another facility
(x) Certification and declaration of receipt and final management of waste.

2.1.10.5 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): National Norms and Standards for the Assessment of Waste for Landfill Disposal, Government Gazette No. 36784, 23 August 2013

The purpose of the Norms and Standards is to prescribe the requirements for the assessment of waste prior to disposal to landfill in terms of Regulation 8(1) (a) of the Regulations.

The Standard Assessment methodology to assess waste for the purpose of disposal to landfill the following are required:

- Identification of chemical substances present in the waste
- Sampling and analysis to determine the total concentrations (TC) and leachable concentrations (LC) of the elements and chemical substances that have been identified in the waste and that are specified in section 6 of the Norms and Standards.

Within 3 years of the date of commencement of the Regulations, all analyses of the TC and LC must be conducted by labs accredited by SANAS. The TC and LC limits must be compared to the threshold limits specified in section 6 of these Norms and Standards. Based on the TC and LC limits the specific type of waste for disposal to landfill must be determined in terms of section 7.

2.1.10.6 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): National Norms and Standards for Disposal of Waste to Landfill, Government Gazette No. 36784, 23 August 2013

The purpose of the Norms and Standards are to determine the requirements for the disposal of waste to landfill as contemplated in regulation 8(1)(b) and (c) of the Regulations.

Chapter 2 describes and illustrates the Landfill Classification and corresponding minimum engineering design requirements for the Containment Barriers. These are for Class A to Class D landfills. The requirements that are to be included in an application for a waste management license are stipulated.

The waste acceptance criteria for disposal to landfill are summarised as follows:

Waste assess in terms of the Norms and Standards for Assessment of Waste for Landfill Disposal set in terms of section 7(1) of the Act must be disposed to a licensed landfill as follows:

Waste Type	Landfill Disposal Requirements
Type 0	Disposal to landfill not allowed
Type 1	Disposed at Class A landfill or H:h/H:H landfill as specified
Type 2	Disposed at Class B landfill or G:L:B+ landfill as specified
Type 3	Disposed at Class C landfill or G:L:B+ landfill as specified
Type 4	Disposed at Class D landfill or G:L:B- landfill as specified

Waste listed in section 2(a) of Annexure A to the Regulations must be disposed as follows:

Listed Waste	Landfill Disposal Requirements
Domestic waste. Business waste not containing hazardous waste or hazardous chemicals. Non-infectious animal carcasses. Garden waste.	Disposed at Class B landfill or G:L:B+ landfill as specified
Post-consumer packaging. Waste tyres.	Disposed at Class C landfill or G:L:B+ landfill as specified
Building and demolition waste not containing hazardous waste or hazardous chemicals. Excavated earth material not containing hazardous waste or hazardous chemicals.	Disposed at Class D landfill or G:L:B- landfill as specified

Unless assessed in terms of the Norms and Standards for Assessment of Waste for Landfill Disposal set in terms of Section 7(1) of the Act and disposed of in terms of section 4(1) of these Norms and Standards, the following waste included in section 2(b) of Annexure A to the Regulations must be disposed as follows:

Listed Waste	Landfill Disposal Requirements
Asbestos waste; Expired, spoilt or unstable hazardous products; PCBs; General waste, excluding domestic waste, which contains hazardous waste or hazardous chemicals; Mixed, hazardous chemical wastes from analytical labs and labs from academic institutions in containers less than 100 litres.	Disposed at Class A landfill or H:h/H:H landfill as specified

Waste that has been classified in terms of the Minimum Requirements for the Handling, Classification and Disposal of Hazardous Waste (2nd Edition, 1998; DWAF) prior to the Regulations coming into operation, may be accepted and disposed of as set out below for a period not exceeding 3 years after the date of coming into operation of the Regulations:

Waste	Landfill Disposal Requirements
Hazardous Waste - Hazard Rating 1 or 2	Disposed at Class A landfill or H:H landfill as specified
Hazardous Waste - Hazard Rating 3 or 4	Disposed at Class A landfill or H:h landfill as specified
Hazardous Waste - Delisted	Disposed at Class B landfill or G:L:B+ landfill as specified
General Waste	Disposed at Class B landfill or G:S/M/L:B-/B+ landfill as specified

The Norms and Standards lists prohibitions and restrictions on the disposal of waste to landfill which comes into effect after the timeframes indicated for each waste and activities from the date of the Regulations coming into operation. For garden waste specifically, it states that diversion of garden waste must reach 25% by 2018 and 50% by 2023.

Waste Prohibited or Restricted in terms of Disposal	Compliance Timeframe
(a) Waste which, in the conditions of a landfill, is explosive, corrosive, oxidising (according to SANS 10234 or SANS 10228).	Immediate
(b) Waste with a pH value of <6 or >12.	Immediate
(c) Flammable waste with a closed cup flashpoint lower than 61°Celsius.	Immediate
(d) Reactive waste that may react with water, air, acids or components of the waste, or that could generate unacceptable amounts of toxic gases within the landfill.	Immediate
(e) Waste compressed gases (according to SANS 10234 or SANS 10228)	Immediate
(f) Untreated Healthcare Risk Waste (HCRW).	Immediate
(g) (i) POPs pesticides listed under the Stockholm Convention. (ii) Other waste pesticides.	Eight (8) years Four (4) years
(h) Lead acid batteries.	Immediate
(i) Other batteries.	Eight (8) years
(j) Re-usable, recoverable or recyclable used lubricating mineral oils, as well as oil filters, but excluding other oil containing wastes.	Four (4) years
(k) Re-usable, recoverable or recyclable used or spent solvents.	Five (5) years
(l) PCB containing waste (>50 mg/kg or 50 ppm).	Five (5) years
(m) Hazardous waste Electric and Electronic Equipment (WEEE) – Lamps.	Three (3) years
(n) Hazardous waste Electric and Electronic Equipment (WEEE) – Other.	Eight (8) years
(o) Waste tyres: Whole.	Immediate
(p) Waste tyres: Quartered.	Five (5) years
(q) Liquid waste- (i) Waste which has an angle of repose of less than 5 degrees, or becomes free-flowing at or below 60°C or when it is transported, or is not generally capable of being picked up by a spade or shovel; or (ii) Waste with a moisture content of >40% or that liberates moisture under pressure in landfill conditions, and which has not been stabilised by treatment.	Six (6) years
(r) Hazardous waste with a calorific value of: i > 25MJ/kg ii > 20MJ/kg iii> 10MJ/kg iv > 6% TOC	 Four (4) years Six (6) years Twelve (12) years Fifteen (15) years
(s) Brine or waste with a high salt content (TDS > 5%), and a leachable concentration for TDS of more than 100 000 mg/l.	Eight (8) years
(t) Disposal of garden waste: (i) 25% diversion from the baseline at a particular landfill of separated garden waste. (ii) 50% diversion from the baseline at a particular landfill of separated garden waste	 Five (5) years Ten (10) years
(u) Infectious animal carcasses and animal waste.	Immediate

Restrictions on activities related to the disposal of waste to landfill:

Waste Prohibited or Restricted in terms of Disposal	Compliance Timeframe
(a) Disposal of- (j) Type 1 Waste that has been treated, with waste listed in paragraph (2)(a) of Annexure 1 to the Regulations (ii) Waste classified as hazardous in terms of regulation 4(1), or waste listed in paragraph (2)(b) of Annexure 1 to the Regulations, with waste listed in paragraph (2)(a) of Annexure 1 to the Regulations; and (iii) Type 4 waste with any waste other than Type 4, unless part of treatment.	Five (5) years Five (5) years Five (5) years
(b) Macro-encapsulation of waste, meaning the isolation (or long-term storage) of waste through containment in containers within a sealed or reinforced cell in a specifically prepared and engineered area within a permitted hazardous waste landfill.	Eight (8) years

2.1.10.7 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): Fee Structure for Consideration and Processing of Applications for Waste Management Licences, Transfer and Renewal thereof, Government Gazette No. 37383, 28 February 2014

These regulations apply to the above application excluding community based projects funded by government grants or applications made by organs of state. The commencement date is 1 April 2014. Payment details are discussed regarding the different applicable fees which are listed as follows:

Application	Fee
Application for a waste management license for which basic assessment is required in terms of the Act.	R200.00
Application for a waste management license for which S&EIR is required in terms of the Act.	R10 000.00
Application for a transfer of a waste management license in terms of section 52(2) or for the renewal of a waste management license in terms of section 55(2) of the Act.	R2 000.00

2.1.10.8 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): National Norms and standards for the Extraction Flaring or Recovery of Landfill Gas, Government Gazette No. 37086, 29 November 2013

The purpose of these Norms and Standards is to aim at controlling the flaring, extraction or recovery of landfill gas at facilities in order to prevent or minimise the potential negative impacts on the bio-physical and socio-economic environments. It describes how these facilities must be designed, operated, monitored and decommissioned.

2.1.10.9 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): National Norms and Standards for the Scrapping or Recovery of Motor Vehicles, Government Gazette No. 37087, 29 November 2013

These Norms and Standards are applicable to a vehicle scrapping or recovery facility with an operational area exceeding 500m^2 and describes how such a facility must be designed, operated, monitored and decommissioned.

2.1.10.10 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): National Norms and Standards for the Storage of Waste, Government Gazette No. 37088, 29 November 2013

The purpose of these Norms and Standards is to provide a uniform national approach to the management of waste storage facilities, ensure best practice and to provide minimum standards for the design and operation of new and existing facilities. These Norms and Standards are applicable to waste storage facilities that have the capacity to store in excess of 100m^3 general waste continuously or 80m^3 of hazardous waste continuously.

2.1.10.11 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): DRAFT National Norms and Standards for Organic Waste composting, Government Gazette No. 37300, 7 February 2014

These draft Norms and Standards are applicable to organic waste composting facilities that have the capacity to process in excess of 10 tonnes but less than 100 tonnes of compostable organic waste per day and describes how such a facility must be designed, operated, monitored and decommissioned.

2.1.10.12 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): National Norms and Standards for the Remediation of Contaminated Land and Soil Quality, Government Gazette No. 37603, 2 May 2014

The purpose of these Norms and Standards is provide a uniform national approach to determine the contamination status of an area and to limit uncertainties about the most appropriate criteria and method to apply in such an assessment. Also provide minimum standards for assessing necessary environmental protection measures for remediation activities.

2.1.10.13 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): National Norms and Standards for the sorting, shredding, grinding, crushing, screening or baling of general waste, Government Gazette No. 41175, 11 October 2017

The purpose of these norms and standards is to provide a uniform national approach relating to the management of waste facilities that sort, shred, grind, crush, screen, chip or bale general waste and applies to a waste facility that has an operational area that is 1000m^2 and more.

It requires any new facility to register with the competent authority within 90 days prior to construction taking place and it allows for any existing facilities that undertake these activities, and which are already registered in terms of the National Norms and Standards for Storage of waste, to comply with the norms and standards without having to re-register.

A waste facility that is less than 1000m^2 must register with the competent authority and comply with the principle of duty of care as contained in Section 28 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and Section 16(1) and 16(3) of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008).

2.1.10.14 National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008): List of Waste Management Activities that has or is likely to have a detrimental effect on the Environment Government Gazette No. 37604, 2 May 2014

The Waste Management Activities List under paragraph 2.15 above has been amended by the deletion of Category B activity 3 (8).

2.1.11 <u>The Western Cape Health Care Waste Management Amendment Act, 2007 (No 6 of 2010)</u>

Act 7 of 2007 was amended in 2010 so as to align the terminology with that used in the National Environmental Management: Waste Act, 2008; to define or redefine certain expressions; to delete certain unnecessary definitions; to provide for the issuing of compliance notices; to amend the provisions relating to offences and penalties; to make further provision regarding regulations; to effect certain textual changes; and to provide for matters incidental thereto. The Health Care Management Bill provides for the effective handling, storage, collection, transportation, treatment and disposal of health care waste by all persons in the Province of the Western Cape; and provides for matters incidental thereto.

The object of this Act is to promote integrated health care waste management and thereby—

(a) reduce the risks of health care waste to human health;
(b) prevent the degradation of the environment;
(c) prevent the illegal dumping of health care waste;
(d) promote sustainable development, and
(e) Ensure responsible management of health care waste within the Province.

Under this Act a Municipality must:

(a) enforce the relevant provisions of this Act within its area of jurisdiction;
(b) perform audits of generators, transporters, treaters or disposers of health care waste within its area of jurisdiction to ensure compliance with the provisions of this Act;
(c) report annually to the Provincial Minister on the number of incidents of illegal dumping of health care risk waste within its area of jurisdiction, the number of incidents of illegal dumping of health care risk waste pursued in a court of law, and the number of incidents of illegal dumping of health care risk waste successfully convicted in a court of law.

Health Care Waste is produced by hospitals, clinics, physicians, offices, dentists, funeral homes, veterinary clinics and medical- and research laboratories.

Currently only 10-15% of medical waste is considered infectious. The enormous volumes of health care waste requiring special handling and disposal for all infectious and pathological waste are responsible for the current re-evaluation of the terminology for health care waste.

The modern trend in infection control is dictated by the risk posed by the procedure and not by the diagnoses. Thus health care waste is divided into Health Care General Waste (HCGW) and Health Care Risk Waste (HCRW). HCRW generally indicates infectious waste, pathological waste, sharps, chemical and pharmaceutical waste, radioactive and cytotoxic waste.

2.1.12 The Western Cape Health Care Waste Management Amendment Act, 2007: Western Cape Health Care Risk Waste Management Regulations, 2013

These regulations were published in the Western Cape: Provincial Gazette Extraordinary 15 March 2013. These are the regulations set out in the Schedule under section 14 of the Western Cape Health Care Waste Management Act, 2007.

The regulations address the requirements for packaging, storage, internal transport, external transport, vehicles, drivers, treatment and disposal of health care risk waste. Furthermore the required training, registration of health care risk waste generators, transporters, treaters and disposers, reporting, auditing and record keeping is discussed. Health care waste management plans must be prepared by those who meet the criteria listed. The required actions regarding compliance notices are also listed.

All addressed forms in the regulations are given in the Annexures:

Annexure A:	Minimum Requirements for health care risk waste containers
Annexure B:	Minimum Requirements for storage of health care risk waste in terms of regulation 3
Annexure C:	Form 1, Minimum Requirements for a tracking document
Annexure 4:	Minimum Requirements for information to be contained in a Health Care Waste Management Plan
Annexure 5:	Form 2.1, Provincial IPWIS registration form for health care risk waste generators, transporters, treaters and disposers
Annexure 6:	Form 2.2, Registration Certificate; Form 3.1, Monthly record keeping form for generators; Form 3.2 Monthly record keeping form for transporters, treaters and disposers
Annexure 7:	Form 4.1, Compliance Notice; Form 4.2, Compliance certificate.

2.1.13 National Waste Management Strategy (2011)

The National Waste Management Strategy (2011) presents Government's strategy for integrated waste management for South Africa and is a legislative requirement of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008). The purpose of the Strategy is to achieve the objectives of the Waste Act.

The National Waste Management Strategy presents a long-term plan (up to the year 2016) for addressing key issues, needs and problems experienced with waste management in South Africa. The strategy gives effect to the Bill of Rights, Constitution of South Africa, Act 107 of 1998, on the basis of which the people of South Africa have the right to an environment that is not detrimental to their health. Furthermore, the strategy translates into action Government's policy on waste as set out in the Draft White Paper on Integrated Pollution and Waste Management for South Africa (published in 1998).

The objective of integrated pollution and waste management is to move away from fragmented and uncoordinated waste management to integrated waste management. Such a holistic and integrated management approach extends over the entire waste cycle from cradle to grave, and covers the prevention, minimisation, generation, collection, transportation, treatment and final disposal of waste. Integrated waste management thus represents a paradigm shift in South Africa's approach to waste management, by moving away from waste management through impact management and remediation and establishing instead a waste management system which focuses on waste prevention and waste minimisation.

The Strategy is built around a framework of eight goals, as listed below, along with specific goals that needed to be reached by 2016, as described below.

Goal 1: Promote waste minimisation, reuse, recycling and recovery of waste.
- 25% of recyclable diverted from landfill sites for re-use, recycling or recovery.
- All Metropolitan Municipalities, secondary cities and large towns have initiated separation at source programmes.

Goal 2: Ensure the effective and efficient delivery of waste services.
- 95% of urban households and 75% of rural households have access to adequate levels of waste collection services.
- 80% of waste disposal sites have permits.

Goal 3: Grow the contribution of the waste sector to the green economy.
- 69 000 new jobs created in the waste sector.

Goal 4: Ensure that people are aware of the impact of waste on their health, well-being and the environment.
- 80% of municipalities running local awareness campaigns.
- 80% of schools implementing waste awareness programmes.

Goal 5: Achieve integrated waste management planning
- All Municipalities have integrated their IWMPs with their IDPs and have met the targets set in the IWMPs.
- All waste management facilities required to report to SAWIS have waste quantification systems that report information to WIS.

Goal 6: Ensure sound budgeting and financial management for waste services.
- All municipalities that provide waste services have conducted full-cost accounting for waste services and have implemented cost reflective tariffs.

Goal 7: Provide measures to remediate contaminated land.
- Assessment complete for 80% of sites reported to the contaminated land register.
- Remediation plans approved for 50% of confirmed contaminated sites.

Goal 8: Establish effective compliance with and enforcement of the Waste Act.
- 50% increase in the number of successful enforcement actions against non-compliant activities.
- 800 EMIs appointed in the three spheres of government to enforce the Waste Act.

The strategy aims to reduce both the generation and the environmental impact of waste. It presents a plan for ensuring that the socio-economic development of South Africa, the health of its people and the quality of its environmental resources are no longer adversely affected by uncontrolled and uncoordinated waste management. It establishes a waste management system that concentrates on avoiding, preventing and minimising waste and makes provision for waste management services for all by extending an acceptable standard of waste collection, as well as transportation, treatment and disposal services to all communities.

While the long-term objective of the strategy is waste prevention and minimisation, a number of remedial actions such as improved waste collection and waste treatment are required in the shorter term due to prevailing inadequate waste management practices.

The Strategy is an institutionally inclusive strategy because its achievement relies on participation by numerous role-players in the public sector, private sector and civil society.

To implement the Waste Act, government must:

- Draft legislation, regulations, standards and Integrated Waste Management Plans.
- Regulate waste management activities through licences and enforce their conditions.
- Implement the South African Waste Information System (SAWIS)
- Coordinate waste management activities using a system of Waste Management Officers.
- Give effect to multilateral agreements and ensure proper import and export controls.
- Progressively expand access to at least a basic level of waste services and plan for future needs.
- Facilitate the establishment of a national recycling infrastructure.
- Provide the framework for the remediation of contaminated land.
- Work in partnership with the private sector and civil society.

2.1.14 National Waste Management Strategy (2020)

The strategy is an update of the 2011 NWMS to be implemented under the Waste Act. It is updated in light of progress, challenges and lessons learned from implementing the 2011 strategy. It was based on a 4-phase approach, which consist of the following:

- The review of the 2011 NWMS
- A situational analysis
- Recommendations
- A Revised and Updated NWMS

The latest indications in the 2018 State of Waste Report are that as waste generation continues to grow in South Africa, no significant diversion from disposal is taking place, therefore the depletion of disposal airspace continue at unsustainable rates. Implementation of the waste management hierarchy informed the 2011 NWMS, but progress has been limited. The revised strategy needs to be more specific in terms of objectives, targets and actions in relation to the different levels of the waste management hierarchy and particular waste streams. Progress has been made in terms of recycling as compared to other developing countries. However, with the generated general waste stream consisting of approximately 47% organics (State of Waste Report), this waste stream needs to be prioritised and waste minimisation opportunities above and below recycling in the hierarchy need to be more actively addressed.

The concept of the circular economy is highlighted as being a useful way of understanding the implementation of the waste management hierarchy in terms of its contribution to the green economy and the decoupling of economic activity from harmful environmental impacts. The circular economy consists of closing the loop between resource extraction and waste disposal by the application of waste avoidance, reuse, repair, recycling and recovery throughout the economic cycle to minimise waste and reduce demand for virgin materials.

The table below lists the key principles underpinning the NWMS 2020:

Principle	Explanation
Waste Minimisation	This refers to avoiding the amount and toxicity of waste that is generated and, in the event that waste if generated, the reduction of the amount and toxicity of the waste that is disposed.
Waste Prevention	This refers to avoiding the generation of waste and avoiding toxicity in waste.
Waste as a Resource	This refers to beneficiating waste through re-use, recycling, treatment and recovery to reduce the amount and the toxicity of waste disposed of.
Sustainable Strategic Partnerships	This refers to government establishing and sustaining collaborative working relationships with non-government role-players involved in the management of waste, i.e. private sector, academia, civil society organisations and other development funding institutions.
Environmentally sound socio-economic growth and development	This refers to ensuring that the intent and commitments of the SDGs, NDP are continuously integrated and aligned to all environmental protection considerations, and that environmental protection programmes contribute to improving the socio-economic lives of people.

The following are the expected outcomes that will be achieved through effective and efficient implementation of the NWMS 2020 by all stakeholders from all sectors of society:

- *Prevent waste, and where waste cannot be prevented ensure –*
  40% of waste diverted from landfill within 5 years; 55% within 10 years; and at least 70% within 15 years leading to Zero-Waste going to landfill;
- All South Africans live in clean communities with *waste services that are well managed* and financially sustainable; and
- Mainstreaming of waste a*wareness and a culture of compliance* resulting in zero tolerance of pollution, litter and illegal dumping.

Furthermore, the strategic entry points in terms of the circular economy are:

- Waste prevention: This includes interventions around the design and packaging of products, cleaner production and industrial symbiosis by reducing the substances, materials and products that become waste. These interventions have the highest priority and should be the first applied to any waste stream.
- Waste as a resource: This includes interventions to stimulate secondary resources economy that take place after products or materials have become waste. Examples are recycling and recovery and generating energy from waste.

The 2011 NWMS revolved around 8 goals. This approach has been updated to focus on three overarching goals containing sets of strategic objectives which will be monitored in terms of performance indicators. The three strategic goals correspond to the following implementation themes:

- Waste Minimisation: the focus is on waste prevention and building a secondary resources economy. The role of government is to create an enabling environment for the private sector that supports extended producer responsibility and waste beneficiation.
- Effective and Sustainable Waste Services: the focus is on government, particularly local government, in ensuring that citizens receive appropriate waste services in a way that contributes to sustainable development.
- Compliance, enforcement and awareness: the focus is improving behaviour and attitude amongst citizens, businesses and government to lead to a culture of compliance to manage the environmental impact of waste and preventing pollution.

NWMS 2020 implementation plan:

Outcome 1: 40% of waste diverted from landfill within 5 years; 55% within 10 years; and at least 70% within 15 years leading to Zero-Waste going to landfill.					
Key intervention	**Action/s**	**Performance indicators**	**Targets**	**Timeline**	**Implementing Agent/s**
Prevent waste generation through cleaner production, industrial symbiosis and extended producer responsibility	Develop and implement EPR schemes for priority wastes (i.e. WEEE, Paper and Packaging and Lighting) that includes measures for cleaner production, industrial symbiosis and extended producer responsibility.	(i) Number of EPR schemes finalised, adopted and implemented. (ii) Number of EPR meeting or exceeding performance targets within 5 years	(i) Three (3) x EPRs for WEEE, Paper and Packaging and lighting (ii) % Reduction of waste disposed to landfill (as per outcome 1); toxicity of waste streams; waste in manufacturing and across its value chain	(i) 2021 (ii) 2025	DEFF CSIR, Producers and Industry Associations
	Strengthen the capacity and national reach of the NCPC-SA through establishing waste symbiosis programmes in all provinces	(i) Number of Provinces with well established Industrial Symbiosis Programmes (ii) Increase the training and technical support provided by NCPC-SA with a special focus on women, youth and people living with disabilities	(i) a. 5 x provinces – Gauteng, KZN, E.Cape, Mpumulanga, North West b. 3 x provinces – Free State, Limpopo, N.Cape (ii) 15 of training and technical support programmes implemented by the NCPC-SA	(i) a. 2021 b. 2022 (ii) 2025	NCPS-SA DEFF, DSI (TIA and Waste RDI Roadmap), provinces, industrial development zones, business chambers and industry associations
	Minimise the production and retail of single-use plastics for consumption within the country and replace the products with bio-degradable alternatives	Single use plastics to be covered by generic reference to the National Pricing Strategy for Waste Management	80% reduction in production of single use plastics not covered by deposit scheme under the National Pricing Strategy	2025	DEFF DTIC, DSI (TIA and Waste RDI Roadmap), Producers and other affected industries
	Standardise design and packaging of sustainable products that reduces production of waste, maximises resource recovery for recycling or re-use and supports consumption of materials and products with a prolonged life	(i) Waste Streams that utilise most resources with high potential for circularity identified (ii) Circular economy principles implemented across the waste management value chain	(i) and (ii) National Circular Economy Action Plan developed and implemented	(i) and (ii) 2023	DEFF DTIC, industry associations, research institutions,
Divert organic waste from landfill through composting and the recovery of energy	Develop and implement an enabling environment to produce biogas through anaerobic bio-digestion of organic waste treating sewage and organic domestic waste	(i) Number of Statutory and regulatory framework developed (ii) Number of biogas projects involving organic waste (iii) Volume of biogas produced from waste	(i) 1 x Strategy and Regulatory framework adopted and ready for implementation (ii) 5number of projects implemented (iii) 40% biogas produced from organic waste	(i) 2022 (ii) 2023 (iii) 2025	DEFF DMRE, DSI, DHSWAS, Biogas Association

Outcome 1: 40% of waste diverted from landfill within 5 years; 55% within 10 years; and at least 70% within 15 years leading to Zero-Waste going to landfill.					
Key intervention	**Action/s**	**Performance indicators**	**Targets**	**Timeline**	**Implementing Agent/s**
	Develop and implement biogas digester projects linked to the National School Nutrition Programme	(i) Number of MoU's signed (ii) Number of schools with biogas digesters	(i) 1 x MoU with DBE signed and implemented (ii) 50 schools have biogas digesters	(i) 2021 (ii) 2024	DEFF DBE, DMRE
	Include and implement organic waste technologies in local government IWMPs	(i) Number of metros implementing organic waste technologies (ii) Number of districts implementing organic waste technologies (iii) Number of municipalities implementing organics waste technologies (iv) Number of new composting projects identified and implemented	(i) All Metros (ii) All districts (iii) All municipalities (iv) 35 projects	(i) 2021 (ii) 2023 (iii) 2025 (iv) 2025	DEFF Provinces, local government, SALGA, COGTA, other stakeholders
Divert construction and demolition waste from landfill through beneficiation	Develop and implement best practice guidelines and standards for the re-use of C & D waste in roads and other building materials e.g. bricks	(i) C & D waste only disposed to landfill as cover (ii) Number of C & D Beneficiation	(i) Guidelines and Standards approved and implemented (ii) 20 C & D beneficiation programmes implemented	(i) 2021 (ii) 2024	DEFF SANRAL SABS Construction Industry Association
Increase technical capacity and innovation for the beneficiation of waste	Promote research and Innovation in the waste sector	(i) Number of MoU's signed (ii) Number of waste beneficiation projects supported by TIA (iii) Number of research reports published	(i) 1 x MoU with DSI signed and implemented (ii) 25 projects supported (iii) 2 research reports published annually	(i) 2021	DEFF DSI (TIA and the Waste RDI RoadMap)
	Review and update or developed new legislation/instruments to keep abreast of technical developments and remove unnecessary regulatory barriers to the uptake of new technologies	Number of instruments reviewed and/or developed	4 Instruments adopted and implemented	2022	DEFF DSI (TIA and the Waste RDI Roadmap), DPME
	Increase technical capacity and skills in the waste sector	(i) Number of waste management graduates prioritising women, youth and people living with disabilities (ii) Number of waste management professionals in the public sector	(i) 120 new graduates prioritising women, youth and people with disabilities (ii) 20 waste management professionals in public sector prioritising women, youth and people with disabilities	(i) 2023 (ii) 2024	DSI (TIA and the Waste RDI Roadmap) Tertiary institutions

Pillar 2: Effective and sustainable waste services					
Outcome 2: All South Africans live in clean communities with waste services that are well managed and financially sustainable					
Key action	**Sub-Action/s**	**Performance indicators**	**Targets**	**Timeline**	**Implementing Agent/s**
Separate Waste at Source	Integration of waste pickers into the waste management system	(i) Number of Integration guidelines developed (ii) Number of metros with integration programmes in place (iii) Number of secondary cities with integration programmes in place (iv) Number of sustainable jobs/decent livelihoods created in collecting recyclables	(i) 1 x Guidelines adopted and implemented (ii) All metros (iii) All secondary cities iv) 500 jobs created/decent livelihoods created prioritising women, youth and persons living with disabilities	(i) 2020 (ii) 2021 (iii) 2024 (iv) 2024	DEFF, Producers through EPR schemes, local government, SALGA, COGTA, Waste Pickers Association, African Reclaimers Association and
	Separate collection of post-consumer waste of products identified for EPR	(i) % of waste collected	(i) Aligned with the targets set in respective Notices	(i) 2021 (ii) 2022 (iii) 2023 (iv) 2024	Producers
	Public online and annually update guidelines, case studies and planning tools on separation at source for municipal managers	(ii) Number of downloads of annual updates (iii) Percentage of households separating at source	(ii) 100 downloads per update (iii) 50% of households in municipalities implementing services	(v) 2021 onwards (vi) 2024	Waste Bureau, Waste RDI Roadmap, COGTA, SALGA and municipalities
	National Awareness campaign on recycling and waste management	Number of Good Green Deeds programme activities implemented on an ongoing basis	20 of Good Green Deeds activities	2020 onwards	DEFF Provinces, municipalities, COGTA and SALGA
Safe and environmentally sustainable disposal of hazardous household wastes	Develop and implement a strategy for the safe disposal of household hazardous waste that includes a communication and awareness plan and EPR as core components	(i) Strategy developed and implemented (ii) Percentage reduction of hazardous wastes in general landfill sites	(i) 1 x Strategy adopted and implemented (ii) 10% reduction of hazardous waste in general landfills	(i) 2021 onwards (ii) 2024	DEFF, DoH, DTIC, Industry Associations, Producers through EPR schemes
	Develop and implement a strategy and standards relating to the design and disposal of AHPs such as baby and adult diapers, feminine care products	(i) Strategy developed and implemented (ii) Percentage reduction in disposal of AHPs to landfill	(i) 1 x Strategy adopted and implemented (ii) 10% reduction of AHPs in landfills	(i) 2021 onwards	DEFF DoH, Private Sector, DTIC SABS

Pillar 2: Effective and sustainable waste services					
Outcome 2: All South Africans live in clean communities with waste services that are well managed and financially sustainable					
Key action	**Sub-Action/s**	**Performance indicators**	**Targets**	**Timeline**	**Implementing Agent/s**
Effective integrated waste management planning	Development and implementation of 5-year provincial and municipal integrated waste management plans	(i) Number of provinces to have updated IWMPs	(i) All (9) updated provincial IWMPs adopted and implemented	(i) 2022	Provinces Municipalities DEFF SALGA COGTA
		ii) Number of municipalities with IWMPs reporting on SAWIS	(ii) All municipalities	(ii) 2022	
		(iii) Number of guidelines and reporting standards for provincial and municipal IWMPS, updated	(iii) 1 x Guidelines and reporting standards updated	(iii) 2021	
		(iv) Percentage of households receiving waste collection services in compliance with DWCS	(iv) 95% of households	(iv) 2024	
		(v) Percentage of IWMPs reflected in municipal budgets	(v) 80% of IWMPS in municipal budgets	(v) 2025	
		(vi) Number of municipal IWMPs submitted to Provinces for approval	(vi) All municipal IWMPs submitted to provinces for approval		
	Improve collection, reporting and dissemination of information on SAWIS	(i) Percentage improvement of reporting on SAWIS	(i) 60% improvement in reporting	(i) 2022	DEFF, Provinces, municipalities, SALGA, and COGTA
		(ii) Training and compliance to waste information regulations	(ii) 20 Training interventions per annum	(ii) 2022	
	Build capacity in integrated waste management planning and provide revised IWMPs guidelines	(i) Number of revised guidelines on IWMPS developed	(i) 1 x revised IWMPS guidelines adopted and implemented	(i) 2022	DEFF Waste Bureau, Waste RDI Roadmap, SALGA, COGTA, Universities with waste management programmes, provinces and municipalities
		(ii) Number of capacity building programmes implemented per annum	(ii) 35 of capacity building programme implemented per annum	(ii) 2025	
	Municipalities include provisions for recycling drop-off/buy back/storage centres in their IWMPs, supported by fiscal mechanisms / EPR schemes	(i) Number of new recycling drop-off/buy-back/storage centres established	(i) 20 (number of centres established	(i) 2023	DEFF Waste Bureau, Waste RDI Roadmap, NT, SALGA, Provinces, Municipalities, SALGA, COGTA and Producers through EPR schemes

Pillar 3: Compliance, enforcement and awareness					
Outcome 3: Mainstreaming of waste awareness and a culture of compliance resulting in zero tolerance of pollution, litter and illegal dumping					
Key action	**Sub-Action/s**	**Performance indicators**	**Targets**	**Timeline**	**Implementing Agent/s**
Reduce Pollution, littering and illegal dumping	Develop and implement a national awareness campaign about litter and illegal dumping	(i) Rand value of media spend – print, tv, radio (ii) Social Media Campaign statistics	(i) 5 million (ii) 12 per annum	(i) 2024 (ii) 2024	DEFF Provinces, municipalities, COGTA, SALGA and private sector
	Establish a micro-grant facility training and purchasing of equipment for community-based clean-up operations	(i) Number of micro-grants issued with priority focus on women, youth and people living with disabilities (ii) Number of reports from micro-grant recipients	(i) 20 (iii) 20	(i) 2024 (ii) 2024	DEFF Waste Bureau, civil society, Cities Support Programme, NT
Enhance capacity to monitor compliance and enforce the Waste Act and International Agreements	Agreement between DEFF, SAPS and NPA on increasing enforcement of Waste Act and municipal by-laws relating to pollution, littering and illegal dumping	(i) Number of Agreements signed (ii) Number of reports on compliance and enforcement reports	(i) 1 x Agreement signed and implemented (ii) 1 x National Environmental Compliance and Enforcement Report (NECER) per annum	(i) 2021 (ii) 2024	DEFF SAPS, NPA
	Increase the number of EMIs dedicated to monitor compliance and enforce the Waste Act	Number of EMIs appointed	· At least 1 EMI per metro district · All districts · All national, provincial and local municipalities	(i) 2025	DEFF Provinces, local municipalities
	Proclamation on import and export of waste	Number of proclamations developed	1 x proclamation adopted and implemented	2021	DEFF
Ensure municipal landfill sites and waste management facilities comply with licensing requirements	Develop financial mechanisms to enforce compliance to license conditions	(i) Number of policy recommendations on financial mechanisms developed and implemented (ii) Number of national action plan on landfill licensing compliance (iii) Number of municipal landfills complying with licensing conditions	(i) 1 x financial mechanism adopted and implemented (ii) 1 x National Action Plan (iii) All municipalities compliant	(i) 2021 (ii) 2021 (iii) 2024	DEFF NT, Provinces, local municipalities

2.1.15 National Policy for the Provision of Basic Refuse Removal Services to Indigent Households, Government Gazette No. 34385, 22 June 2011

The main criterion for determining the qualifying recipients of Basic Refuse Removal (BRR) services is registration on a municipality's indigent register as provided for by the indigent policy of the municipality.

The following criteria can be used in the absence of or in addition to the main criterion to determine the qualifying recipients of the BRR services:

- Level of income: Monthly net household income of members of less than or equal to *two old age pensions (including children/individuals who may get state grants).*
- Residence status: Everybody residing in the municipality provided their indigent status have been verified.
- Special considerations: All child headed households, households headed by pensioners and people with disabilities.
- Value of property (need to note that inherited properties might give false income level status).
- Any other criteria as determined by the specific municipality

A municipality may for practical reasons, declare certain areas or clusters as qualifying recipients of BRR. Examples may include low-income areas and high density, urban informal areas.

- Such declarations have added advantages in terms of administrative feasibility (logistics and costs included) especially where rate collection is challenging.
- A municipality may declare certain low density rural areas as areas where on-site disposal is deemed to be an appropriate waste management option.

If the recipient dos not fall under a qualifying indigent area, he/she may register as an indigent at his/her municipality. The municipality must set out certain dates/times for these registrations.

2.1.16 Planning documents

2.1.16.1 The Western Cape Provincial Spatial Development Framework (March 2014)

The Western Cape Provincial Spatial Development Framework (PSDF) states that if the increasing amounts of waste generated are not minimised, it will give rise to the need for more disposal sites which is not desirable. A mind set of "reduce, rethink, recycle" still needs to be mainstreamed and further challenges are created by illegal dumping, shortfalls in hazardous waste facilities, growing informal settlements and a lack of recyclables collection from homes. The following provincial spatial policies related to waste management are included:

Policy R4: Recycle and recover waste, deliver clean sources of energy to urban consumers, shift from private to public transport, and adapt to and mitigate against climate change.

1. Unlock economic opportunities and increase the lifecycle of current disposal sites and apply the principles of "reduce, reuse, and recycle".
2. Close down illegal sites and locate new regional waste sites adjacent to rail facilities to decrease operational costs and energy requirements associated with the need for road freight.

2.1.16.2 The OneCape 2040

OneCape 2010 was developed by the Western Cape Economic Development Partnership (EDP) for the Western Cape Government (WCG) and the City of Cape Town (CoCT). The purpose is to encourage and provide a vision for a more inclusive and resilient economic future for the Western Cape. It does not replace any existing statutory plans required of province or municipalities, but is intended as a guideline for stakeholders in order to:

- Promote fresh thinking and critical engagement on the future;
- Provide a common agenda for private, public and civil society collaboration;
- Help align government action and investment decisions;
- Facilitate the necessary changes we need to make to adapt to our (rapidly) changing local and global context;
- Address our development, sustainability, inclusion and competitiveness imperatives.

Under the Ecological transition, the goal is that all people have access to water, energy and waste services that are delivered in a sustainable resource-efficient manner.

2.1.16.3 The Western Cape Provincial Strategic Plan (2014 – 2019)

The Plan is aligned with the NDP, PSDF and also the OneCape2040. The following Provincial Strategic Goals are set out in the document:

- Strategic Goal 1: Create opportunities for growth and jobs.
- Strategic Goal 2: Improve education outcomes and opportunities for youth development.
- Strategic Goal 3: Increase wellness, safety and tackle social ills.
- Strategic Goal 4: Enable a resilient, sustainable, quality and inclusive living environment.
- Strategic Goal 5: Embed good governance and integrated service delivery through partnerships and spatial alignment.

2.1.16.4 The Western Cape Green Economy Strategy Framework

The Green Economy Strategy Framework is about achieving the double dividend of optimising green economic opportunities and enhancing our environmental performance. The framework is for the Western Cape to become the lowest carbon province and leading green economic hub of the African continent.

"Drivers" and "Enablers" are identified in the Framework as listed below:

Drivers:
- Smart living and working
- Smart mobility
- Smart eco-systems
- Smart agri-production
- Smart enterprise

Enablers:
- Finance
- Rules and Regulation
- Knowledge Management
- Capabilities
- Infrastructure

2.1.17 International treaties

This section lists the international agreements to which South Africa has acceded. The following is as described in section 4.10 of the National Waste Management Strategy 2011:

Various international agreements to which South Africa has acceded relate to waste management. A number of non-binding conventions and protocols are also relevant to waste management. This section summarises the main actions in the NWMS related to implementing international agreements.

2.1.17.1 The Basel Convention

The Basel Convention, adopted in 1989, has the greatest bearing on the Waste Act as it addresses the trans-boundary movement of hazardous wastes and their disposal, setting out the categorization of hazardous waste and the policies between member countries.

DEA is developing MOUs with the International Trade Administration Commission (ITAC) and the South African Revenue Service (SARS) that effectively address the provisions of the Basel Convention.

DEA is considering accession to the amendments to the Basel Convention that ban the import and export of hazardous wastes. DEA is also currently developing a policy on imports and exports of waste that will address this.

DEA and DTI are jointly addressing the import and export control aspects of the Basel Convention, together with the chemical conventions. Control will happen through ITAC permits and SARS tariff codes.

2.1.17.2 The Montreal Protocol

The Montreal Protocol Treaty, revised in 1999, protects the ozone layer by phasing out the production of several substances that contribute to ozone depletion, with the aim of ozone layer recovery by 2050. This has relevance for waste management in instances where such obsolete products enter the waste stream. DEA will finalise and publish the National Implementation Plan for the Montreal Protocol. The plan will include the development on an Ozone Depletion Substance (ODS) strategy and regulations will provide for the phasing out of specified substances and their safe disposal.

2.1.17.3 The Rotterdam Convention

The Rotterdam Convention promotes and enforces transparency in the importation of hazardous chemicals and whilst it explicitly excludes waste, its implementation may lead to bans on listed chemicals. Some of these chemicals may occur in stockpiles of obsolete chemicals such as pesticides that have been identified as a major waste management challenge. Extended producer responsibility schemes will be used to effectively manage obsolete chemicals.

A study to investigate the extent of manufacture, use, import and export of new chemicals listed in the Rotterdam Convention will determine whether South Africa should ratify the newly added chemicals. A process to identify and ban pesticides and industrial chemicals listed in Annex III (that South Africa has not yet banned) has started.

2.1.17.4 The Stockholm Convention

The Stockholm Convention on Persistent Organic Pollutants (POPs), which entered into force in 2004, requires that member countries phase out POPs and prevent their import or export. Parties to the Convention are also required to undertake the following responsibilities:

- Develop and implement appropriate strategies to identify stockpiles, products and articles in use that contain or are contaminated with POPs.
- Manage stockpiles and wastes in an environmentally sound manner.
- Dispose of waste in a way that destroys or irreversibly transforms POPs content.
- Prohibit recycling, recovery, reclamation, direct re-use or alternative use of POPs.
- Endeavour to develop strategies to identify contaminated sites and perform eventual remediation in an environmentally sound manner.

2.1.18 Municipal By-law

The Stellenbosch Municipal Integrated Waste Management by-law has been approved by Council (see **Annexure C**)

The by-law is a very comprehensive document dealing with all components of waste management within the Municipality and is not reflected in this report in its entirety. The document deals with the principles of waste and categories of waste within the Municipality and explains the obligations that waste generators have towards sustainable waste management. It explains the by-laws pertaining to each waste type under its own category, and includes priority waste and hazardous wastes. The draft by-law also provides information on who is required to develop an integrated waste management plan and guidelines on the storage, separation and recycling of wastes. It also explains what measures will be taken against those who do not adhere to the by-laws and which officials are designated with powers to uphold the by-laws etc.

The full by-law and council resolution can be seen in **Annexure C** of this report.

2.1.19 Discussion of legislation (effectiveness & implementation)

The above listed legislation (national, international and local by-laws) provide comprehensive rule-sets by which the solid waste life-cycle and the management thereof are governed. Although there is always room for improvement, it is widely accepted that South African solid waste legislation is of a high standard and is internationally comparable. To what extent the solid waste legislation is being implemented, and how to ensure compliance by all involved is the challenge that municipalities and provincial government in South Africa is currently facing. Without compliance with the above legislation by all involved in waste management in South Africa, there will not be an opportunity for the creation of a sustainable and environmentally friendly future for the diverse natural South African environment. The current draft updated NWMS substantially expands on the different role players and how the aim is to move to a culture of compliance.

In South Africa's history the more comprehensive legislation and knowledge of better waste management practices are relatively "new" and therefore still in the stages of establishing a secure foothold in our society. Past waste management practices have in essence created a "back-log" of acceptable waste management practices and in many ways, the current generations are now required to address the complications created by old methods, poor management or uninformed decisions. A great number of instances of non-compliances to legislation are a direct result of pre-legislation practices that were not addressed, which can be due to various factors, and are still in some places the norm.

Legislation enforcement on a local level will almost definitely be lacking without the willing co-operation from the public and industry. Open spaces between towns restrict the effectiveness of law enforcement regarding illegal dumping.

In general, the pressure on law enforcement will be lessened with the continued awareness and education of the public, industry and all generators of waste. All parties MUST realise their part in the waste management cycle and accept accountability, so that the response to legislation and waste management practices is not "why?", but "how?". The current draft NWMS summarises this as the culture of compliance. The "how" will have to be continually addressed through education as new technologies, practices, waste types and opportunities emerge. The waste industry cannot afford to get comfortable and settle on "that is how it has always been done", but must be innovative, up-to-date and achieve co-operation between all spheres of society in order to ensure the sustainable future of our environment.

The legislation is therefore sufficient, but compliance must be improved through awareness and education and improved enforcement. The public must also assist the Municipality and report all instances where the law is not obeyed.

Another aspect to consider is affordability. As mentioned, certain practices were the norm in previous years, but are drastically affected by recent legislation. The D:EA&DP conducted a project in order to estimate the costs of compliance for Western Cape municipalities relating to solid waste infrastructure alone. The estimates are considered unaffordable to local municipalities in the short to medium term. In these cases assistance is required or Municipalities must be given sufficient time in order to be compliant.

All of the Stellenbosch Municipality's waste management facilities are licensed and therefore, in that respect, compliant with legislation. The extent of implementation of the licence requirements must be assessed via regular internal and external audits of the facilities. The audit results will determine the requirements for each facility and cost estimates can be made for budget purposes. Both the Devon Valley Landfill Site and the Klapmuts Waste Transfer Station underwent external audits in May 2020 which will be further discussed later in this report.

2.2 DEMOGRAPHICS

The demographics and related statistics were obtained from Statistics SA and were aligned with the figures and projections as presented in the latest Stellenbosch IDP.

2.2.1 Current and projected population and density

The 2011 Census figures indicate that the Stellenbosch Municipality had a total population of 155,733 people with a 2.71% annual population growth rate since the 2001 Census. The Department of Social Development used Stats SA's 2018 Mid-Year Population Estimates (2002 – 2018) to project population growth for the period 2019 to 2024. The resulting Stellenbosch socio economic profile document indicated that the 2018 population was 186,730 people showing a growth rate of 2.63% between 2011 and 2018. This document also projected populations up to 2024 at a 2.20% growth rate which was the growth rate used in the population projections of this IWMP report resulting in an estimated 2020 population of 195,064 people.

The Census 2011 statistics are available in terms of sub-places into which the Municipality was divided for the study. The IDP indicates a combination of these places which form the various wards throughout the municipality. However, for the purpose of the IWMP, the sub-places as per StatsSA were used.

For this IWMP report the population and household totals per sub-place of the 2011 Census were reworked in order to align this IWMP with the projected population for each year as per the IDP, with the assumption that the sub-places would grow in proportion to the total population.

The current and projected populations per sub-place based on the above assumptions are shown in **Table 2-1**.

Table 2-1: Current and projected population of Stellenbosch per sub-area

Sub-area	2018	2020	2021	2022	2023	2024
Bennetsville	1 497	1 563	1 598	1 633	1 669	1 705
Klapmuts SP	155	162	165	169	172	176
Weltevrede Park	6 786	7 087	7 243	7 403	7 566	7 732
Mandela City	795	830	849	867	887	906
Stellenbosch NU	42 660	44 557	45 537	46 539	47 563	48 610
Elsenburg SP	892	932	952	973	995	1 017
De Hollandsche SP	234	244	250	255	261	266
Koelenhof SP	360	376	384	393	401	410
Pniel SP	2 367	2 473	2 527	2 583	2 640	2 698
Wemmerhoek	1 241	1 296	1 325	1 354	1 384	1 414
Langrug	15 165	15 839	16 188	16 544	16 908	17 280
Groendal	2 285	2 386	2 439	2 492	2 547	2 603
Franschhoek SP	1 087	1 135	1 160	1 185	1 211	1 238
Hugenote	1 277	1 334	1 363	1 393	1 424	1 455
Languedoc SP	5 141	5 370	5 488	5 609	5 732	5 858
Wiesiesdraai SP	2 072	2 165	2 212	2 261	2 311	2 361
Welgevonden SP	2 986	3 119	3 188	3 258	3 329	3 403
Weltevrede	2 724	2 845	2 907	2 971	3 037	3 103
Cloetesville SP	15 730	16 429	16 791	17 160	17 538	17 924
Khayamandi SP	29 556	30 871	31 550	32 244	32 954	33 679
La Colline SP	1 795	1 875	1 916	1 959	2 002	2 046
Tennantville SP	676	706	722	738	754	771
Kylermore SP	5 188	5 419	5 538	5 660	5 784	5 912
Idasvallei SP	10 509	10 977	11 218	11 465	11 717	11 975
Stellenbosch SP	18 874	19 714	20 148	20 591	21 044	21 507
Die Boord	3 990	4 167	4 259	4 353	4 449	4 547
Onder Papegaaiberg SP	1 803	1 883	1 924	1 966	2 010	2 054
Devon Valley SP	263	274	280	287	293	299
Robertsvlei SP	14	15	15	16	16	16
Dalsig SP	1 479	1 544	1 578	1 613	1 649	1 685
Kleingeluk SP	273	286	292	298	305	312
Paradyskloof SP	1 936	2 022	2 066	2 112	2 158	2 206

Sub-area	2018	2020	2021	2022	2023	2024
Brandwacht SP	317	331	338	345	353	361
Jamestown SP	3 407	3 559	3 637	3 717	3 799	3 882
Lynedoch SP	133	139	142	145	148	152
Raith SP	1 087	1 135	1 160	1 185	1 211	1 238
La Montagne	4	4	4	4	4	4
Total	**186 757**	**195 064**	**199 356**	**203 741**	**208 224**	**212 805**
Total (Excluding Rural)	**144 097**	**150 507**	**153 818**	**157 202**	**160 661**	**164 195**

-SP = Sub-place
-NU = Non-urban

From the above table it is clear that the vast majority, 22.8% of the Municipal population, resides in rural areas with the second most populated area being Khayamandi with 15.8%. The total average population density for the whole of Stellenbosch is 235 persons per km^2 (based on total area of 831km^2 and 2020 population projection of 195,064 persons).

Figure 2-1 below shows the graphical representation of the Stellenbosch population growth up to 2040 based on the estimates discussed and assuming an average annual future population growth rate of 2.2% from 2018 to 2040 and the calculated growth rate of 2.63% from 2011 to 2018 as discussed.

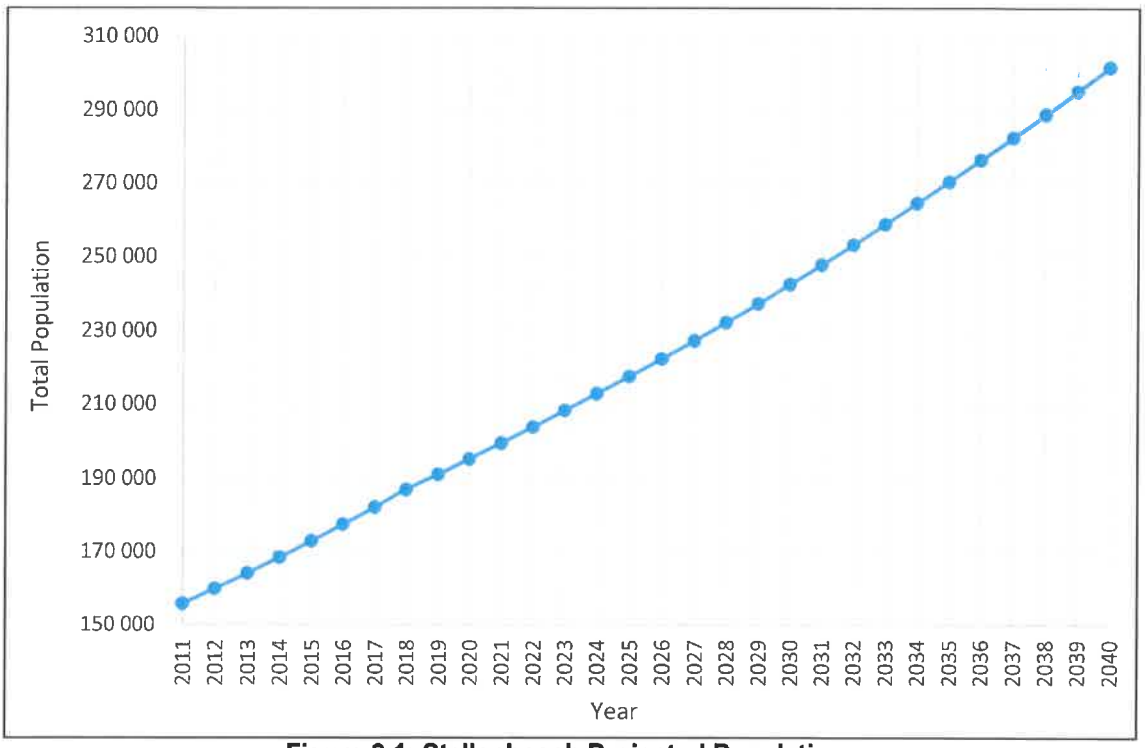


Figure 2-1: Stellenbosch Projected Population

2.2.2 Socio-economic profile and education

Table 2-2 shows the 2018 socio-economic profile of the Stellenbosch municipality according to annual household income obtained from Census 2011 extrapolated to 2018. In order to estimate the current number of households, the recorded number of households for 2018 in the IDP was used along with the estimated population distribution per area to estimate the average number of persons per household for each area. This average was then used with the 2020 population estimate to calculate the 2020 number of households.

The graphical distribution of the socio-economic situation within the Stellenbosch Municipality is shown on **Figure 2-2** on the following page.

Table 2-2: Population Profile According to Household Income (2018 & Estimated 2020)

Sub-area	No of Households 2018	Population (2018)	Average Persons per Household	Very Low and Low Income (R1 - R38,200)	Middle Income (R38,201 - R76,400)	High and Very High Income (R76,401 and more)	Estimated No of Households 2020	Projected Population (2020)
Bennetsville	342	1 497	4.37	44%	28%	29%	358	1 563
Klapmuts SP	38	155	4.03	91%	9%	0%	41	162
Weltevrede Park	1558	6 786	4.35	69%	21%	11%	1 628	7 087
Mandela City	332	795	2.40	88%	9%	2%	347	830
Stellenbosch NU	9468	42 660	4.51	38%	22%	40%	9 889	44 557
Elsenburg SP	161	892	5.55	39%	20%	41%	168	932
De Hollandsche SP	101	234	2.31	34%	24%	41%	106	244
Koelenhof SP	80	360	4.48	74%	13%	13%	84	376
Pniel SP	576	2 367	4.11	33%	13%	53%	603	2 473
Wemmerhoek	286	1 241	4.33	55%	26%	20%	300	1 296
Langrug	4971	15 165	3.05	79%	14%	7%	5 193	15 839
Groendal	559	2 285	4.09	47%	16%	37%	584	2 386
Franschhoek SP	238	1 087	4.57	34%	12%	54%	249	1 135
Hugenote	440	1 277	2.90	19%	6%	75%	460	1 334
Languedoc SP	1100	5 141	4.67	50%	28%	23%	1 150	5 370
Wiesiesdraai SP	503	2 072	4.12	48%	21%	31%	526	2 165
Welgevonden SP	1247	2 986	2.39	17%	5%	78%	1 303	3 119
Weltevrede	374	2 724	7.29	46%	24%	30%	391	2 845
Cloetesville SP	3347	15 730	4.70	44%	22%	34%	3 496	16 429
Khayamandi SP	9978	29 556	2.96	78%	13%	8%	10 422	30 871
Pappergaai SP	0	0	0.86	0%	0%	0%	0	0
La Colline SP	580	1 795	3.10	47%	12%	41%	606	1 875
Tennantville SP	147	676	4.61	19%	17%	64%	154	706
Kylermore SP	1160	5 188	4.47	38%	23%	39%	1 212	5 419
Idasvallei SP	2477	10 509	4.24	39%	14%	47%	2 588	10 977
Stellenbosch SP	6289	18 874	3.00	59%	9%	32%	6 569	19 714
Die Boord	1146	3 990	3.48	19%	8%	73%	1 197	4 167
Onder Papegaaiberg SP	555	1 803	3.24	14%	8%	78%	581	1 883
Devon Valley SP	38	263	6.83	36%	36%	27%	41	274
Robertsvlei SP	0	14	1 235.79	0%	0%	0%	1	15

Sub-area	No of Households 2018	Population (2018)	Average Persons per Household	Very Low and Low Income (R1 - R38,200)	Middle Income (R38,201 - R76,400)	High and Very High Income (R76,401 and more)	Estimated No of Households 2020	Projected Population (2020)
Dalsig SP	503	1 479	2.94	17%	6%	78%	526	1 544
Kleingeluk SP	126	273	2.17	22%	11%	67%	132	286
Paradyskloof SP	688	1 936	2.81	13%	4%	83%	719	2 022
Brandwacht SP	105	317	3.02	7%	3%	90%	110	331
Jamestown SP	702	3 407	4.85	23%	13%	64%	734	3 559
Lynedoch SP	21	133	6.35	0%	17%	83%	22	139
Raith SP	252	1 087	4.32	32%	14%	54%	263	1 135
La Montagne	0	4	308.95	0%	0%	0%	1	4
Total	**50 490**	**186 757**	**1 686**	**37%**	**14%**	**41%**	**52 754**	**195 064**
Total (Excluding Rural)	**41 022**	**144 097**	**1 682**	**37%**	**14%**	**41%**	**42 865**	**150 507**

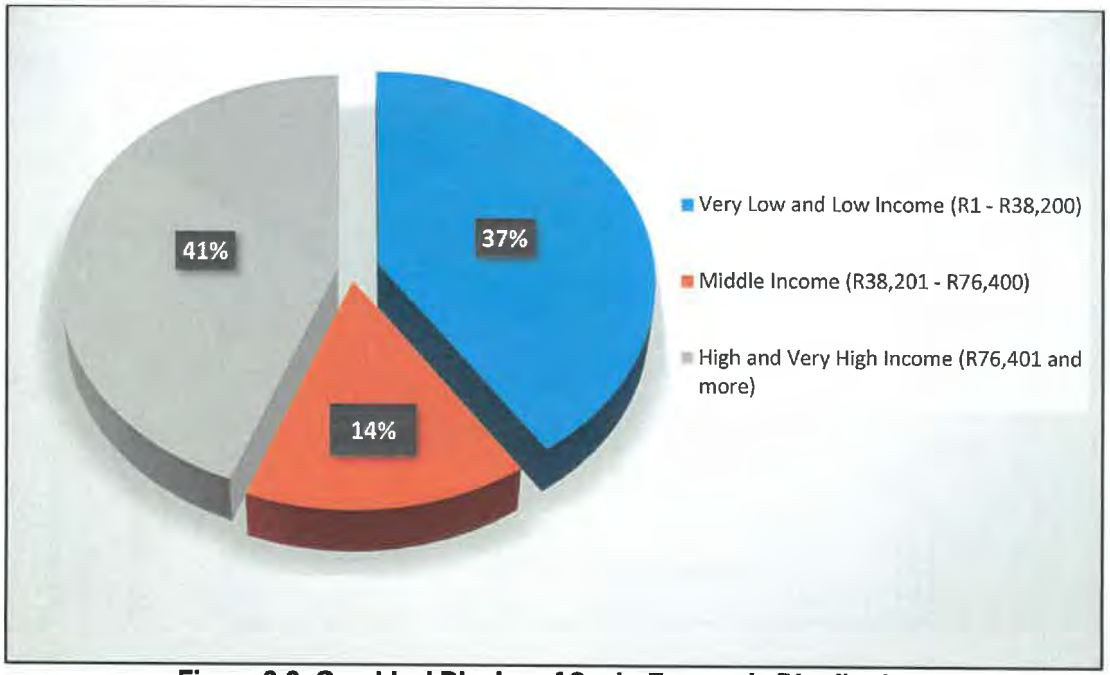


Figure 2-2: Graphical Display of Socio-Economic Distribution

The Census 2011 and 2016 Community Survey information on education levels in the Stellenbosch Municipality is shown in **Table 2-3** and **Figure 2-3**. There are no more recent statistics on the education levels, and it must be noted that the 2016 community survey data excluded the people who answered, "don't know", "other" and "unspecified". The below information does however show that the secondary schooling and higher education percentages did increase from 2011 to 2016.

Table 2-3: Education levels

Education level	2011 Population %	2016 Population %
No Schooling	2.4%	1.6%
Some Primary	31.0%	11.1%
Completed Primary	5.4%	5.7%
Some Secondary	27.5%	39.2%
Completed Secondary	17.1%	28.7%
Higher Education	6.0%	13.7%
Not Applicable	10.5%	

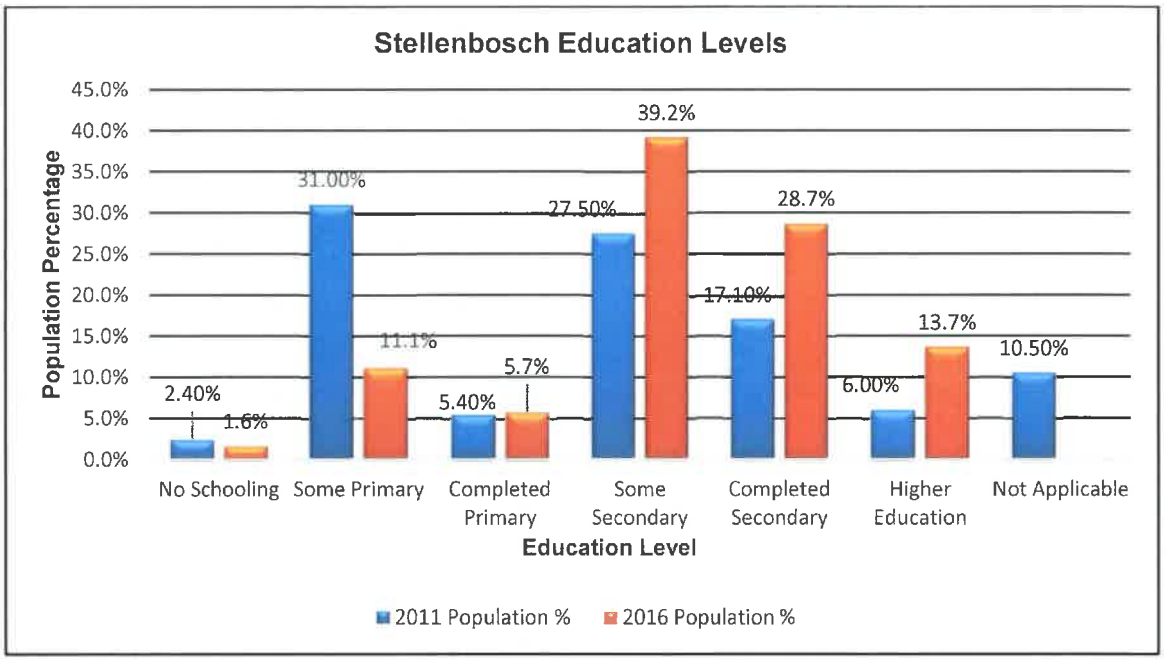


Figure 2-3: Education levels

2.2.3 Age distribution

The population distribution according to age is shown in **Table 2-4** below as per the Western Cape Government 2018 Socio-Economic Profile report.

Table 2-4: Stellenbosch Age Distribution

Year	Children: 0-14 years	Working Age: 15-65 years	Aged: 65+	Dependency ratio
2011	35,544	112,533	7,652	38.4
2019 (estimates)	43,478	133,357	14,376	43.4
2024 (estimates)	47,132	148,159	18,037	44.0

2.2.4 Development

The planned and potential development were obtained from the 2014 Western Cape Growth Potential Study of Towns by the D:EA&DP. This study determined the growth potential and socio-economic needs of settlements in the Western Cape outside of the Cape Town metropolitan area using quantitative data (e.g. factors relating to socio-economic, economic, physical-environmental, infrastructure and institutional aspects). The results of the quantitative analyses were combined with qualitative information (e.g. stakeholder engagements) to identify potential interventions that might unlock latent potential within settlements and regions.

Table 2-5: Growth Potential Study Results

Area	Composite Growth Potential	Socio-economic needs index	Human Capital index	Economic index	Physical index	Infra-structure index	Institutional index
Klapmuts	Medium	Low	Low	Medium	High	Very High	Low
Franschhoek	Medium	Medium	Low	Medium	Very High	High	Medium
Pniel / Kylemore	High	Low	Mediu m	Medium	Very High	Very High	Medium
Stellenbosch / Jamestown	Very High	Very High	High	Very High	Medium	Very high	Very High

These condensed results of the D:EA&DP study indicate that the Stellenbosch Municipality has a **very high** growth potential with a 99/100 score on the composite index.

The different indexes indicated in the table above are all based on many different factors that was part of the study to determine those indexes but are not discussed in detail here. The summary of what each index indicates are as follows:

Growth Potential: Determined by quantitative indicators relating to socio-economic needs, economic, physical-environmental, infrastructure, human capital and institutional aspects combined with qualitative information such as stakeholder engagements.

Socio-economic needs: Index determined by evaluating household services, education levels, housing needs and economic characteristics.

Human Capital index: Index determined by factors such as education and income.

Economic index: Index determined by factors such as per capita income, tourism, economically active population, etc.

Physical index: Index determined by factors such as annual rainfall, groundwater availability and quality, grazing capacity and growth of cultivated land, etc.

Infrastructure index: Index determined by factors such as household access to water, sanitation, electricity, waste removal and distances to airports and harbours, etc.

Institutional index: Index determined by factors such as crime rate, management capacity, qualified audits, etc.

From the above, the Stellenbosch municipality therefore has a very high overall growth potential determined by the contributing factors. However, it remains important for the waste management department to be up to date with new and potential developments in the Municipality to ensure that the solid waste management system will have the required capacity to keep up with the growth.

2.2.5 Housing Types

The latest information available is the StatsSA 2016 Community survey, which is shown in the table below.

Table 2-6: Housing Types

Housing Type	Number of dwellings	%
Formal Dwelling	33,971	65.0
Traditional Dwelling	366	0.7
Informal Dwelling	17,829	34.1
Other	107	0.2

2.2.6 Employment Levels

The latest available information from 2017 was obtained from the Stellenbosch Socio-Economic Profile 2019 report.

Table 2-7: Employment per sector

Sector	Contribution to employment (%)	Number of jobs
Primary sector	**14.8**	**11,076**
Agriculture, forestry and fishing	14.7	11,044
Mining and quarrying	0.0	32
Secondary sector	**15.7**	**11,729**
Manufacturing	10.3	7,745
Electricity, gas and water	0.2	155
Construction	5.1	3,829
Tertiary sector	**69.5**	**52,072**
Wholesale and retail trade, catering and accommodation	24.4	18,284
Transport, storage and communication	4.1	3,087
Finance, insurance, real estate and business services	16.7	12,539
General government	10.3	7,698
Community, social and personal services	14.0	10,464
Total Stellenbosch	**100**	**74,877**

Source: Stellenbosch Socio-Economic Profile 2019

Table 2-8: Unemployment levels in percentage

Area	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Stellenbosch	6.5	6.9	8.0	9.2	9.4	9.5	9.3	9.8	9.3	10.4	11.0
Cape Winelands District	6.5	7.2	8.3	9.6	9.8	9.7	9.4	9.9	9.1	10.1	10.7
Western Cape	13.3	12.9	14.2	15.5	15.7	15.8	15.7	16.1	16.2	17.4	18.2

Source: Stellenbosch Socio-Economic Profile 2019

2.3 WASTE CLASSIFICATION

The waste types and quantities generated in the Stellenbosch Municipality are discussed in this section.

2.3.1 Waste types and classification

With reference to the Waste Act (Act 59 of 2008) the Waste Amendment Act (Act 14 of 2013) and their associated regulations, the only types of waste allowed for disposal at the Stellenbosch disposal facilities are general wastes (Type 2, 3 and 4 wastes according to the classification regulations). No municipal landfills within the Municipality or the Cape Winelands District are allowed to accept hazardous (or Type 0 and 1 wastes according to the classification regulations) for disposal.

The above legislation divides waste in South Africa into two main categories, being Hazardous and General. The current legislated definitions being:

Hazardous Waste – *"means any waste that contains organic or inorganic elements or compounds that may, owing to the inherent physical, chemical or toxicological characteristics of that waste, have a detrimental impact on health and the environment and includes hazardous substances, materials or objects within business waste, residue deposits and residue stockpiles"*

Residue deposits and residue stockpiles refer to mining waste that does not form part of the municipal waste function. **Business waste** means "*waste that emanates from premises that are used wholly or mainly for commercial, retail, wholesale, entertainment or government administration purposes*".

General Waste – *"means waste that does not pose an immediate hazard or threat to health or to the environment, and includes –*
(a) Domestic waste;
(b) Building and demolition waste;
(c) Business waste;
(d) Inert waste; or
(e) Any waste classified as non-hazardous waste in terms of the regulations made under section 69, and includes non-hazardous substances, materials or objects within business, domestic, inert, building and demolition wastes"

Domestic Waste – *"means waste, excluding hazardous waste that emanates from premises that are used wholly or mainly for residential, educational, health care, sport or recreation purposes and includes:*
(a) Garden and park wastes;
(b) Municipal waste;
(c) Food waste".

Building and Demolition Waste – "*means waste, excluding hazardous waste, produced during the construction, alteration, repair or demolition of any structure, and includes rubble, earth, rock and wood displaced during that construction, alteration, repair or demolition*".

Inert Waste – "*means waste that (a) does not undergo any significant physical, chemical or biological transformation after disposal; (b) does not burn, react physically or chemically biodegrade or otherwise adversely affect any other matter or environment with which it may come into contact; and (c) does not impact negatively on the environment, because of its pollutant content and because the toxicity of its leachate is insignificant, and which include:*
(a) Discarded concrete, bricks, tiles and ceramics;
(b) Discarded glass
(c) *Discarded soil, stones and dredging spoil*".

2.3.2 Methodology

The Stellenbosch Municipality operates only one landfill facility for the disposal of waste, but since August 2019 has made use of the Vissershok Private Landfill (Vissershok Waste Management Facility (Pty) Ltd) operated by Enviroserv and Averda. The waste collected in Stellenbosch is transported to the Klapmuts Solid Waste Transfer Station from where it gets taken to the Vissershok Landfill.

The latest available waste data and quantities measured with weighbridges at the Devon Valley Landfill, the Klapmuts Transfer Station and Vissershok Landfills were used.

Aquila Environmental was appointed as sub-consultant and conducted the hazardous waste study throughout the Stellenbosch Municipal area. The general waste characterisation study (WCS) sampling was done by Mrs Charlotte Nell with cooperation of the Stellenbosch Municipality in 2017. The collected data was compared to the 2012 WCS results and used in the compilation of her 2020 MSc thesis entitled "*Determining Spatial and Temporal Change in Household Solid Waste Composition Within Stellenbosch Local Municipality*" and also reported in the June 2019 Stellenbosch Municipality Waste Characterisation Report by JG Afrika (Pty) Ltd.

2.3.3 General Waste Characterisation

The focus of this IWMP will be on the characterisation conducted in 2017 by Stellenbosch Municipality's Solid Waste Management Department, and analysed in 2019 by JG Afrika (see full report in **Annexure A**). However, some comparisons will be drawn between the studies done in 2012 and 2017.

The waste characterised was solely black bag waste, i.e. waste destined for landfill. Waste materials separated at source by households and placed in clear bags for collection by means of the recycling programme, was not sampled. The characterisation focused on residential/household waste and not commercial or business waste.

2.3.3.1 Sampling

The 2017 waste characterisation study was conducted from August to October 2017. During this time, 3,872 samples were collected from 10 areas already characterised in 2012, plus an additional 18 new areas which had never been characterised before. A total of 14,760 kg of waste was collected.

By making use of available municipal statistics noting the approximate number of households in each area, the Department was able to determine the ideal number of samples to be collected from each area. The sampling size for each area was determined by making use of the following graph supplied by the Environmental Protection Agency (EPA, 1996) for areas with less than 4000 households:

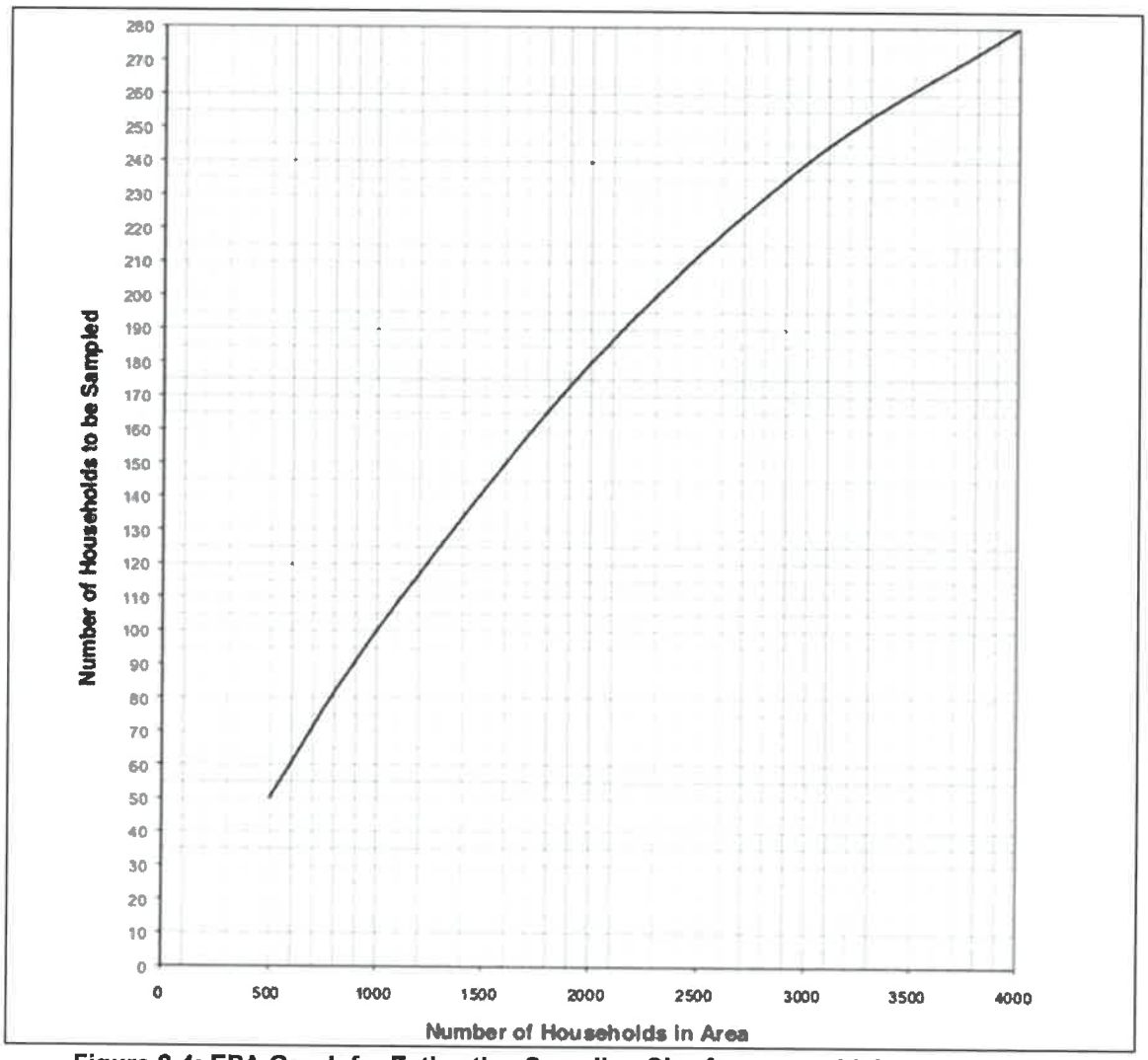


Figure 2-4: EPA Graph for Estimating Sampling Size for areas with less than 4,000 households

2.3.3.2 Sorting

Sampled waste was sorted in the following 18 categories identified prior to the study and in accordance with the DEA&DP guidelines.

Table 2-9: Waste Categories for sorting during WCS

Waste stream	Detailed information of waste stream	WIS classification
1. Hard Plastics	• PVC • HDPE • PP • PET • PS (e.g. Video/CD/DVD cases)	GW51.03 GW51.02 GW51.05 GW51.01 GW51.06
2. Plastic Wrap/Packaging	• LDPE • LLDPE • This includes non-recyclable soft plastics (multi-laminates) like chips and chocolate wrappers	GW51.04
3. Metals (ferrous and non-ferrous)	• Aluminium packaging eg. foil • Steel cans (eg. canned food tins) • Aluminium cans (eg. certain cooldrink cans) • Scrap metal (eg. steel offcuts) • Pieces of copper (will not separate copper contained in e-waste) • All aerosol cans • Pill sleeves if all metal	GW53.01 GW53.02
4. Glass	• Glass bottles (e.g. alcohol/drink bottles; all colours) • Other/special glass/2D (windowpanes etc)	GW52
5. Paper and Cardboard	• Office Paper • Newspaper • Magazines • Phonebooks • Books & Booklets • Tissue Paper • Photo Paper • Paper plates and cups • Cards • Envelopes • Receipts • Wrapping paper • Non-recyclable/Badly soiled paper • Paper/cardboard packaging • Cardboard (K4) (corrugated and non-corrugated) • Egg cartons	GW50.01 GW50.02 GW50.03 GW50.04
6. Food Waste	• All kitchen waste – vegetable and animal derived	GW20.02
7. Garden Waste	• All garden waste (incl. soil, plant material, woody plant material, hay, flower bouquets, grass etc.) • Wood waste	GW20.01
8. Leachate	• Liquids generated through prolonged waste storage	GW20.02
9. TetraPak®	• Multi-laminate long life milk or juice cartons	GW99

Waste stream	Detailed information of waste stream	WIS classification
10. Household Hazardous Waste	• Batteries (automotive, rechargeable, single use etc.) • Lighting equipment (light bulbs etc.) • Medical devices (e.g. monitoring equipment) • Monitoring and control instruments (e.g. thermometers, conductivity meters etc.) • Automatic dispensers (e.g. sanitiser) • Paints and pesticides (only if container is not empty) • Gas bottles • Lighters	H18.05 H03 H04 H05 H08
11. Polystyrene (Foamalite)	• PS (Extruded Polystyrene (EPS) only)	GW51.06
12. Tissues	• Facial tissues	GW99
13. Ash	• Ash from food preparation or heating	GW99
14. E-Waste	• Small household appliances • IT and telecommunications equipment • Electric and Electronic Tools • Electrical toys (e.g. battery operated) • Ink and toner cartridges	H18.02 H18.03 H18.04 H18.06 H18.07
15. Small furniture Items	• Discarded furniture items small enough to fit inside a wheelie bin	GW99
16. Maize meal bags	• PP	GW51.05
17. Textiles	• Clothes • Shoes • Linen • Material off-cuts • Rubber • Leather	GW99
18. Others	• Crockery/ceramics • Vacuum cleaner inners • Fines • Cat litter • Orange and onion bags • CD's/DVD's • Cigarette butts • Toothpaste tubes (excluding cap) • Multi-layered/combination materials • Bars of soap • Jewellery • Hardboard	GW99

After sorting each bag into above categories, each category was weighed and the volume filled by the contents estimated (volume data was not used for the purposes of this report). After weighing, all salvageable recyclable material (paper, glass, plastic etc. that was not too contaminated) was grouped together for recycling purposes and landfill diversion. This material was then weighed and the weight recorded. Sampling was based on areas and not wards specifically.

2.3.3.3 Results

The tables (**Table 2-10**) and charts (**Figure 2-5** & **Figure 2-6**) on the following pages provide a breakdown of the results from the waste characterisation study undertaken in 2017. The information is provided for the combined waste stream, broken down into the categories discussed.

Table 2-10: Black Bag Waste Characterisation Results

Area / Ward sampled	Ward	Hard plastic	Plastic Wrap/ packaging	Maize bags	Polystyrene	Metal	Glass	Tetra pak	Paper packaging	Paper/ Cardboard	Tissues	Organics	Leachate	Garden	HHW	E-waste	Other	Clothes	Ash	Furniture
Franschhoek	1	133.22	224.55	2.68	19.48	58.77	227.16	20.07	21.18	261.92	89.79	415.21	1.84	154.6	0.56	6.31	96.93	61.94	10.2	2.84
Langrug	2	41.39	78.3	5.26	1.92	3.92	7.14	0.7	0.88	75.98	0.04	0.68	0	9.72	0	0	115.7	94.94	0	29.9
Wemmershoek and La Motte	3	25.18	48.77	0.48	3.28	9.72	54.98	4.64	2.74	30.76	5.66	66.42	0	3.28	0	2.34	26.74	21.74	2.38	0
Kylemore and Farms	4	64.55	90.33	0.24	9.72	21.32	96.08	12.32	17.66	84.1	13.94	186.75	6.06	43.37	0.5	0.14	77.53	18.15	11.14	0
Pniel	4	37.51	60.85	0	5.27	12.31	68.59	6.62	23.5	30.29	17.58	135.24	0	10.76	0	1.2	39.75	9.66	4.66	0
Idas Valley	5	54.59	73.34	0	9.83	13.59	42.92	7.54	35.25	62.18	10.82	153.81	0	19.4	0.34	0.74	42.45	16.88	3.66	0
Jonkershoek	5	35.35	56.26	0	3.09	8.94	25.38	2.2	17.67	28.92	14.76	36.72	1.1	10.3	0.04	0.06	19.76	7.97	2.94	6.48
Uniepark and Mostertsdrift	7	70.61	98.5	5	10.42	16.96	81.23	8.9	15.6	111.42	17.2	197.44	0	43.47	1.9	2.22	33.76	4	11.5	2.12
Simonswyk	7	28.76	40.16	0	4.12	6.16	28.38	4.38	12.99	23.51	10.75	97.4	0	74.5	0.03	0	24.69	4.11	4.9	0
Uniepark	7	8.69	12.26	0	3.1	4.29	12.7	4.26	5.31	9.44	5.88	56.7	0	39.44	0	0	12.49	0	0	0
Mostertsdrift	7	24.75	36.49	0	2.65	5.02	43	2.31	20.15	16.02	8.77	112.78	0	28.36	0	0.4	19.29	3.12	17.78	0
Noordwal and Die Laan	8	28.24	34.4	0	3.12	4.12	20.28	2.53	5.28	51.38	13.88	61.88	0	36.96	0.9	0.14	13.28	0.7	1.32	0
Stellenbosch CBD	9	82.19	160.96	1.27	23.49	26.82	98.97	17.4	34.88	132.24	79.14	213.57	0	75.14	0.16	1.62	86.58	26.69	16.76	8.68
La Colline	10	25.62	32.54	0	3.87	5.8	21.28	4.85	9.8	25.8	4.04	73.06	0	8.34	0	0.3	12.66	1.32	4.46	0
Onder Papegaaiberg	11	24.74	33.3	0.42	3.12	7.7	51.98	3.16	11.22	18.98	11.6	44.48	4.2	6.82	6.22	0.38	3.34	11.9	4.62	1.58
Devon Valley	11	29	41.7	0.08	7.6	12.64	40.13	6.74	15.76	41.54	62.21	60.85	0	2.84	0	0.9	9.74	3.72	1.22	3.12
Plankenbrug	12	41.06	54.84	0	7.04	10.12	51.82	6.74	8.92	64.54	25	78.34	2.86	16.04	4.1	0.82	30.73	9.54	4.78	5.08
Kayamandi	13-15	140.59	209.82	2.24	18.75	36.86	202.96	15.4	44.47	170.85	18.13	447.81	10.26	63.84	0.66	1.38	133.2	75.48	17.74	22.05
Cloetesville Industrial	16	24.6	49.7	0	5.06	6.45	12.1	3.76	12.8	37.02	5.31	99.38	0	5.96	8.66	0	21.68	4.68	0.56	0
Cloetesville	16	37.08	48.54	0	5.59	12.94	27.44	5.8	33.93	54.5	11.45	157.5	0	0	0.16	0	61.94	0	0	0
Welgevonden	17	14.74	16.26	0	2.5	3.44	25.93	4.38	11.2	15.28	8.71	37.32	0	6.74	0	1.22	11.33	1.32	2.44	0
Klapmuts	18	26.34	38.72	0	2.16	9.39	13.86	3.69	8.06	38.36	1.18	40.47	0	9.28	0	1.82	29.35	23.22	7.1	0.42
Koelenhof	19	49.1	53.91	0	6.24	10.32	81.44	8.3	9.95	41.94	20.34	126	0	33.73	0.06	0	23.62	6.14	12.8	4.18
Raithby	20	33.9	91.9	0	5.64	11.43	50.74	2.07	25.66	35.42	33.85	118.42	0	4.2	0	0	47.86	13.21	9.54	0
Technopark	21	18.74	26.83	0	7.28	6.36	11.55	7.28	21.3	26.1	42.38	87.42	0	0	0.01	0	1.84	0.38	0.98	0
Paradyskloof	21	33.29	41.16	0	3.93	6.62	62.9	3.8	14.37	30.04	9.01	115.33	0	36.75	0	0	33.6	11.79	6.96	0
Jamestown	21	60.28	84.56	0	21.67	25.11	26.52	20.77	25.14	90.17	82.01	152.7	0	115.82	0.14	0.54	53.26	0.28	0	0
Die Boord	22	22.26	28.08	0	5.43	6.2	32.45	3.73	11.46	23.73	8.91	87.49	0	22.86	0	0	16.81	1.64	2.7	0
Brandwacht	22	33.47	43.19	0	5.67	7.69	42.42	4.12	16.96	31.08	13.68	169.85	0.1	27.18	0.06	1.82	11	3.03	11.7	0
TOTALS		**1249.84**	**1910.22**	**17.67**	**211.04**	**371.01**	**1562.33**	**198.46**	**494.09**	**1663.51**	**646.02**	**3641.02**	**26.42**	**909.7**	**24.5**	**24.35**	**1110.91**	**437.55**	**174.84**	**86.45**
Weight (%)		8.5%	12.9%	0.1%	1.4%	2.5%	10.6%	1.3%	3.3%	11.3%	4.4%	24.7%	0.2%	6.2%	0.2%	0.2%	7.5%	3.0%	1.2%	0.6%

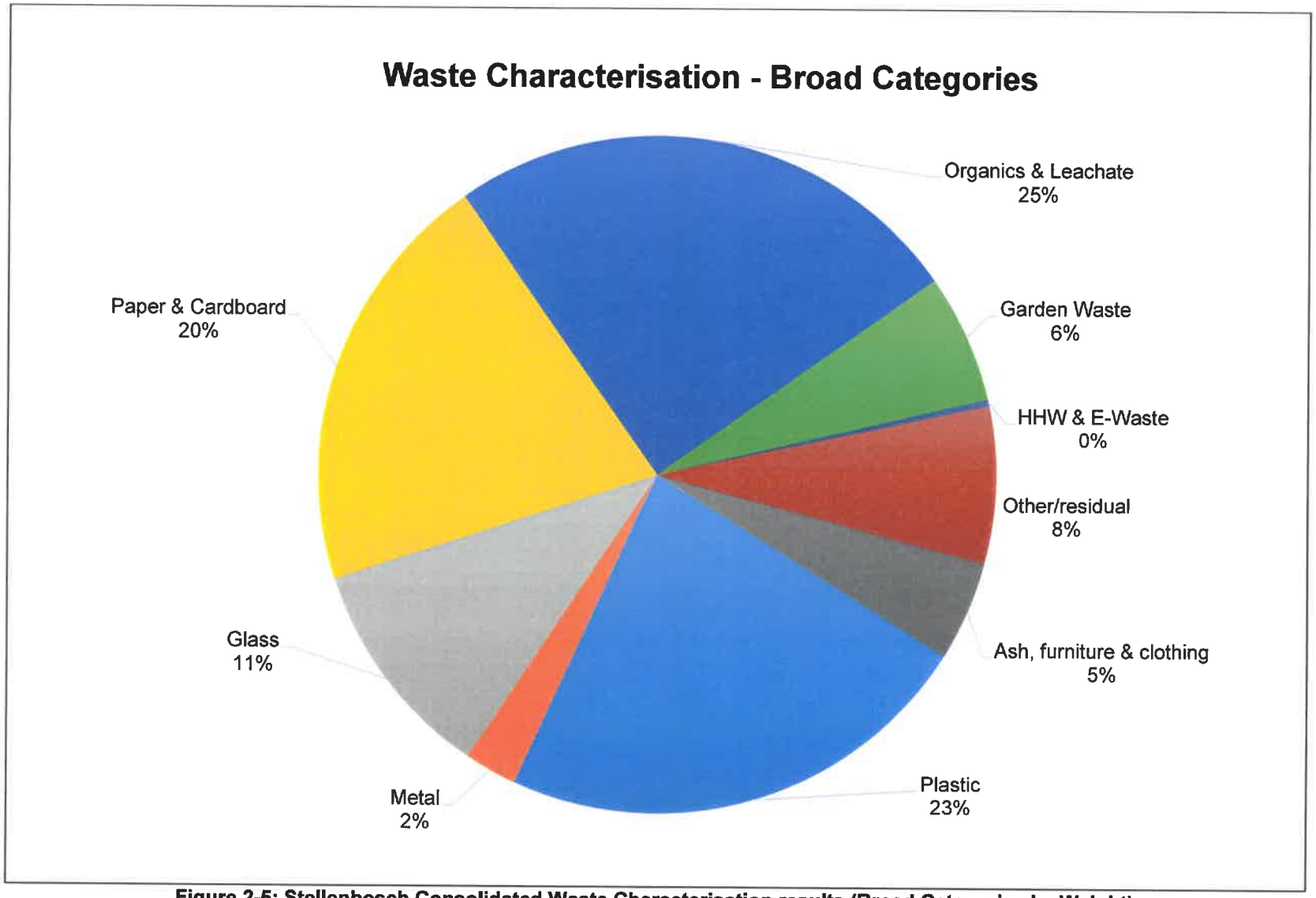


Figure 2-5: Stellenbosch Consolidated Waste Characterisation results (Broad Categories by Weight)

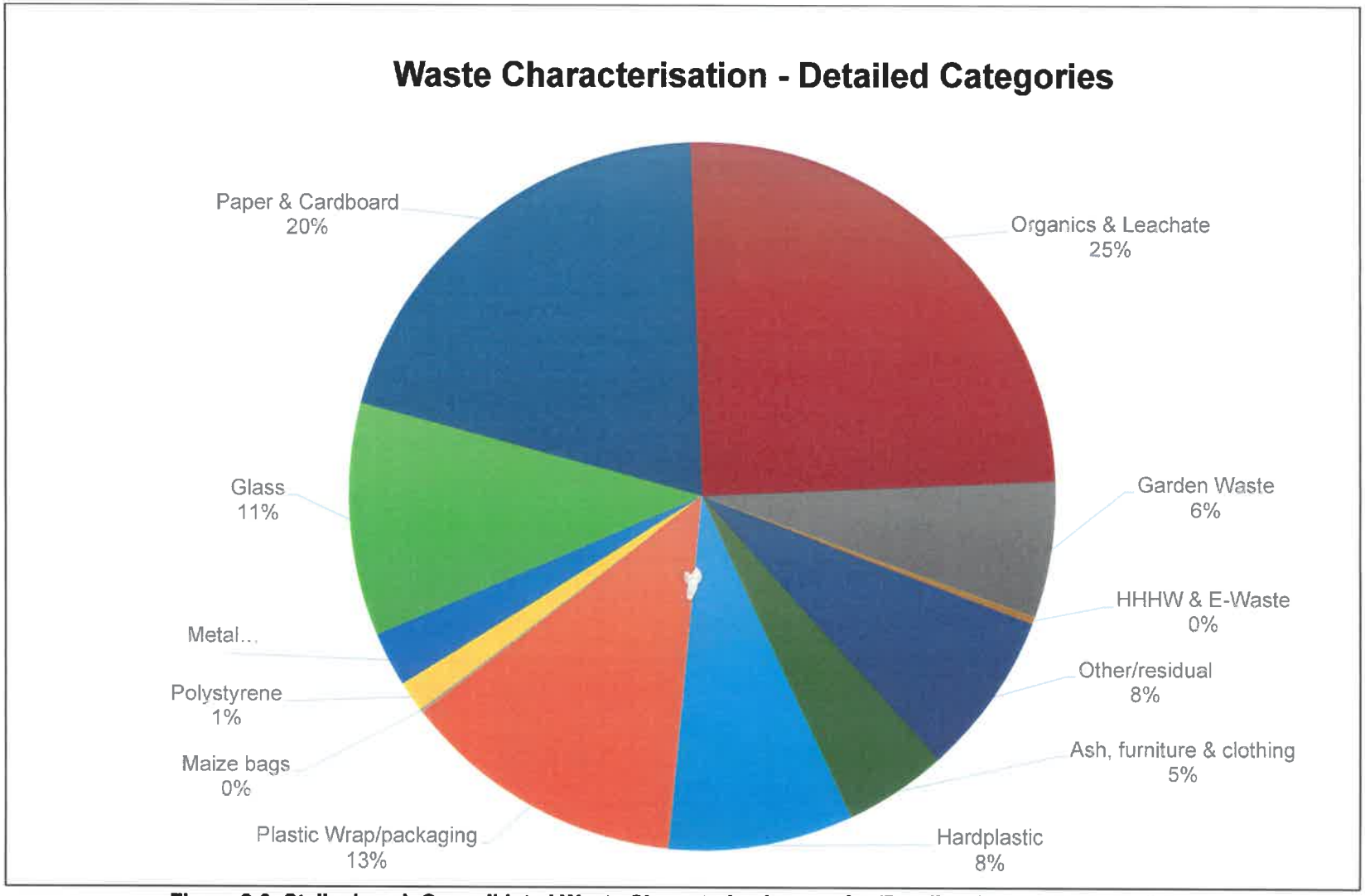


Figure 2-6: Stellenbosch Consolidated Waste Characterisation results (Detailed Categories by Weight)

The municipality has a split bag system. The 2017 waste characterization study outcomes and recovered waste quantities demonstrates that these initiatives are effective in waste reduction.

2.3.3.4 Comparison of 2012 and 2017 results

Although the studies undertaken in 2012 and 2017 differed in sampling size, there are some conclusions that can be drawn from the results of these studies. The findings of the characterisation study of 2012 revealed that a total of 38,833.75 tonnes of household solid waste were landfilled in 2012 and that the largest contributor by mass to the waste stream was the organic waste fraction, which contributed a total of 20,772.17 tonnes per annum.

The information in provides a graphic representation of the comparative average masses, in metric tons, for each waste fraction which was landfilled in 2012 and 2017 respectively, based on weighbridge statistics and extrapolated from each year's waste composition.

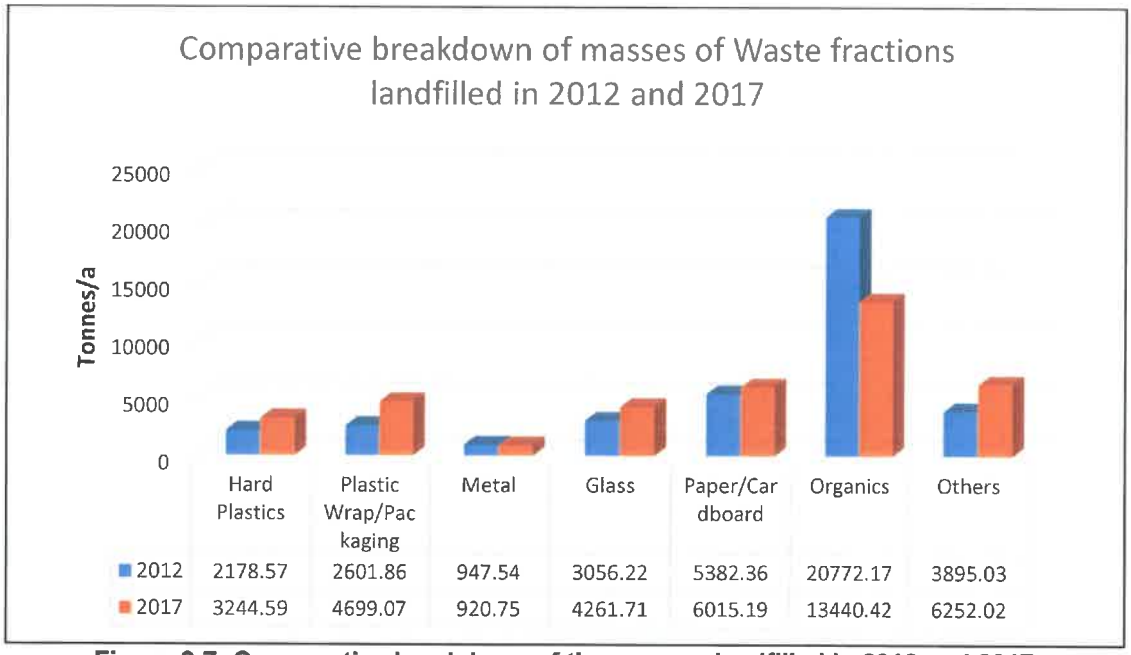


Figure 2-7: Comparative breakdown of the masses landfilled in 2012 and 2017 (Source: C Nell (2020))

The comparison reveals that the plastic wrap/packaging fraction increased more substantially by mass than any other fraction from 2012 to 2017, with 81% more plastic wrap/packaging having been landfilled in 2017 than in 2012. The increase for the 'other' fraction was also particularly high at 61%. The hard plastics, glass and paper/cardboard fractions increased by 49%, 39% and 12% respectively, while the mass of the metals fraction decreased by 3% and that of organic waste decreased significantly by 35%.

Comparison of the 2012 and 2017 further showed that residual, landfill-bound waste disposed of by households is becoming bulkier, but lighter.

2.3.3.5 Waste Characterisation Study Observations

Based on the combined results obtained, it is clear that the major fraction of the waste stream consists of organic waste, which if you combine food waste and garden waste makes up more than 31% of the total municipal black bag waste stream by weight. Plastics (22.96%), Metals (2.51%), Glass (10.58%) and Paper & Cardboard (20.34%) makes up the other large waste portions. These fractions combined make up more than half of the total waste stream (56.39%) and have potential for recovery, depending on contamination levels and feasibility of successful sorting. Based on these results alone, the biggest diversion potential lies with the organic waste fraction and removing the potentially recyclable materials from the black bag waste streams.

2.3.4 General Waste quantities

2.3.4.1 Waste Received at Landfill

The waste tonnages received at the gate of the Devon Valley Landfill since January 2018 is reflected in **Table 2-11.** These tonnages are the average tonnages recorded at the weighbridge of the landfill on a monthly basis and includes all waste prior to any diversion. The Devon Valley Landfill is the only landfill site in the Stellenbosch Municipality.

Table 2-11: Waste Received at Devon Valley Landfill

Date	Industrial Waste	Domestic Waste	Garden Waste	Clean Builder's Rubble	Clean Cover/Soil /Berms	Area Cleaning	Illegal Dumping	Cover to Waste	Totals
Jan-18	445	3 217	381	7 083	1676	483	78	1 007	**14 371**
Feb-18	423	3 349	344	9 823	7712	400	151	772	**22 973**
Mar-18	467	3 103	317	6 729	10539	269	176	503	**22 102**
Apr-18	343	3 077	486	4 458	4789	463	156	663	**14 435**
May-18	384	3 356	626	5 653	4305	618	157	666	**15 765**
Jun-18	444	3 219	486	3 637	1359	769	140	1 328	**11 382**
Jul-18	389	3 280	528	6 228	3 724	92	200	597	**15 039**
Aug-18	396	3 228	458	7 926	3 368	251	208	77	**15 911**
Sep-18	318	2 892	484	10 799	37	265	219	-	**15 014**
Oct-18	529	3 414	581	12 918	9 146	975	201	261	**28 024**
Nov-18	452	3 443	538	14 823	9 538	668	209	-	**29 671**
Dec-18	629	3 278	345	10 836	2 133	710	137	10	**18 077**
Jan-19	521	4 105	633	7 183	605	879	143	3 334	**17 403**
Feb-19	434	3 048	709	9 291	2 412	647	-	356	**16 897**
Mar-19	395	3 228	728	5 388	1 689	786	34	3 438	**15 686**
Apr-19	482	3 645	576	4 478	72	544	-	4 576	**14 373**
May-19	478	3 794	488	4 220	463	470	29	6 633	**16 575**
Jun-19	431	3 227	383	3 696	1 559	606	-	5 863	**15 764**
Jul-19	481	4 123	392	2 613	1 562	510	-	8 171	**17 852**
Aug-19	720	2 885	234	2 155	83	781	-	2 854	**9 712**
Sep-19	459	1 621	**148**	2 071	590	650	-	982	**6 521**
Oct-19	368	364	362	2 791	150	652	-	1 762	**6 449**
Nov-19	195	154	379	2 899	-	441	-	2 777	**6 845**
Dec-19	110	131	239	3 339	-	227	-	438	**4 484**
Jan-20	161	272	578	3 324	62	264	-	968	**5 629**
Feb-20	152	106	554	2 892	-	418	-	599	**4 721**
Mar-20	130	174	495	3 043	9	618	68	770	**5 307**
Apr-20	12	30	23	21	-	325	-	-	**411**
May-20	67	78	274	988	-	1 055	-	445	**2 907**
Jun-20	111	121	863	3 019	-	1 240	-	1 352	**6 706**
2018 Avg	**435**	**3 238**	**465**	**8 409**	**4 861**	**497**	**169**	**490**	**18 564**
2019 Avg	**423**	**2 527**	**439**	**4 177**	**765**	**599**	**17**	**3 432**	**12 380**
2018	2%	17%	3%	45%	26%	3%	1%	3%	100%
2019	3%	20%	4%	34%	6%	5%	0%	28%	100%

A tonnage of 14,829 was reported for Garden Waste in September 2019. This number was considered an outlier and was reduced by a factor of 100 for use in the calculations to bring it in line with the other reported numbers. The information in the above table shows that waste entering the Devon Valley landfill averaged 18,564 tonnes per month in 2018 and this reduced to 12,380 tonnes per month average in 2019, since waste destined for disposal was transported to the Vissershok site since August 2019. The average was just over 15,000 tonnes per month from January to August 2019 though, which also shows the impact of pre collection waste diversion strategies since the Municipality knew their landfill was fast running out of airspace and something had to be done to divert waste.

2.3.4.2 Waste Generated by the Public

From the above information the average annual waste generated by the public is just over 208,000 tonnes. To estimate the waste generation rate per capita, the above total was used excluding the builder's rubble portions which results in a total equalling **59,526 tonnes** which equates to around 4,900 tonnes per month of waste produced by the residents which requires landfilling each month. The reason is that very little (if any) construction waste (Builders Rubble) is generated by citizens at home and are mainly from official construction activities. Therefore, the waste generation factors per income group were linked to be a factor of the next income group generation rate and applied to the 2020 population determined earlier until the total waste generated across all areas and income groups totalled **59,526 tonnes**. The factors between income groups were determined using the waste per capita per day factors from Oelofse & Godfrey (2009), and as can be seen from the below calculated values, the calculated generation rates for Stellenbosch (kg/person/day) corresponds very well with the findings of the 2009 DEA study by Oelofse & Godfrey.

	Very low & Low Income	Middle income	High & Very high income
Calculated for Stellenbosch	0.46	0.84	1.46
From Oelofse & Godfrey (2009)	0.41	0.74	1.29

These generation rates were then used to estimate the future waste generation totals for the Municipality as shown in **Table 2-12**. The 2020 waste generation totals in the below table for urban areas (totals excluding rural) is slightly less than the calculated vale of **59,526 t/a** as described in the previous section. This indicates that although not all rural areas receive a waste collection service, there are some areas that do.

Table 2-12: Current and future estimated waste generation

Sub-area	Pop. (2020)	Waste Generated in t/a (2020)	Pop. (2021)	Waste Generated in t/a (2021)	Pop. (2022)	Waste Generated in t/a (2022)	Pop. (2023)	Waste Generated in t/a (2023)	Pop. (2024)	Waste Generated in t/a (2024)	Average Waste Generation Factor for Area in kg/p/d
Bennetsville	1 563	517	1 598	529	1 633	540	1 669	552	1 705	564	0.91
Klapmuts SP	162	33	165	33	169	34	172	35	176	36	0.55
Weltevrede Park	7 087	1 819	7 243	1 859	7 403	1 900	7 566	1 942	7 732	1 985	0.70
Mandela City	830	174	849	178	867	182	887	186	906	190	0.58
Stellenbosch NU	44 557	16 234	45 537	16 591	46 539	16 956	47 563	17 329	48 610	17 710	1.00
Elsenburg SP	932	341	952	349	973	356	995	364	1 017	372	1.00
De Hollandsche SP	244	91	250	93	255	95	261	97	266	99	1.02
Koelenhof SP	376	96	384	98	393	100	401	102	410	104	0.70
Pniel SP	2 473	993	2 527	1 015	2 583	1 037	2 640	1 060	2 698	1 083	1.10
Wemmerhoek	1 296	383	1 325	391	1 354	400	1 384	409	1 414	418	0.81
Langrug	15 839	3 691	16 188	3 773	16 544	3 856	16 908	3 941	17 280	4 027	0.64
Groendal	2 386	825	2 439	843	2 492	861	2 547	880	2 603	900	0.95
Franschhoek SP	1 135	458	1 160	468	1 185	478	1 211	488	1 238	499	1.10
Hugenote	1 334	628	1 363	642	1 393	656	1 424	671	1 455	686	1.29
Languedoc SP	5 370	1 666	5 488	1 702	5 609	1 740	5 732	1 778	5 858	1 817	0.85
Wiesiesdraai SP	2 165	717	2 212	733	2 261	749	2 311	766	2 361	783	0.91
Welgevonden SP	3 119	1 494	3 188	1 527	3 258	1 560	3 329	1 595	3 403	1 630	1.31
Weltevrede	2 845	942	2 907	963	2 971	984	3 037	1 006	3 103	1 028	0.91
Cloetesville SP	16 429	5 622	16 791	5 746	17 160	5 872	17 538	6 001	17 924	6 134	0.94
Khayamandi SP	30 871	7 337	31 550	7 498	32 244	7 663	32 954	7 832	33 679	8 004	0.65
Pappergaai SP	0	0	0	0	0	0	0	0	0	0	0.00
La Colline SP	1 875	665	1 916	680	1 959	695	2 002	710	2 046	726	0.97
Tennantville SP	706	315	722	322	738	329	754	336	771	344	1.22
Kylermore SP	5 419	1 965	5 538	2 008	5 660	2 052	5 784	2 097	5 912	2 143	0.99
Idasvallei SP	10 977	4 151	11 218	4 242	11 465	4 336	11 717	4 431	11 975	4 528	1.04
Stellenbosch SP	19 714	6 256	20 148	6 393	20 591	6 534	21 044	6 678	21 507	6 825	0.87
Die Boord	4 167	1 938	4 259	1 981	4 353	2 024	4 449	2 069	4 547	2 114	1.27
Onder Papegaaiberg SP	1 883	910	1 924	930	1 966	950	2 010	971	2 054	992	1.32
Devon Valley SP	274	93	280	95	287	97	293	99	299	101	0.93
Robertsvlei SP	15	0	15	0	16	0	16	0	16	0	0.06

Sub-area	Pop. (2020)	Waste Generated in t/a (2020)	Pop. (2021)	Waste Generated in t/a (2021)	Pop. (2022)	Waste Generated in t/a (2022)	Pop. (2023)	Waste Generated in t/a (2023)	Pop. (2024)	Waste Generated in t/a (2024)	Average Waste Generation Factor for Area in kg/p/d
Dalsig SP	1 544	741	1 578	757	1 613	774	1 649	791	1 685	808	1.31
Kleingeluk SP	286	128	292	130	298	133	305	136	312	139	1.22
Paradyskloof SP	2 022	1 004	2 066	1 027	2 112	1 049	2 158	1 072	2 206	1 096	1.36
Brandwacht SP	331	172	338	176	345	180	353	184	361	188	1.43
Jamestown SP	3 559	1 561	3 637	1 595	3 717	1 630	3 799	1 666	3 882	1 702	1.20
Lynedoch SP	139	72	142	73	145	75	148	76	152	78	1.41
Raith SP	1 135	460	1 160	470	1 185	480	1 211	491	1 238	502	1.11
La Montagne	4	0	4	0	4	0	4	0	4	0	0.06
Total	**195 064**	**64 491**	**199 356**	**65 910**	**203 741**	**67 360**	**208 224**	**68 842**	**212 805**	**70 356**	**0.94**
Total (Excluding Rural)	**150 507**	**48 257**	**153 818**	**49 319**	**157 202**	**50 404**	**160 661**	**51 513**	**164 195**	**52 646**	**0.94**

2.3.4.3 Diverted Waste

The information in the below table shows the wastes diverted from landfill after having arrived at the gate of the Devon Valley Landfill site. These diversion numbers are as a result of municipal separation at source initiatives, garden waste and composting projects, swop shops, inputs by the private sector, buy back centres etc.

Table 2-13: Diverted waste

Date	Recyclables out	Green waste out	Bricks out	Crushed rubble	Soil/Rubble used as cover	TOTALS
Jan-18	121	384	27	107	2 683	3 322
Feb-18	101	-	30	135	8 484	8 750
Mar-18	140	619	2	943	11 042	12 746
Apr-18	94	315	6	2 578	5 452	8 445
May-18	104	585	5	3 674	4 971	9 339
Jun-18	117	91	18	6 364	2 687	9 277
Jul-18	102	355	14	2 146	4 321	6 938
Aug-18	84	-	33	6 326	3 445	9 888
Sep-18	84	281	20	4 973	37	5 395
Oct-18	113	801	12	2 283	9 407	12 616
Nov-18	121	391	430	2 351	9 538	12 831
Dec-18	101	-	12	1 790	2 143	4 046
Jan-19	117	297	3	1 112	3 939	5 468
Feb-19	86	-	-	139	2 768	2 993
Mar-19	108	517	1	69	5 126	5 821
Apr-19	97	98	12	4 193	4 647	9 047
May-19	99	764	4	1 763	7 096	9 726
Jun-19	87	645	-	151	7 422	8 305
Jul-19	82	946	-	267	9 733	11 028
Aug-19	116	525	-	36	2 937	3 614
Sep-19	100	68	3	-	1 572	1 743
Oct-19	109	547	-	158	1 912	2 726
Nov-19	134	826	-	1 213	2 777	4 950
Dec-19	167	344	-	65	438	1 014
Jan-20	128	-	-	518	1 030	1 676
Feb-20	-	366	-	449	599	1 414
Mar-20	-	417	-	1 257	779	2 453
Apr-20	-	-	-	-	-	-
May-20	-	348	-	1 176	445	1 969
Jun-20	-	1 340	-	594	1 352	3 286
2018 Avg.	**107**	**319**	**51**	**2 806**	**5 351**	**8 633**
2019 Avg.*	**99**	**474**	**3**	**966**	**5 459**	**7 001**

* 2019 average calculated from January to September only.

The bricks referred to are homemade bricks made from soil material on site. The data for bricks out is related to bricks recovered from the landfill by the public and recyclers, and is not representative of bricks leaving site for commercial use.

The Municipality started transporting waste for disposal to the Vissershok Landfill in August 2019 so the 2019 average was only calculated from January to September 2019. It includes August to allow for transition between disposal and transportation in the month. Since the operations at the landfill has ceased, the clear bags collected were taken directly to the Kraaifontein Materials Recovery Facility in the City of Cape Town. Recycling will return to the Stellenbosch facility once the new MRF facility is built, which is expected to be towards the end of 2020.

From the above information it can be seen that the Stellenbosch Municipality did well over the last two years with diverting waste from landfill. If using a generally accepted 20% as a diversion target the information on **Figure 2-8** on the following page shows that they have achieved more than double this (about 45%) on average over the last two years. The graph further shows that diversion was most prolific during 2018 when large amounts of builder's rubble was crushed and diverted. The Municipality has known for a number of years that their landfill airspace was running out and they were thus forced to embark on additional diversion strategies which clearly made a difference when looking at the graph below and numbers above. Based on the waste characterisation study discussed earlier, which is based on household waste put out for disposal, there exists further potential in increasing diversion rates especially in the organic fraction.

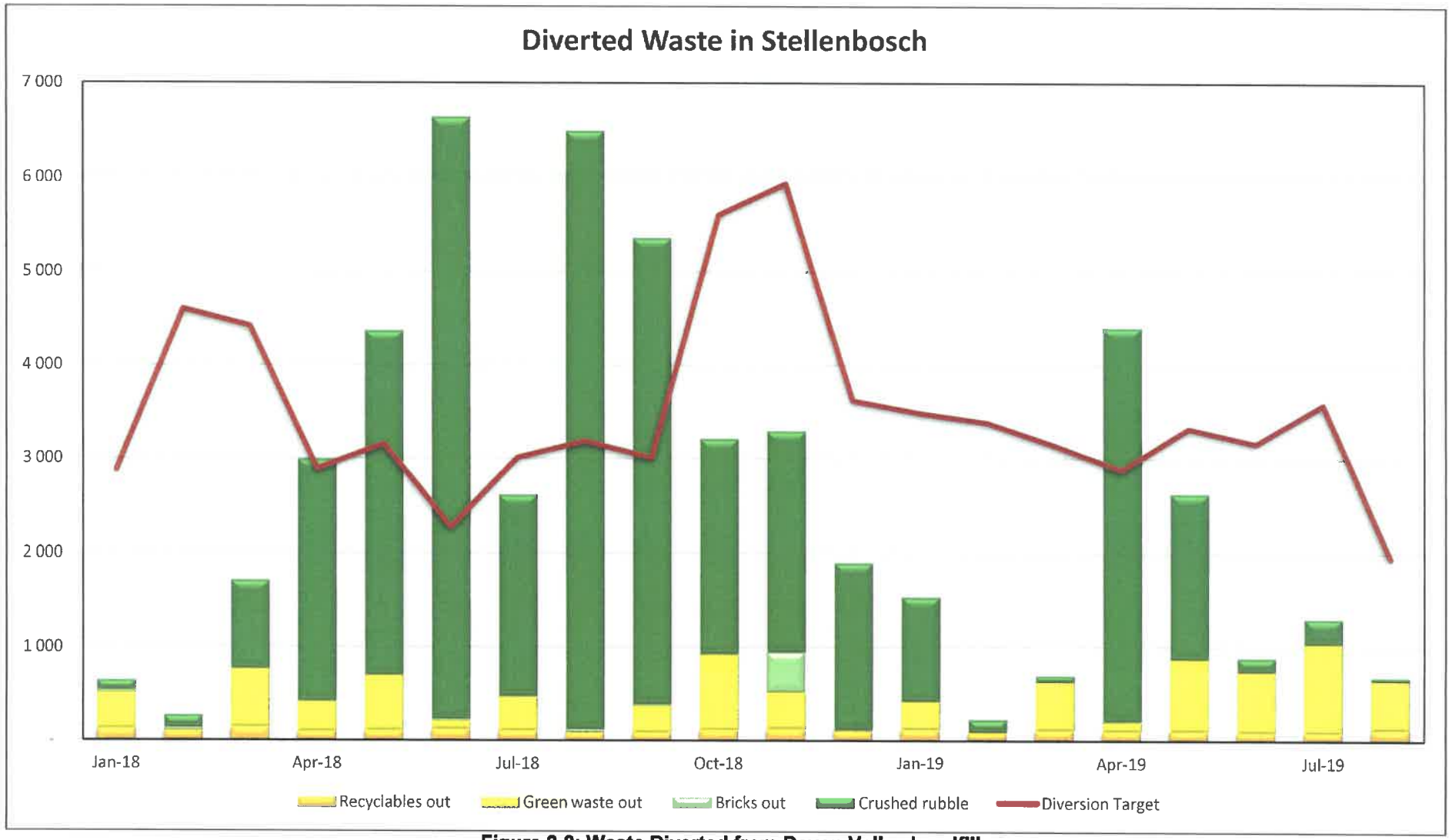


Figure 2-8: Waste Diverted from Devon Valley Landfill

2.3.5 Landfilled Waste

The waste not diverted, and thus requiring landfilling, is shown in the below table.

Table 2-14: Waste Landfilled at Devon Valley Landfill

Date	Industrial Waste	Domestic Waste	Garden Waste	Clean Builder's Rubble	Area Cleaning	Illegal Dumping	Totals
Jan-18	445	3 096	-3	1 042	483	78	5 142
Feb-18	423	3 248	344	1 449	400	151	6 014
Mar-18	467	2 963	-302	868	269	176	4 440
Apr-18	343	2 983	171	281	463	156	4 397
May-18	384	3 252	41	296	618	157	4 748
Jun-18	444	3 102	395	-412	769	140	4 439
Jul-18	389	3 178	173	610	92	200	4 643
Aug-18	396	3 144	458	235	251	208	4 691
Sep-18	318	2 808	203	871	265	219	4 684
Oct-18	529	3 301	-220	1 593	975	201	6 379
Nov-18	452	3 322	147	1 806	668	209	6 605
Dec-18	629	3 177	345	1 355	710	137	6 352
Jan-19	521	3 988	336	910	879	143	6 777
Feb-19	434	2 962	709	1 373	647	-	6 124
Mar-19	395	3 120	211	798	786	34	5 344
Apr-19	482	3 548	478	41	544	-	5 093
May-19	478	3 695	-276	368	470	29	4 764
Jun-19	431	3 140	-262	532	606	-	4 446
Jul-19	481	4 041	-554	352	510	-	4 830
Aug-19	720	2 769	-291	318	781	-	4 297
Sep-19	459	1 521	80	310	650	-	3 020
Oct-19	368	255	-185	395	652	-	1 485
Nov-19	195	20	-447	253	441	-	462
Dec-19	110	-36	-105	491	227	-	687
Jan-20	161	144	578	421	264	-	1 568
Feb-20	152	106	188	366	418	-	1 230
Mar-20	130	174	78	268	618	68	1 336
Apr-20	12	30	23	3	325	-	393
May-20	67	78	-74	-28	1 055	-	1 098
Jun-20	111	121	-477	364	1 240	-	1 359
2018 Avg	**435**	**3 131**	**146**	**833**	**497**	**169**	**5 211**
2019 Avg*	**493**	**3 408**	**44**	**586**	**653**	**26**	**5 209**
2018	**8%**	**60%**	**3%**	**16%**	**10%**	**3%**	**100%**
2019*	**9%**	**65%**	**1%**	**11%**	**13%**	**0%**	**100%**

* 2019 averages are from January to September only

The 2018 (calendar year) and 2019 (from January to September) monthly average disposed tonnages in the above table are shown graphically in the pie charts below (**Figure 2-9** and **Figure 2-10**). These values only include waste from residents that receive a waste collection service and thus excludes portions of the rural population of the Municipality. These totals are in line with the totals that the Municipality reports to the Western Cape IPWIS system. The data indicates that the vast majority (more than 60%) of all landfilled waste is considered domestic waste. This is the normal black bag municipal waste on which the waste characterisation study was done, and even though the WCS was done in 2017, the results of the study shown earlier indicates that this waste stream still contains large quantities of recoverable organic waste and recyclable material.

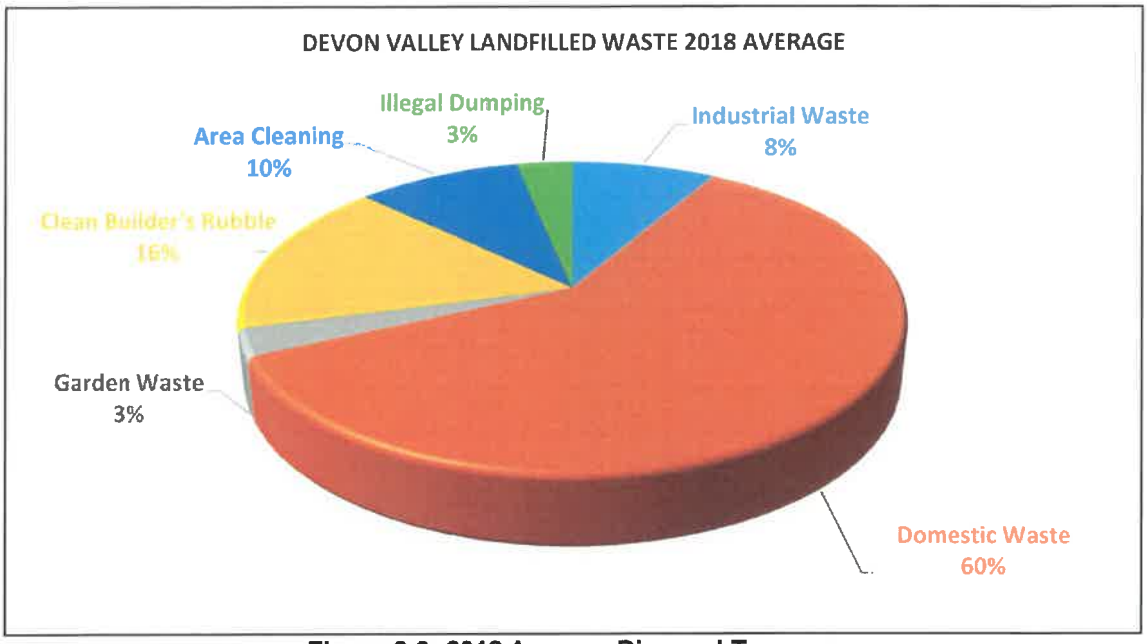


Figure 2-9: 2018 Average Disposal Tonnages

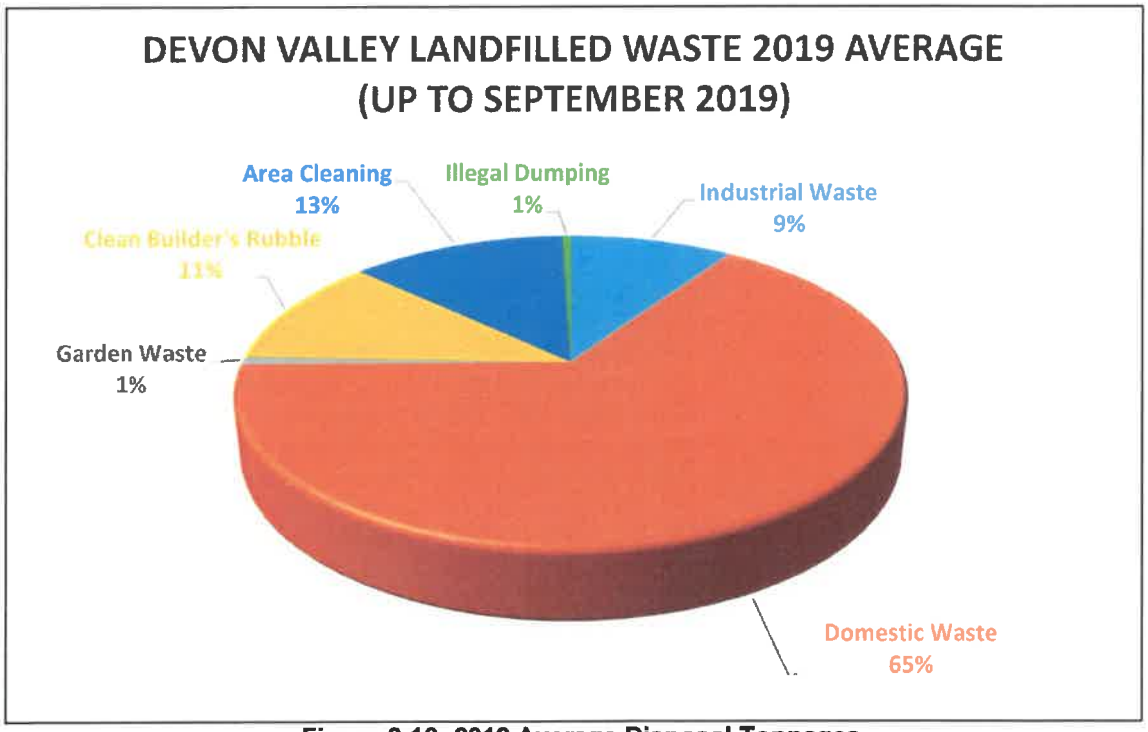


Figure 2-10: 2019 Average Disposal Tonnages

2.3.6 Waste Transported to Vissershok

The Devon Valley landfill has reached its full capacity and although they are busy with planning to establish a new cell between the existing cells, the landfill will not be ready to accept waste until 2023 (estimated). The Municipality thus had to find another landfill for disposal of their waste and hey went out on an open tender process **Table 2-15** for this. They received the most competitive rates from the Vissershok private landfill on the N7 north of Cape Town. The information in below shows the waste tonnages transported to Vissershok since August 2019

Table 2-15: Waste transported to Vissershok Private Landfill

Date	Tonnes Transported
Aug-19	420.36
Sep-19	1 642.72
Oct-19	2 944.12
Nov-19	3 945.82
Dec-19	3 388.92
Jan-20	3 650.24
Feb-20	3 310.02
Mar-20	3 085.60
Apr-20	2 613.50
May-20	3 169.92
Jun-20	3 088.90
Jul-20	3 178.62
Total	**34 438.74**

There has thus been a total of 34,439 tonnes of waste transported from Stellenbosch to the Vissershok Landfill between August 2019 and July 2020, and at an average waste density of 700kg/m^3 this equates to 49,198 m^3 of airspace saved since August 2019 by transporting waste to the Vissershok Landfill.

When the waste generation rates were discussed earlier, the calculation was that the public generated in the order of 4,900 tonnes of waste each month which required landfilling. The average transported to Vissershok from the above table is just over 3,100 tonnes per month, but is expected to be closer to 3,600 tonnes per month if the impact of the nationwide lockdown and the end of year student holidays are allowed for. There is thus a case to be made that being forced to pay for transport and disposal of waste resulted in an increase in waste diversion, either at household level or through municipally introduced recycling and beneficiation programmes.

2.3.7 Hazardous waste

The Hazardous and Health Care Risk Waste Study was undertaken in August 2020 by Aquila Environmental and the full report is attached as **Annexure B**. The survey found that H&HCRW generated in the study area could be categorised under six of the potential seventeen Industrial Groups listed in Schedule 3 of the National Environmental Management: Waste Amendment Act (NEM:WAA) (Act No. 26 of 2014). The study found that 29 000 litres of chemical waste from laboratories and pathologists, as well as 130 000 litres of waste oils are generated in the study area per annum. Approximately 9 700 and 71 000 units per annum of waste automotive batteries and tyres are also generated. The quantity of Health Care Risk Waste generated in the study area per annum is approximately 88 tonnes. There are 18 service providers collecting and transporting H&HCRW in the study area. The study found that the majority of businesses generating H&HCRW have adequate systems in place to deal with such waste in a responsible manner. Contact details of entities interviewed that do not have such systems in place have been provided to the municipality for follow-up.

2.3.7.1 Sewage sludge

The Stellenbosch Municipality accepts no sewage sludge on its landfill. A private contractor transports the sewage sludge to a farm in Klipheuwel and the grits and screens are taken to the Vissershok Hazardous Landfill.

2.4 EXISTING WASTE MANAGEMENT STRUCTURE, SYSTEMS AND PRACTICES

This section discusses the current solid waste management system in the Stellenbosch Municipality. This includes the organisational structure of the Municipality, solid waste collection methods and vehicles, collection schedules, diversion, treatment and disposal.

2.4.1 Organisational structure

The municipal waste management responsibilities lie with the Directorate: Infrastructure Services (together with Electricity, Water, Sewerage, Stormwater, Transport, Roads and Robots). The Waste Manager is Mr Clayton Hendricks. The waste management division of the directorate provides the following services according to the municipal website: Collections; Recycling; Disposal at landfill site; Wheelie bins (240L); Hiring of wheelie bins (for special events); emptying of Skips and drop offs.

Chapter 3 of the Waste Act states that:

"10.(3) Each municipality authorised to carry out waste management services by the Municipal Structures Act, 1998 (Act No. 117 of 1998), must designate in writing a waste management officer from its administration to be responsible for co-ordinating matters pertaining to waste management in that municipality.

(4) A power delegated or a duty assigned to a waste management officer by virtue of subsection (3) may be sub-delegated of further assigned by that officer to another official in the service of the same administration, subject to such limitations or conditions as may be determined by the municipality.

(5) Waste management officers must co-ordinate their activities with other waste management activities in the manner set out in the national waste management strategy established in terms of section 6 or determined by the Minister by notice in the Gazette."

The designated Waste Management Officer for Stellenbosch Municipality is Mr Clayton Hendricks who was appointed as required by the Waste Act.

Provision must be made for the continuous training and education of the Stellenbosch waste management employees. Waste management information sharing/capacity-building events such as the Departmental Waste Forum, Waste Khoro and the IWMSA's WasteCon should be attended by waste management employees determined by the Municipality.

The approved Stellenbosch Waste management division organogram is shown in the figures on the following pages. The Senior Manager Waste Management (Municipal Waste Manager) is supported by two Section Managers. One for the Area Cleansing and Collections Section and one for Waste Minimization & Disposal Section.

There are a number of vacancies that need to be filled and the Municipality is working on appointing competent staff to these positions. The vacancies are shown on the organogram but are not clear and legible. There were reported to be 85 vacancies and 55 filled posts. The vacancies are for 66 general workers, 15 supervisors, 2 technicians, 1 superintendent and 1 team leader. The management of the waste division have indicated that they require more technical staff to be appointed to the two sections in order assist in the management of waste within the Municipality.

In addition to the below staff structure the waste management division can also rely on overarching Municipal support staff.

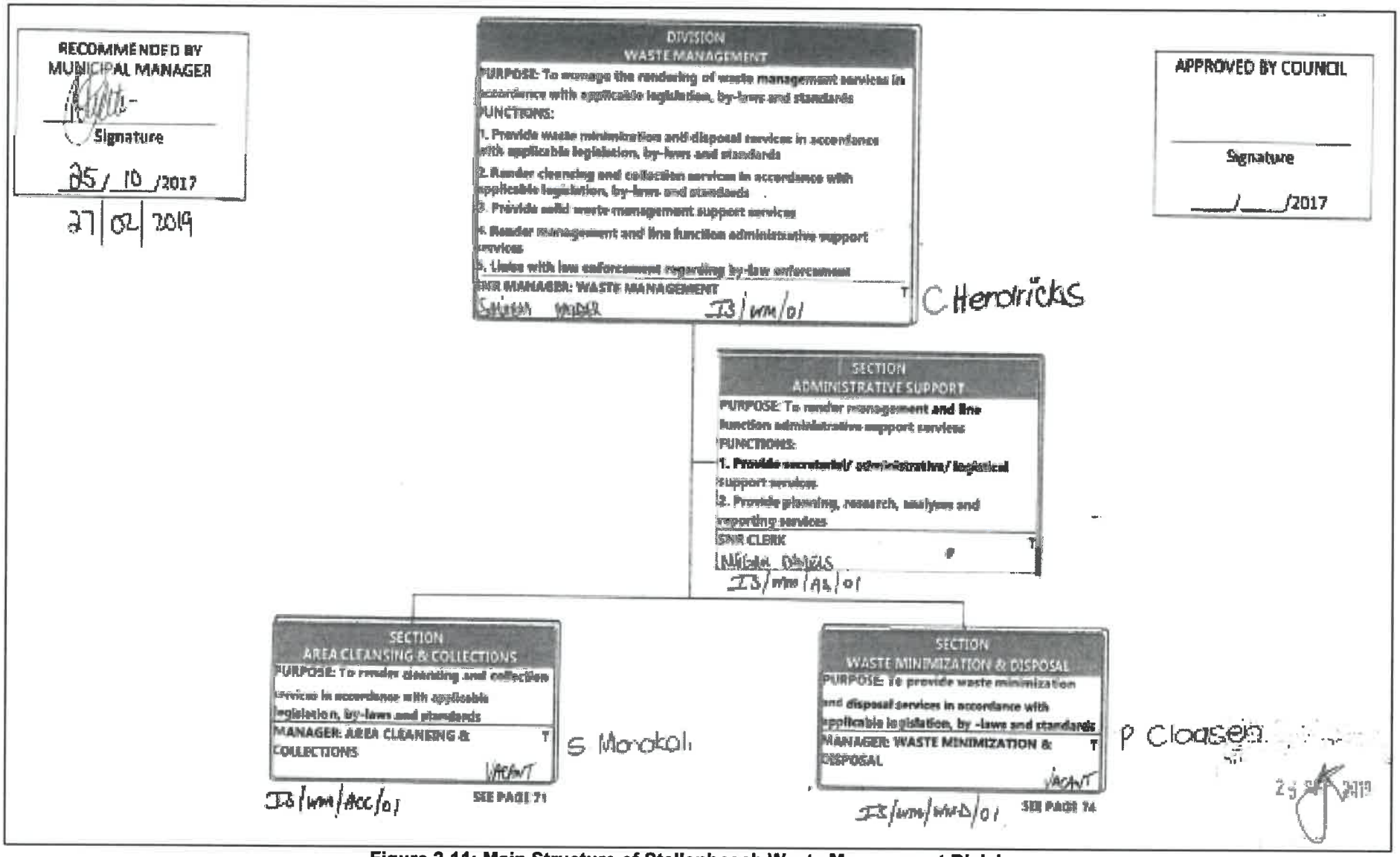


Figure 2-11: Main Structure of Stellenbosch Waste Management Division

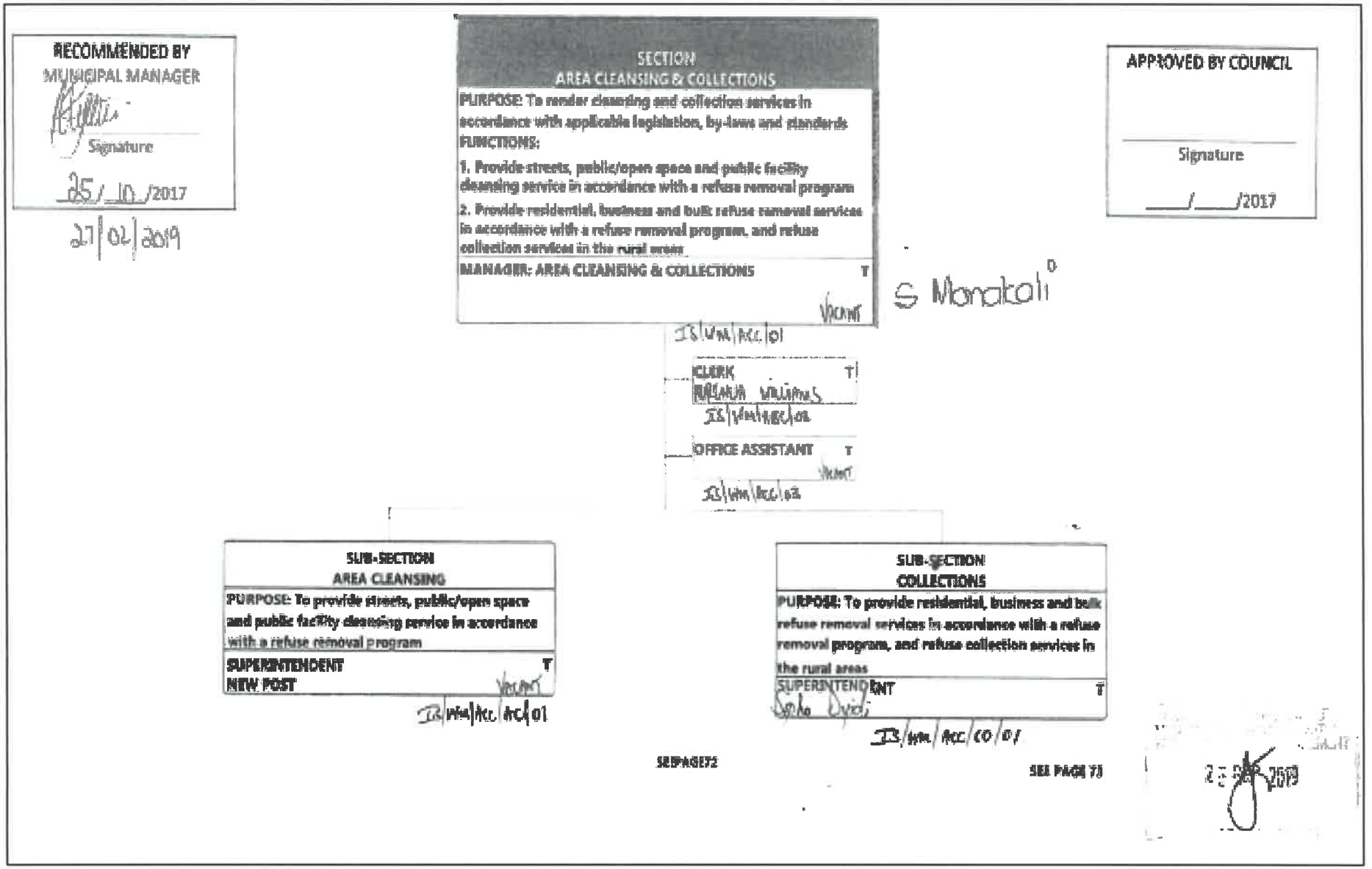


Figure 2-12: Main Structure of Area Cleansing & Collections Section

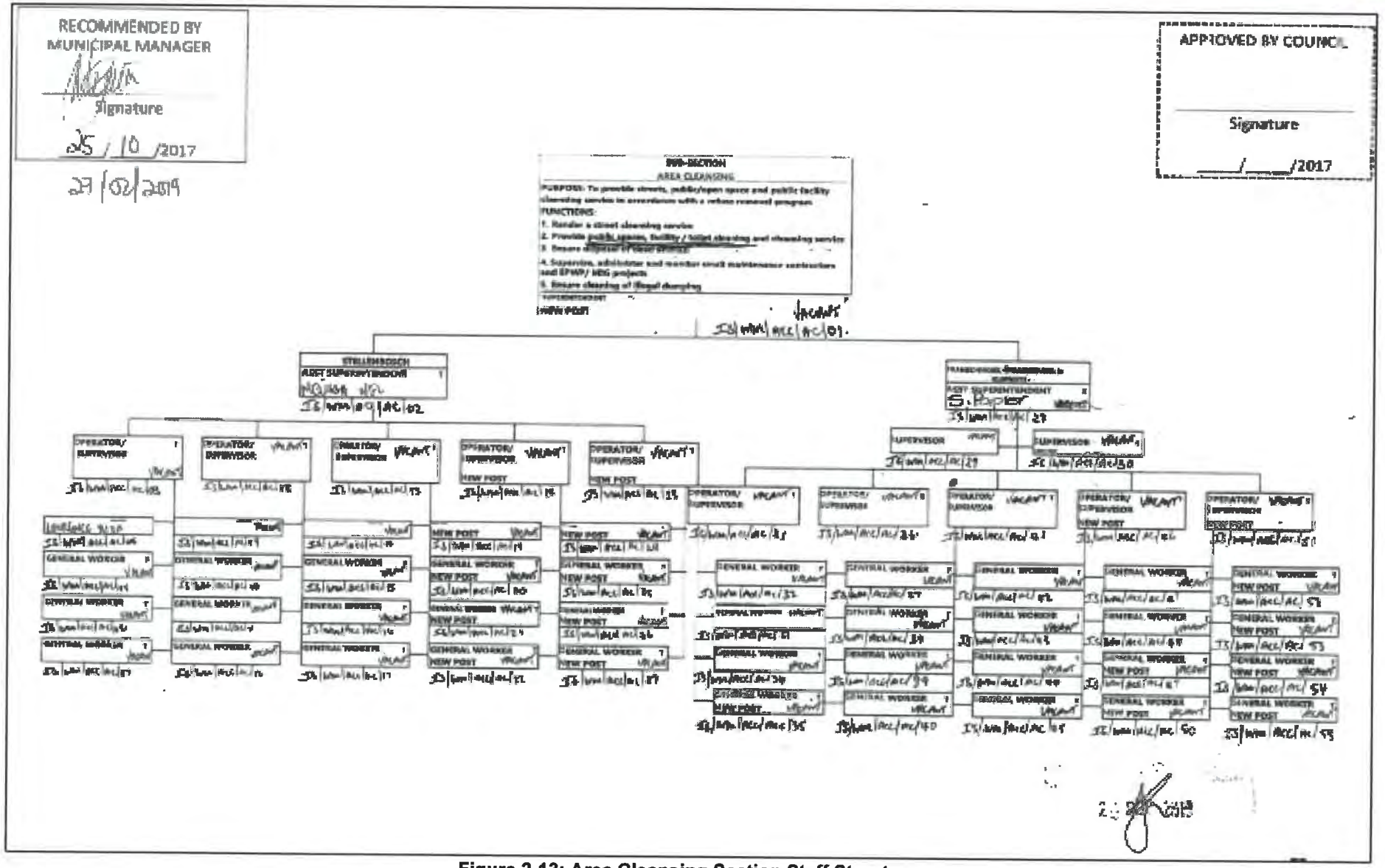


Figure 2-13: Area Cleansing Section Staff Structure

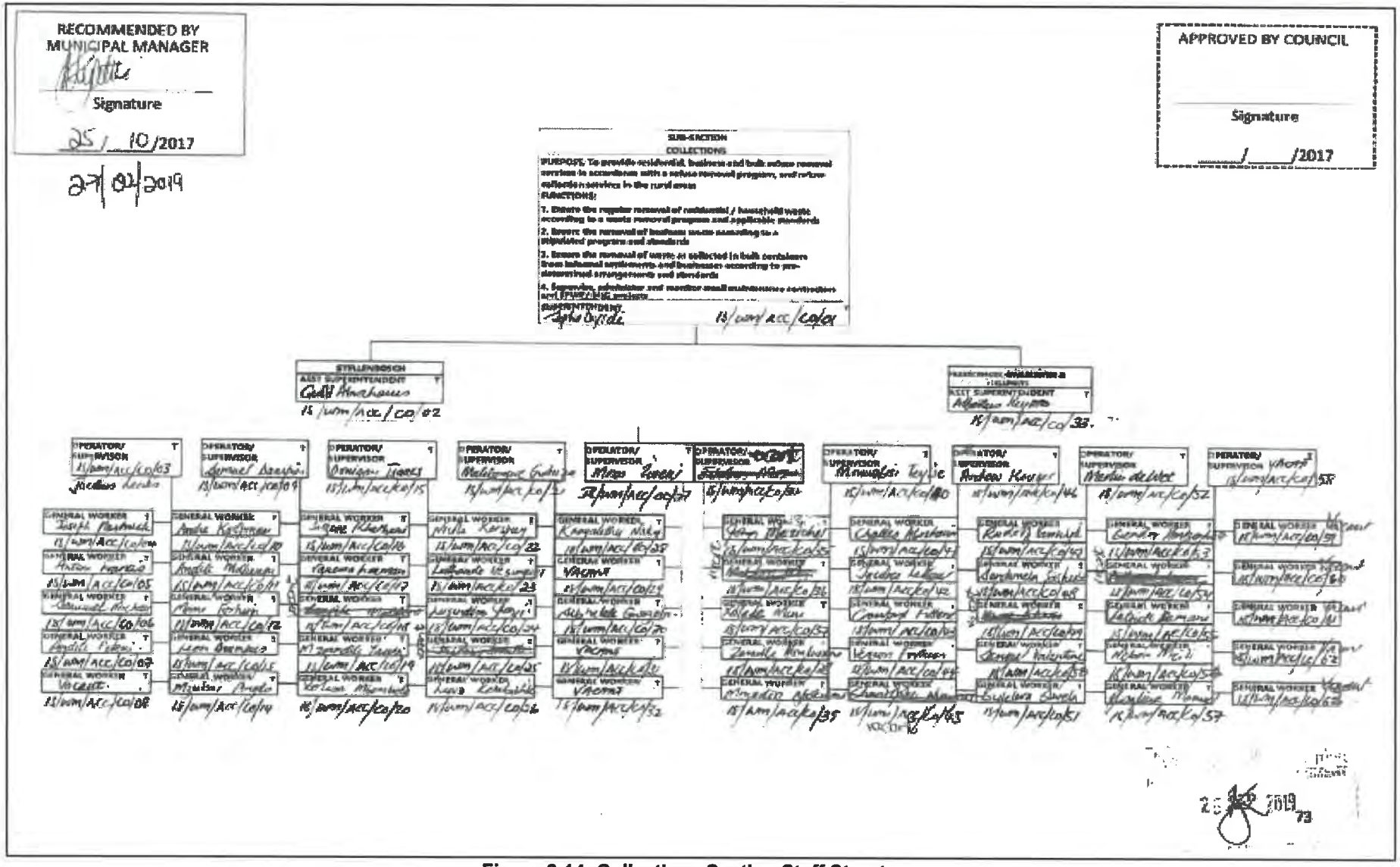


Figure 2-14: Collections Section Staff Structure

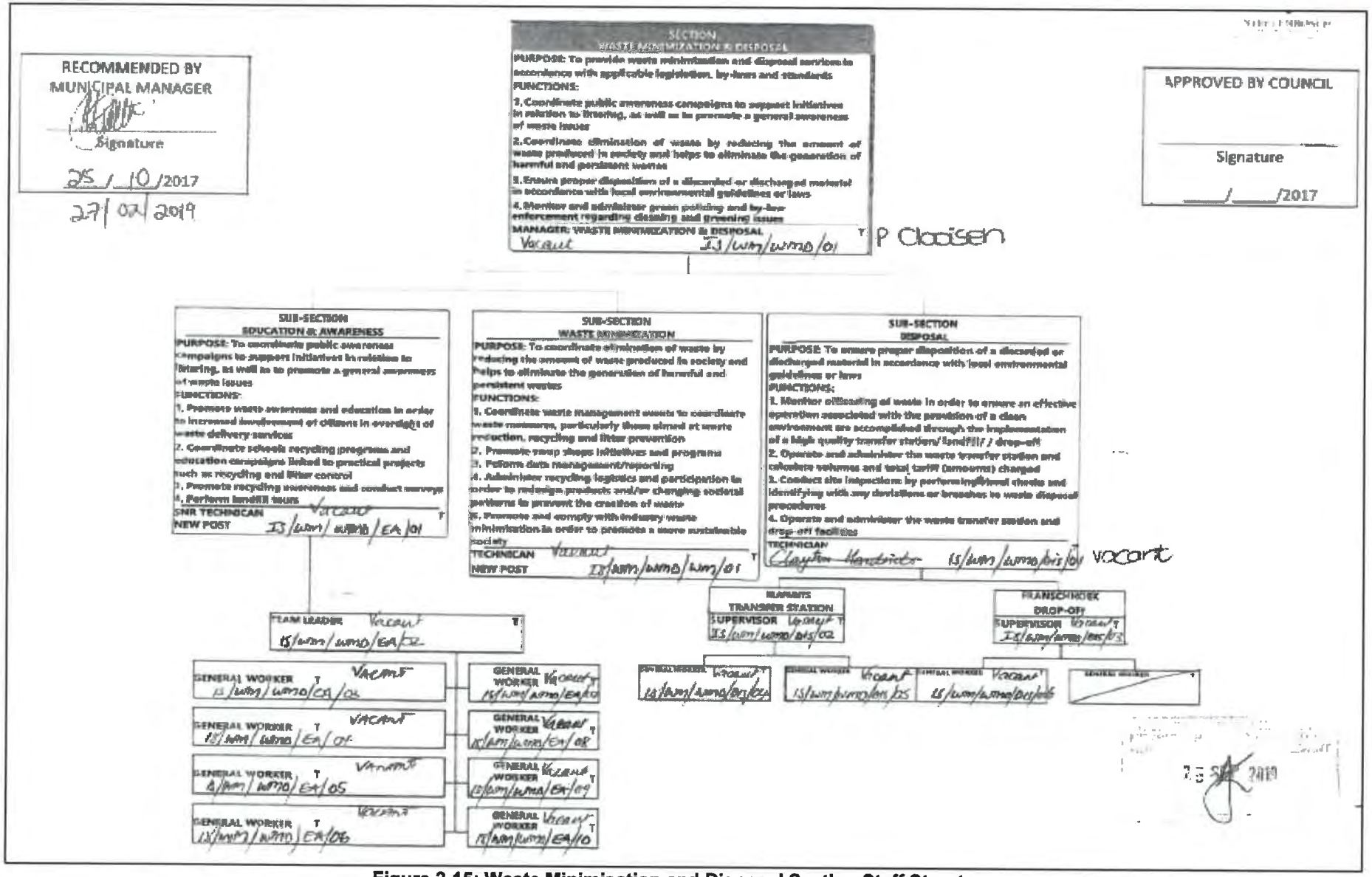


Figure 2-15: Waste Minimisation and Disposal Section Staff Structure

2.4.2 Waste Collection

The Stellenbosch Municipality currently provides a solid waste collection service to all formal households within their municipal area.

Stellenbosch municipality serves approximately 38,500 households with solid waste management services. The 28,751 collection points are spread across the 22 wards of the Municipality. The refuse collection breakdown is approximately 20 000 wheelie bins and 4 000 standard refuse bags as of 2019. The Municipality utilises eleven (11) refuse collection trucks, operated by more than 60 crew members in a 30-hour working week.

Waste collection services for Franschhoek and surrounding areas are outsourced to a private waste service provider.

The following services are rendered to residential properties:

- Once a week collection of black refuse bags, three standard refuse bags are equal to one 240ℓ bin. The SM is currently in the process of phasing out the collection of black bags. Black bags are mainly used in informal settlements and farm areas;
- Once a week collection of 240ℓ bins;
- Blue lid, black bin waste collection three times per week for sectional titles, hostels flats, retirement villages, etc. This service is not available for normal households.

The following services are rendered to business and commercial properties:

- Once a week collection of black refuse bags, three standard refuse bags are equal to one 240ℓ bin;
- 3 x a week collection of black refuse bags, three standard refuse bags are equal to one 240ℓ bin;
- 1 x a week collection of one 240ℓ bin measured as one blue bin;
- Additional 240ℓ removal(s) once per week – measured as the number of additional blue bins;
- Collection based on 1 x 240ℓ three times per week measured as one blue bin;
- Additional 240ℓ removals three times a week – measured as the number of additional blue bins;
- Collection based on 1 x 240ℓ five times a week measured as one red bin;
- The collection of restaurant food waste is being investigated.

The Municipality renders an area cleaning service five days a week from Monday to Friday. The area cleaning staffing structure consists of two legs. The first team covers area cleaning for Stellenbosch and the second team covers area cleaning for Franschhoek, Dwarsrivier and Klapmuts. Area cleaning staff are appointed on temporary 6-month EPWP contracts and there are more than 400 EPWP workers appointed in this way. The Municipality is currently in the process of extending the 6-month contracts to annual contracts. Area cleaning staff make use of blue bags for the disposal of waste. Area cleaning and staff contracts might be added to the list of outsourced services as part of the Section 78(3) process once it is completed. To be noted and as will be reflected in an updated IDP, since the Area Cleaning Unit was transferred to the Engineering Services Directorate in January 2018, cleaning in the informal settlements has also improved with the amount of waste collected also increasing. The current was collection schedule is shown in **Table 2-16**

Table 2-16: Waste Collection Schedule

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Stellenbosch CBD	Brandwaght/Dalsig	Stellenbosch CBD	Pniel and Farms along Helshoogte Rd	Stellenbosch CBD
Stellenbosch University and Devon Valley Industrial Area	De Boord	Stellenbosch University and Devon Valley Industrial Area	Cloetesville (Smarties/ Weltevrede)	Stellenbosch University and Devon Valley Industrial Area
Kayamandi & Plankenburg	Whole Kayamandi	Kayamandi & Plankenburg	Kayamandi	Tenantville/ Koelenhof Business
All business located outside of the CBD	Paradyskloof	All business located outside of the CBD	Clotesville (Kwarentyn & Welgelegen)	All business located outside of the CBD
Uniepark, Rozendal	La Collin till Dorp Str	Idas Valley	Cloetesville	Jamestown

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Simonswyk	Krigeville	Klapmuts	Koelenhof farms	Klapmuts
Universiteits oord	Klapmuts	Idas Valley	Klein Welgevonden	Welgevonden
Klapmuts Residential and CBD	Noordwal oos	Lyndoch/Vleaburg /R44	Cloetesville	Jonkeshoek /Blaauwklippen
Mostertdrift	Digteby Vlottenberg	Raithby/Wineryrd/	Kylemore	Groot Drakenstein - Franschhoek
Lanquedoc/ Meerlust	Onderpappegaai	Devon Valley Industrial area	Cloetesville (Whitecity)	Franschhoek CBD
Universiteits oord	Vlottenburg Farms	Groot Drakenstein - Franschhoek	Groendal - Franschhoek	Residential area south of Huguenot Rd - Franschhoek
Groot Drakenstein - Franschhoek	La Motte, Franschhoek	Franschhoek CBD	Mooiwater - Franschhoek	
Residential area north of Huguenot Rd - Franschhoek	Wemmershoek, Franschhoek	Farms south of Huguenot Rd - Franschhoek		
Franschhoek CBD	Maasdorp, Franschhoek			
	Robertsvlei, Franschhoek			

In 2019 the Municipality appointed Delta Built Environment Consultants (Delta BEC) to conduct a route mapping and optimization study of the refuse collection rounds/beats. Most of the recommendations made in this report has not yet been implemented by the Municipality.

2.4.3 Collection Fleet

The List of municipal vehicles dedicated waste collection and area cleaning is shown in the table below. The list shows ten refuse compactors but the Municipality has recently acquired a new vehicle which has not been licenced which brings the total to eleven.

Table 2-17: List of Stellenbosch Municipality Vehicle Fleet

Reg. No	Year Model	Model	Date Purchased	Fuel Type
Compactors				
CL 64272	2011	Nissan Diesel UD 330 Compactor	Jan-11	Diesel
CL 64779	2011	Nissan Diesel UD 330 Compactor	Feb-11	Diesel
CL 27923	2012	Nissan Diesel Compactor	Apr-12	Diesel
CL 71677	2013	Nissan Diesel G300 Compactor	Jun-13	Petrol
CL 31479	2015	UD 370 Diesel Compactor	May-15	Diesel
CL 27347	2017	Isuzu FXZ 28-360 Compactor	Mar-17	Diesel
CL 23506	2017	Isuzu FXZ 28-360 Compactor	Mar-17	Diesel
CL 81138	2017	Isuzu FXZ 28-360 Compactor	May-17	Diesel
CL 54065	2018	UD 10 ton Refuse Compactor	Dec-18	Diesel
CL 45166	2019	UD 10 ton Refuse Compactor	Jun-19	Diesel
Other Vehicles				
CL 54664	2010	Nissan NP200 1.6i	Apr-10	Petrol
CL 54664	2010	Nissan NP200 1.6i	Apr-10	Petrol
CL 71576	2013	Toyota Hilux 2.0	May-13	Petrol
CL 76176	2015	Toyota Hilux 2.0	May-15	Petrol
CL 59281	2016	VW Polo Vivo	Jun-16	Petrol
CL 81470	2017	MST Digger Loader	Jun-17	Diesel
CL 35425	2007	Corsa 1.4 Utility Bakkie	Jun-07	Petrol

Reg. No	Year Model	Model	Date Purchased	Fuel Type
CL 47287	2017	Trailer	Jun-17	
CL 26704	2017	Mahindra DC Turbo Bakkie	Jun-17	Diesel
CL 51075	2017	Hino 300 815 Crew Cab 6A 11	Nov-17	Diesel
CL 39782	2017	Priclo Caravan	Jun-17	
CL 83193	2018	Hino 300 815 Crew Cab 6A 11	May-18	Diesel
CL 83195	2018	Hino 300 815 Crew Cab 6A 11	May-18	Diesel
CL 83198	2018	Nissan NP200 1.6i	May-18	Diesel
CL 83197	2018	Nissan NP200 1.6i	May-18	Diesel
CL 52034	2018	Hino 300 815 Crew Cab 6A 11	Apr-18	Diesel
CL 83465	2018	MST Digger Loader	Jun-18	Diesel
CL 83483	2018	UD 10 Ton Tipper Truck	Jun-18	Diesel
CL 84071	2018	UD 10 Ton Tipper Truck	Sep-18	Diesel
CL 76140	2015	Chev 1.4 bakkie	May-15	Petrol
CL 22049	2019	MST Digger Loader	Jul-19	Diesel
CL 10783	2019	UD 16 Ton Hooklift	Aug-19	Diesel

The SM is currently in the process of looking to procure an additional skip lifter truck, the servicing of skips are currently outsourced to a private contractor. The private contractors are currently servicing fifty-two 6-cube skips that are spread over the municipal area. The skips are placed at strategic positions throughout. The 2019 collections optimization repot forecasted that the municipality would need a total of 14 REL compacter (19m^3) trucks by 2029 to meet the growing needs of the Municipality.

It is advisable that collection vehicles should ideally not be operated beyond 7 to 8 years in age since the maintenance costs increase dramatically with age as well as down-time which also has cost-implications. It is recommended that all vehicles older than 8 years, are evaluated to determine the need for replacement. In the event that a vehicle is temporarily out of operation, its function is covered with a vehicle/s from other departments as solid waste collection takes priority.

2.4.4 Levels of service

The Municipality reports that 100% of urban households receive kerb side collection once per week. All the urban and informal areas of Stellenbosch Municipality have access to at least a basic refuse removal service. Some refuse removal services exist in the rural areas and farming communities, but all the rural areas at least have access to drop-off facilities.

The Municipality currently provides a two bag collection system where clear bags are collected from middle to higher income areas once a week. The clear bags are to be filled with recyclable materials which households are required to sort waste into two streams namely; general landfill waste (black bags) and recyclable waste (clear bags). The recyclables were transported to a mini materials recovery facility (MRF) that is situated at the landfill. Since the landfill ceased operations the clear bags are collected and taken directly to the Kraaifontein MRF in the City of Cape Town. The MRF currently under construction should start operations towards the end of 2020 after which the clear bags collected in the Municipality will be taken to this new facility for processing and recycling.

The management of the clear bag collection project is outsourced to a private service provider. The responsibilities of the service provider include the following:

- Efficient and effective collection of recyclables in the WCO 24 area of Stellenbosch Municipality;
- Handing out of recyclable bags for participating households and record-keeping thereof;
- Processing of recyclables and ensuring beneficiation of co-mingled recyclables;
- Ensuring sustainable job creation of at least five (5) people for the project;
- The areas to be serviced at a minimum of once per week on the same day as general collection;
- Recycling education and awareness.

The Municipality is in the process of expanding the sorting at source programme to include more households in the initiative.

2.4.4.1 Indigent households

The official Stellenbosch Indigent Policy states that a basic level of services will be provided to qualifying households which meet certain qualifying criteria, as determined by the Municipality from time to time. Subsidised services are assessment rates, refuse removal, sewerage and consumption service charges.

The policy indicates that the maximum qualifying income level defined as the Indigent Income Threshold for a household will be equal to or less than R 6 500 per month. Proof must be produced in the form of pay slips, unemployment certificates, income certificates or other acceptable proof of income. For formal indigent households the Municipality will then provide a free service subsidy not exceeding the cost of one refuse unit in respect of a single residential property. For informal settlement households the free basic service will be provided and not billed for. The full Municipal Indigent policy can be viewed on the Municipality website (www.stellenbosch.gov.za/documents).

The department reported that the total number of indigent households was 6,995 as of July 2020 and in the order of 75% to 80% of these households receive at least a basic refuse collection service.

2.4.5 Waste related complaints

The Municipality has a standard operating procedure to deal with all waste related complaints. All received complaints regarding solid waste are logged on the internal system. A complaint is logged when a service desk consultant answers the call and captures the complaint on the service request register to be addressed by the relevant official or department. This person must then address the complaint and report back in order to complete the process and for the complaint to be removed from the request register.

Complaints can be logged at the following numbers for each area:

Stellenbosch/Klapmuts/Kyamandi/Jamestown - (021) 808 8215 or 8953 or 8343
Dwarsrivier Region/Franschhoek - (021) 808 8632
After Hours – (021) 808 8890 or 8891

The Municipality holds a full electronic complaints register which is continuously updated. They received and successfully addressed 3,013 complaints between 1 June 2017 and 1 July 2020. The majority of the complaints are related to lost/stolen bins, illegal dumping and area cleaning. A full complaints register is available from the Municipality.

2.4.6 Waste minimisation, re-use, recycling initiatives

2.4.6.1 Recycling

Recycling of waste was predominantly taking place at the mini MRF facility located on the landfill site. Here the separately collected clear bag waste (up to August 2019), and waste obtained from landfill working face by informal recyclers, got sorted into recyclable portions and beneficiated by either selling them to the market or donating to other users. After closure of the landfill the clear bags are collected and taken directly to Kraaifontein MRF in the City of Cape Town.

A summary of the recyclable materials leaving the MRF at the landfill was discussed in **Table 2-13** and represents on average about 3% of the domestic waste stream entering the landfill. As shown in the waste characterisation study results, the black bag waste still contains many possible recyclable material with more than 50% of this domestic waste stream (by weight) being potentially recyclable.

The Municipality have identified this and is in the process of developing a fully functional MRF at the Devon Valley landfill site. The new MRF is being constructed at the landfill site and will be able to handle 450 tonnes of waste per month based on an adjusted ultimate public participation rate in the source separation scheme of 50%. As there is already a demand for a public drop-off facility, it is anticipated that residents will independently come to the MRF to drop off mixed recyclables. The mixed recyclables projections model does not take into account the mass of mixed recyclables coming in independently from residents.

A further note on the current status of recycling in general: The recycling market in South Africa is heavily dependent on exporting recyclable materials as there are no large-scale manufacturers that can use the material here, especially plastics. Since importers of recyclables like China and India have diminished or ceased imports, the South African recycling market has slowed down severely. This has drastically decreased the price per ton recyclers receive for materials, to the point that some recyclers cannot continue operations. For the past year recycling accounts for only 2% diversion of the generated household waste stream on average. Based on historic data, with favourable market conditions, the diversion rate via recycling can be increased to 5% on average should the new Devon Valley MRF start operations.

This does not imply that recycling will be stopped and hopefully the market will recover. Recycling is part of the (current draft) NWMS 2019 and source separated collection part of the requirements for municipalities outlined in the strategy. It must however be noted that the collection service and recovery at a MRF will most likely not generate revenue for the municipality and will require operational funding over and above the capital funding to establish the operation. Refer to the table below for the latest prices of recovered materials. The table indicates prices for material that is delivered. Much lower prices can be expected for collected materials, due to transport costs.

Table 2-18: January 2020 Prices of Recovered Materials Delivered to Cape Town

MATERIAL	PRICE IN RAND/TONNE FOR BALED MATERIAL
Cardboard	600
White Paper	2 500
Newsprint	100
Mixed Paper	100
Metals (Mainly cans)	1 400
Glass (All colours, Crushed)	400
Plastic (PET, No 1, White, Blue)	3 800
Green PET	2 800
Plastic (PET, No 1, Brown & other colours)	2 000
Plastic (HDPE, No 2)	4 500
Plastic (LDPE)	Unwashed: 1 450 Washed: 3 200
Plastic (Polypropylene, No 5)	3 300
Plastic (Polystyrene, No 6)	575

The latest prices for cardboard, newsprint and mixed paper have dropped significantly, even forcing some recyclers to close their businesses due to becoming financially unsustainable as paper is the bulk of revenue for most recyclers.

Even though recycling is part of the road to minimise disposal to landfill, the actual reduction in the waste stream via recycling alone is minimal. In order to support diversion in the temporary absence of recycling, there are still many actions and decisions each of us can make. Examples include:

- Rethink and avoid: Eliminate the need to recycle by making better buying decisions. Refuse single-use bags, cups, straws, etc. and make use of washable containers that can be used repetitively.
- Fix and repair household items or clothing before replacing.
- Start composting organics such as food and garden waste at home or deliver your organics to a nearby composter.
- Go paperless: Switch to e-billing wherever possible and print only when necessary.

As far as the private sector goes there are a number of private companies doing recycling with in the Stellenbosch municipal area. They collect privately from business and occasionally households and they are currently not governed by the Municipality. This means that the Municipality has no real idea of the volumes being recycled in the private market within the Municipality. As part of the new integrated solid waste by-law that the Municipality has drafted, all private recycling companies, wishing to do business in the Municipality, will have to be registered with the Municipality and report their recycling volumes to the Municipality.

2.4.6.2 Organic diversion

Much potential for diversion exists within the organic fraction of the waste stream with reference to the characterisation results discussed, indicating potentially 31% organics present in the household waste stream. This study must be further refined in order to indicate the breakdown of these organics and how they have changed since 2017 when the WCS was done in order to see what the diversion potential with each is and the appropriate treatment/re-use methods.

The D:EA&DP has also recognised the importance of organic diversion and stipulated the requirement in the latest issued landfill licences that each landfill must dispose according to its Organic Waste Diversion Plan. The targets for these diversion plans are that 50% organic diversion is achieved by 2022 and 100% diversion by 2027. The Municipality understand the need to plan for the diversion of organic waste in accordance with the requirements in their licenses, and a tender process is currently underway to appoint a consultant to develop an Organic Waste Diversion Plan.

The Stellenbosch Municipality currently diverts organic waste via chipping and composting. Chipping takes place at the landfill under a private contract and the material is taken to a licensed composting facility. The Municipality is also planning the development of an organic waste refuse transfer station at the landfill site to further divert organic waste from landfill.

The planned organic waste transfer station is expected to cost in the order of R18 Million according to the 2018 draft preliminary design report by JG Afrika (Pty) Ltd. The development is still in the planning and environmental approval phase and the Municipality still has to secure an offtake for the diverted organic wastes, but successful development of this infrastructure will enable the Municipality to reach the organic waste diversion targets set by the province.

2.4.6.3 Building rubble diversion

The main option with building rubble diversion is crushing the clean rubble and using it as road building material (or other appropriate uses depending on material quality) or using it as cover material in landfilling, eliminating the need to use natural materials such as soil.

No building rubble received is directly disposed. Oversized rubble is stockpiled separately until sufficient volumes are reached for crushing operations. Manageable rubble is used as cover material.

A contract was recently awarded to a private contractor who will be tasked with the crushing of builder's rubble and beneficiation of the crushed material at the landfill.

2.4.7 Awareness & Education

The Stellenbosch Municipality conducts comprehensive awareness and education campaigns with continual involvement with the public in terms of solid waste management and the promotion of better waste management practices. Residents are informed and given feedback through the means of newsletters, pamphlets, social media and the municipal website. Schools are visited to educate learners about solid waste and recycling.

The following summarised examples indicate the latest actions.

- The Solid Waste Department has an annual newspaper called "Utter Rubbish" that gets spread out to the public and contains all the latest waste related information within the Municipality. The 6th edition of this newspaper was due to be released by mid-2020 but got delayed by the nationwide COVID-19 lockdown that happened at the end of March 2020;
- Home biodigester projects at schools being planned;
- Household kitchen caddy (small plastic basket) project to be rolled out;
- Schools are contacted by the Municipality with an offer to undertake recycling at the school in addition to the normal kerbside collection that they do receive. A Municipal official is responsible to keep a database of the schools and who chooses to participate and not;

The Stellenbosch Municipality should continue with their awareness and education campaign which contributes to the Municipality's successful waste management practices and public support and involvement. This is also included as an ongoing action item in the IWMP's implementation. It is also recommended that the municipality include a consolidated waste awareness strategy that describes how the municipality will roll out their strategy and how it plans to build onto and improve current awareness efforts. It is recommended that the municipality refers to the Western Cape Waste Awareness Strategy for guidance to conduct their own strategy.

2.4.8 Section 78(3) Process

The Municipality underwent a Section 78(3) process recently as required by the Municipal Systems Act in order for the Municipality to outsource municipal waste management functions to private parties as summarized in **Table 2-19**. The process has neared completion and the item is with the Council for approval at the time of writing of this report. Under this process all Municipal Waste Management services will be outsourced to private companies with the exception of waste collection and transportation which will stay a Municipal function.

Table 2-19: Proposed outsourcing of Waste services

Service Description			MSA Mechanism
General Solid Waste	Mixed MSW and Residual	Collection / transportation / fleet and storage	Internal
		Process / treatment	External
		Disposal	External (new cell)
	Recyclables (paper, metals, plastic, glass)	Collection / transportation / fleet and storage	External
		Process	External
	Food waste	Collection / transportation / fleet and storage	External
		Process / treatment	External
	Organics (separated at source)	Collection / transportation / fleet and storage	External
		Process / treatment	External
Garden Waste	Collection / transportation / fleet and storage		Internal
	Process / treatment		External
Builders' Rubble	Collection / transportation / fleet and storage		Internal
	Process		External
Soil	Collection / transportation / fleet and storage		Internal
	Process		External
Industrial & Agriculture	Collection / transportation / fleet and storage		External
	Process		External
Sewage Sludge	Collection / transportation / fleet and storage		External
	Process		External
E-Waste	Collection / transportation / fleet and storage		External
	Bulk transfer and disposal		External
Hazardous & Healthcare Risk Waste	Receipt and temporary storage		External
	Bulk transfer and disposal		External
Tyres	Receipt and temporary storage		External
	Bulk transfer and disposal		External

2.4.9 Waste disposal facilities

The operational and closed waste disposal facilities in the Stellenbosch Municipal area are discussed in this section.

2.4.9.1 Landfills

2.4.9.1.1 Operating Landfills

The Devon Valley landfill is the only operating landfill within the Stellenbosch Municipality.

The Devon Valley Landfill Site is situated amongst the low hills of the Hottentots-Holland Mountains, located approximately five kilometres to the east. It is also located outside of urban edge of Stellenbosch, approximately four kilometres west of Stellenbosch central. The site is surrounded by the low Bottelary Hills and Papegaaiberg to the north and flatter agricultural lands to the south.

The landfill site is surrounded by the suburban communities of Onder Papegaaiberg (approximately 700m north east of the site) and Devon Valley (approximately 500m to the east of the site). Agricultural lands, in the form of vineyards, surround the site to the north, west and south. More specifically, Asara vineyards borders the site to the west.

The landfill site is located 300m north of Adam Tas Road, also known as the R310 (Main Road MR00177). The Animal Welfare Society of Stellenbosch, approximately 50m east of the site and the Stellenbosch Waste Water Treatment Works (WWTW) approximately 50m to the south east of the site.

The permit and licence details of the Stellenbosch Landfill are as follows:

- Permitted for operation on 29 January 1999 in terms of the Environment Conservation Act, 1989 (ECA). Permit number 16/2/7/G203/D16/Z1/P331.
- Variation licence issued on 07/02/2013 in terms of the National Environmental Management: Waste Act, 2008 (NEMWA). Licence number E13/2/10/7-B4/37-WL0077/11.
- Closure licence for Cell 1 issued on 13/09/2018 in terms of NEMWA. Licence number 19/2/5/1/B4/46/WL0118/14. **(Note that although the licence name states only Cell 1, the conditions of the licence apply to the entire facility. This apparent administrative discrepancy must be brought under the Regulating Authority's attention.)**

The location of the site can be seen on the below figure. Cells 1 and 2 take up an area of 122,000m^2 and Cell 3 is 50,000m^2 in size.

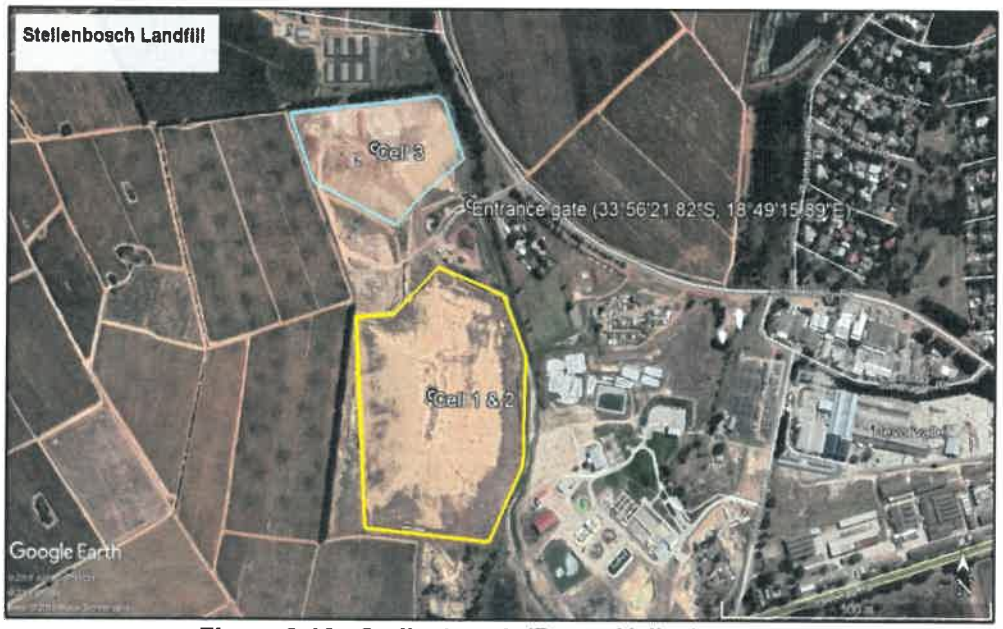


Figure 2-16: Stellenbosch (Devon Valley) Landfill

The Devon Valley landfill has reached its current capacity and licence applications and preliminary designs for the development of Cell 4 is underway. The proposed development area for the new Cell 4 is within the central portion of the existing Devon Valley Landfill. At present, the study area is bounded by two existing landfill footprints, Cells 1 & 2 to the south and Cell 3 to the north. The entire site is surrounded by concrete palisade fencing. An Eskom Servitude traverses the site, with overhead electrical pylons running from north-west to south-east respectively.

The disposal facility is externally audited annually. The latest audit was conducted by JG Afrika (Pty) Ltd in May 2020 and a compliance score of 72.4% was achieved for this audit. The following recommendations were taken directly out of the JG Afrika Audit report:

"*The management of Stellenbosch Landfill Site remains good and the site is neat. Meeting the permit requirements in terms of water (surface and ground) and gas monitoring, is still outstanding and must be implemented as a matter of urgency. The following is recommended:*

Remains unchanged although planned to commence in May (after the 2020 Audit):

- *A landfill gas assessment must be conducted immediately to determine the potential risk associated with the gas being generated on site, as well as to inform the proposed gas to energy beneficiation project;*
- *A landfill gas management plan must be developed and implemented – including management and monitoring thereof.*

Remains unchanged:

- *Adequate and regular water quality monitoring be undertaken and recorded regularly. Where necessary additional boreholes must be established / re-opened in order to monitor groundwater quality.*
- *Leachate monitoring to take place.*
- *Health and Safety meeting minutes, authority correspondence must be provided to the auditor.*
- *The MRF area must be cleaned up immediately and all waste material and litter removed.*
- *Hazardous waste in the containers must be removed from site and safe disposal certificated provided.*

Entrance control is good and all incoming loads are weighed and recorded at the weighbridge. Weighbridge data is certified on a monthly basis and reported to Provincial IPWIS by the licence holder.

Table 2-20: Stellenbosch (Devon Valley) Waste Disposal Facility: Summary Table

Type of facility	General Waste Disposal Facility, Material Recovery Facility, Public Drop-off
Licensed/Permitted?	Yes
License/Permit Number	16/2/7/G203/D16/Z1/P331 & WML E13/2/10/7-B4/37-WL0077/11
Classification	G:M:B$^+$ (Class B)
Location	33°56'21.82"S, 18°49'15.89"E
Estimated Remaining Lifetime	None
Access Control?	Yes
Externally audited?	Yes
Waste Types Received	General household, source separated recyclables, commercial and industrial waste, garden waste, building & demolition waste

During the 2020 closure cost provisions report completed by JPCE in June 2020 it was estimated that the construction cost for the closure and rehabilitation of Cells 1 and 2 would be R95,482,182 (excluding Vat) with the cost estimated cost to close and rehabilitate Cell 3 reported as R40,912,995 (excluding Vat).

2.4.9.1.2 Closed Landfills

Although there are no official closed and rehabilitated landfill in the Stellenbosch Municipality there is an illegal dump site that was located in Groendal near Franschhoek (33°53'23.2"S, 19°06'27.71"E). This site was used illegally by the residents of the area as a dump site and rehabilitation plan was drafted for this site in November 2015. Rehabilitation included removing of the illegally dumped waste and transporting thereof to Devon Valley landfill for disposal. After the waste was removed the site could be shaped and rehabilitated with natural soil and/or builder's rubble. The cost for rehabilitation was estimated at R3,5 Million excluding Vat in 2015. The Municipality is still in the process of attending to this matter.

The old Municipal landfill site in Klapmuts is licensed in the name of the District Municipality and with the setting of Municipal boundaries now falls within the Drakenstein Local Municipality.

2.4.10 Garden Waste & Builder's Rubble Sites

There are no dedicated garden waste or building & demolition waste sites in Stellenbosch. Garden waste and building & demolition waste are accepted at the landfill and stockpiled for chipping and crushing. A new garden waste transfer station is planned as part of the Stellenbosch integrated waste management facility at the landfill. This facility is still in the planning stages and if developed will divert municipal organic waste from the landfill.

2.4.11 Waste Transfer Stations and public drop-offs

The Stellenbosch Municipality currently only has one fully operational licensed transfer station at Klapmuts with one mini public drop off located in Franschhoek. The drop-off does not require licensing due to its size.

Franschhoek mini Drop-off

Franschhoek has a central drop-off site that should have designated skips for Recyclables, General waste and Green waste. Reportedly this is not the case and skips are not allocated correctly and this needs t be addressed. The skips and servicing thereof is outsourced to a private company. A group of waste pickers are responsible for the sorting of recyclables and the removal thereof. The location of the drop-off (33°54'28,46" S, 19°07'01,08" E) is shown in **Figure 2-17**. AECOM SA (Pty) Ltd undertook a study in 2017 to develop a new public drop-off facility in Franschhoek but due to the unavailability of a suitable piece of land within close proximity of the town, the facility was never developed and the need to establish a drop-off in Franschhoek remains a priority.



Figure 2-17: Franschhoek mini public Drop-off

Klapmuts Transfer Station (RTS)

A Permit (Number 16/2/7/G204/D49/Z2/P369) in terms of Section 20 of the Environment Conservation Act, 1989 (Act 73 of 1989) was issued by the Department of Water Affairs and Forestry (DWAF) to the Stellenbosch Municipality for the construction and operation of the Klapmuts Waste Transfer Station on 27 March 2000.

The Klapmuts RTS is located on Farm 739, Division of Paarl off the R101 (33°48'24,20" S, 18°51'18.25" E). The facility consists of the following (refer to **Figure 2-18** which was taken from the 2020 external audit report by JG Afrika and shows the facilities and the surrounding land uses):

- A three-sided roofed structure with an open floor and storage area containing four (4) 30m^3 RO-RO containers. These containers are used to temporarily store waste before it is sent to the Vissershok Private Landfill Site in Cape Town. The transport of the containers is undertaken by a private waste contractor and not the Stellenbosch Municipality;
- The parking area, weighbridge and security offices;
- Containers for the Swop Shop initiative which are now being used as staff areas;
- Portable toilets to meet the requirements with additional staff on site.

There is a possibility that the Municipality will look into the possible relocation of the Klapmuts Transfer Station to make way for a possible residential development in the area. This is still in a negotiations phase but should this happen the Municipality would want to make sure the new facility is up and running before operations at the current Klapmuts transfer station is ceased. If the transfer station is not moved the Municipality as indicated its intention to undertake expansion works at the transfer station in order for it to manage high waste volumes and larger trucks than currently.

Since the closure of the Stellenbosch Devon Valley Landfill Site, the Klapmuts Transfer Station is being used to transfer all waste from Stellenbosch Municipality to the Vissershok private landfill site. The transfer station is internally and externally audited with the latest external audit conducted in May 2020 by JG Afrika (Pty) Ltd. A score of 85% was achieved for this audit with the recommendations below taken directly from the JG Afrika (Pty) Ltd. The available internal audit reports were included in the external audit reports, but the Municipality must ensure that the amount of internal audits undertaken are in line with the licence conditions.

The Klapmuts RTS was well managed at the time of the audit despite operating at capacity. Findings and recommendations from the audit are summarised below:

- *Provide Health and Safety Meeting minutes;*
- *Undertake more frequent Internal Audits and provide proof of submission of the information as per Condition 9.1;*
- *Proof of annual submission of the information as per Annexure II of the permit (as per condition 9.1) must be provided to the auditor at the next audit;*
- *Remains unchanged: Undertake water quality monitoring within the stormwater drains and discharge point;*
- *Remains unchanged: Undertake an amendment to the permit to remove condition 3.12 as it is assumed that this refers to the height of a landfill.*



Figure 2-18: Klapmuts Refuse Transfer Station

2.4.12 Disposal Facilities used outside the Stellenbosch Municipality Boundaries

The hazardous waste generated in Stellenbosch Municipality is transported to the Vissershok Waste Management Facility (VWMF). It has a Class A (previously H:H) classification operating licence from the Department: Environmental Affairs. The site is situated some 800m west of the N7 at Vissershok and is operated and audited in terms of its licence conditions. This is the same site currently accepting the general waste from Stellenbosch due to the fact that the Devon Valley landfill reached capacity. The Vissershok landfill will accept waste from Stellenbosch on a two year contract after which the Municipality would have to go out on tender again for disposal of their waste until Cell 4 at the Devon Valley Landfill is operational.

2.4.13 Contaminated Land

There are no known contaminated land or unpermitted landfills prior to ECA 1989 in Stellenbosch Municipality. All contaminated land is discussed under "Closed Landfills".

2.4.14 Informal Salvaging

Informal salvaging has not been reported as a concern in the Stellenbosch as the facilities where salvaging can take place are fenced and access controlled. The main "salvagers" are baboons, but baboon-proof bins are available for purchase from the Municipality to limit this nuisance.

2.5 ECONOMICS AND FINANCING OF SOLID WASTE MANAGEMENT PRACTICES

2.5.1 Current Solid Waste Management System Costs & Budget

The tables below show the totals for the Capital Budget and the Operating Budget for the solid waste management departments of the Stellenbosch Municipality. Income for the Municipality is derived from service charges related to collection from domestic and business refuse removal as well as sales. The tariffs are also indicated below.

Table 2-21: Stellenbosch Waste Management Capital Budget

Name	Funding Source	2020/2021	2021/2022	2022/2023	MTREF Total
Expansion of the landfill site (New cells)	External Loan	2 000 000	7 000 000	20 000 000	29 000 000
Formalize skip areas in Franschhoek and Kayamandi	Own funds	-	-	500 000	500 000
Skips (5,5Kℓ)	Own funds	200 000	200 000	200 000	600 000
Furniture, Tools and Equipment: Solid Waste	Own funds	45 000	45 000	45 000	135 000
Integrated Waste Management Plan	Own funds	-	-	100 000	100 000
Landfill Gas to Energy	Own funds	500 000	2 000 000	8 000 000	10 500 000
Mini Waste drop-off facilities at inf. Settlements	Own funds	-	-	100 000	100 000
Street Refuse Bins	Own funds	500 000	500 000	500 000	1 500 000
Transfer Station: Stellenbosch Planning and Design	IUDG	2 000 000	3 000 000	-	5 000 000
Transfer Station: Stellenbosch Planning and Design	External Loan	-	5 000 000	9 000 000	14 000 000
Upgrade Refuse disposal site (Existing Cell)- Rehab	Developers Contribution	928 753	-	-	928 753
Upgrade Refuse disposal site (Existing Cell)- Rehab	CRR	1 071 247	1 000 000	1 000 000	3 071 247
Vehicles	CRR	-	2 000 000	3 000 000	5 000 000
Waste Biofuels	CRR	-	-	300 000	300 000
Waste Management Software	CRR	-	-	200 000	200 000
Waste Minimization Projects	CRR	500 000	500 000	500 000	1 500 000
Waste to Energy - Implementation	CRR	-	-	3 000 000	3 000 000
Waste to Energy - Planning	CRR	-	-	300 000	300 000
TOTALS		**317 259 511**	**359 715 477**	**346 280 392**	**1 023 255 380**

Table 2-22: Stellenbosch Municipality Waste Management Operational Budget

Item Description	Budget 2020/2021	Budget 2021/2022	Budget 2022/2023	Project
REFUSE REMOVAL				
Exchange Revenue				
Receivables: Waste Management	- 1 554 589	- 1 663 500	- 1 780 000	Default
Waste Management: Disposal Facilities	- 1 419 884	- 1 654 200	- 1 927 200	Default
Waste Management: Refuse Removal	- 90 318 422	18 470 000	21 517 600	Default
Waste Management: Refuse Removal	15 854 076	- 105 221 000	- 122 582 500	Water (6 kl p/h/m)
Waste Management: Waste Bins	- 15 012	- 17 500	- 20 400	Default
Total for Exchange Revenue	**- 77 453 831**	**- 90 086 200**	**- 104 792 500**	
Non-exchange Revenue				
National Revenue Fund: Equitable Share	- 28 405 227	- 31 245 700	- 34 057 800	Default
Total for Non-exchange Revenue	**- 28 405 227**	**- 31 245 700**	**- 34 057 800**	
Employee Related Cost				
Allowances: Accommodation, Travel and Incidental	6 239	6 795	7 399	Municipal
Allowances: Cellular and Telephone	28 594	31 139	33 911	Municipal
Allowances: Travel or Motor Vehicle	251 497	273 881	298 256	Municipal
Housing Benefits and Incidental: Essential User	89 422	97 380	106 047	Municipal
Housing Benefits and Incidental: Housing Benefits	141 930	154 562	168 318	Municipal
Overtime: Non Structured	1 181 318	1 286 456	1 400 950	Municipal
Salaries, Wages and Allowances: Basic Salary and Wages	12 998 386	14 155 243	15 415 059	Municipal
Service Related Benefits: Acting and Post Related	8 579	9 342	10 173	Municipal
Service Related Benefits: Bonus	1 083 839	1 180 300	1 285 347	Municipal
Service Related Benefits: Leave Pay	67 326	73 318	79 843	Municipal
Social Contributions: Bargaining Council	8 318	9 059	9 865	Municipal
Social Contributions: Group Life Insurance	160 386	174 661	190 205	Municipal
Social Contributions: Medical	386 148	420 515	457 941	Municipal
Social Contributions: Pension	2 341 189	2 549 555	2 776 465	Municipal
Social Contributions: Unemployment Insurance	115 026	125 263	136 412	Municipal
Total for Employee Related Cost	**18 868 197**	**20 547 469**	**22 376 191**	
Inventory Consumed				
Consumables: Standard Rated	299 535	313 014	327 100	Municipal
Consumables: Zero Rated	2 171 369	2 269 081	2 371 190	Municipal
Inventory Consumed: Materials and Supplies	1 236 892	1 292 552	1 350 717	Municipal
Total for Inventory Consumed	**3 707 796**	**3 874 647**	**4 049 007**	

Item Description	Budget 2020/2021	Budget 2021/2022	Budget 2022/2023	Project
Operating Leases				
Operating Leases: Furniture and Office Equipment	50 000	52 250	54 602	Municipal
Total for Operating Leases	**50 000**	**52 250**	**54 602**	
Contracted Services				
Contractors: Maintenance of Equipment	320 494	334 916	350 010	Civil Structures
Contractors: Maintenance of Unspecified Assets	1 015 254	1 060 939	1 108 800	Civil Structures
Total for Contracted Services	**1 335 748**	**1 395 855**	**1 458 810**	
Depreciation and Amortisation				
Depreciation: Furniture and Office Equipment	59 804	62 495	65 307	Municipal
Depreciation: Machinery and Equipment	475 002	496 377	518 714	Municipal
Sanitation Infrastructure: Waste Water Treatment Wo	7 512	7 850	8 203	Municipal
Solid Waste Infrastructure: Waste Processing Facility	1 378 486	1 440 518	1 505 341	Municipal
Water Supply Infrastructure: Reservoirs	37 560	39 250	41 016	Municipal
Total for Depreciation and Amortisation	**1 958 364**	**2 046 490**	**2 138 581**	
Operational Cost				
Advertising, Publicity and Marketing: Customer/Client	135 605	141 707	148 084	Municipal
Advertising, Publicity and Marketing: Tenders	60 913	63 654	66 518	Municipal
Decommissioning, Restoration and Similar Liability	2 774 634	2 899 494	3 029 970	Municipal
Domestic: Accommodation	3 344	3 495	3 652	Municipal
Domestic: Daily Allowance	3 344	3 495	3 652	Municipal
Domestic: Food and Beverage (Served)	1 108	1 158	1 210	Municipal
Domestic: Incidental Cost	2 216	2 316	2 420	Municipal
Licences: Motor Vehicle Licence and Registrations	600 000	627 000	655 215	Municipal
Operational Cost: Assets less than the Capitalisation	4 531	4 734	4 947	Municipal
Operational Cost: Hire Charges	2 556 736	2 671 789	2 792 020	Municipal
Operational Cost: Uniform and Protective Clothing	448 486	468 668	489 758	Municipal
Public Transport: Air Transport	5 225	5 461	5 706	Municipal
Transport with Operator: Other Transport Provider	1 662	1 737	1 815	Municipal
Transport without Operator: Car Rental	1 662	1 737	1 815	Municipal
Total for Operational Cost	**6 599 466**	**6 896 445**	**7 206 782**	
Total for Refuse Removal	**32 519 571**	**34 813 156**	**37 283 973**	
LANDFILL SITE				
Exchange Revenue				
Waste Management: Disposal Facilities	- 2 405 697	- 2 802 700	- 3 265 200	Default
Total for Exchange Revenue	**- 2 405 697**	**- 2 802 700**	**- 3 265 200**	

Item Description	Budget 2020/2021	Budget 2021/2022	Budget 2022/2023	Project
Employee Related Cost				
Salaries, Wages and Allowances: Basic Salary and Wages	179 493	195 468	212 864	Municipal
Service Related Benefits: Bonus	27 035	29 441	32 061	Municipal
Social Contributions: Bargaining Council	261	284	309	Municipal
Social Contributions: Group Life Insurance	4 030	4 388	4 779	Municipal
Social Contributions: Pension	58 359	63 553	69 209	Municipal
Social Contributions: Unemployment Insurance	3 250	3 539	3 854	Municipal
Total for Employee Related Cost	**272 428**	**296 673**	**323 076**	
Interest, Dividends and Rent				
Interest Paid: Interest costs non-current Provision	8 125 540	8 491 188	8 873 292	Municipal
Total for Interest, Dividends and Rent	**8 125 540**	**8 491 188**	**8 873 292**	
Inventory Consumed				
Consumables: Standard Rated	4 984	5 208	5 443	Municipal
Inventory Consumed: Materials and Supplies	1 241	1 297	1 355	Municipal
Total for Inventory Consumed	**6 225**	**6 505**	**6 798**	
Contracted Services				
Outsourced Services: Refuse Removal	14 400 000	14 850 000	15 518 250	Municipal
Total for Contracted Services	**14 400 000**	**14 850 000**	**15 518 250**	
Depreciation and Amortisation				
Roads Infrastructure: Roads	46 496	48 588	50 774	Municipal
Total for Depreciation and Amortisation	**46 496**	**48 588**	**50 774**	
Operational Cost				
Communication: Cellular Contract (Subscription and	523	547	571	Municipal
Decommissioning, Restoration and Similar Liability	10 178 174	10 636 191	11 114 820	Municipal
Insurance Underwriting: Premiums	566	591	618	Municipal
Operational Cost: Hire Charges	1 299 554	1 358 034	1 419 146	Municipal
Operational Cost: Municipal Services	327 508	333 246	339 242	Municipal
Operational Cost: Samples and Specimens	176 900	184 861	193 179	Municipal
Operational Cost: Workmen's Compensation Fund	4 664	4 874	5 094	Municipal
Total for Operational Cost	**11 987 889**	**12 518 344**	**13 072 670**	
Total for Landfill Site	**34 838 578**	**36 211 298**	**37 844 860**	
KLAPMUTS TRANSFER STATION				
Contracted Services				
Outsourced Services: Refuse Removal	19 800 000	20 700 000	21 631 500	Municipal
Total for Contracted Services	**19 800 000**	**20 700 000**	**21 631 500**	

Item Description	Budget 2020/2021	Budget 2021/2022	Budget 2022/2023	Project
Operational Cost				
Insurance Underwriting: Premiums	27 151	28 372	29 649	Municipal
Total for Operational Cost	**27 151**	**28 372**	**29 649**	
Total for Klapmuts Transfer Station	**19 827 151**	**20 728 372**	**21 661 149**	
CLEANING OF STREETS				
Employee Related Cost				
Allowances: Cellular and Telephone	8 059	13 830	14 452	Municipal
Allowances: Travel or Motor Vehicle	193 139	8 776	9 557	Municipal
Housing Benefits and Incidental: Housing Benefits	12 868	210 328	229 048	Municipal
Salaries, Wages and Allowances: Basic Salary and Wages	9 278 323	14 013	15 260	Municipal
Service Related Benefits: Acting and Post Related	2 978	10 104 094	11 003 359	Municipal
Service Related Benefits: Bonus	57 059	3 243	3 531	Municipal
Social Contributions: Bargaining Council	26 645	62 137	67 667	Municipal
Social Contributions: Group Life Insurance	8 579	29 016	31 599	Municipal
Social Contributions: Pension	123 345	9 342	10 173	Municipal
Social Contributions: Unemployment Insurance	106 189	134 323	146 277	Municipal
Total for Employee Related Cost	**9 817 184**	**10 589 102**	**11 530 923**	
Inventory Consumed				
Consumables: Standard Rated	28 081	29 344	30 665	Municipal
Consumables: Zero Rated	611 728	639 256	668 022	Municipal
Inventory Consumed: Materials and Supplies	160 406	167 624	175 167	Municipal
Total for Inventory Consumed	**800 215**	**836 224**	**873 854**	
Contracted Services				
Contractors: Employee Wellness	41 772	43 652	45 630	Municipal
Contractors: Maintenance of Equipment	38 991	40 746	42 660	Furniture
Contractors: Maintenance of Unspecified Assets	340 145	355 451	371 520	Municipal
Contractors: Preservation/Restoration/Dismantling	153 508	160 416	167 670	Municipal
Outsourced Services: Litter Picking and Street Cleaning	4 316 895	4 511 156	4 714 200	Cleanest City
Total for Contracted Services	**4 891 311**	**5 111 421**	**5 341 680**	
Depreciation and Amortisation				
Depreciation: Computer Equipment	1 534	1 603	1 675	Municipal
Depreciation: Furniture and Office Equipment	37 538	39 227	40 992	Municipal
Depreciation: Machinery and Equipment	187 284	195 712	204 519	Municipal
Depreciation: Transport Assets	111 366	116 378	121 615	Municipal
Roads Infrastructure: Roads	5 092	5 321	5 560	Municipal

Item Description	Budget 2020/2021	Budget 2021/2022	Budget 2022/2023	Project
Solid Waste Infrastructure: Capital Spares	13 234	13 830	14 452	Municipal
Total for Depreciation and Amortisation	**356 048**	**372 071**	**388 813**	
Operational Cost				
Cleaning Services: Laundry Services	81 228	84 884	88 703	Municipal
Communication: Cellular Contract (Subscription)	15 874	16 588	17 335	Municipal
Insurance Underwriting: Premiums	19 784	20 675	21 605	Municipal
Licences: Motor Vehicle Licence and Registrations	16 926	17 688	18 484	Municipal
Operational Cost: Assets less than the Capitalisation	137 765	143 964	150 443	Municipal
Operational Cost: Hire Charges	1 160 316	1 212 530	1 267 094	Municipal
Operational Cost: Uniform and Protective Clothing	505 643	528 396	552 174	Municipal
Operational Cost: Workmen's Compensation Fund	25 189	26 323	27 507	Municipal
Total for Operational Cost	**1 962 725**	**2 051 048**	**2 143 345**	
Total for Cleaning of Streets	**17 827 483**	**18 959 866**	**20 278 615**	

2.5.2 Tariffs and billing

Table 2-23: Latest approved Stellenbosch Waste Management Tariffs

SOLID WASTE TARIFFS FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021				
Applicable to services rendered from 1 July 2020 (16.50%)				
SERVICES RENDERED	**UNIT**	**COMMENTS**	**Tariff 2019/2020 (VAT Excl.)**	**Tariff 2020/2021 (VAT Excl.)**
Residential Waste Collection (Households, Flats, Hostels, Retirement homes, Churches, Schools, Welfare Organisations, etc.)				
Definition: 1 refuse unit = 240ℓ = 3 standard refuse bags				
Indigent subsidy: A monthly subsidy (to be determined by Council) to be credited to a registered indigent consumer's account				
Black bags (only were wheelie bins have not been introduced and/or stolen or lost)				
Single residential properties for indigent households.	per month	Account payable by property owner. Max 3 closed bags. No other extras. Service will cancel when 240ℓ bin is issued.	R135.99	**R205.11**
Basic residential collection based on 3 standard refuse bags once per week - 1st refuse unit - One dwelling on erf	per month	Account payable by property owner. Max 3 closed bags. No other extras. Service will cancel when 240ℓ bin is issued.	R176.06	**R205.11**
Basic residential collection based on 3 standard refuse bags per dwelling (1 refuse unit) for additional dwellings on same erf	per refuse unit per month	Account payable by property owner. Max 3 additional closed bags. No other extras. Per fixed arrangement - not variable. Service will cancel when 240ℓ bin is issued. At cluster housing, flats, etc. 1 refuse unit to be charged for every living unit (per month)	R176.06	**R205.11**

SOLID WASTE TARIFFS FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021				
Applicable to services rendered from 1 July 2020 (16.50%)				
SERVICES RENDERED	**UNIT**	**COMMENTS**	**Tariff 2019/2020 (VAT Excl.)**	**Tariff 2020/2021 (VAT Excl.)**
Additional collection based on an additional 3 standard refuse bags once per week - 2nd refuse unit or more	per month	Account payable by property owner. Max 3 additional closed bags. No other extras. Per fixed arrangement - not variable. Service will cancel when 240ℓ bin is issued.	R176.06	**R205.11**
Mobile bins (240ℓ Wheelie bin)				
Black Bin (Black lid Black bin)				
Basic residential collection based on 1 x 240ℓ per week - 1st bin - one dwelling per erf	per month	Account payable by property owner. No extras beside bin. At cluster housing, flats, etc. (units to be charged per quantity of bins used). Only WC024 bins will be collected	R176.06	**R205.11**
Basic residential collection based on 1 x 240ℓ per week for additional dwellings on same erf	per refuse unit per month	Account payable by property owner. No extras beside bin. At cluster housing, flats, etc. Units to be charged per quantity of bins used. Only WC024 bins will be collected.	R176.06	**R205.11**
Basic residential collection based on 1 x 240ℓ bin per week for additional dwellings	per refuse unit per month	Account payable by property owner. No extras beside bin. At cluster housing, flats, etc. Units to be charged per quantity of bins used. Only WC024 bins will be collected.	R176.06	**R205.11**
Blue Bin (Blue lid Black bin)				
Three times per week removal with a blue lid 240ℓ refuse bin (sectional title, residential zoned i.e. Hostels, Flats, Old age/retirement villages - NOT HOUSEHOLDS)	Per add 240ℓ bin per month	Account payable by property owner. No extras beside bin. (Sectional title, residential zoned i.e. Hostels, Flats, Old age/retirement villages). (Businesses to be charged per quantity of bins)	R624.70	**R727.78**
Non Residential Waste Collections (Business and Commercial)				
Definition: 1 refuse unit = 240ℓ = 3 standard refuse bags				
Black bags (Only were Wheelie bins have not been introduced)				
Collection based on three (3) standard refuse bags once (x1) per week	per month	Account payable by business owner. Max 3 closed bags. No other extras. `Black BAG Service will cancel when 240ℓ bin is issued.	R208.23	**R242.59**
Collection based on 3 standard refuse bags 3 x per week - three refuse units per month	per month	Account payable by business owner. Max 3 closed bags. No other extras. Service will cancel when 240ℓ bin is issued.	R624.70	**R727.78**

SOLID WASTE TARIFFS FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021				
Applicable to services rendered from 1 July 2020 (16.50%)				
SERVICES RENDERED	**UNIT**	**COMMENTS**	**Tariff 2019/2020 (VAT Excl.)**	**Tariff 2020/2021 (VAT Excl.)**
Additional collection based on additional refuse bags, once (x1) per week - measured in the number of additional refuse units (3) standard refuse bags) per week	per month	Account payable by business owner. No other extras. Per fixed arrangement - not variable. Service will cancel when 240ℓ bin is issued.	R208.23	**R242.59**
Additional collection based on an additional refuse bags, 3 x per week - measured in the number of additional refuse units (3 standard refuse bags) per week	per month	Account payable by business owner. No other extras. Per fixed arrangement - not variable. Service will cancel when 240ℓ bin is issued.	R624.70	**R727.78**
Mobile bins (240ℓ Wheelie bin)				
Blue Bin (Blue lid Black bin)				
Collection based on 1 X 240ℓ once (x1) per week measured as one blue bin.	per month	Account payable by business owner. No other extras. Per fixed arrangement - not variable.	R208.23	**R242.59**
Additional 240ℓ removal/s once per week - measured as the number of additional blue bins	per month	Account payable by business owner. No other extras. Per fixed arrangement - not variable.	R208.23	**R242.59**
Collection based on 1 X 240ℓ three times per week measured as one blue bin.	per month	Account payable by business owner. No other extras. Per fixed arrangement - not variable.	R624.70	**R727.78**
Additional 240ℓ removals three times per week - measured as the number of additional blue bins	per month	Account payable by business owner. No other extras. Per fixed arrangement - not variable.	R624.70	**R727.78**
Mobile bins (240ℓ Wheelie bin)				
Red Bin (Red lid Black Bin)				
Collection based on 1 X 240ℓ five times per week measured as one red bin.	per month	Account payable by business owner. No other extras. Per fixed arrangement - not variable.	R1 041.15	**R1 212.94**
Additional 240ℓ removals five times per week - measured as the number of additional blue bins	per month	Account payable by business owner. No other extras. Per fixed arrangement - not variable.	R1 041.15	**R1 212.94**

SOLID WASTE TARIFFS FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021				
Applicable to services rendered from 1 July 2020 (16.50%)				
SERVICES RENDERED	**UNIT**	**COMMENTS**	**Tariff 2019/2020 (VAT Excl.)**	**Tariff 2020/2021 (VAT Excl.)**
Charges and Levies				
Solid Waste availability charge	per annum	Vacant erven and to all households, businesses, flats, developments not making use of municipal collection services	R1 104.54	**R1 286.79**
Collection of food waste				
Restaurant Food Waste only Collection based on 1 X 240ℓ five times per week measured as one white bin	per month	Limited amount of restaurants within the WCO24 will be allowed for the pilot project (5 days/ week)	R512.13	**R596.63**

Table 2-24: Stellenbosch Municipality Waste Management Sundry Tariffs

SUNDRY TARIFFS FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021				
Applicable to services rendered from 1 July 2020				
DIRECTORATE: INFRASTRUCTURE SERVICES				
SERVICES RENDERED	**UNIT**	**COMMENTS**	**2019/20**	**2020/21**
Solid Waste Management Services			**R (Vat excl.)**	**R (Vat excl.)**
Stellenbosch Landfill Site (Devon Valley Site) (General Waste only - NO Medical or Hazardous Waste)				
Residents or Garden Services working within WC024				
Disposal of clean garden waste (grass cuttings, leaves etc.) NO OTHER WASTE * contaminated garden waste will be classified as general waste	Per metric ton or part thereof	Must show the latest account that reflects WC024 residency or proof of where in WC024 work is being done	Free	Free
Disposal of clean builder's rubble * contaminated builder's rubble will be classified as general waste	Per metric ton or part thereof	No material other than clean builder's rubble may form part of the load (eg. plastic, iron, wood). Vehicles with a carrying capacity of 1.5 tons and less.	Free	Free
Disposal of clean builder's rubble * contaminated builder's rubble will be classified as general waste	Per metric ton or part thereof	No material other than clean builder's rubble may form part of the load (eg. plastic, iron, wood). Vehicles with a carrying capacity of more than 1.5 tons	Free	R17.39
Disposal of bulky domestic waste	Per metric ton or part thereof	These are limited to items that cannot fit into a 240ℓ wheelie bin. Proof of the latest account that reflects payment for refuse removal needs to be shown. Limited to one load per month.	Free	Free
Contractors within WC024				
Disposal of general waste based on actual mass * contaminated garden waste or contaminated builder's rubble will be classified as general waste	Per metric ton or part thereof	Only waste from within WC024 allowed. Proof of origin of waste to be declared by user at disposal facility (written proof if requested)	R547.82	**R652.18**
Disposal of general waste based on actual mass * contaminated garden waste or contaminated builder's rubble will be classified as general waste	Per 500 kg or part thereof	Only waste from within WC024 allowed. Proof of origin of waste to be declared by user at disposal facility (written proof if requested)	R273.91	**R326.09**

SUNDRY TARIFFS FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021				
Applicable to services rendered from 1 July 2020				
DIRECTORATE: INFRASTRUCTURE SERVICES				
SERVICES RENDERED	**UNIT**	**COMMENTS**	**2019/20**	**2020/21**
Solid Waste Management Services			**R (Vat excl.)**	**R (Vat excl.)**
Disposal of general waste based on actual mass * contaminated garden waste or contaminated builder's rubble will be classified as general waste	Per 250 kg or part thereof	Only waste from within WC024 allowed. Proof of origin of waste to be declared by user at disposal facility (written proof if requested)	R136.96	**R163.05**
Disposal of soil	Per metric ton or part thereof	Only soil from within WC024 allowed. Proof of origin of waste to be declared by user at disposal facility (written proof if requested)	R547.82	**R652.18**
Disposal of soil	Per 500 kg or part thereof	Only waste from within WC024 allowed. Proof of origin of waste to be declared by user at disposal facility (written proof if requested)	R273.91	**R326.09**
Disposal of soil	Per 250 kg or part thereof	Only waste from within WC024 allowed. Proof of origin of waste to be declared by user at disposal facility (written proof if requested)	R136.96	**R163.05**
Interdepartmental Municipal Charges				
Disposal of general waste based on actual mass * contaminated garden waste or contaminated builder's rubble will be classified as general waste	Per metric ton or part thereof	All Departments within Stellenbosch Municipality must pay for the disposal of refuse.	R526.32	**R626.58**
Disposal of general waste based on actual mass * contaminated garden waste or contaminated builder's rubble will be classified as general waste	Per 500 kg or part thereof	All Departments within Stellenbosch Municipality must pay for the disposal of refuse.	R263.16	**R313.29**
Disposal of general waste based on actual mass * contaminated garden waste or contaminated builder's rubble will be classified as general waste	Per 250 kg or part thereof	All Departments within Stellenbosch Municipality must pay for the disposal of refuse.	R131.58	**R156.65**

SUNDRY TARIFFS FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021				
Applicable to services rendered from 1 July 2020				
DIRECTORATE: INFRASTRUCTURE SERVICES				
SERVICES RENDERED	**UNIT**	**COMMENTS**	**2019/20**	**2020/21**
Solid Waste Management Services			**R (Vat excl.)**	**R (Vat excl.)**
Klapmuts Transfer Station				
Disposal of general waste	Per metric ton or part thereof	Only waste from within WC024 allowed. Proof of origin of waste to be declared by user at disposal facility (written proof if requested)	R547.82	**R652.02**
Disposal of general waste	Per 500 kg or part thereof	Only waste from within WC024 allowed. Proof of origin of waste to be declared by user at disposal facility (written proof if requested)	R273.91	**R326.01**
Disposal of general waste	Per 250 kg or part thereof	Only waste from within WC024 allowed. Proof of origin of waste to be declared by user at disposal facility (written proof if requested)	R136.96	**R163.01**
Franschhoek Drop-off				
Residential properties ONLY				
Disposal of bulky domestic waste	Car, trailer, LDV	These are limited to items that cannot fit into a 240ℓ wheelie bin. Proof of the latest account that reflects payment for refuse removal needs to be shown.	Free	**Free**
Disposal of small quantities of clean builder's rubble *no contaminated builder's rubble will be allowed	Car, trailer, LDV	Only waste from within Franschhoek boundaries allowed. Proof of origin of waste to be declared by user at drop-off facility (written proof if requested).	Free	**Free**
Disposal of clean garden waste (Grass cuttings, leaves, etc.) *no contaminated garden waste will be allowed	Car, trailer, LDV	Only waste from within Franschhoek boundaries allowed. Proof of origin of waste to be declared by user at drop-off facility (written proof if requested).	Free	**Free**
WASTE IN EXCESS OF 1 TON AND ALL OTHER WASTE MUST BE DISPOSED OF AT THE SETTLENBOSCH LANDFILL SITE				
Replacement of bin or lid or wheel or axel				
For bin age up to 5 years		For malicious damage where there is negligence on the part of the owner.		

SUNDRY TARIFFS FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021				
Applicable to services rendered from 1 July 2020				
DIRECTORATE: INFRASTRUCTURE SERVICES				
SERVICES RENDERED	**UNIT**	**COMMENTS**	**2019/20**	**2020/21**
Solid Waste Management Services			**R (Vat excl.)**	**R (Vat excl.)**
For the replacement of a complete bin	Replacement	Applicable to malicious damage Lost or stolen bin must be reported to the nearest Police Station and a case number be presented to Council before replacement commences. The replacement due to theft on refuse removal day will be excluded from this arrangement. Client still to obtain a case number from the SAPS and present it to Council before replacement will take effect. Maximum of twice per year.	Cost + 15% applicable to malicious damage, lost or theft. Must be reported to the SAPS and a case number and payment to be presented to Council before replacement. The replacement due to theft on refuse removal day will be excluded from this arrangement (Maximum two replacement allowed during the financial year, thereafter payment to be presented before replacement). Client still to obtain a case number from the SAPS and present it to Council before replacement will take effect.	**Cost + 15% applicable to malicious damage, lost or theft. Must be reported to the SAPS and a case number and payment to be presented to Council before replacement. The replacement due to theft on refuse removal day will be excluded from this arrangement (Maximum two replacement allowed during the financial year, thereafter payment to be presented before replacement). Client still to obtain a case number from the SAPS and present it to Council before replacement will take effect.**
Hiring and servicing of 240ℓ bins				
Hiring of 240ℓ wheelie bin	Per bin per day	For the hiring of 240ℓ bins to a third party within WC024 (includes delivery, collection and servicing of the bin). Subject to prior approval and availability.	R52.18	**R54.52**
Hiring of 240ℓ wheelie bins: Basic charge for collection and/or delivery on Saturday	Once-off per event	Compulsory fee to be paid when hiring municipal wheelie bins for events taking place over a weekend in WC024	R2 640.00	**R2 758.80**
Hiring of 240ℓ wheelie bins: Basic charge for collection and/or delivery on Sunday	Once-off per event	Compulsory fee to be paid when hiring municipal wheelie bins for events taking place over a weekend in WC024	R3 480.00	**R3 636.60**

3. GAPS AND NEEDS ASSESSMENT

From the status quo evaluation the gaps and needs were identified and are discussed below. The methodology used to determine these gaps and needs were through a combination of the following methods and processes:

- Gaps and Needs specifically identified by the municipality's waste management officer during the meetings between JPCE and the municipality;
- Complaints, comments and suggestions made by members of the public during the public consultation process of the IDP and IWMP;
- Shortcomings of municipal infrastructure and/or systems to adhere to the national and provincial requirements of waste volume recording and reporting and management;
- Processes and practices identified that could assist the municipality to adhere to the principles of the National Waste Management Strategy and the NEMA Waste Act and its regulations.
- External and internal audit reports of waste management facilities.
- General D:EA&DP comments on other municipal IWMP reports.

3.1 LEGISLATION

The Municipality's solid waste by-law has been approved by Council.

The general awareness of the latest legislation has been identified as a gap. Various waste generators (especially hazardous waste) are unaware of the requirements listed in legislation pertaining to the transport and disposal of waste.

The non-compliances (where applicable) at municipal solid waste facilities need to be comprehensively assessed through internal and external audits. The compliance to matters identified during audits and the enforcement of any non-compliances are areas that need improvement. These findings must be communicated to the D:EA&DP. This is not considered a gap at the moment as it is being done, however, due to the requirement that it is continually done, it is mentioned here in order to include in upcoming implementation items.

Cell 1 and 2 at the Devon Valley landfill has been issued with a closure licence and it is required that rehabilitation commence before the dates specified in the licences in order to achieve compliance.

The national waste management strategy was recently updated and the Municipality is required to stay up to date with the latest requirements from national and provincial government. Communication channels between national, provincial and local government are meant to relay this information, but in some cases these communication channels require some improvement. There exists a need for the Municipality to obtain more direct guidance from the provincial and national governments on how to continuously improve waste management service delivery.

3.2 WASTE GENERATION QUANTITIES

Excellent data is available for the generated waste quantities in Stellenbosch. Data is well recorded by the contractor operating the landfill site but care must be taken to ensure records are kept for constant categories and not spread over to many categories in order to avoid confusion.

An identified gap is the recording of waste data during the time that waste will be transported to the Vissershok Landfill. Detail records should be kept on how much waste gets collected from households and businesses, how much waste is accepted at the Devon Valley Landfill and Klapmuts transfer station, and how much waste is being transported to the Vissershok site so that a waste flow and volume balance can be established.

3.3 WASTE MINIMISATION, RECYCLING AND RE-USE INITIATIVES

A new MRF is currently being developed at the Stellenbosch (Devon Valley) Landfill which will address some of the waste minimisation and diversion needs of the Municipality. The MRF will be operational by the end of 2020 and an organic waste transfer station is also in the planning stages. More work is however, always required in the waste minimisation and recycling space and residents should be encouraged to further increase separation at source at all times. In this regard the Municipality must consider increasing the separation at source project to more wards and areas.

There remains a need for the development of a solid waste transfer station in the Franschhoek area and this needs to be budgeted for. Previous studies to find a suitable site for the development of the transfer station have been unsuccessful due to the lack of suitably sized land close enough to the town. Although it is acknowledged that adequate land in proximity to the town will remain a challenge, the requirement for a transfer station is ever increasing and is identified as an urgent need.

The municipality needs to include more information on their website related to what is recyclable and where the public can go to find recycling centers.

3.4 INSTITUTIONAL AND ORGANISATIONAL NEEDS

There are many vacancies in the solid waste management staff compliment, including a few in key positions. Appropriate persons should be appointed for these positions and receive adequate training. There is a need for more technical staff in the waste management division and it should be made a priority to appoint suitably qualified technical staff to the required positions and reflect this in the municipal budget.

3.5 IDENTIFICATION OF ALTERNATIVES

Current organic diversion rates achieved are good, but needs to improve in order to achieve 100% diversion by 2027. The waste characterisation study needs give additional detail (as mentioned previously) in order to identify effective alternatives for diverting the remainder of the organic waste fraction. Possible additional treatment could include Mechanical Biological Treatment (MBT) in order to separate the organic fraction from the collected waste stream and beneficiate it. This is, in part, is the intention of the planned organic waste transfer station and the detail design process for the transfer station would have to investigate and secure off-takers for the organic waste diverted by the transfer station.

3.6 FUNDING MECHANISMS

Funding mechanisms need to be explored. The capital cost requirements of required infrastructure and possible alternatives in order to achieve the required diversion rates are too high to be funded by the solid waste department itself. As described in this report budgets have been allocated for waste management infrastructure and services but the high capital requirements of many of the required developments indicates that the Municipality will have to look outside its borders for funding. This is particularly true for the costs of landfill closure and rehabilitation.

Waste minimisation, including recycling, composting and crushing of builder's rubble, will require financial support and continual public awareness and education (which is on-going and very important) is also a continuous expense.

The Municipality must make provision for the rehabilitation of Cell 1 and 2 of the Devon Valley Landfill. With the requirements set in the latest issued licences (which take into account that sites were not constructed with impermeable base liners), the rehabilitation costs have become unaffordable in the short to medium term. It would be most beneficial if the funding allocation for landfill rehabilitation would come through, or be sourced by, the Provincial government systems.

3.7 PUBLIC AWARENESS AND EDUCATION

Public awareness and education must always be a continual requirement and the current work done by the Stellenbosch Municipality must continue and expanded wherever possible. The Municipality does good work with the schools in its jurisdiction and more work is required to ensure that the awareness and education passed through to the youth by these initiatives, can continue.

The Municipality publishes an annual newspaper called "Utter Rubbish" in which it provides information to the public on waste related matters. This is a very good method of relaying important information to the general public and should be committed and improved upon where possible.

A dedicated Municipal official should continuously investigate and implement public awareness and education campaigns related to waste management to ensure that the public understands the need for sustainable waste management within the Municipality.

4. STRATEGY AND IMPLEMENTATION

Based on the gaps and needs identified, aligned goals of the IWMP and planned projects by the municipality, this section contains the objectives, timeline and required resources for implementation of the IMWP. These gaps and needs are linked to the main goals contained in the Western Cape Provincial IWMP.

<table>
<tr><th colspan="8">Goal 1: Strengthened education, capacity and advocacy towards Integrated Waste Management</th></tr>
<tr><th colspan="2">Objectives</th><th>2020</th><th>2021</th><th>2022</th><th>2023</th><th>2024 and on</th><th>Priority</th></tr>
<tr><td>Strategic Objective 1:</td><td>Facilitate consumer and industry responsibility in integrated waste management</td><td colspan="5" rowspan="2">The Waste Management Officer must address and co-ordinate the requirements of awareness and general waste management. He will co-ordinate and/or delegate the follow-up visits to the special and hazardous waste generators in the Stellenbosch municipality to ensure that all these generators are aware of applicable legislation and are following steps to become compliant if required. This person will also oversee the information gathering as per legislation, in other words, ensure that generators and transporters report to the municipality as required. General public awareness and feedback on recycling issues and information will also fall under the duties of this person, including maintaining and improving upon the diversion statistics information provided to the public. Continue to support the educational awareness campaigns.</td><td rowspan="4">High</td></tr>
<tr><td>Strategic Objective 2:</td><td>Promote and ensure awareness and education of integrated waste management</td></tr>
<tr><td rowspan="2">Strategic Objective 3:</td><td>Build and strengthen waste management capacity</td><td colspan="5">Fill all vacant posts as soon as possible.
Municipal solid waste employees to attend education seminars and waste forums as is appropriate for their specific responsibility levels. Capacity training and education must be conducted within the municipality where needed. It must be ensured that the solid waste management employees are informed regarding the latest legislation and how to appropriately handle and identify various waste types. Law enforcement departments must also be approached and receive education in solid waste legislation and management to enable them to identify issues and act when required.

The South African Institute of Waste Management (www.iwmsa.co.za) is a voluntary organization that provides training on the management of waste. The Stellenbosch Municipality is encouraged to have their staff become members of this institute and to attend the training sessions that is available on their website.

The Waste Management Officer attends the Cape Winelands Provincial Waste Forum, The Western Cape Recycling Action Group as well as District Forums.</td></tr>
<tr><td>Costs & Human Resources</td><td colspan="5">Costs to be determined (OPEX). One to two persons in the municipality required, or a consultant can be appointed for public awareness and education. Additional costs are dependent on the number of employees attending educational and capacity building events.
Schools and Newsletter | Schools and Newsletter | Schools and Newsletter | |
R100,000.00 | R105,000.00 | R110,000.00 | TBD | TBD</td></tr>
</table>

Goal 2: Improved integrated waste management planning and implementation for efficient waste services and infrastructure							
Objectives		2020	2021	2022	2023	2024 and on	Priority
Strategic Objective 1:	Facilitate municipal waste management planning	Finalise 3rd generation IWMP	Review IWMP and submit IWMP annual report along with implementation projects update.	Review IWMP and submit IWMP annual report along with implementation projects update.	Review IWMP and submit IWMP annual report along with implementation projects update.	Start IWMP 4th generation development.	High and already under way.
	Costs & Human Resources	R350,000.00. Appointed consultants, Waste Management Officer.	Can be done in-house by the solid waste manager. Cost estimate for consultant: R40 000.00 per report.			To be determined.	
Strategic Objective 2:	Promote industry waste management planning	This objective is coupled with Goal 1, where the appointed persons will liaise with industry to ensure that they are aware of the relevant legislation. Follow-up meetings and on-going communication will ensure that industry sufficiently plans and implements actions in order to be compliant and reduce waste generation along with responsible handling/treatment/transport/disposal.					High
Strategic Objective 3:	Promote the establishment of integrated waste management infrastructure and services	Continued Collection Service Review: The municipality must ensure that all residents receive an affordable waste service at an acceptable level at all times. The Solid Waste departments must liaise with the town planning department to stay up to date with new areas that require or will require services. The complaints registry and service requests must be reviewed monthly by the Waste Management Officer. The older Municipal collection vehicles currently in the Municipal fleet aged above 7 to 8 years, must be assessed in terms of running cost and effectivity. Where vehicles are operating beyond their effective economic lifetimes or are not the most efficient vehicles for their functions, they must be replaced. It must also be ensured that each vehicle's function is thoroughly assessed in order to replace the old vehicles with the most efficient and cost-effective ones. This can be done through implementation of the recent optimization report. The Waste Management Officer will be responsible for planning and coordinating with the Operations department, who will be responsible for vehicle assessment.					Medium
	Costs & Human Resources	Review and replace collection vehicles where required. 15m³ REL approx. R2.2 Million; 19m³ REL approx. R2.5 Million; 4 Tonne Truck approx. R0.6 Million					
	Promote the establishment of integrated waste management infrastructure and services	Construction of a new MRF, Organic Waste RTS for Stellenbosch. Find and design public drop off and transfer station for Franschhoek. Amendments to budgets may be required.		To be determined in light of diversion studies and annual IWMP implementation reviews. Possible MBT facility to increase organic waste diversion.			High and already under way.

Goal 2: Improved integrated waste management planning and implementation for efficient waste services and infrastructure							
Objectives		2020	2021	2022	2023	2024 and on	Priority
	Costs & Human Resources	MRF - R2,000,000.00 remaining on budget. Facility nearing completion. RTS – R20,000,000. Appointed consultants, Municipality. Appoint contractors via public tender. Franschhoek Drop off – R8,000,000. Appointed consultants, Municipality. Appoint contractors via public tender. Complete design and license of landfill Cell 4.		Completion of design, tender and Develop Cell 4 of the Devon Valley Landfill site and continuous investment in landfill diversion infrastructure.			
	Promote the establishment of integrated waste management infrastructure and services	Vacant positions need to be filled and the Waste Department expanded in order to keep up with growth and service needs. In order to provide an effective service, key vacant positions in the solid waste department need to be filled.					Medium
	Costs & Human Resources	The number of and type of position will determine the additional costs to the municipality. Competent employees need to be appointed and training provided as necessary.					
Strategic Objective 4:	Ensure effective and efficient waste information management	Improve the detail with which the waste data is recorded, both for generation and transportation. Continue recording at weighbridges and reporting to IPWIS by the Waste Management Officer.					High

Goal 3: Effective and efficient utilisation of resources							
Objectives		2020	2021	2022	2023	2024 and on	Priority
Strategic Objective 1:	Minimise the consumption of natural resources	This also ties in with Goal 1 to promote waste minimisation and recycling, which will in turn reduce pressure on natural resources by re-using materials efficiently. New facility designs must take cognisance of natural resource protection. For example, a rehabilitated disposal site must be covered with indigenous vegetation suited to the climate so as not to require additional watering to thrive. Awareness and education should place additional focus on waste avoidance, reducing the need for diversion methods and disposal.					High
Strategic Objective 2:	Stimulate job creation within the waste economy	Appoint contractor(s) for MRF and chipping operations at the new MRF.		Assess job creation opportunities, both permanent and temporary in the waste management field and upcoming projects. Job creation remains a top need in the community.			High
Strategic Objective 3:	Increase waste diversion through reuse, recovery and recycling	Appoint contractor(s) for MRF, chipping operations and crushing at the new landfill and look at integration of services.		Investigate alternatives in order to improve organic waste diversion rates in order to achieve 50% organic diversion by 2022.	Apply identified strategies/infrastructure to increase diversion.	Continue with investigations and applying methods to improve diversion rates.	High
		Develop the Devon Valley Landfill Organic Waste Diversion Plan					
	Costs & Human Resources	TBD	TBD	TBD	TBD	TBD	

Goal 4: Improved compliance with environmental regulatory framework							
Objectives		**2020**	**2021**	**2022**	**2023**	**2024 and on**	**Priority**
Strategic Objective 1:	Strengthen compliance monitoring and enforcement	Conduct required internal and external compliance audits at all waste management facilities as required according to licences and legislation. Findings must be communicated to the D:EA&DP.					High
	Costs & Human Resources	External auditors to be appointed. Waste management officer to conduct internal audits. Between R20,000 and R40,000 per Audit depending on the requirements.					
	Strengthen compliance monitoring and enforcement	Cooperate with the public and law enforcement to reduce instances of illegal dumping. Enforce legislation on perpetrators.					
Strategic Objective 2:	Remediate and rehabilitate contaminated land	Remove and remediate illegal dump sites	Close and rehabilitate the unused cells at the landfill. Considering the estimated costs and limited time, apply to postpone the required rehabilitation of the sites for which funding cannot be sourced.				Medium
	Costs & Human Resources	R4,000,000.00. Appoint a contractor via public tender.	Note that these are the 2020 estimates which include professional and construction fees. These costs must be updated annually: Cell 1&2 - R95,482,182.07, Cell 3 - R40,912,995.02.				
Strategic Objective 3:	Facilitate the development of waste policy instruments	Update integrated waste management by-laws in terms of latest national legislation and 3rd Gen IWMP (completed).					Low
	Costs & Human Resources	Solid waste manager and his appointed consultants. Cost TBD					
Strategic Objective 4:	Promote self/co-regulatory measures	Ties in with Goal 1. Person responsible to liaise with industry should promote the implementation of these measure e.g. through reviewing industry waste management plans. Ensure annual IWMP review and reporting.					Medium

5. MONITORING AND REVIEW

5.1 ESTABLISHMENT OF AN IWMP MONITORING ADVISORY COMMITTEE

To ensure that the IWMP remains up to date as far as practically possible and stays relevant, it must go through a review process. This process will be initiated and followed by the IWMP advisory committee.

The committee will review the proposed projects and implementation items contained in the IWMP. The committee should consist of at least the following persons:

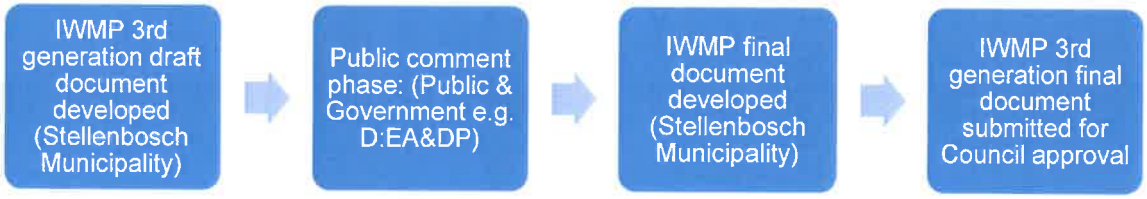
- The Stellenbosch Waste Management Officer with assistance from the Operational Services Department's Supervisors and Foremen.
- The Stellenbosch Deputy Director Infrastructure Services
- The Stellenbosch Deputy Director Operational Services
- The Stellenbosch Municipality's appointed consultant, but only if required.

The members of the Committee, responsible for their separate tasks, will ensure that projects are followed, reported on and the IWMP and its schedule are up to date.

5.2 MONITORING SCHEDULE OR PROGRAMME

For the IWMP to be an effective and relevant tool and guide for integrated waste management in the Stellenbosch Municipality, it will need to be monitored and reviewed. Monitoring relates to the goals and targets set out in the IWMP and whether they are being achieved or pursued. Reviewing relates to the document and the projects themselves which will require regular updates to stay up-to-date, specifically the implementation items of Section 5. The proposed implementation schedule as well as allocated budget may change at any time and these changes, if any, need to be reflected in the reviewed IWMP to avoid confusion.

The following diagram illustrates the initial review cycle when a new IWMP is developed:



The implementation of the third generation IWMP will start following Council approval. Apart from the continuous project implementation and goal tracking, which must be done by each individual project team as and when each project is running and report to Mr Hendricks (Waste Management Officer), an annual IWMP report must be submitted along with the other Municipal annual reports and a copy sent to D:EA&DP as well.

As per the Waste Act, the IWMP annual report must reflect the following:

a. the extent to which the plan has been implemented during the period;
b. the waste management initiatives that have been undertaken during the reporting period;
c. the delivery of waste management services and measures taken to secure the efficient delivery of waste management services, if applicable;
d. the level of compliance with the plan and any applicable waste management standards;
e. the measures taken to secure compliance with waste management standards;
f. the waste management monitoring activities;
g. the actual budget expended on implementing the plan;
h. the measures that have been taken to make any necessary amendments to the plan;
i. in the case of a province, the extent to which municipalities comply with the plan and, in the event of any non-compliance with the plan, the reasons for such non-compliance: and
j. any other requirements as may be prescribed by the Minister.



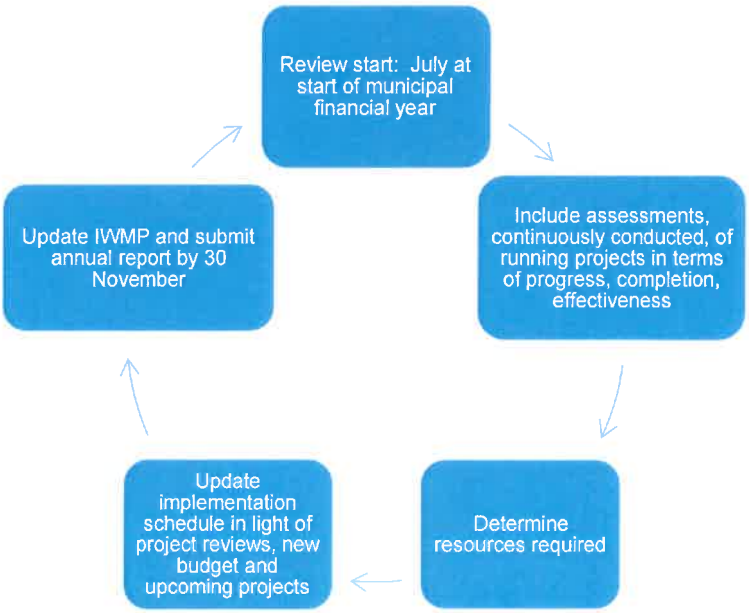
The annual implementation reports will be submitted by the Stellenbosch Municipality and will be compiled by Mr Hendricks, or to whom the task is delegated by him. The annual report must contain the approved implementation items and dates of the IWMP and the progress thereof of the past year. Based on the progress and possible new budget allocations, the implementation schedule of the IWMP must be updated and included in the annual report. This new implementation schedule must provide for 3 upcoming years from the report date.

The progress of each task on the implementation schedule, if under way according to the schedule for that year, must be summarised and the estimated completion date must be updated. The reasons for the lack of progress or practical difficulties must be stated along with a summarised action plan to adhere to the schedule as close as possible. This does not infer that the implementation items themselves are only reviewed once per year. Each item and progress must be continually evaluated by the persons responsible. This will allow the information, whether a project has been completed or is on-going, to be included in the annual report and allow for the implementation schedule of the IWMP to be updated as part of the IWMP annual review process.

The report must further discuss the effectiveness of completed projects. For example, when a new drop-off has been commissioned, the collected data must be reported on and added to the IPWIS. Also the participation rates of source separation can be monitored along with the public awareness and education campaign. The way in which projects are tracked for review are not prescribed, as long as it is done in order to measure the success of addressing the identified gaps and requirements and to identify and plan for new gaps and needs.

Wherever issues are reported or identified in the projects, these issues must also be evaluated in terms of the relevant legislation and by-laws. It must be stated if there is relevant legislation applicable to the issue and if so, was it the lack of enforcement, for example, that caused the issue. If no relevant legislation exists, it must be noted to adapt the by-laws accordingly in future revisions.

Below is the proposed review cycle and amendment procedure of the IWMP and its projects:



6. CONCLUSIONS AND RECOMMENDATIONS

Through this 3th generation IWMP development, the current solid waste management system of the Stellenbosch Municipality has been assessed in order to determine the adequacy, shortcomings and possible improvements.

The Devon Valley landfill site has reached its current capacity and plans are underway to develop the next cell between the current cells. Until Cell 4 is built and ready to accept waste, the Stellenbosch Municipality will be using other landfills for the disposal of its waste. All waste gets collected and transported to the Klapmuts Transfer station from where it is currently taken to the Vissershok Private Landfill North of Cape Town. The contract with Vissershok expires in June 2022.

During the process of the implementation of the municipality's IWMP, and arising from the public consultation process, further input and/or corrections to the report may come to light that will then be added as a revision to the report.

The strategic objectives for integrated waste management in Stellenbosch Municipality can be summarised as follows:

- To ensure that Waste Management in the Stellenbosch Municipal Area complies with South African and International environmental standards so that it is beneficial to industrial and agricultural growth and the public's right to a clean and healthy environment;
- To minimise the entrance of material of value into the waste stream;
- To reduce all waste so that nothing of value nor anything that can decompose, gets disposed;
- To store, dispose or treat all waste that cannot be avoided nor reduced at licensed facilities with regular operational and environmental monitoring and in accordance with regulatory requirements.

For these strategic objectives to be met, a series of implementation instruments (action plans) will need to be implemented. These implementation instruments as well as time framework within which it should be addressed are described in this report but need to be fully detailed at a later stage as projects are approved and acquires funding. The instruments are the following:

- Strengthened education, capacity and advocacy towards Integrated Waste Management;
- Improved integrated waste management planning and implementation for efficient waste services and infrastructure;
- Effective and efficient utilisation of resources;
- Improved compliance with environmental regulatory framework;

The above instruments, through implementation via their action plans, will ensure that waste management in Stellenbosch focusses on avoidance and reduction rather than collection and disposal, but simultaneously maintaining the practical balance between the various waste management functions.

The analyses of the current waste management system has led to the identification of gaps and needs (**Chapter 3**) and these are addressed with the overarching goals and implementation (**Chapter 4**).

ANNEXURE A

WASTE CHARACTERISATION STUDY REPORT

JG AFRIKA
EXPERIENCE QUALITY INTEGRITY

STELLENBOSCH MUNICIPALITY
WASTE CHARACTERISATION REPORT

JUNE 2019

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
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JG AFRIKA REF. NO.	**DATE:**	**REPORT STATUS**
5033	28/06/2019	FINAL Report

CARRIED OUT BY:	**COMMISSIONED BY:**
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SYNOPSIS

WASTE CHARACTERISATION REPORT – Stellenbosch Municipality

KEY WORDS:

Waste characterisation, Stellenbosch Municipality

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QUALITY VERIFICATION

This report has been prepared under the controls established by a quality management system that meets the requirements of ISO 9001: 2015 which has been independently certified by DEKRA Certification.

Verification	Capacity	Name	Signature	Date
By Author	Associate	B Edwards		28/06/2019
Checked by:	Senior Environmental Scientist	T Heydenrych		28/06/2019
Authorised by:	Executive Associate	D Petersen		28/06/2019

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1 INTRODUCTION

JG Afrika were appointed to compile a Waste Characterisation Report for Stellenbosch Municipality. Stellenbosch Municipality conducted waste characterization studies in 2012 and 2017 to determine the waste composition within the Municipal area.

The Scope of Works stated that the key purpose of the study is to compile a final report using the raw data from the two waste characterization studies focusing primarily on the 2017 study, undertaking the following:

- Comparing the results of the two studies within the report;
- Liaise with officials and others (such as Charlotte Nell) who conducted/was involved in field work in both studies;
- List the waste streams from high priority to low priority based on the two studies;
- Inclusion of graphs, flow charts, pie charts etc. to visually display trends in waste volumes; and
- Workshop of the draft report with the Project Manager and incorporation of comments received into the Final Report. *Please see **Annexure A** for the workshop presentation.*

Only the results of the 2017 study were provided to JG Afrika, however this report has been compiled with the aim of assisting the Municipality with forward planning to address various waste streams in terms of legislated waste minimization and beneficiation requirements.

2 WASTE CHARACTERIZATION METHODOLOGY AND SAMPLING PROCEDURE

JG Afrika was not provided with the methodology or sampling procedure, however, the following was noted:

- Sampling took place on various collection days from August to October 2017. See **Annexure B** for the schedule.
- Only black bags were sorted, however, some of the areas included in the study were participating in the two bag separation system.
- Waste was sorted into categories and then weighed, a volume is also provided although this has not been used for the purposes of this report.
- Leachate was also included as a category and weighed.
- After the sorting was completed, all salvageable recyclable material (paper, glass, plastic etc. that was not too contaminated) was grouped together for recycling purposes and landfill diversion. This material was then weighed and the weight recorded.
- The characterisation focused on residential/household waste and not commercial or business waste.
- Sampling was based on areas and not wards specifically.
- Stellenbosch University waste was included the characterisations, however separated into different categories and is therefore presented in a separate section of this report.

An example of the waste characterisation sheet that was used for recording the data is provided in **Annexure C.**

The following major waste categories (19) for the characterization included:

- Hard plastic
- Tetrapak
- Plastic wrap/packaging
- Metal
- Glass
- Paper packaging
- Paper/Cardboard
- Organics

- Leachate
- Household hazardous waste
- Garden waste
- Foamalite (i.e. polystyrene)
- Tissues
- Other (nappies, soil, dirt i.e. residual)
- Clothes
- Ash
- Electronics (i.e. e-waste)
- Furniture
- Woven bags (i.e. polypropylene/plastic)

Changes/amendments to data/information included in spreadsheet:

- La Montle – changed to La Motte
- Coastaland – changed to Costa Land
- Sucka – changed to woven plastic bags (generally made from polypropylene)
- Data checked to ensure that Recyclables was not included in Calculated Final Weight.
- Difference between calculated and initial total weights is regarded as negligible and was in the region of 0.02kg on average.
- Foamalite – changed to polystyrene.

The following should be noted:

- The information/graphs provided is based directly on the actual data provided without detailed interpretation or analysis.
- The characterisation was conducted using weight (kilograms) and an estimation of volume (m^3) however only weight has been used for the purposes of this report and the graphs. This is particularly important to note when assessing items such as glass and organic waste versus the plastic and paper components of the waste stream.
- "Other" or residual usually contains a vast array of items and these could contribute to the organic content (e.g. dog faeces) as well as household hazardous waste (e.g. nappies/sanitary products).
- Household hazardous waste includes e-waste such as batteries and fluorescent bulbs, cleaning chemicals, pesticides/herbicides and medical/pharmaceutical waste.

3 FINDINGS

3.1 Data Analysis and overview of findings

The data collected during the waste characterization was captured in an Excel Spreadsheet for further analysis, and various comparisons have been made in terms of waste types per facility/site, number of different wards, suburbs, etc.

In certain instances, waste categories have been combined to simplify comparisons and allow focus on other categories, such as:

- Construction and wood waste.
- Packaging/Recyclables – combined category which includes plastic, metal, paper and cardboard, Tetrapak and multilayer material.
- Leachate was generally included with the "organic" category as it was only found in a few samples (i.e. Franschhoek and Groendal; Kylemore and Farms; Jonkershoek; Onder Papegaaiberg; Plankenbrug and Kayamandi).

Waste from Stellenbosch University has not been included in this section and is represented separately.

Table 1 provides an overview of the sampling in terms of area and ward. It is understood that sampling was reliant on not interfering with the normal operations of the collection in a specific area and were selected to try and get a representative sample from the area. The full set of data is presented in **Annexure A**. The number of samples per area could not be directly compared to the number of lifts per area as some areas are combined in the lift schedule.

Table 1: Sampling Overview and Summary – Municipal areas and wards

Area sampled	Ward into which area falls	No of bags sampled	Total Weight (sorted) kg
Franschhoek (including Groendal)	1	411	1809.25
Langrug (waste from skips, not bags)	2	80	466.47
Wemmershoek and La Motte	3	84	309.11
Kylemore and Farms	4	171	753.9
Pniel	4	111	463.79
Idas Valley	5	166	547.34
Jonkershoek	5	81	277.94
Uniepark and Mostertsdrift	7	216	732.25
Simonswyk	7	101	364.84
Uniepark	7	78	174.56
Mostertsdrift	7	92	340.89
Noordwal and Die Laan	8	81	278.41
Stellenbosch CBD	9	271	1086.56
La Colline	10	75	233.74
Onder Papegaaiberg	11	63	249.76
Devon Valley	11	96	339.79
Plankenbrug	12	122	422.37
Kayamandi	12, 13, 14, 15	384	1632.49
Cloetesville Industrial	16	83	297.72
Cloetesville	16	113	456.87
Welgevonden	17	62	162.81
Klapmuts	18	79	253.42
Koelenhof	19	117	488.07
Raithby	20	122	483.84
Technopark	21	85	258.45
Paradyskloof	21	122	409.55
Jamestown	21	207	768.97
Die Boord	22	80	273.75
Brandwacht	22	119	423.02
Total		**3872 bags**	**14 760 kg**

3.2 Consolidated Data for Stellenbosch Municipality (excluding the University)

The consolidated data providing an overall broad characterisation of the waste sampled (by weight) for all the areas sampled within Stellenbosch Municipality is presented in **Figure 1**. The following should be noted with regards to the categories illustrated:

- Packaging/Recycling is a broad category where data has been combined to include glass, metal, plastic, paper and board, Tetrapak and multilayer.
- Organic waste and garden waste have been kept as separate items.
- Household Hazardous Waste included batteries, fluorescent bulbs, cleaning chemicals, medical waste, nappies and sanitary products.

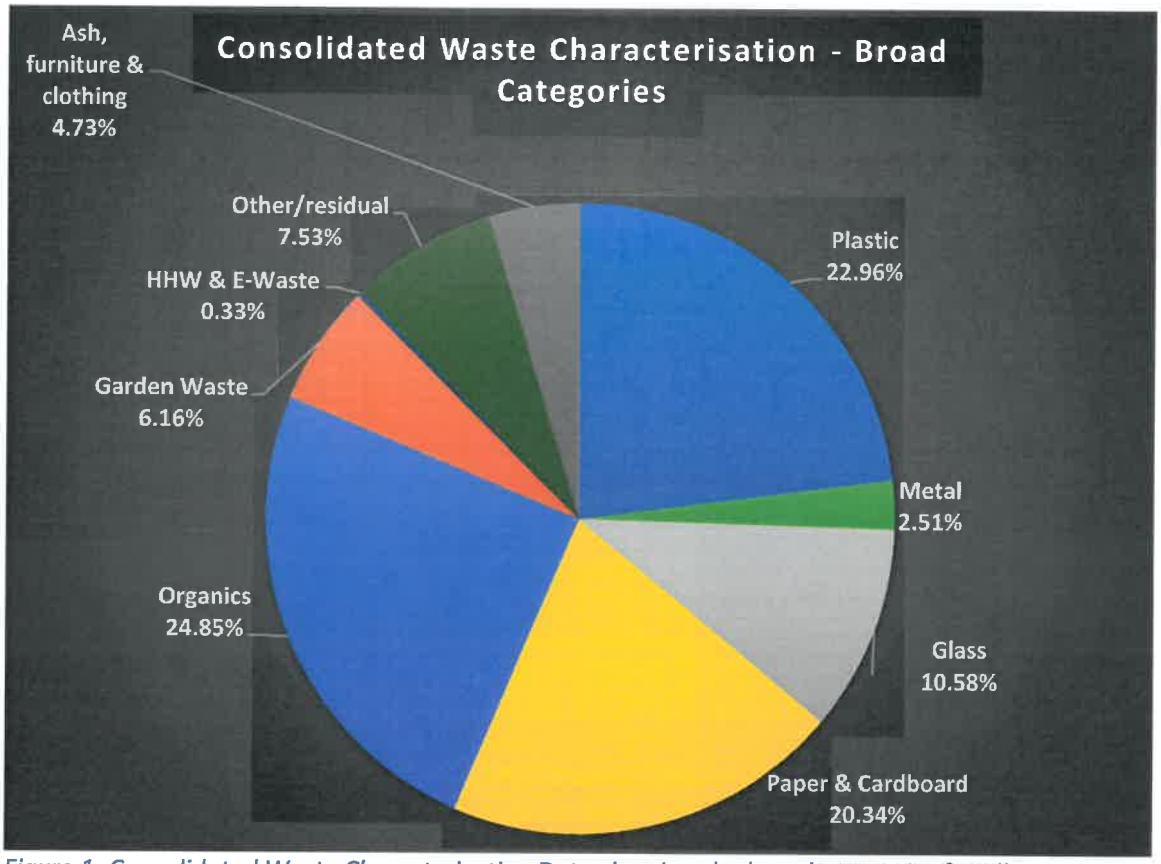


Figure 1: Consolidated Waste Characterisation Data showing the broad categories for all areas

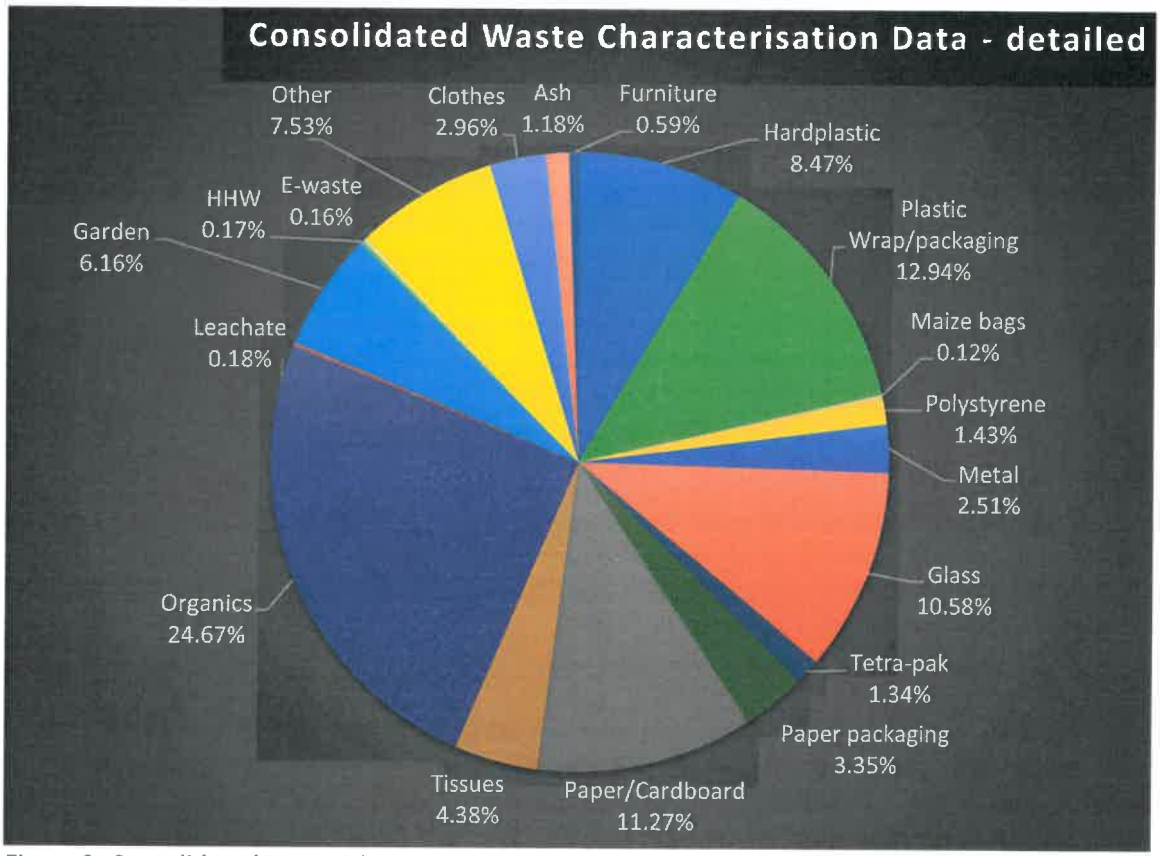


Figure 2: Consolidated Waste Characterisation Data (all areas)

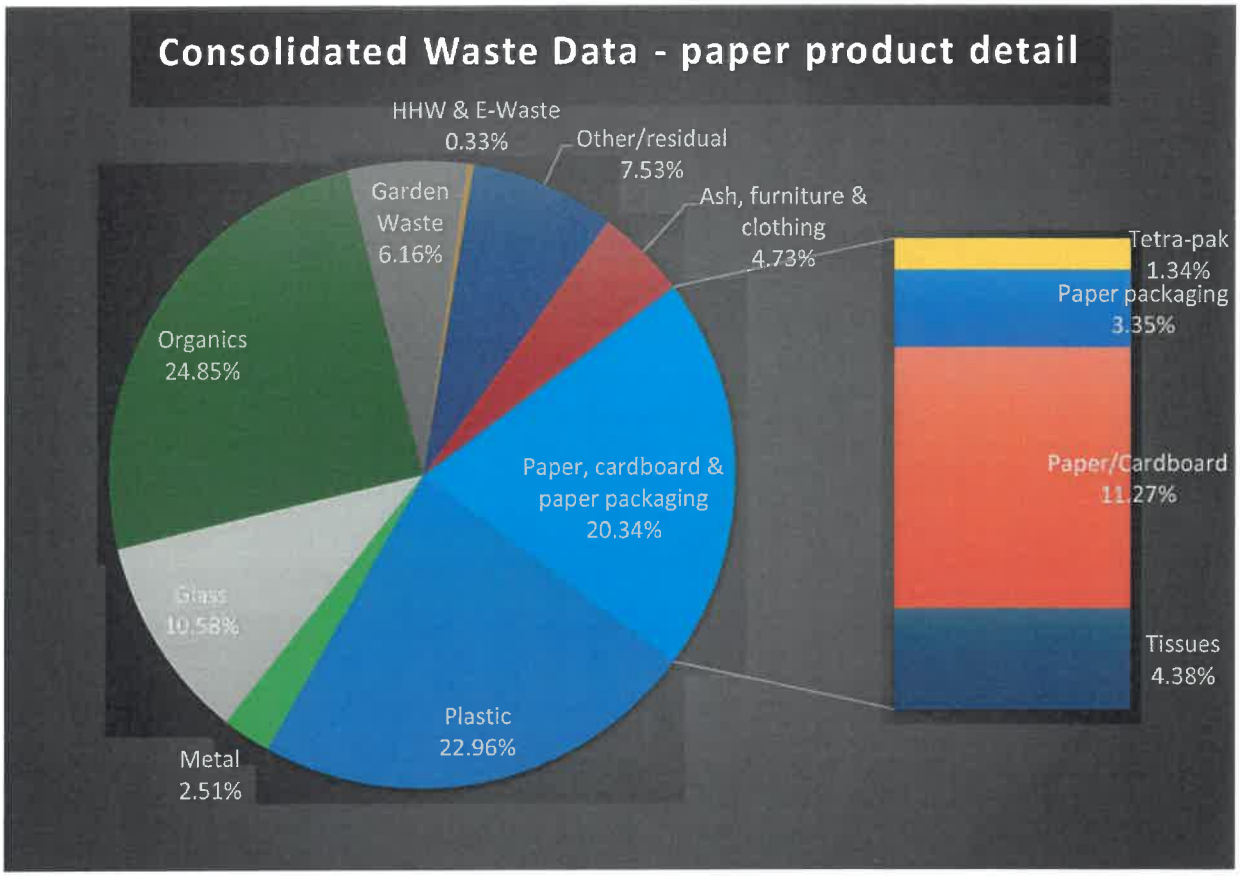


Figure 3: Consolidated Waste Data with breakdown of paper product component

Figure 2 provides the consolidated waste data, separated further, to give an indication of the overall percentages of waste in each of the categories for the entire municipality.

Figure 3 provides a pie chart of the consolidated waste categories with a more detailed breakdown of the paper and cardboard component.

Figure 4 provides a pie chart of the consolidated waste categories with a more detailed breakdown of the plastic component.

The purpose of **Figure 3** and **Figure 4** is to try and understand what the recyclable component of the waste stream is to determine the potential for diversion from landfill. In theory, recyclables are easy to divert using a two-bag system for municipal waste.

The overall percentages of 20.34% for cardboard and paper, 22.96% for plastic, 10.58% for glass and 2.51% for metal indicate that **56.39%** of the waste stream could potentially be diverted for recycling.

It should, however, be noted that not all plastic is recyclable and paper and cardboard is not recycled if it is contaminated. Contaminated paper and cardboard could, however, be composted or incorporated in an anaerobic digestion system. If this is coupled with the diversion of organics at 24.85% and garden waste at 6.16% from the landfill, up to 87% on average of the waste stream could be diverted from landfill.

A conservative approach should, however, be taken to account for the non-recyclable components of plastic i.e. not all plastic is currently recyclable. In addition, some of the organic fraction may not be acceptable or desirable in the diversion system identified.

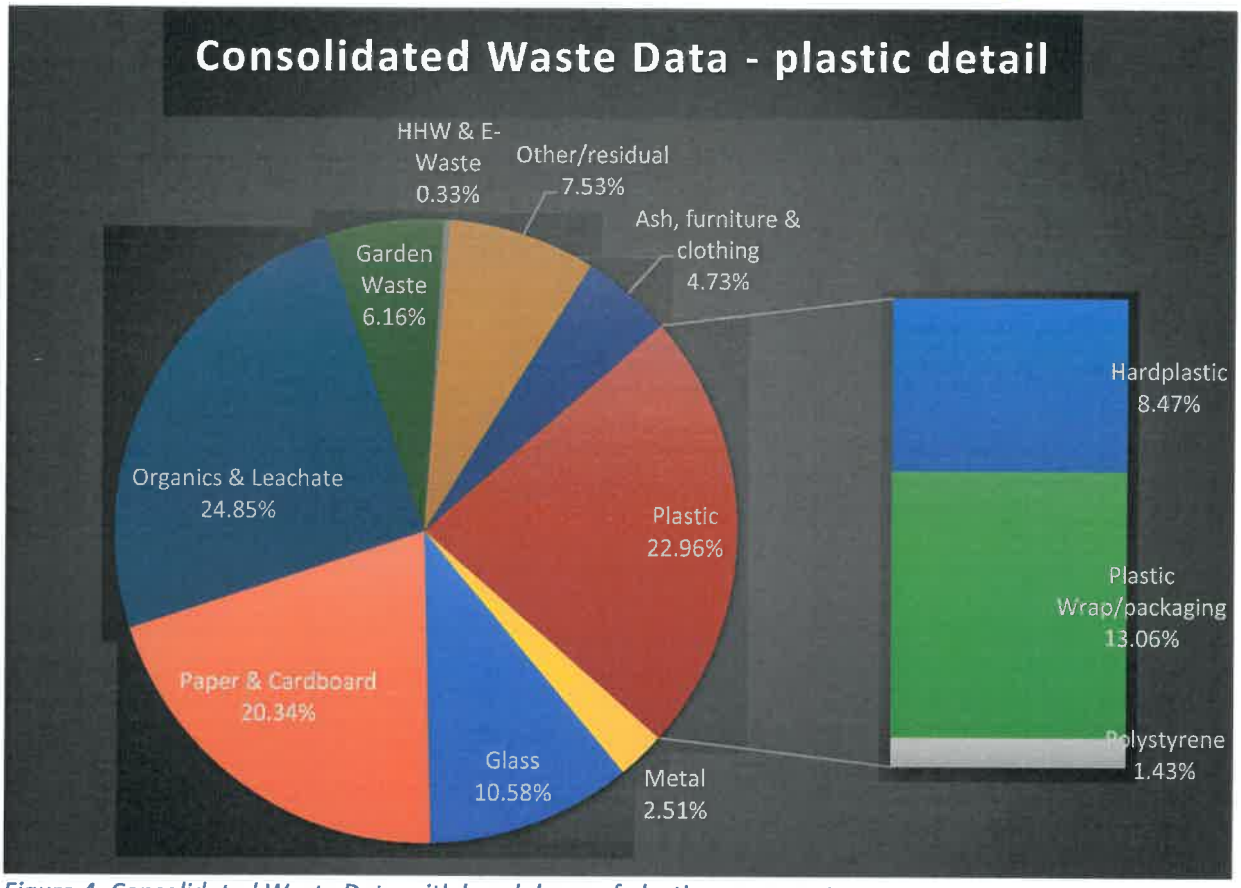


Figure 4: Consolidated Waste Data with breakdown of plastic component

When developing solutions for diverting waste from the landfill, it also important to understand how the waste fractions differ from area to area as this may influence what options for diversion are selected.

Figure 5 illustrates the broader fractions from each area by means of a bar graph for comparison purposes.

Figure 5 indicates that by diverting recyclables, i.e. plastic, paper and cardboard, glass and metal waste streams along with organic and garden waste, waste being disposed of to landfill can be drastically reduced by at least 50% and potentially up to 80% in certain areas. However, this would depend on the level of contamination and quality of recyclables and would probably require the implementation of a three-bag system for separation at household level of recyclable, non-recyclable and organic waste. Certain areas could also be provided with a targeted garden waste collection system.

This assumption would appear to exclude the ward of Langrug, which appears to generate much less organic waste and considerably more ash, furniture and clothing and other/residual waste compared to other wards. Some of the factors that may contribute to and may account for this is that Langrug has been part of the Genius of Space project, which has focussed on sustainability in the area amongst other issues. The recyclables component is comparable to other areas despite being largely a low income area which generally tend to generate fewer recyclables, as well as there being an active recycling organisation in the area.

The municipality must remain cognisant of the lower organic percentage in this area and potentially investigate this further when deciding on a solution for this area in particular.

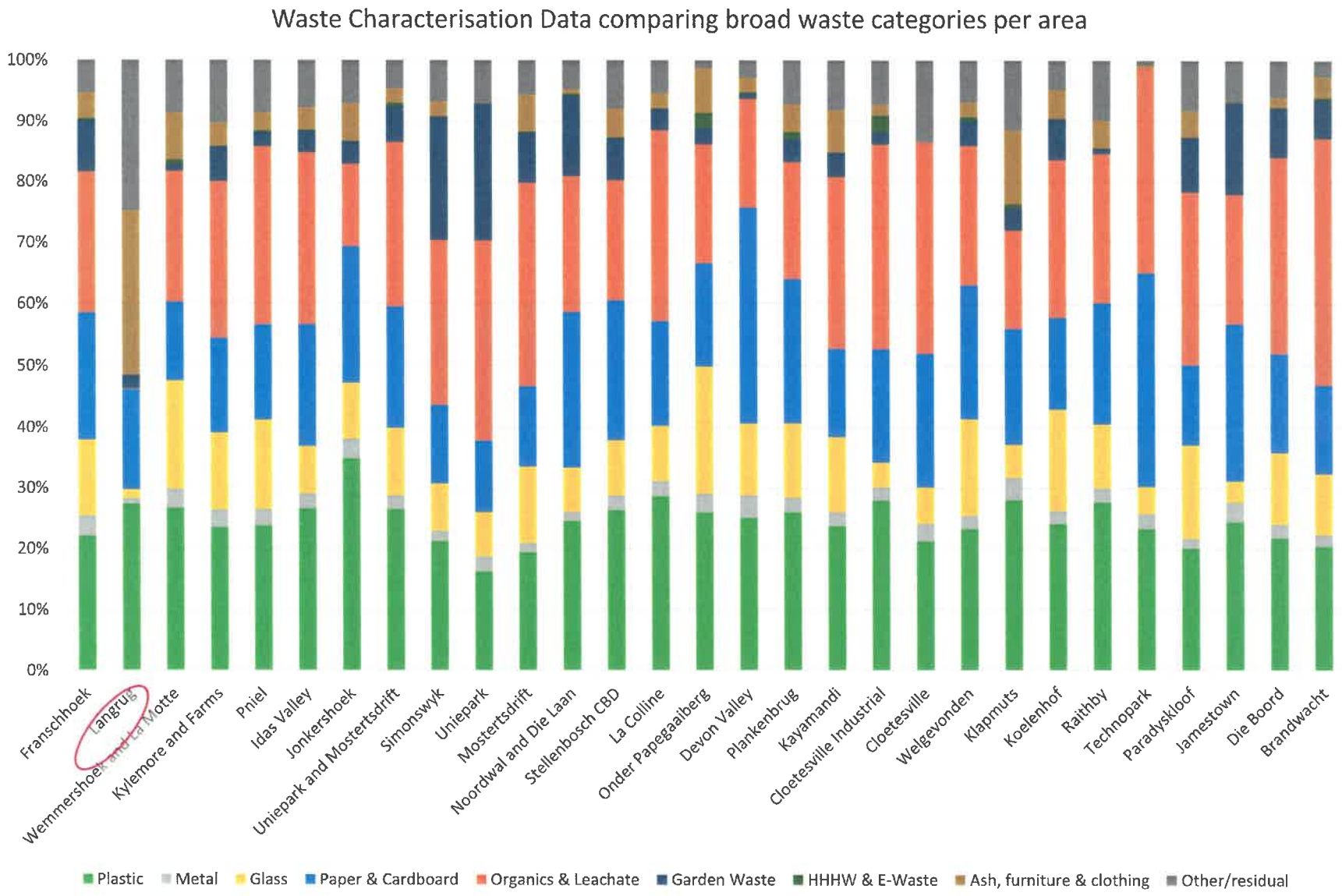


Figure 5: Waste Characterisation Data comparing areas and their broad waste categories

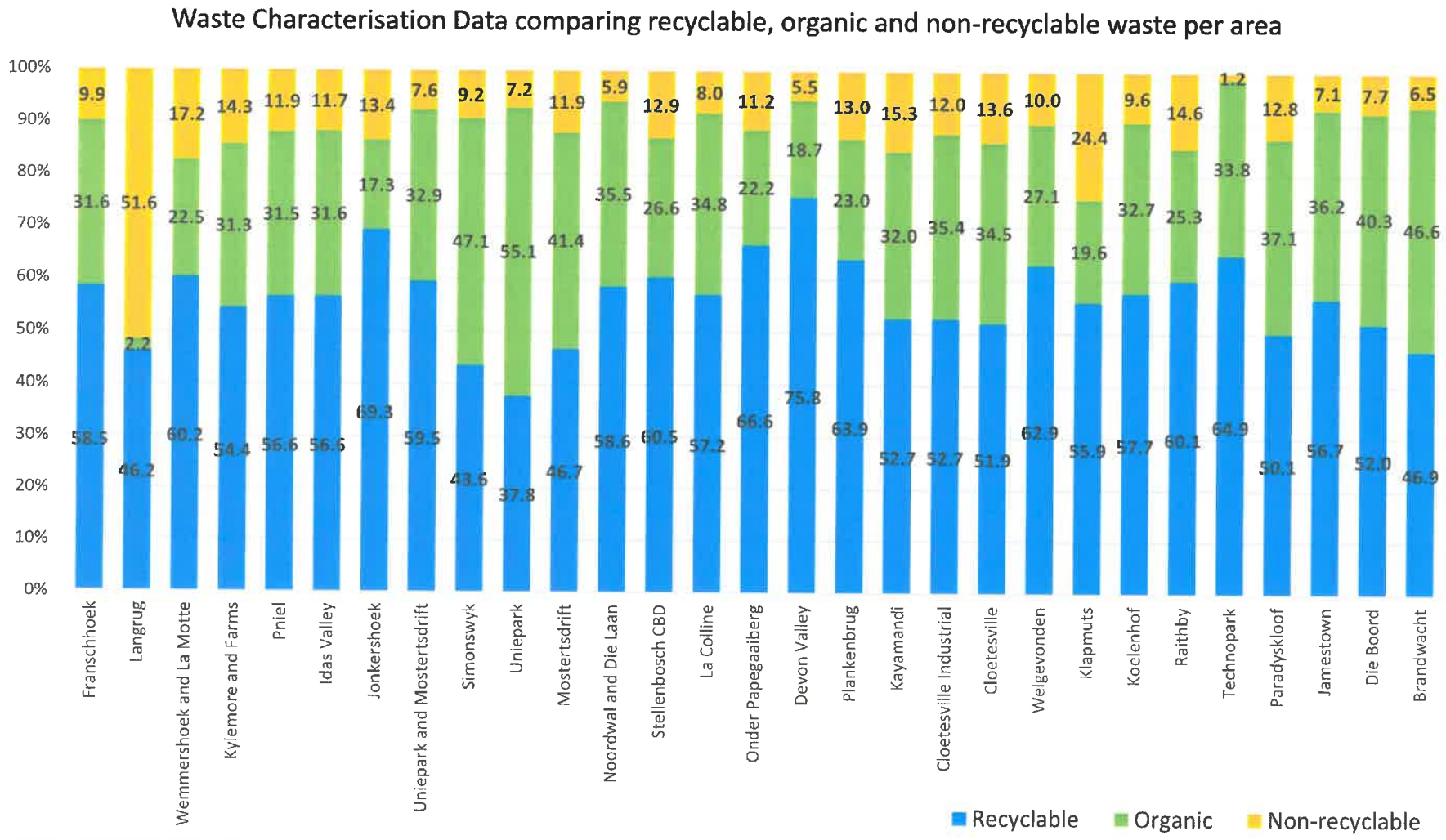


Figure 6: Waste Characterisation Data with data consolidated into recyclable, organic and non-recyclable waste streams

Figure 6 provides the same information as **Figure 5**, however the broader categories have been consolidated as follows, with the aim of providing a simpler visual comparison of the diversion potential per area:

- **Recyclable** (glass, metal, plastic, paper & cardboard);
- **Organic** (household organic & garden waste); and
- **Non-recyclable** (residual, other and HHW).

The orange section of the bar chart indicates the non-recyclable component of waste which cannot readily be diverted from landfill. This data has also been presented in tabulated format in **Table 2**. This has not been compared to income level due to the wide range of income levels per area.

Table 2: Waste Characterisation Data consolidated into recyclable, organic and non-recyclable streams

Area Name	Ward No	Recyclable %[1]	Organic %[2]	Non-recyclable %[3]
Franschhoek (incl Groendal)	1	58.5	31.6	9.9
Langrug	2	46.2	2.2	51.6
Wemmershoek and La Motte	3	60.2	22.5	17.2
Kylemore and Farms	4	54.4	31.3	14.3
Pniel	4	56.6	31.5	11.9
Idas Valley	5	56.6	31.6	11.7
Jonkershoek	5	69.3	17.3	13.4
Uniepark and Mostertsdrift	7	59.5	32.9	7.6
Simonswyk	7	43.6	47.1	9.2
Uniepark	7	37.8	55.1	7.2
Mostertsdrift	7	46.7	41.4	11.9
Noordwal and Die Laan	8	58.6	35.5	5.9
Stellenbosch CBD	9	60.5	26.6	12.9
La Colline	10	57.2	34.8	8.0
Onder Papegaaiberg	11	66.6	22.2	11.2
Devon Valley	11	75.8	18.7	5.5
Plankenbrug	12	63.9	23.0	13.0
Kayamandi	12, 13, 14, 15	52.7	32.0	15.3
Cloetesville Industrial	16	52.7	35.4	12.0
Cloetesville	16	51.9	34.5	13.6
Welgevonden	17	62.9	27.1	10.0
Klapmuts	18	55.9	19.6	24.4
Koelenhof	19	57.7	32.7	9.6
Raithby	20	60.1	25.3	14.6
Technopark	21	64.9	33.8	1.2
Paradyskloof	21	50.1	37.1	12.8
Jamestown	21	56.7	36.2	7.1
Die Boord	22	52.0	40.3	7.7
Brandwacht	22	46.9	46.6	6.5

After the characterisation/sorting was completed, salvageable recyclables were removed from the waste fractions and weighed separately. This data has been compared to the recyclable fraction and appear to roughly correlate with the metal and glass fractions in **Figure 7**. It can be assumed that the other recyclable fractions were contaminated as a result of being disposed of in a mixed bag of household waste. Glass and metal are generally less easily contaminated and more easily salvaged from mixed municipal waste. If this is the case, it provides a strong argument for a household separation at source system.

[1] glass, metal, plastic, paper & cardboard
[2] household organic & garden waste
[3] residual, other & HHW

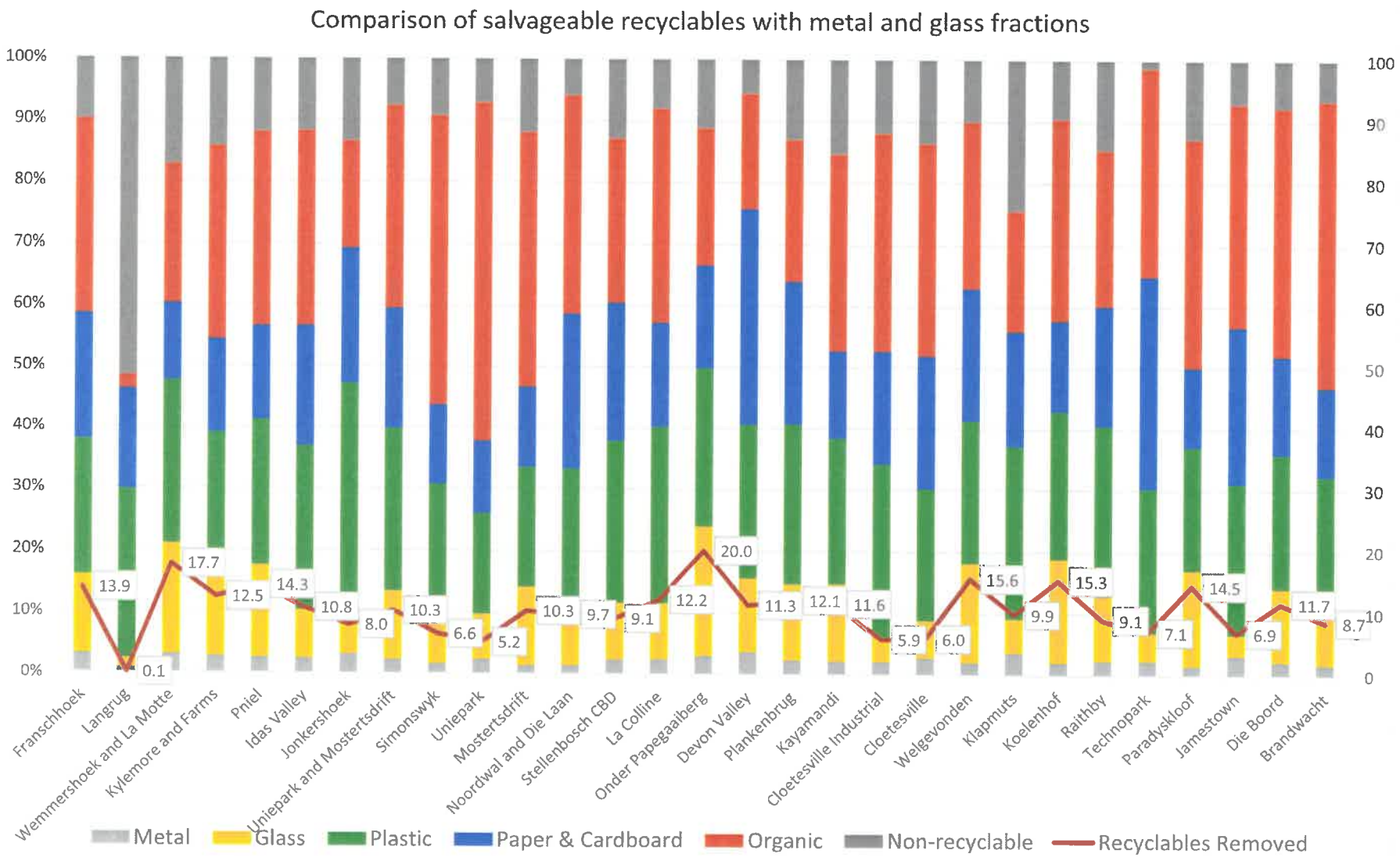


Figure 7: Comparison of salvageable recyclables removed after the characterisation with metal and glass fractions

In order to better understand the split of the organic component between organic household waste and garden waste per area, these are all represented separately in **Figure 8**.

Garden waste is generally more easily separated from household waste and although it does not necessarily contaminate recyclable waste, it is not ideal for all organic waste beneficiation processes and technologies, such as anaerobic digestion, and may therefore require a separate approach to the other household organic waste fraction.

Figure 9 provides pie charts for each waste fraction on a per areas basis. These have been included to illustrate that the percentage of total waste for the recyclable fractions and organic appears to be a fairly consistent percentage of the total waste in each area. The biggest variation occurs in the organic waste and household hazardous waste streams.

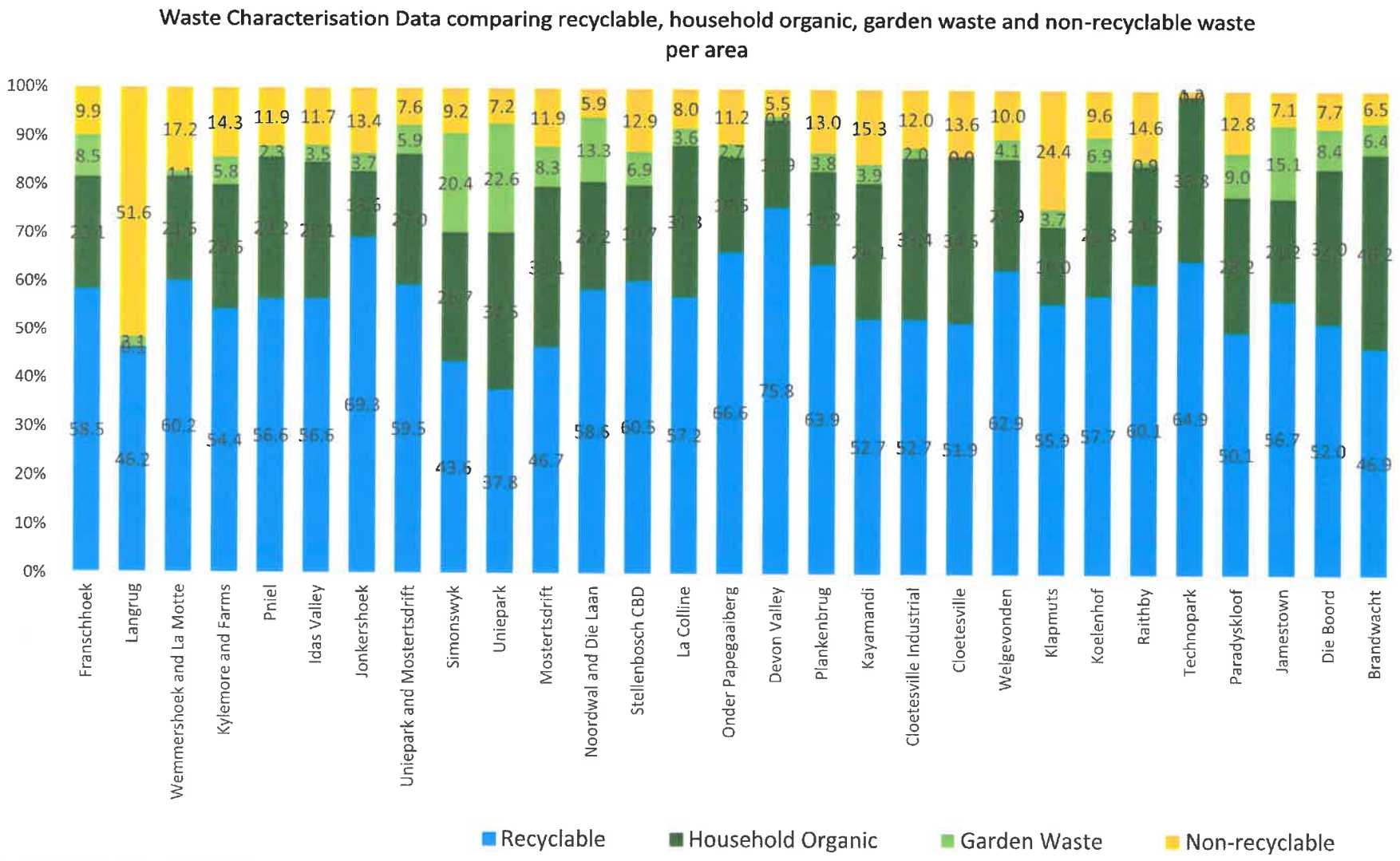


Figure 8: Waste Characterisation Data with data consolidated into recyclable, household organic, garden waste and non-recyclable waste streams

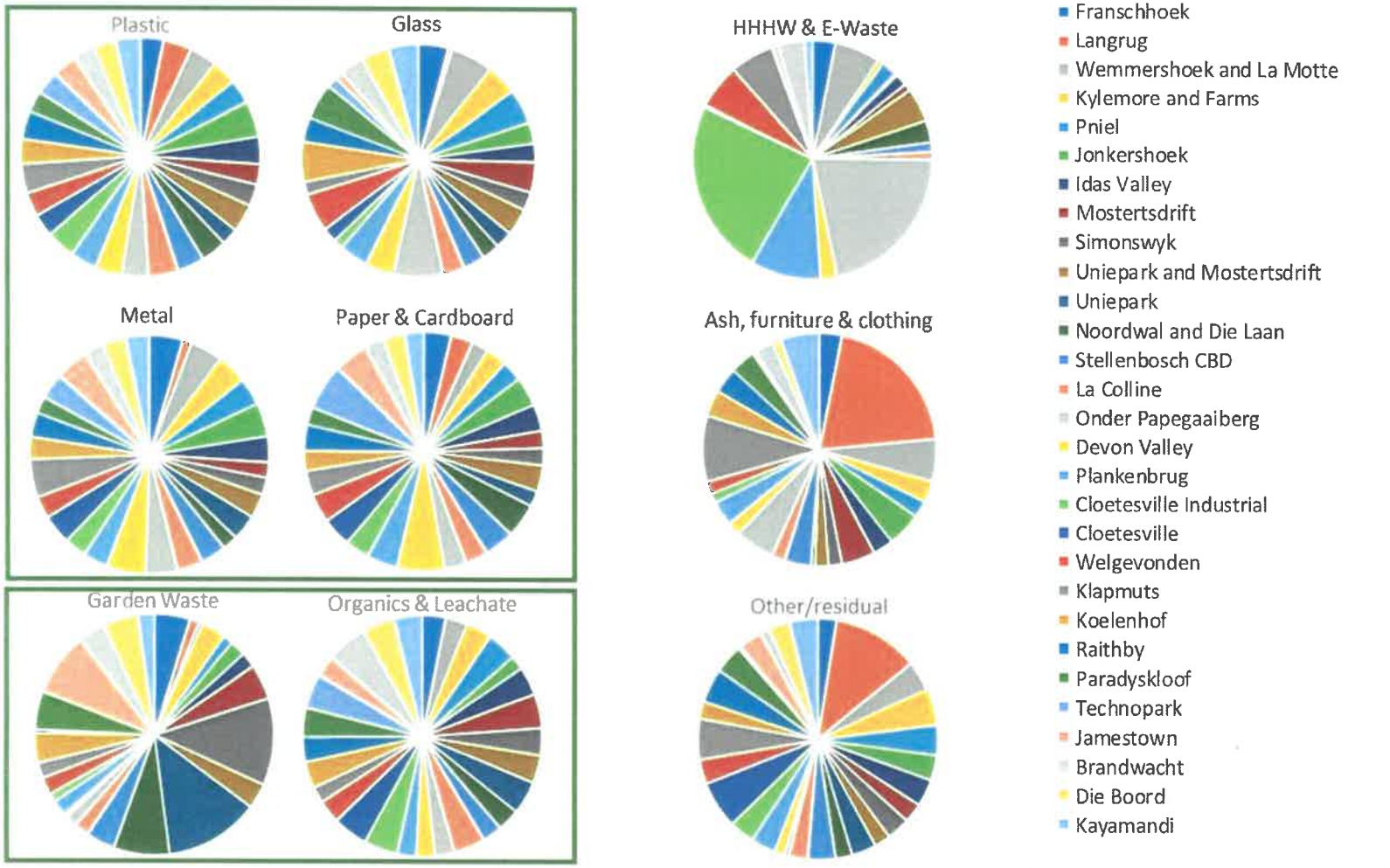


Figure 9: Comparison of each waste fraction per area

3.3 Stellenbosch University Findings

As the Stellenbosch University Data was categorised into different categories to the characterisation undertaken for the Municipal waste stream, this data has been represented separately, see **Figure 10**.

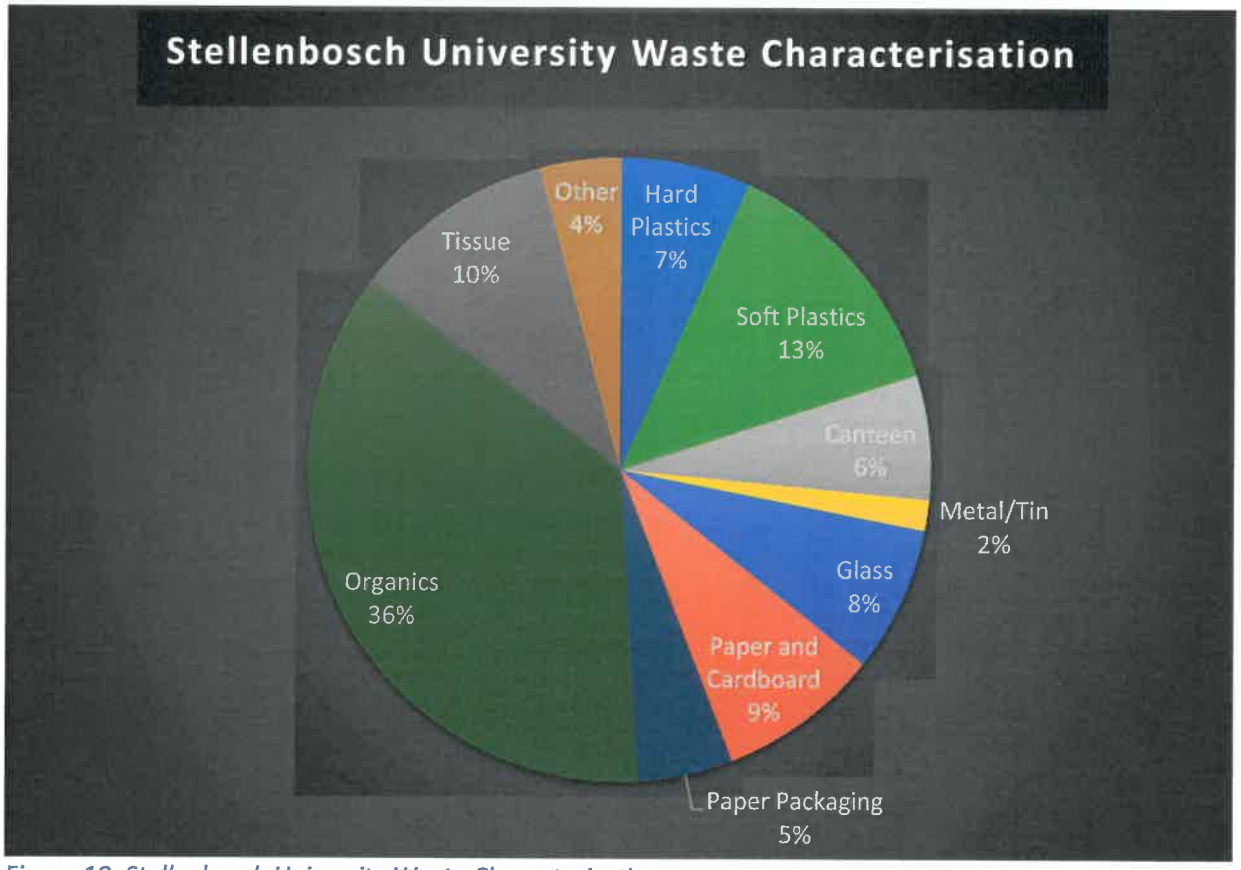


Figure 10: Stellenbosch University Waste Characterisation

The characterisation does not appear to represent the entire University's buildings but is likely to provide a good indication of the character of the waste.

Figure 11 provides an indication of the waste characterisation per building facility i.e. Men's and Ladies Residences, the faculty buildings and the Neelsie. It is not clear what the category of 'canteen' waste included.

The Neelsie and Ladies Residences appear to generate the most organic waste, Men's and Ladies Residences appear to generate a fair amount of glass which should be diverted from landfill for recycling. The large amount of tissue maybe be as a result of hand towel usage in bathrooms and could potentially be composted.

It is recommended that the Municipality engage with the University and offer input into waste minimisation and waste diversion efforts.

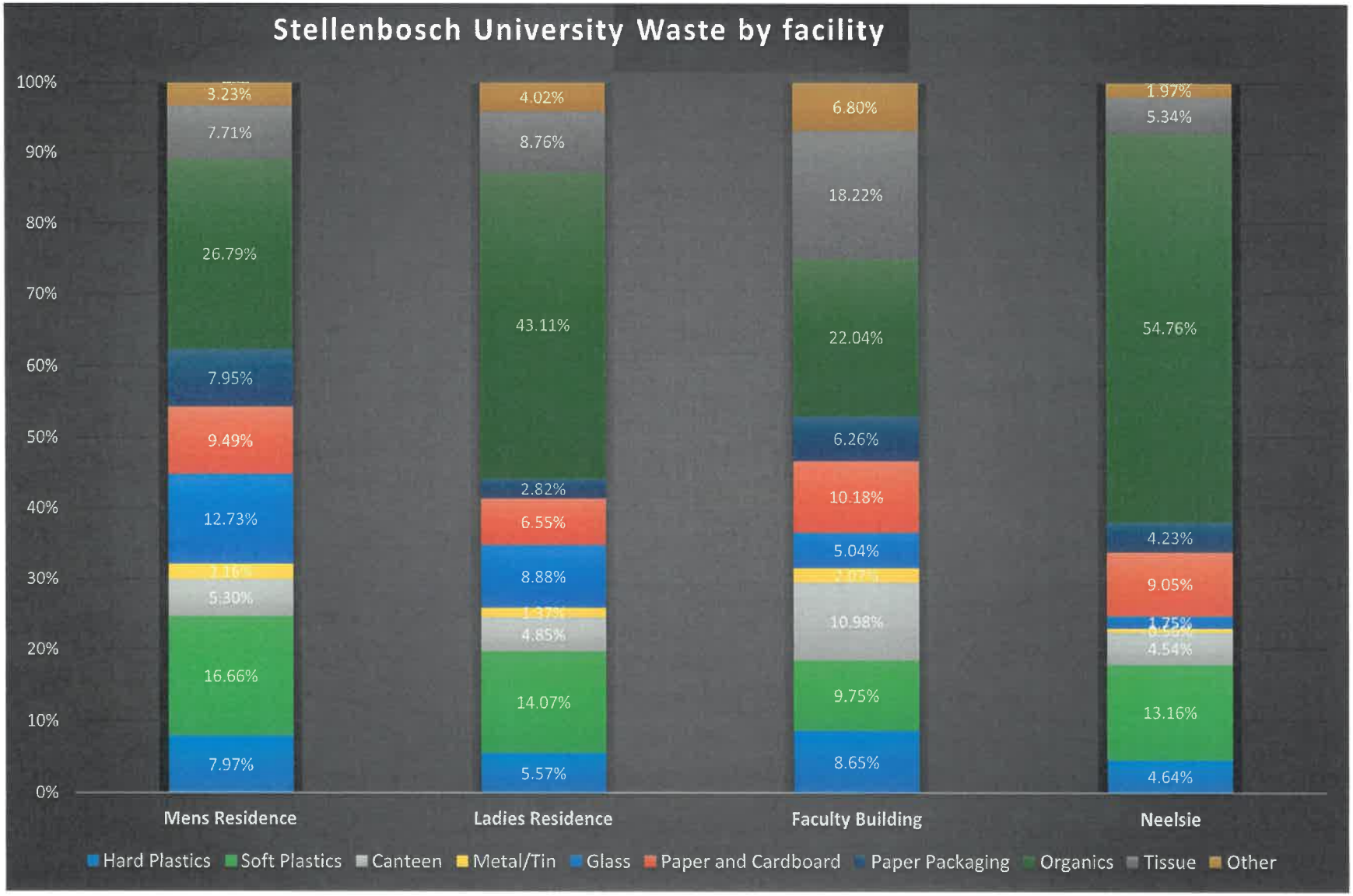


Figure 11: Stellenbosch University Waste Characterisation (%) by facility type

4 CONCLUSION

The graphical representation of the waste characterisation data indicates the following:

- As there is a variation in waste character per area, the solutions to divert waste from landfill do not have to be a "one size fits all" solution or approach and that different solutions in different areas may be more appropriate.
- A multi-pronged approach will be required to effectively divert and remove the recyclable, organic and garden waste fractions in different areas from landfill.
- As a minimum, a three-bag household separation at source programme should be implemented for:
    - organics (excluding garden waste),
    - recyclables/packaging, and
    - general waste.
- A system for diversion of garden waste should be considered, either separate household bin and collection or potentially provision of composting bins, where appropriate.
- It is recommended that the Municipality engage with the University and offer input into waste minimisation and waste diversion efforts.
- It is also recommended that the Municipality engage with existing collectors and recyclers to understand that challenges and collaboratively come up with potential solutions to rbing about greater diversion of waste from landfill.

It is recommended that a collaborative approach is undertaken in order to allow the growth of the recycling industry, the Municipality could work with businesses in the area to support development of a recycling industry and secondary markets and potentially for a collective approach to organic waste management.

A Literature review and feasibility study of programmes that have worked should be undertaken to determine the most appropriate in terms of:

- Frequency of collections for the different material streams/waste fractions,
- Type and size of the bins/receptacles for different waste streams,
- Best methods and types of communication programme, and
- Investigation of the effectiveness of compulsory vs voluntary programmes on the participation rate from a behavioral perspective.

Annexure A: Workshop Presentation

JG AFRIKA
EXPERIENCE QUALITY INTEGRITY

Stellenbosch Municipality
Waste Characterisation Report

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Workshop

30 May 2019

SIKHULISA SONKE • WE DEVELOP TOGETHER

SCOPE OF WORKS

- The key purpose of the study is to compile a final report using the raw data from the two waste characterization studies focusing primarily on the 2017 study;
- Comparing the results of the two studies within the report;
- Liaise with officials and others (such as Charlotte Nell) who conducted/involved field work in both studies;
- List the waste streams from high priority to low priority based on the two studies;
- Inclusion of graphs, flow charts, pie charts etc. to visually display trends in waste volumes;
- **Workshop of the draft report with the Project Manager and incorporation of comments received into the Final Report.**

A methodology or sampling procedure was not provided, however the following has been noted:

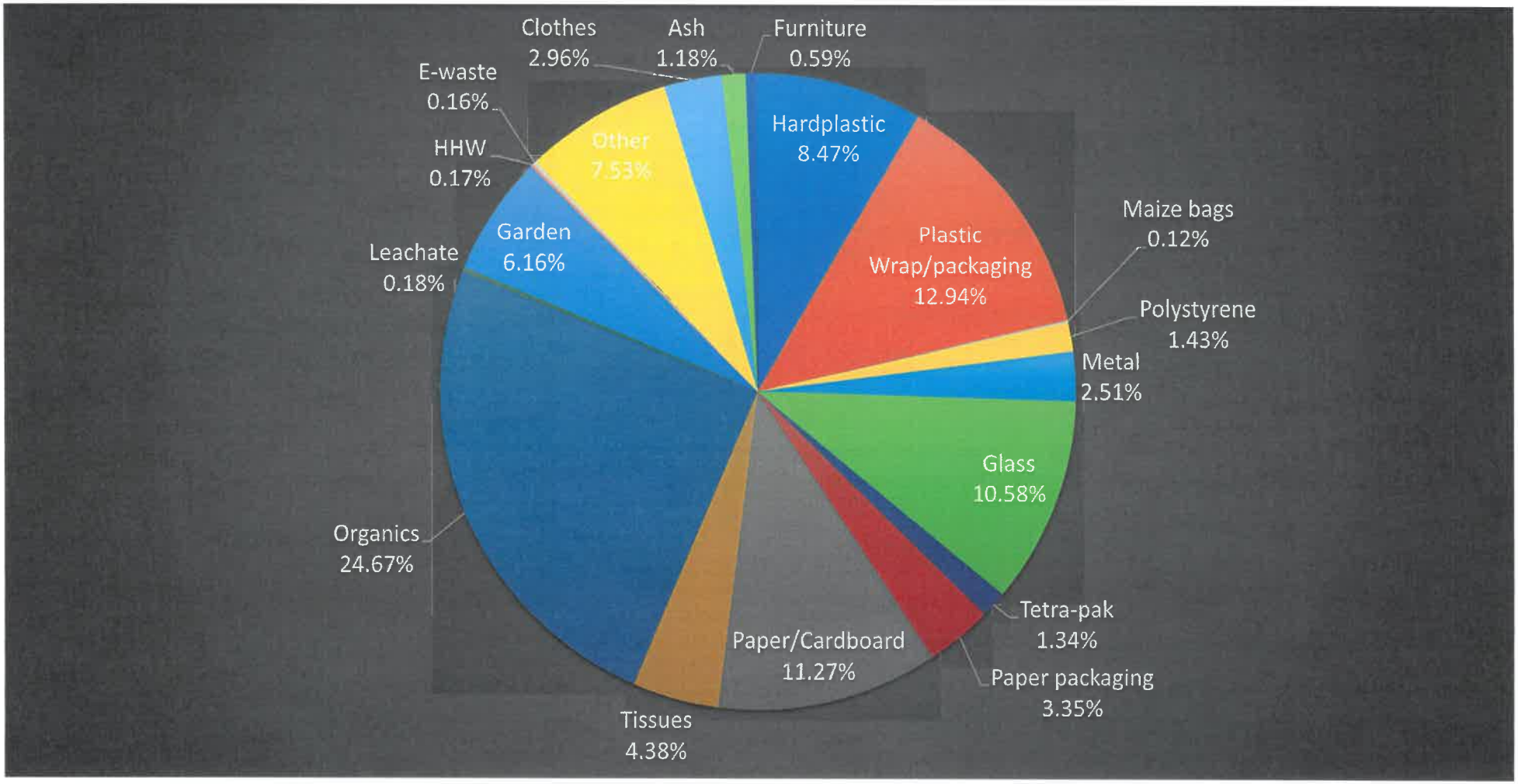
- Sampling took place on various collection days from **August to October 2017.**
- Only black bags were sorted. No two bag separation system areas were included in the study.
- Waste was sorted into categories and then weighed, a volume is also provided although this has not been used for the purposes of this report.
- Leachate was also included as a category and weighed, where applicable.
- After the sorting was completed, all salvageable recyclable material (paper, glass, plastic etc. that not too contaminated) was grouped together for recycling purposes and landfill diversion. This material was then weighed and the weight recorded.
- The characterisation focused on residential/household waste and not commercial or business waste.

Table 1: Sampling Overview and Summary – Municipal areas and wards

Area / Ward sampled	Ward	No of bags	Total Weight (sorted)
Franschhoek	1	411	1809.25
Langrug	2	80	466.47
Wemmershoek and La Motte	3	84	309.11
Kylemore and Farms	4	171	753.9
Pniel	4	111	463.79
Idas Valley	5	166	547.34
Jonkershoek	5	81	277.94
Uniepark and Mostertsdrift	7	216	732.25
Simonswyk	7	101	364.84
Uniepark	7	78	174.56
Mostertsdrift	7	92	340.89
Noordwal and Die Laan	8	81	278.41
Stellenbosch CBD	9	271	1086.56
La Colline	10	75	233.74
Onder Papegaaiberg	11	63	249.76
Devon Valley	11	96	339.79
Plankenbrug	12	122	422.37
Kayamandi	12, 13, 14, 15	384	1632.49
Cloetesville Industrial	16	83	297.72
Cloetesville	16	113	456.87
Welgevonden	17	62	162.81
Klapmuts	18	79	253.42
Koelenhof	19	117	488.07
Raithby	20	122	483.84
Technopark	21	85	258.45
Paradyskloof	21	122	409.55
Jamestown	21	207	768.97
Die Boord	22	80	273.75
Brandwacht	22	119	423.02
Total		**3872 bags**	**14 760 kg**

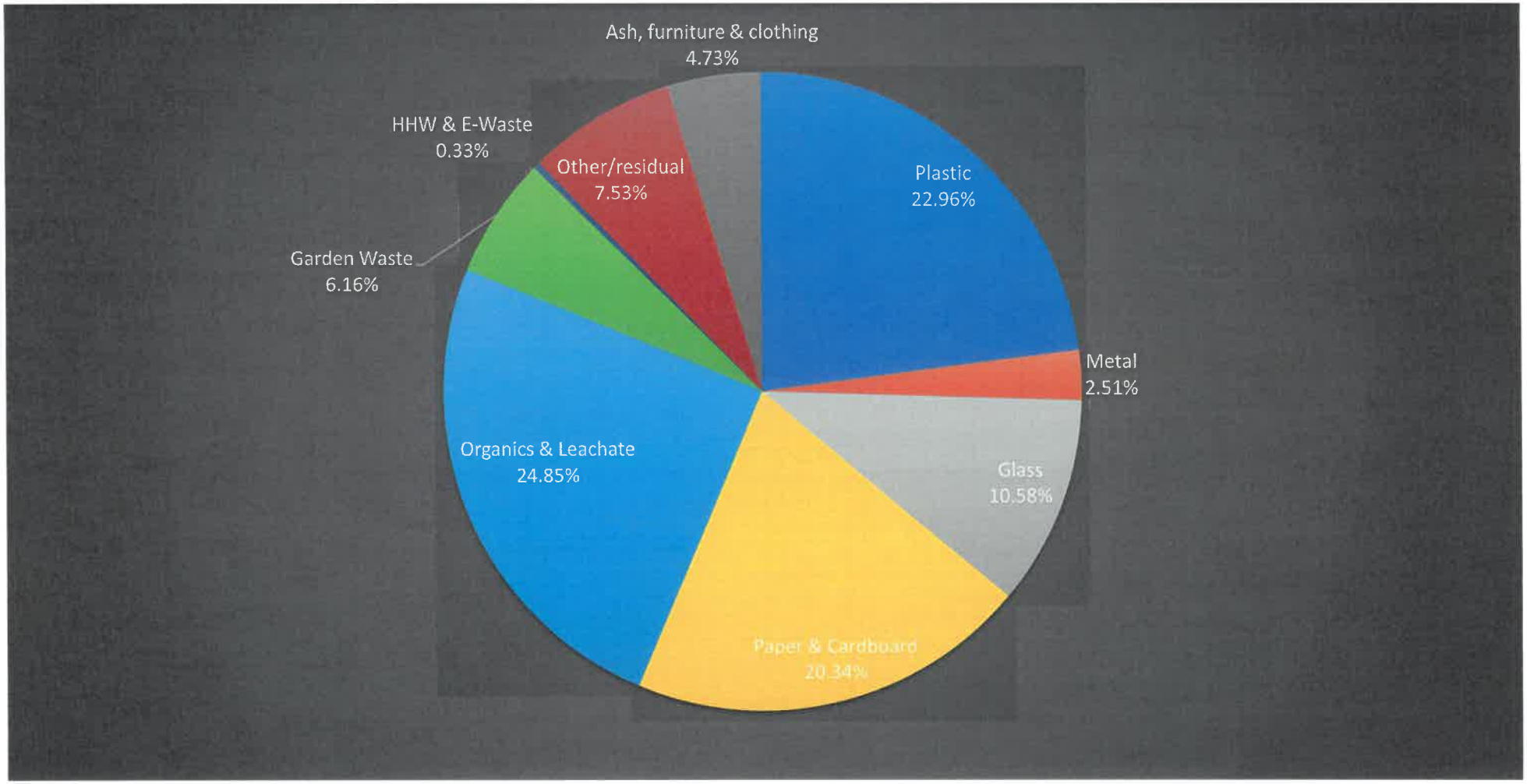
19 Categories

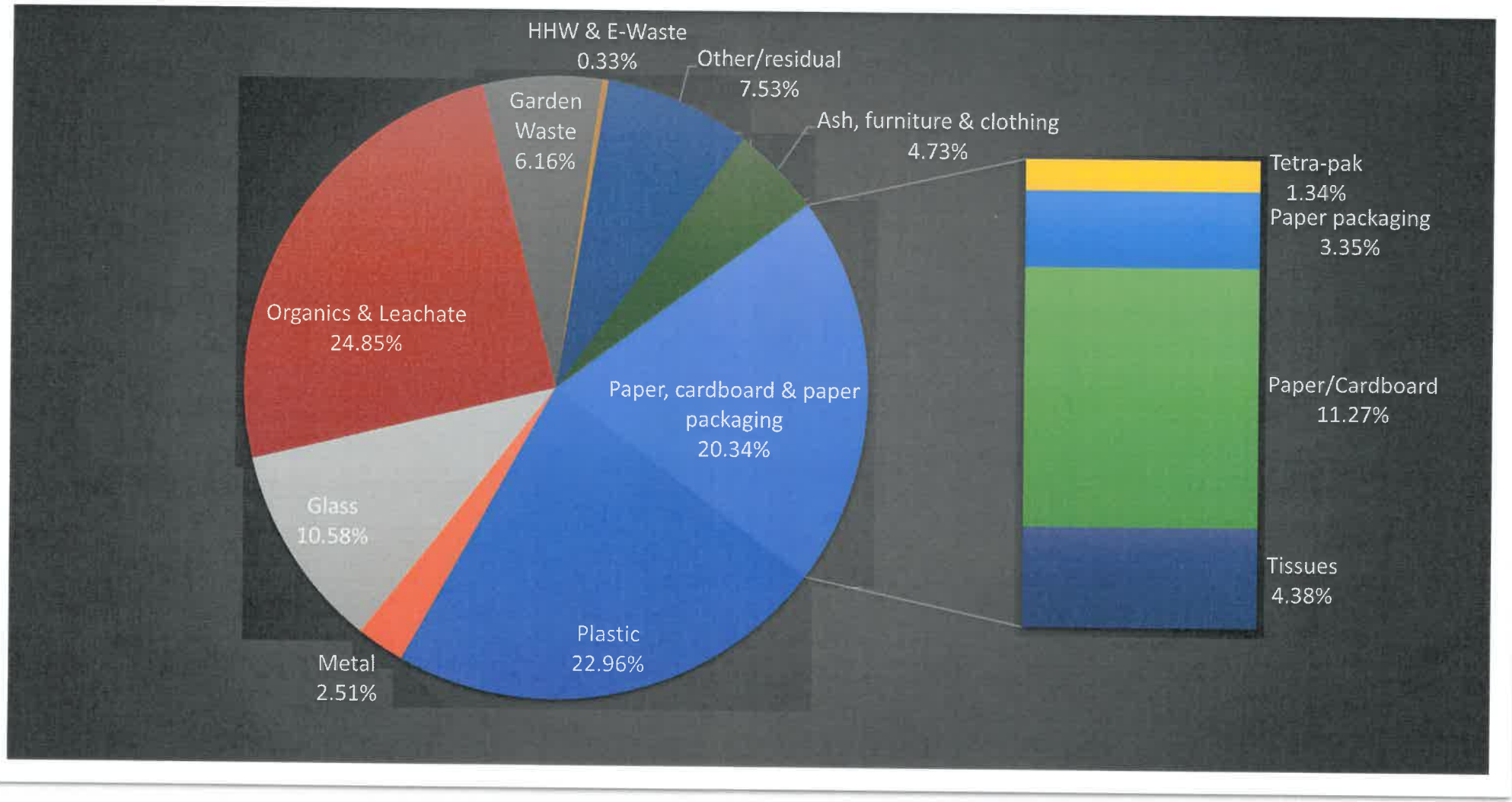
- Hardplastic
- Plastic Wrap/packaging
- Maize bags
- Polystyrene
- Metal
- Glass
- Tetra-pak
- Paper packaging
- Paper/Cardboard
- Tissues
- Organics
- Leachate
- Garden
- HHW – household hazardous
- E-waste
- Other
- Clothes
- Ash
- Furniture

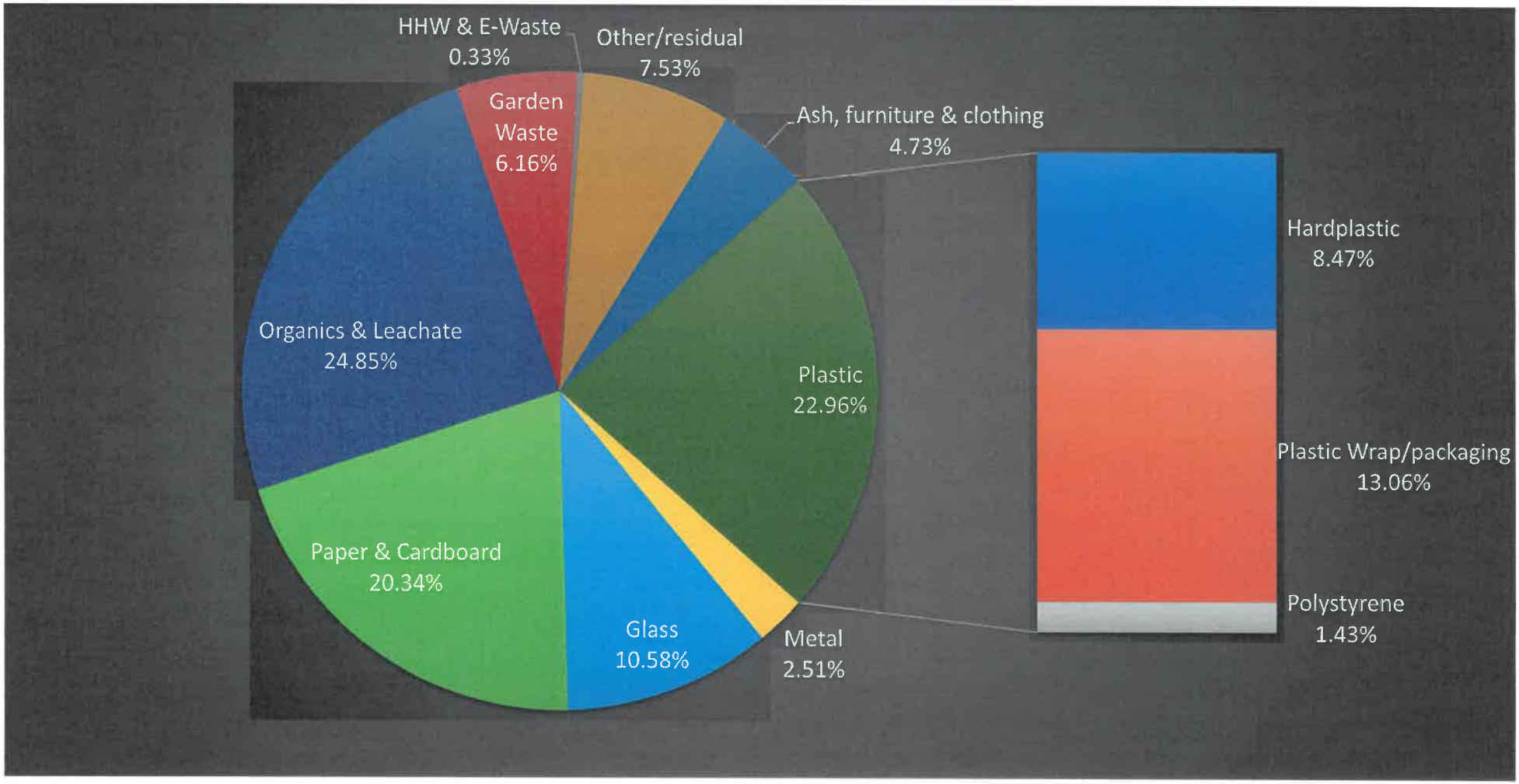

Clothes
2.96%
Ash
1.18%
Furniture
0.59%
E-waste
0.16%
Hardplastic
8.47%
HHW
0.17%
Other
7.53%
Maize bags
0.12%
Garden
6.16%
Plastic
Wrap/packaging
12.94%
Leachate
0.18%
Polystyrene
1.43%
Metal
2.51%
Glass
10.58%
Organics
24.67%
Tetra-pak
1.34%
Paper/Cardboard
11.27%
Paper packaging
3.35%
Tissues
4.38%

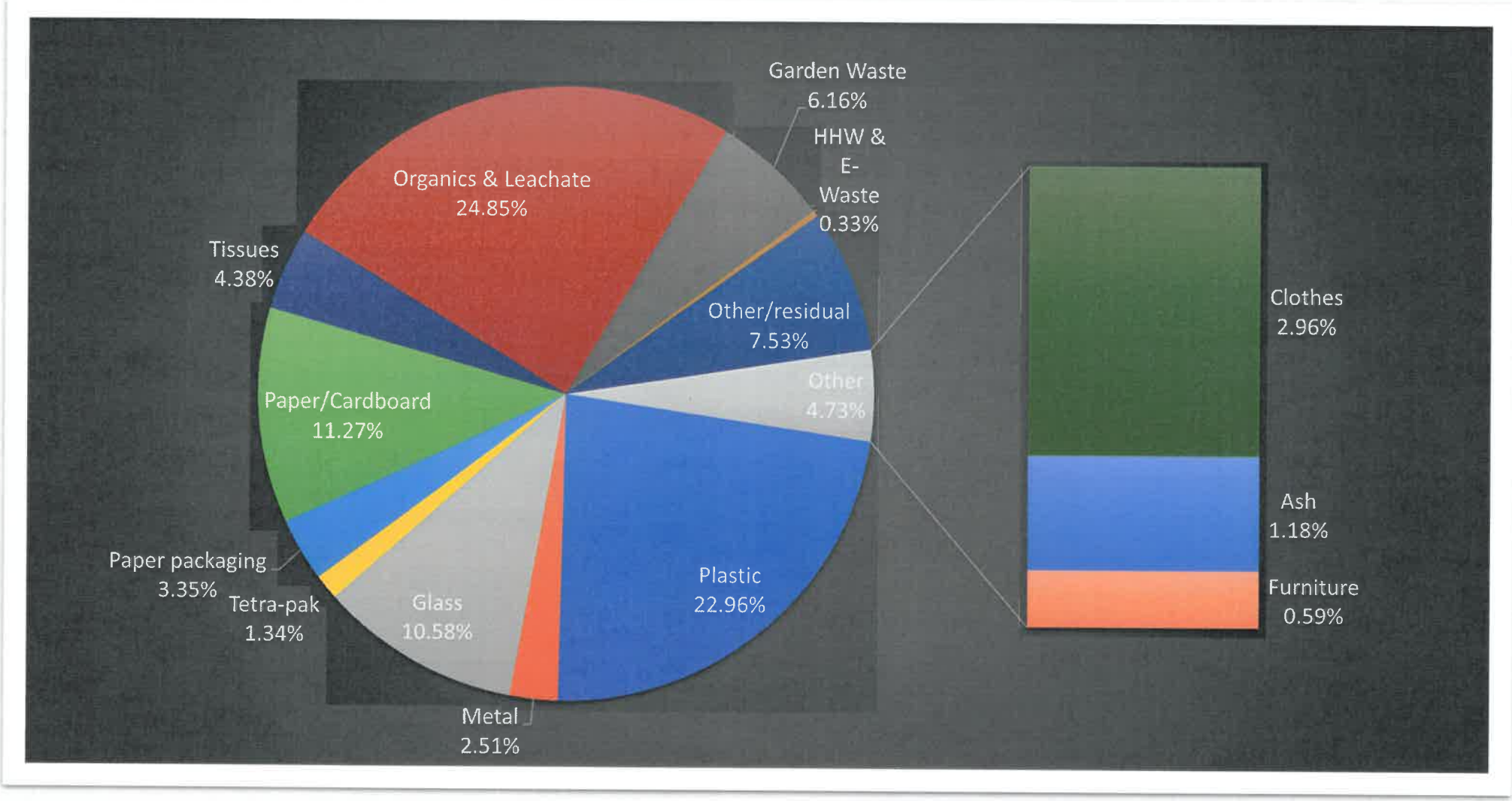
19 Categories - groupings

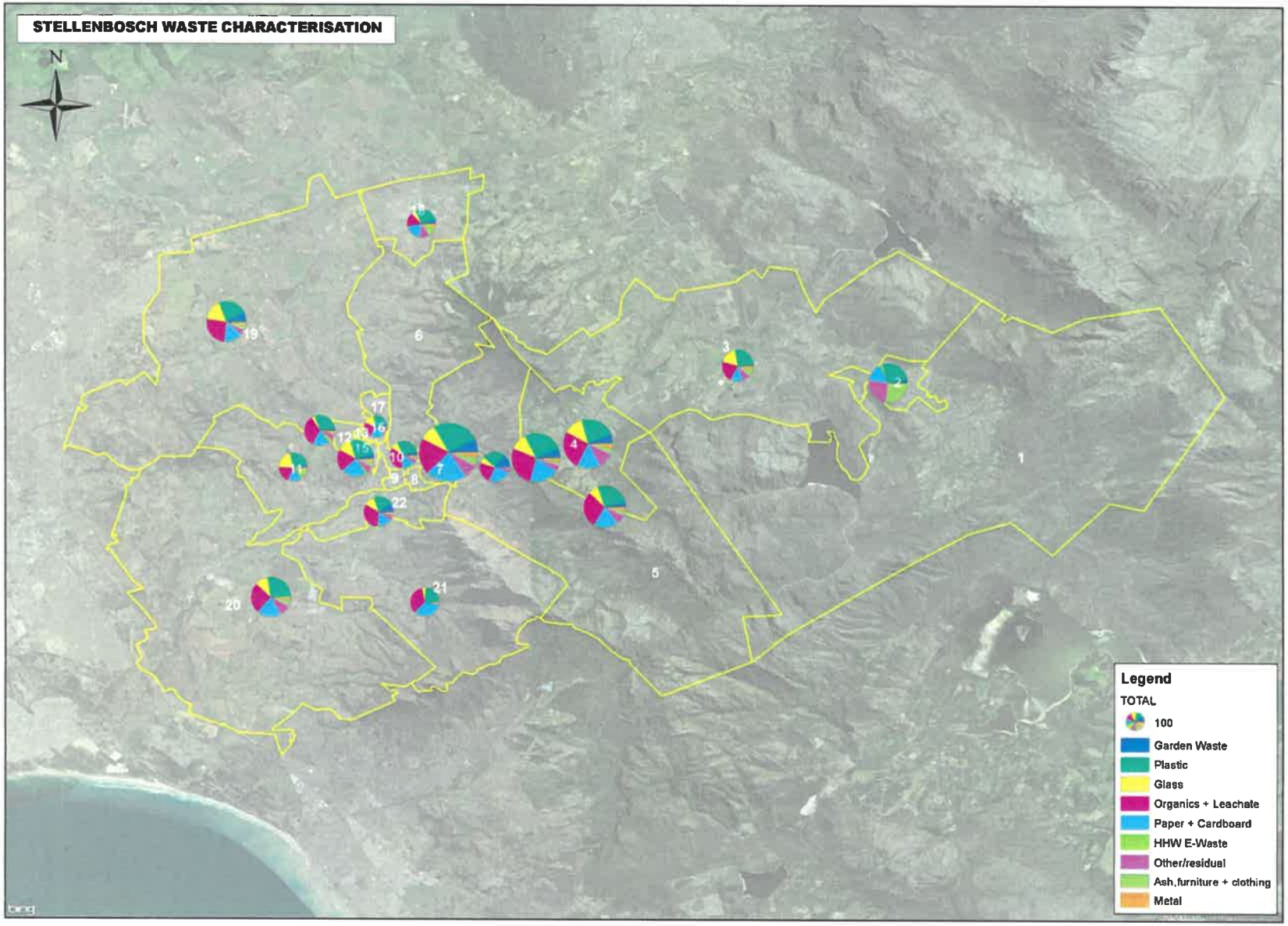
- Hardplastic
- Plastic Wrap/packaging
- Maize bags
- Polystyrene
- Metal
- Glass
- Tetra-pak
- Paper packaging
- Paper/Cardboard
- Tissues
- Organics
- Leachate
- Garden
- HHW – household hazardous
- E-waste
- Other
- Clothes
- Ash
- Furniture

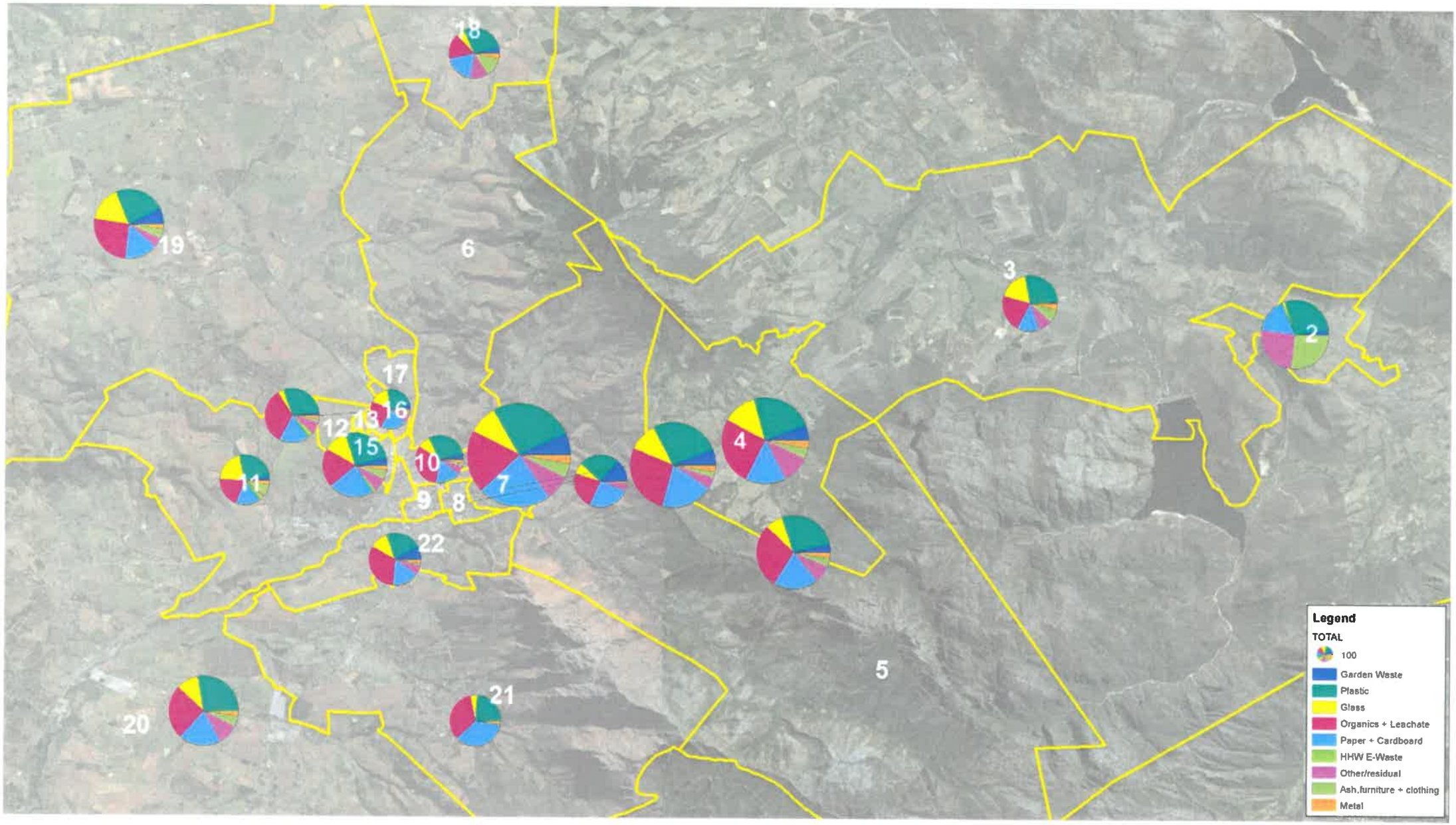

Ash, furniture & clothing
4.73%
HHW & E-Waste
0.33%
Other/residual
7.53%
Plastic
22.96%
Garden Waste
6.16%
Metal
2.51%
Organics & Leachate
24.85%
Glass
10.58%
Paper & Cardboard
20.34%

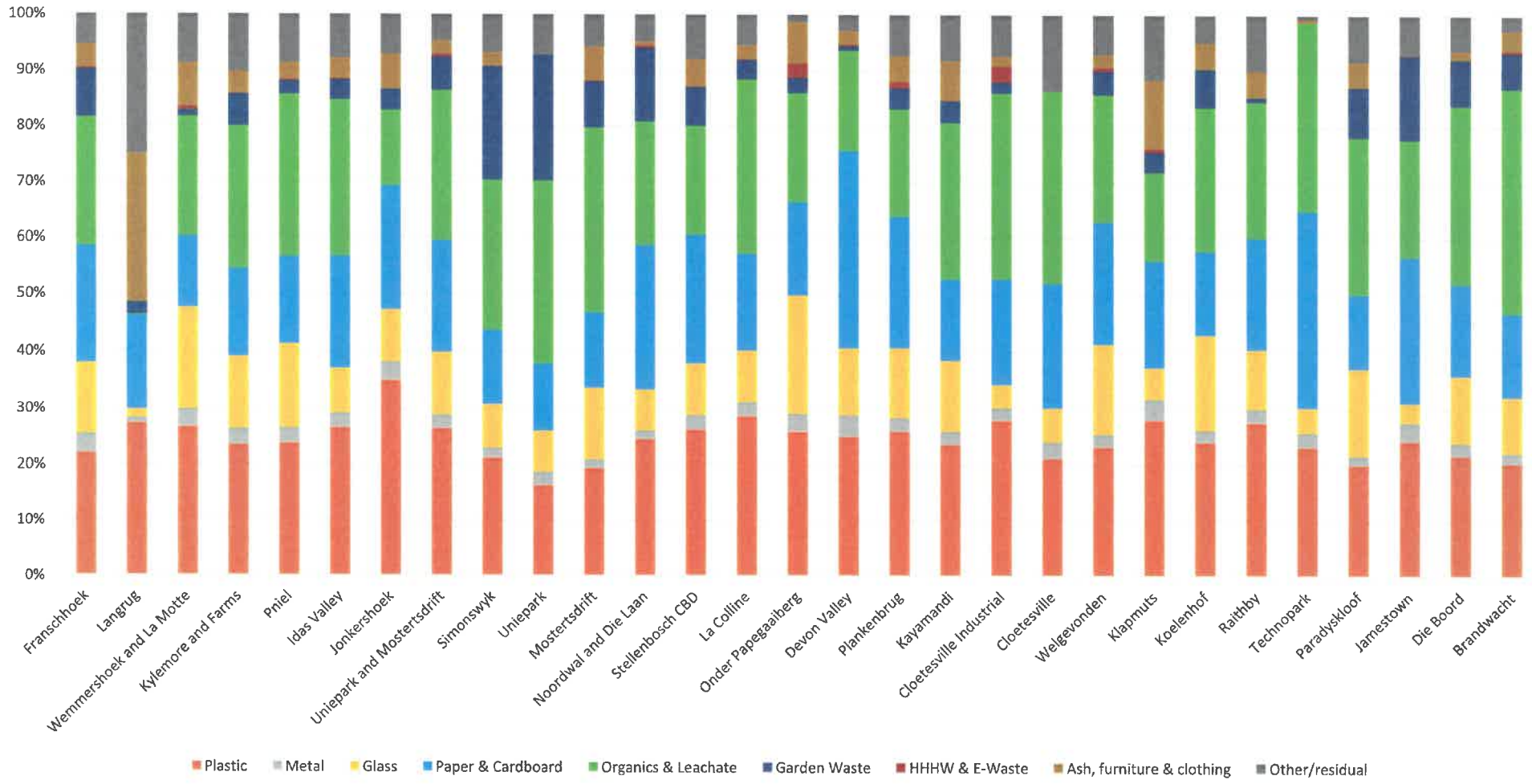

HHW & E-Waste
0.33%
Other/residual
7.53%
Ash, furniture & clothing
4.73%
Garden
Waste
6.16%
Organics & Leachate
24.85%
Paper, cardboard & paper
packaging
20.34%
Glass
10.58%
Plastic
22.96%
Metal
2.51%
Tetra-pak
1.34%
Paper packaging
3.35%
Paper/Cardboard
11.27%
Tissues
4.38%

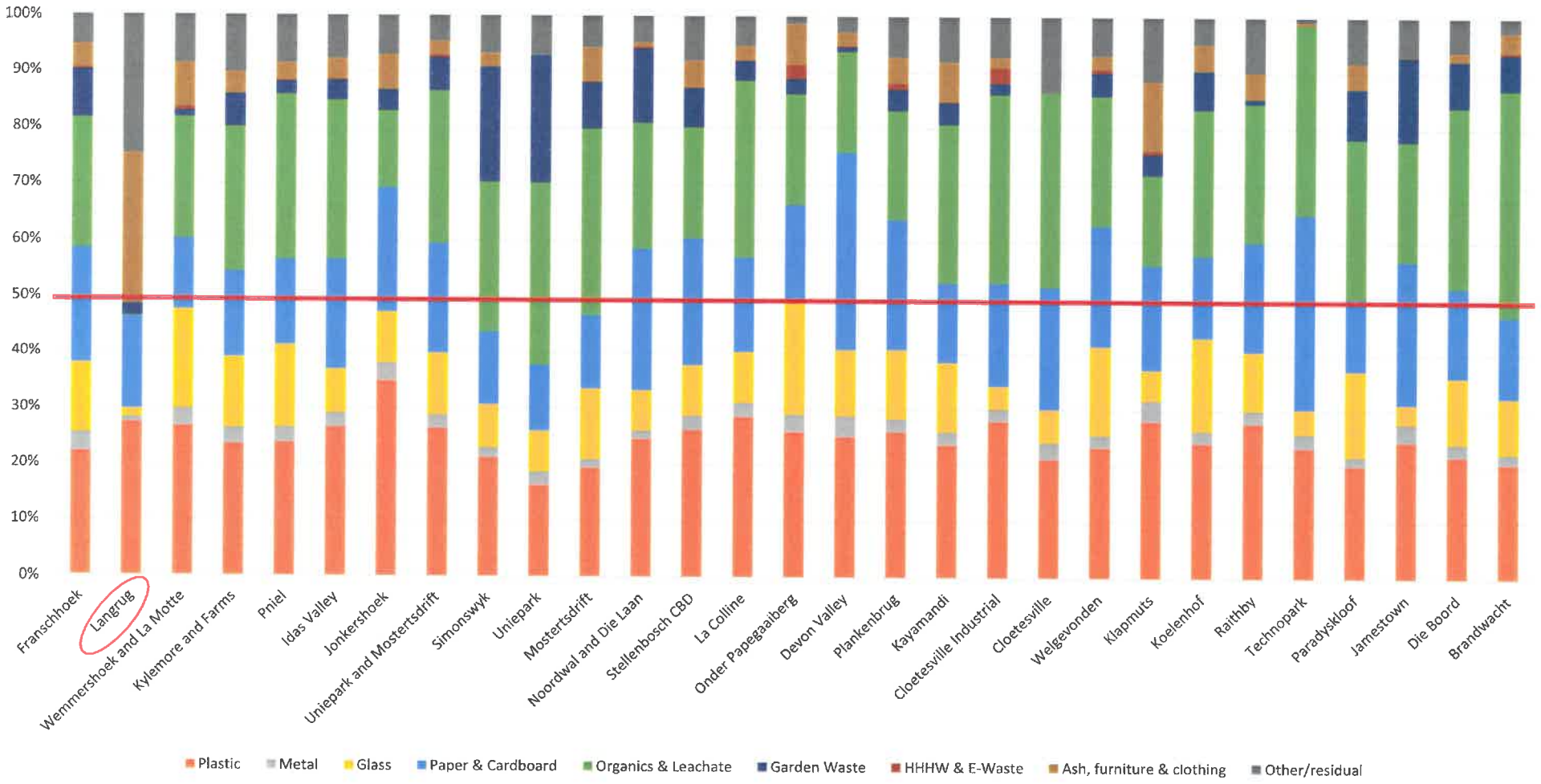

HHW & E-Waste
0.33%
Other/residual
7.53%
Garden
Waste
6.16%
Ash, furniture & clothing
4.73%
Organics & Leachate
24.85%
Plastic
22.96%
Paper & Cardboard
20.34%
Glass
10.58%
Metal
2.51%
Hardplastic
8.47%
Plastic Wrap/packaging
13.06%
Polystyrene
1.43%

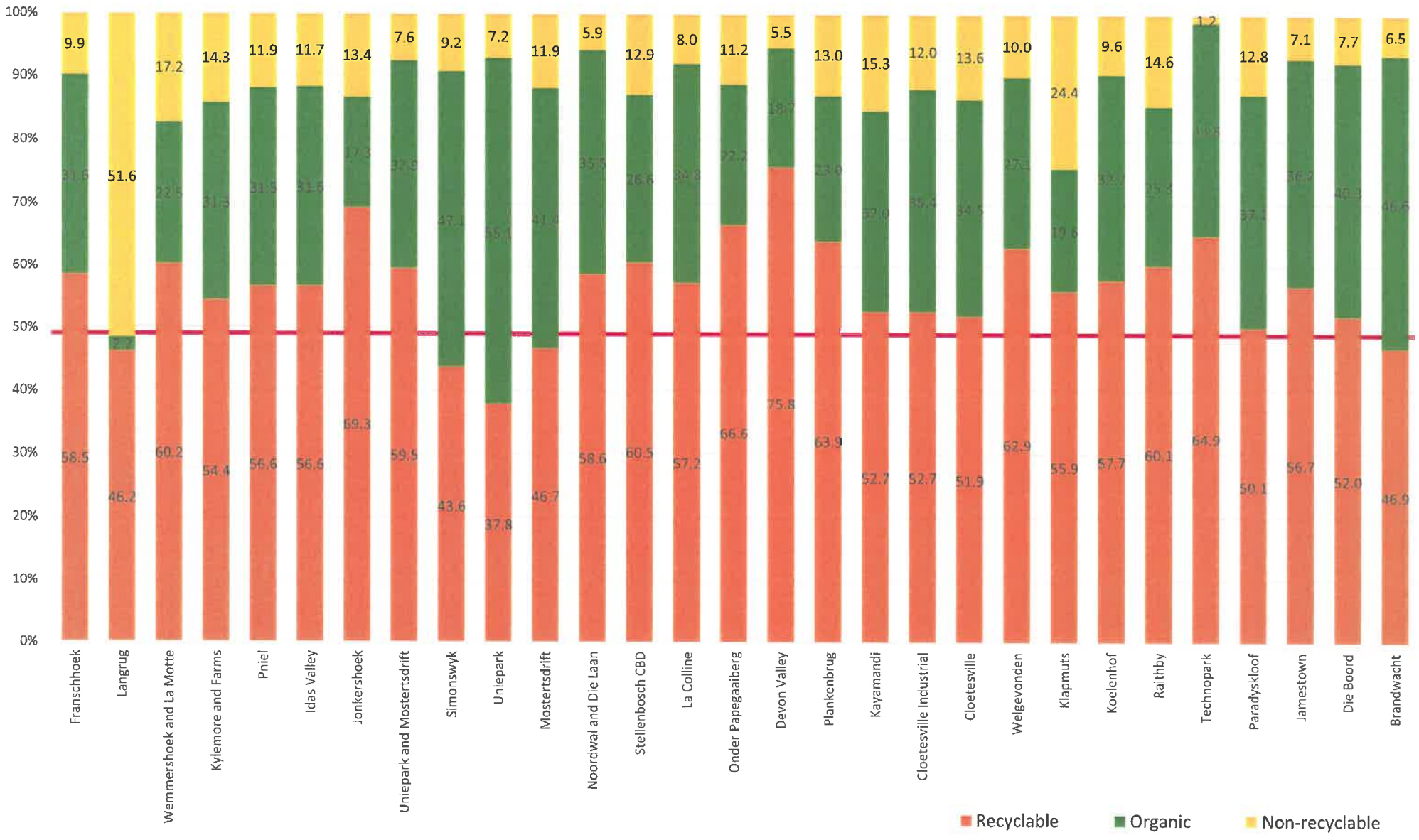

Garden Waste
6.16%
HHW & E-Waste
0.33%
Organics & Leachate
24.85%
Tissues
4.38%
Other/residual
7.53%
Other
4.73%
Paper/Cardboard
11.27%
Paper packaging
3.35%
Tetra-pak
1.34%
Glass
10.58%
Plastic
22.96%
Metal
2.51%
Clothes
2.96%
Ash
1.18%
Furniture
0.59%

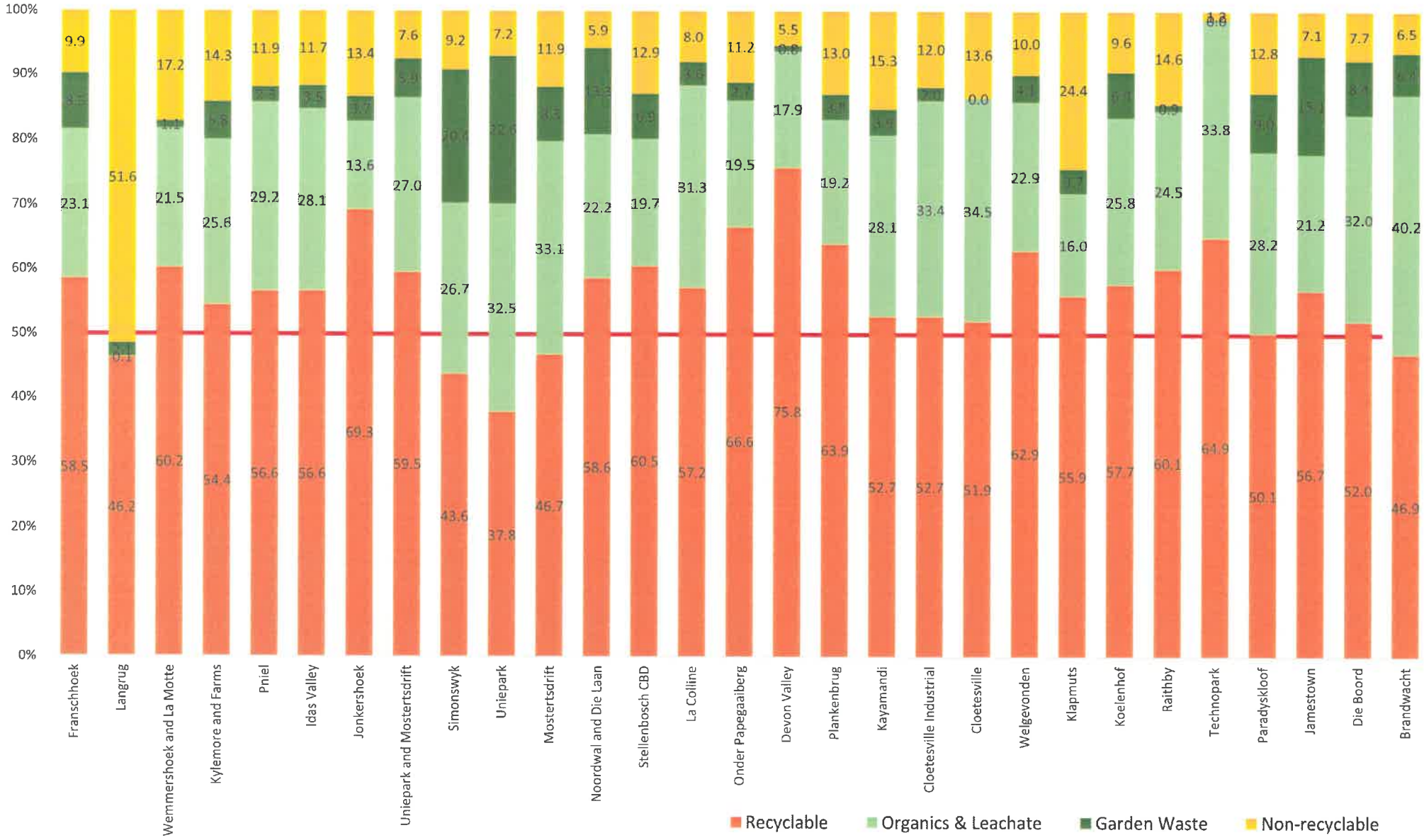

STELLENBOSCH WASTE CHARACTERISATION
N
Legend
TOTAL
100
Garden Waste
Plastic
Glass
Organics + Leachate
Paper + Cardboard
HHW E-Waste
Other/residual
Ash,furniture + clothing
Metal

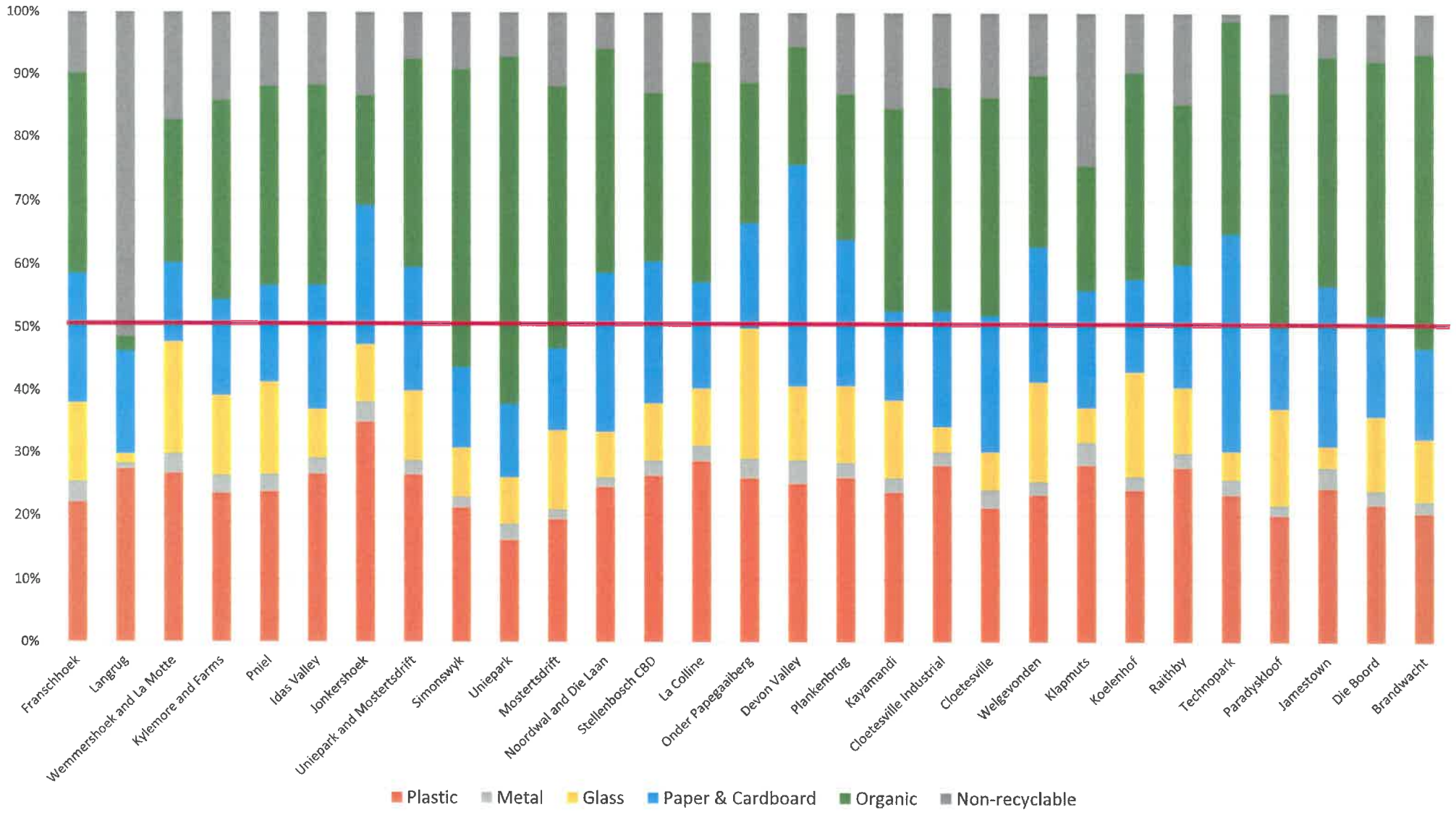

18
19
6
3
2
17
16
12
13
15
10
7
4
11
9
8
22
5
20
21
Legend
TOTAL
100
Garden Waste
Plastic
Glass
Organics + Leachate
Paper + Cardboard
HHW E-Waste
Other/residual
Ash,furniture + clothing
Metal

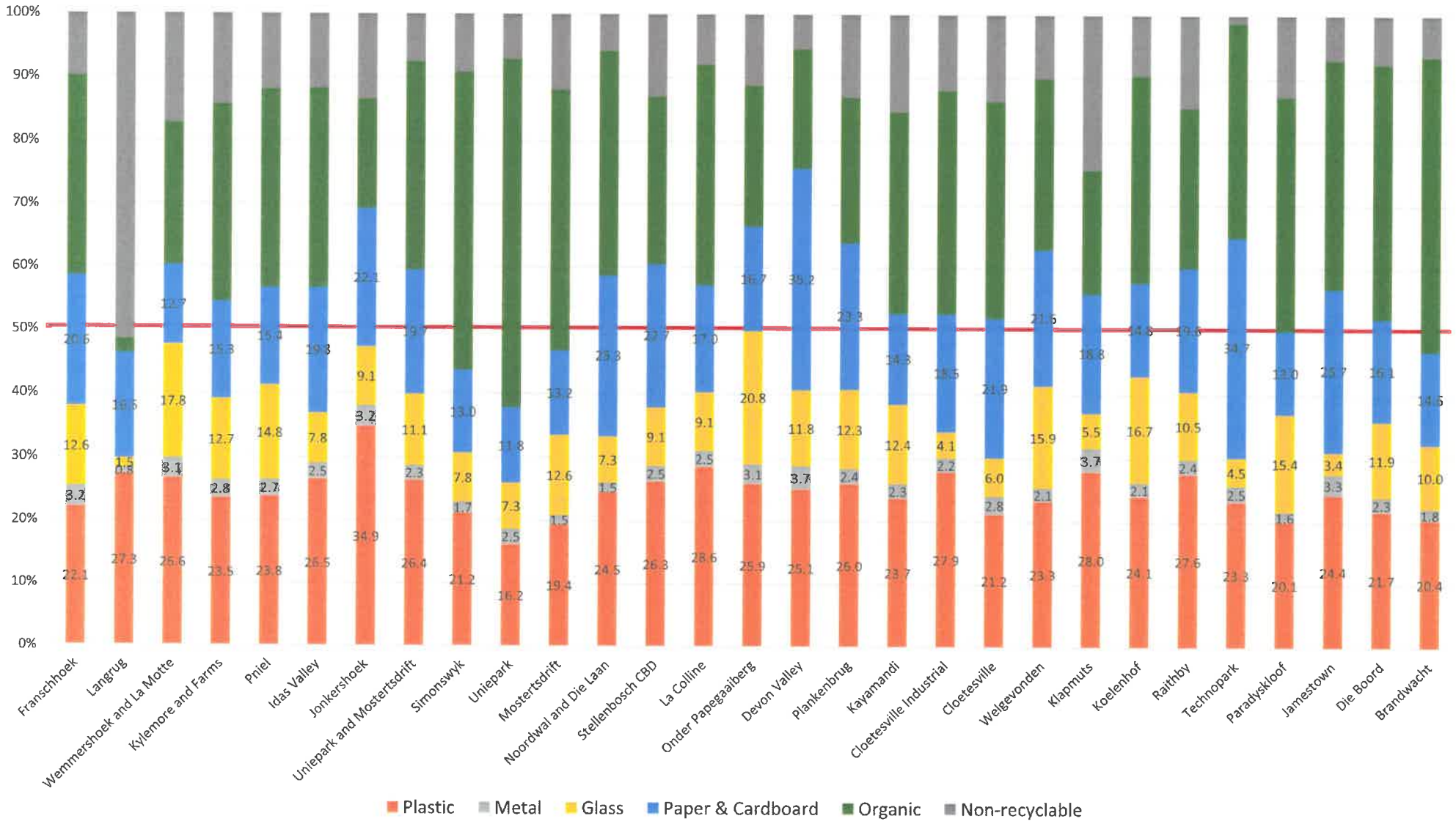

100%
90%
80%
70%
60%
50%
40%
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Organics & Leachate
Garden Waste
HHHW & E-Waste
Ash, furniture & clothing
Other/residual

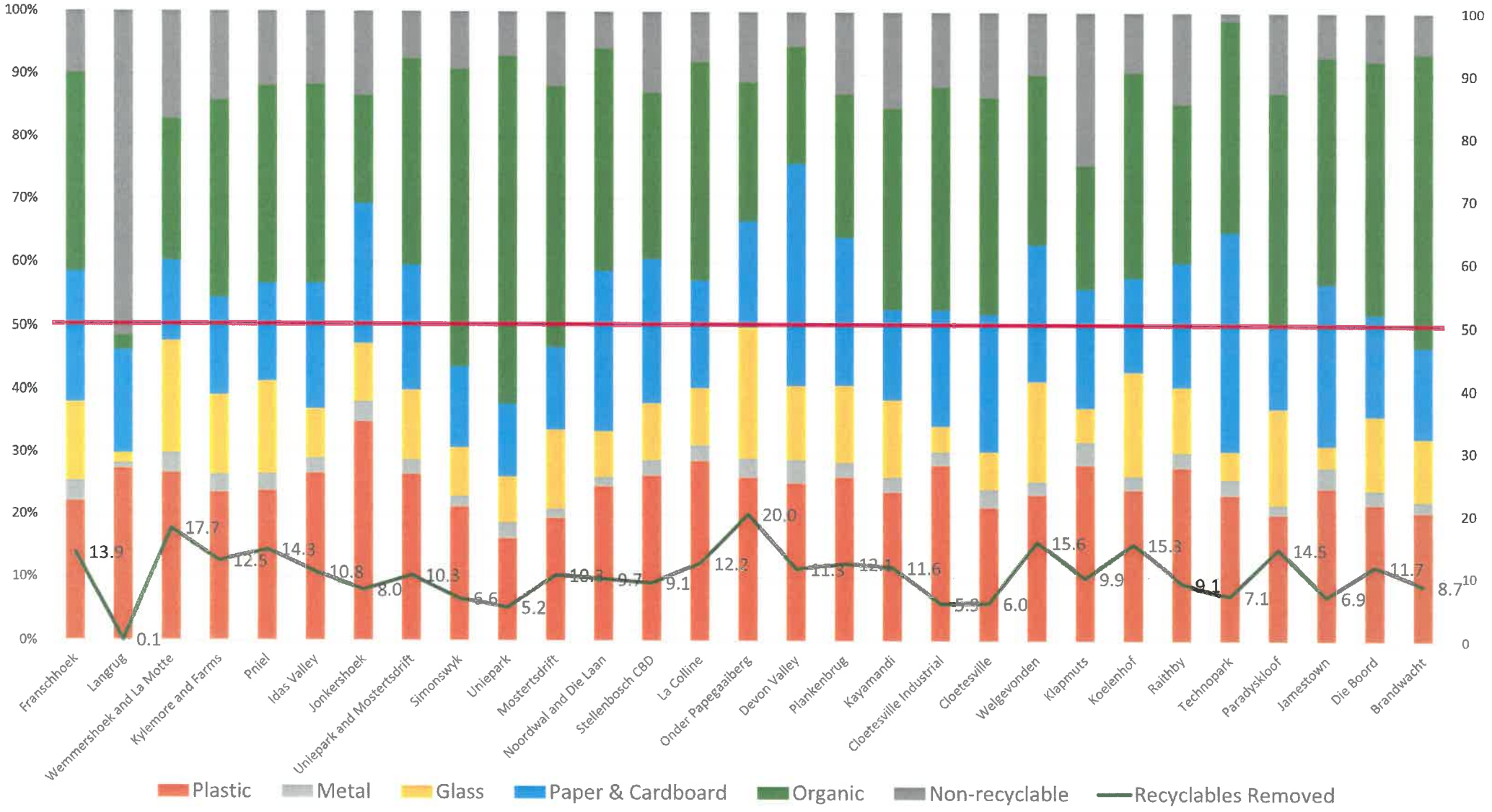

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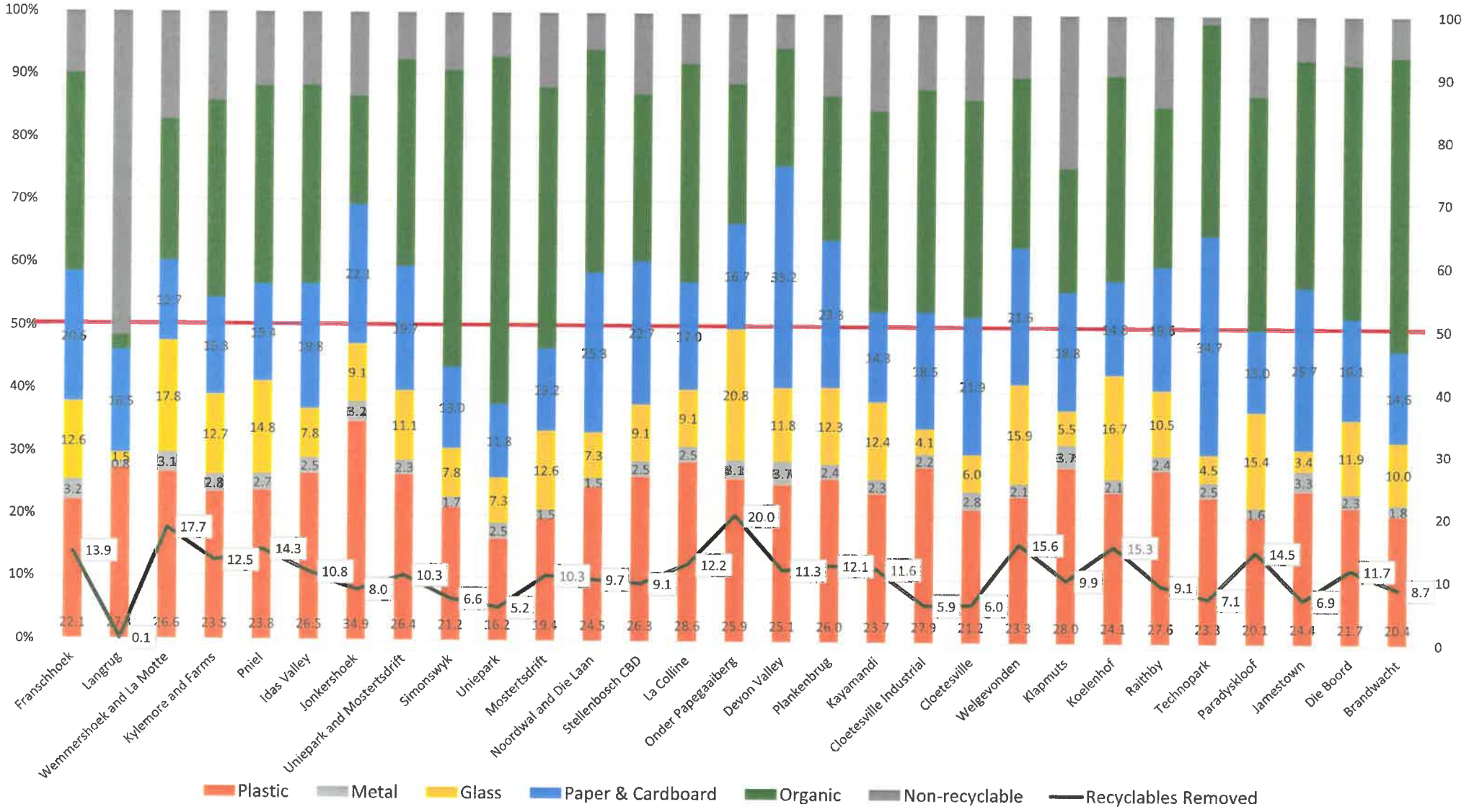

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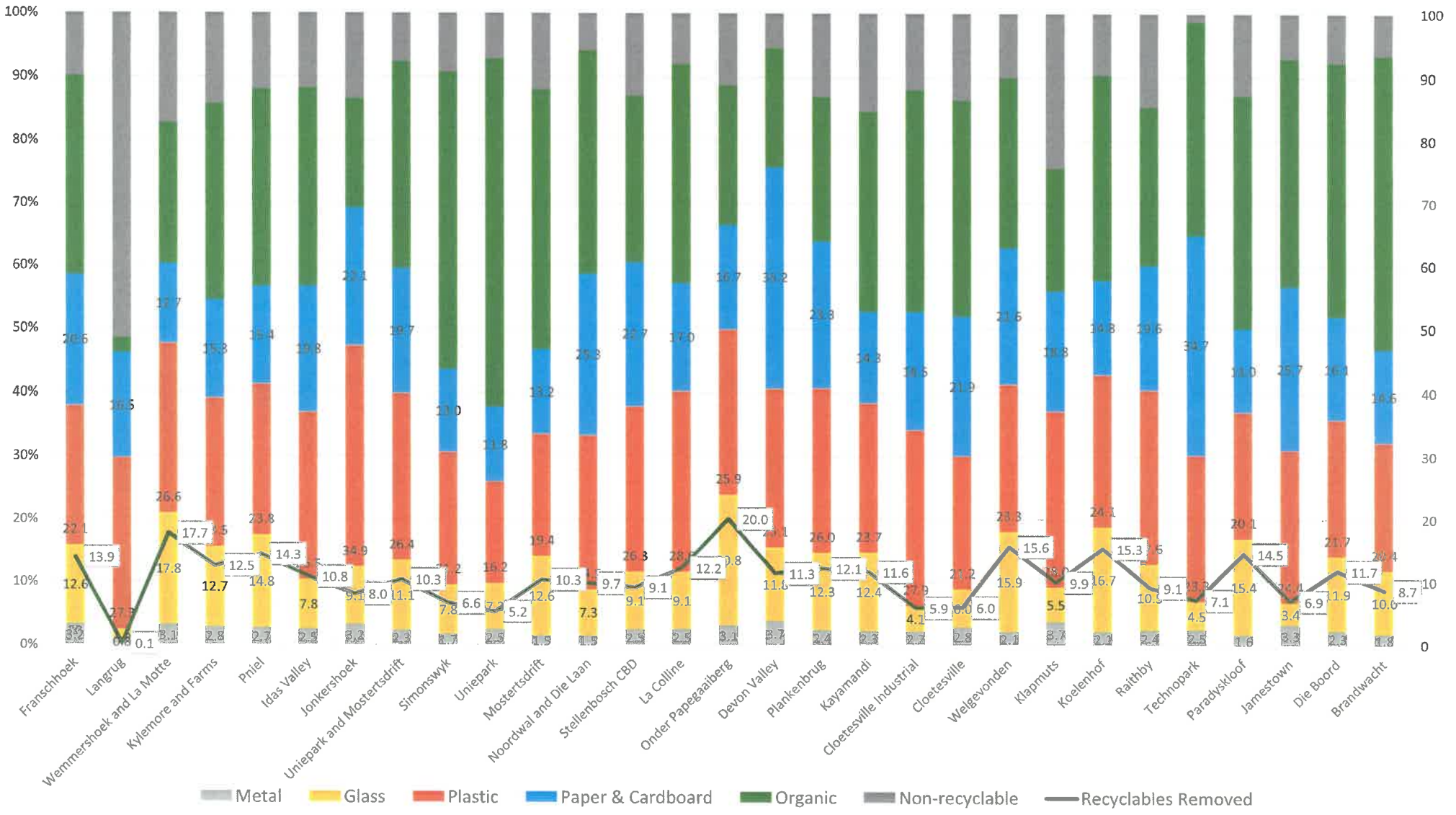

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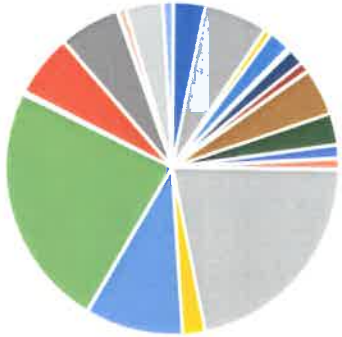
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Glass



HHHW & E-Waste



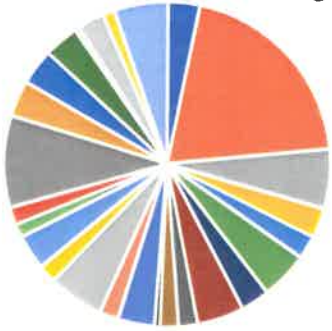
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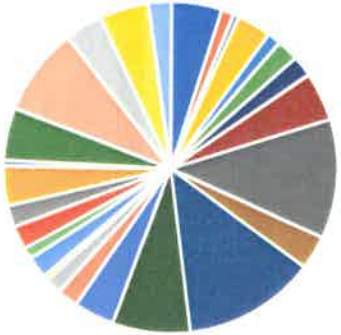
Paper & Cardboard



Ash, furniture & clothing



Garden Waste



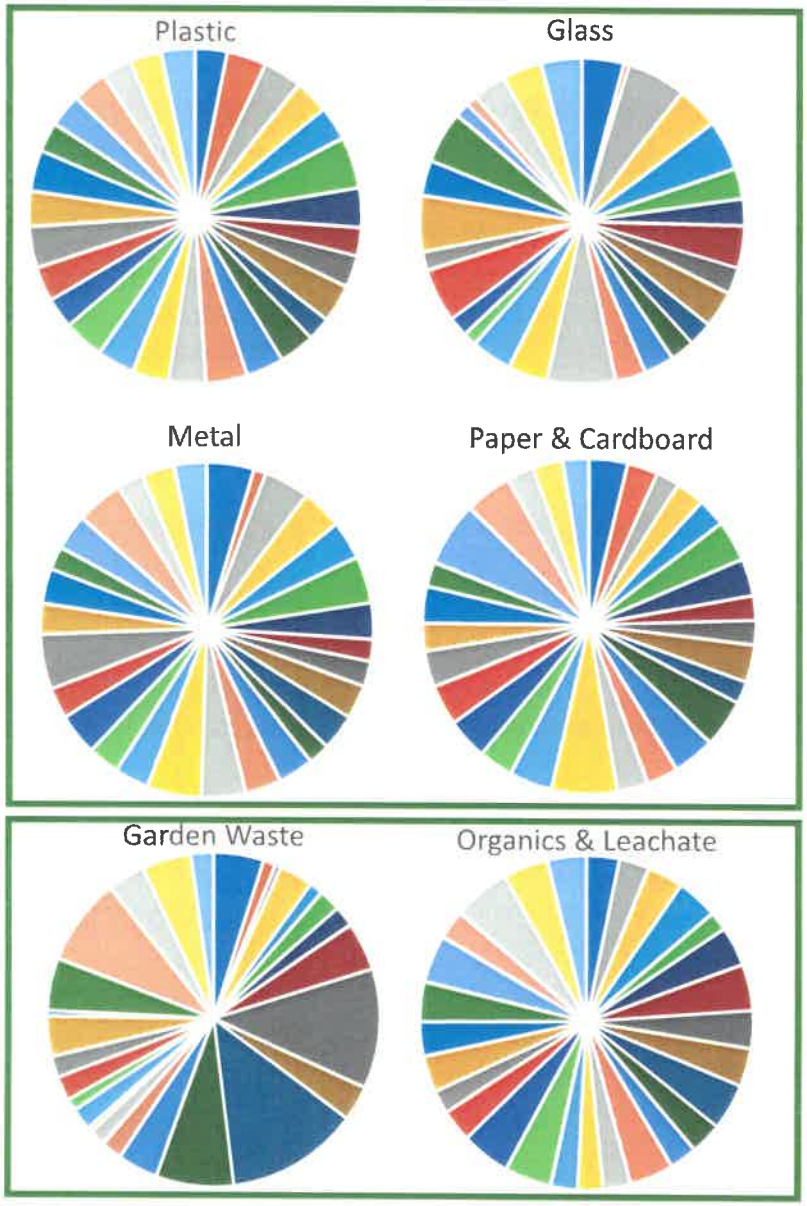
Organics & Leachate



Other/residual



- Franschhoek
- Langrug
- Wemmershoek and La Motte
- Kylemore and Farms
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- Technopark
- Jamestown
- Brandwacht
- Die Boord
- Kayamandi

CONCLUSION

- Does not have to be a "one size fits all" solution
- Multi-pronged approach

- Collaboration
  - Support development of a recycling industry and secondary markets
  - Collective approach to organic waste management

- Three-bag household separation at source programme for:
  - organics (excluding garden waste),
  - recyclables/packaging and
  - general waste.

- Separate household system for Garden Waste or Composting bins

- Literature review & feasibility of programmes that have worked to determine:
  - Frequency of collections,
  - Type and size of the bins/receptacles
  - Communication of programme
  - Compulsory vs voluntary - effect on participation rate

Organics – short term, technology readily available
Recyclables – longer term, needs secondary market development

















1
Place your food waste in the BAG TO EARTH® Food Waste Bag.

2
Seal the bag to keep it odor-free.

3
Place the full BAG TO EARTH® Food Waste Bag in your municipal bin.











Annexure B: Sampling Schedule

Wed 06/09	Raithby
Thurs 07/09	Pniel
Fri 08/09	Blaauwklippen
Mon 11/09	Lanquedoc
Tues 12/09	Brandwacht, Dalsig
Wed 13/09	Stellenbosch CBD
Thurs 14/09	Tennantville, Businessess.
Fri 15/09	Jonkershoek
Mon 18/09	Simonwyk
Tues 19/09	La Colline
Wed 20/09	Klapmuts
Thurs 21/09	Kayamandi
Fri 22/09	Plankenburg
Tue 26/09	O/Papagaai
Wed 27/09	Tubelitsha
Thurs 28/09	businesses,flats,restaurants central
Fri 29/09	Mums Café
Mon 02/10	Unie park
Tues 03/10	Die Laan,Noordwal Wes
Weds 04/10	Kayamandi
Thurs 05/10	Koelenhof
Fri 06/10	Franschhoek
Mon 09/10	Kayamandi
Tues 10/10	Costaland
Wed 11/10	Franschhoek
Thurs 12/10	Franschhoek
Fri 13/10	Stellenbosch CBD
Mon 16/10	Franschhoek
Tues 17/10	Franschhoek
Wed 18/10	Stellenbosch Business

Annexure C: Example of Waste Characterisation Recording sheet

	Initial weight (kg)	Calc Final Weight (kg)	Actual Final weight (kg)	Difference (kg)	Hardplastic (kg)	Volume (%)	Tetra-pack (kg)	Volume (%)	Plastic Wraps/ packaging	Volume (%)	Metal (kg)	Volume (%)	Glass (kg)	Volume (%)	Paper packaging (kg)	Volume (%)	Paper/ Cardboard (kg)	Volume (%)	Organics	Volume (%)	Leachate	Volume (%)	Household hazardous waste	Volume (%)	Garden Waste	Volume (%)	Animalia	Volume (%)	Tissues	Volume (%)	Other (Nappies Soil, dirt)	Volume (%)	Clothes (kg)	Volume (%)	Ash (kg)	Volume (%)	Recyclables (kg)	Electronic (kg)	Volume (%)	Furniture (kg)	Volume (%)	Socio (kg)	Volume (%)	
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

ANNEXURE B

HAZARDOUS AND HEALTH CARE WASTE SURVEY

STELLENBOSCH MUNICIPALITY

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

HAZARDOUS AND HEALTH CARE RISK WASTE SURVEY

AUGUST 2020

Completed by:

AQUILA
ENVIRONMENTAL

Aquila Environmental (Pty) Ltd
Waste Management Consultants
50 Long Street
Cape Town CBD
Cape Town, 8001

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Appendix A 11

Executive Summary

A Hazardous and Health Care Risk Waste (H&HCRW) Survey was conducted in August 2020 in Stellenbosch Local Municipality. The survey found that H&HCRW generated in the study area could be categorised under six of the potential seventeen Industrial Groups listed in Schedule 3 of the National Environmental Management: Waste Amendment Act (NEM:WAA) (Act No. 26 of 2014). The study found that 29 000 litres of chemical waste from laboratories and pathologists, as well as 130 000 litres of waste oils are generated in the study area per annum. Approximately 9 700 and 71 000 units per annum of waste automotive batteries and tyres are also generated. The quantity of Health Care Risk Waste generated in the study area per annum is approximately 88 tons. There are 18 service providers collecting and transporting H&HCRW in the study area. The study found that the majority of businesses generating H&HCRW have adequate systems in place to deal with such waste in a responsible manner. Contact details of entities interviewed that do not have such systems in place have been provided to the municipality for follow-up.

1 Introduction

In July 2020, JPCE (Pty) Ltd was appointed by Stellenbosch Municipality to update their existing Integrated Waste Management Plan (IWMP) according to the National Environmental Management: Waste Act of 2008 and requirements as stipulated by the Department: Environmental Affairs and Development Planning. In August 2020, Aquila Environmental (Pty) Ltd was appointed by JPCE as sub-consultant to conduct a survey on types and quantities of hazardous and health care risk waste (H&HCRW) generated within the Stellenbosch Local Municipality. This which forms part of the IWMP.

Aquila Environmental's scope included the identification of hazardous and health care risk waste generators as well as acquiring the available information of these waste types from the generators such as the volumes generated, treatment methods, transport methods, transporters and final disposal.

The H&HCRW Survey was undertaken in August 2020 by identifying and listing all businesses and facilities potentially generating either hazardous or health care risk waste. Each entity contributing data to this report was contacted telephonically or via e-mail.

This report details the findings of the survey and discusses H&HCRW generated within the study area separately. Quantities of the various waste fractions contributing to both these waste streams were estimated, and are reported in Table 2 and **Error! Reference source not found.** respectively.

2 H&HCRW generated in Stellenbosch Local Municipality

The data contained in this survey was obtained from owners/employees at the various places of business directly. For the purposes of this study, Schedule 3 of the National Environmental Management: Waste Amendment Act (NEM:WAA) (Act No. 26 of 2014), was used to determine the various industrial groups potentially generating H&HCRW waste. Schedule 3 identifies 17 industrial groups, sub-divided into 86 waste fractions (as set out in Appendix A to this report). This study has determined that businesses and industry in Stellenbosch Municipality generate H&HCRW categorised under 6 out of the potential 17 industrial groups listed in Schedule 3. These are:

Industrial Group 5:	Wastes from inorganic chemical processes
Industrial Group 6:	Wastes from organic chemical processes

Industrial Group 12:	Oil wastes and wastes of liquid fuels (except edible oils)
Industrial Group 14:	Other wastes not specified in the list
Industrial Group 16:	Wastes from human or animal health care and/or related research (except kitchen and restaurant wastes not arising from immediate health care)

It can be expected that hazardous portions of waste from the following industrial groups could potentially be generated within the study area, in addition to those listed above. Unfortunately, no data on these types of waste could be obtained during the survey, and therefore it cannot be stated with certainty whether such waste fractions are, in fact, generated. The industrial groups under question is as follows:

Industrial Group 1:	Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing
Industrial Group 8:	Wastes from the photographic industry
Industrial Group 10:	Wastes from chemical surface treatment and coating of metals and other materials; non-ferrous hydrometallurgy
Industrial Group 15:	Construction wastes

It is not expected/unlikely that waste from the following industrial groups is generated in the study:

Industrial Group 2:	Wastes from wood processing and the production of panels and furniture, pulp, paper and cardboard
Industrial Group 3:	Wastes from the leather, fur and textile industries
Industrial Group 4:	Wastes from the leather, fur and textile industries
Industrial Group 7:	Wastes from thermal processes
Industrial Group 9:	Wastes from the manufacture, formulation, supply and use (MFSU) of coatings (paints, varnishes and vitreous enamels), adhesives, sealants and printing inks
Industrial Group 11:	Wastes from shaping and physical and mechanical surface treatment of metals and plastics
Industrial Group 13:	Waste organic solvents, refrigerants and propellants
Industrial Group 17:	Wastes from waste management facilities

3 Hazardous Waste

In order to fully understand the importance of proper handling and disposal of Hazardous Waste in South Africa, the legislative context will first be described.

3.1 Legislative context for Hazardous Waste in South Africa

3.1.1 **The National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)**

The first waste specific legislation published in South Africa was the National Environmental Management: Waste Act (NEM:WA). It provided the mechanism to regulate the waste value chain aiming to minimise adverse effects on human health and the environment. The National Department of Environmental Affairs (DEA) is the regulatory body for the licensing of Hazardous Waste Facilities, according to NEM:WA's Chapter 5. In addition, the management of hazardous waste is included in the concurrent legislative competence of both National and Provincial Government assigned by the South African Constitution with respect to environment and pollution control.

3.1.2 The National Environmental Management: Waste Amendment Act, 2014 (Act No. 26 of 2014)

On 02 June 2014 an amendment of Section 1 of the NEM:WA, as amended by the National Environmental Management: Waste Amendment Act (NEM:WAA), was enacted whereby "Schedule 3: Defined Wastes" was inserted. The purpose of Schedule 3 is to define all types of waste and to categorise them in order to assist with the identification of wastes. This Schedule is divided into Category A: Hazardous Waste and Category B: General Waste. Schedule 3, Category A defines Hazardous Waste as follows:

> *"'Hazardous waste' means any waste that contains organic or inorganic elements or compounds that may, owing to the inherent physical, chemical or toxicological characteristics of that waste, have a detrimental impact on health and the environment and includes hazardous substances, materials or objects within business waste, residue deposits and residue stockpiles."*

For the purposes of this study, Schedule 3, Category A of NEM:WAA was used to determine the various industrial groups potentially generating hazardous waste in the study area and is set out in **Table 4**: Schedule 3 of the National Environmental Management: Waste Amendment Act, 2014 Act No. 26 of 2014: Category A: Hazardous Waste below.

3.1.3 Waste Classification and Management Regulations (G.N. No. R. 634 of August 2013)

These regulations support and implement the provisions of the NEM:WA and, amongst others, establishes a procedure and mechanism for the listing of waste management activities that do not require a Waste Management Licence. It also states that waste must be classified according to the South African National Standard Globally Harmonized System of Classification and Labelling of Chemicals (SANS 10234:2008).

SANS 10234:2008 is a standard that classifies waste according to the physical and health hazards specific substances could potentially pose (including hazards to the aquatic environment).

GN. No. R. 634 also talks to the requirements for disposal, record keeping and re-classification. For example, it is stated that:

> *"Waste must be classified within 180 days of generation and should be re-used, recycled, recovered, treated and/or disposed of within 18 months of generation."*

Based on physical and chemical characteristics hazardous waste can be grouped according to the South African National Standards 10234 (SANS 10234:2008) into the following classes:

Table 1: Hazardous Waste Classes

Hazardous Waste Class (SANS 10234:2008)	
Classes	**Description**
9.1	Explosives
9.2	Flammable gases
9.3	Flammable aerosols
9.4	Oxidising gases
9.5	Gases under pressure
9.6	Flammable liquids
9.7	Flammable solids
9.8	Self-reactive substances and mixtures
9.9	Pyrophoric substances

9.10 Self-heating substances and mixtures
9.11 Substances and mixtures that, on contact with water, emit flammable gases
9.12 Oxidizing substances and mixtures
9.13 Organic peroxides
9.14 Corrosive to metals

3.1.4 Norms & Standard for the Assessment of Waste for Landfill Disposal (G.N. No. R. 635 of August 2013)

This piece of legislation covers the assessment of waste prior to landfilling and prescribes limits relating to chemical composition of waste from laboratory testing such as Leachable Concentration Threshold (LCT).

3.2 Hazardous waste data collation summary

Entities identified as potential hazardous waste generators were interviewed in August 2020. **Table** 2: Hazardous waste quantitative data collation summary below indicates a summary of all quantitative information gathered during the survey on hazardous waste produced in the study area. A full list of these businesses, and detailed notes on information provided, has been provided to Stellenbosch Municipality.

Table 2: Hazardous waste quantitative data collation summary

Industrial Group (NEM:WAA Schedule 3)	**Waste fraction** (NEM:WAA Schedule 3)	**Generator and notes**	**Number of generators surveyed in study area:**	**Quantity generated per annum**
5	Wastes from inorganic chemical processes	**Laboratories and Pathologists:** (a) wastes from the manufacture, formulation, supply and use (MFSU) of acids (b) wastes from the MFSU of bases	3	29 000 litres/a
6	Wastes from organic chemical processes	**Pharmacies, clinics and hospitals:** (e) Pharmaceuticals Included in HCRW results	Refer to HCRW Results	Refer to HCRW Results
12	Oil wastes and wastes of liquid fuels (except edible oils)	**Service centres:** (a) waste hydraulic oils (b) waste engine, gear and lubricating oils (c) waste insulating and heat transmission oils (d) oil/water separator contents (e) wastes of liquid fuels (f) hazardous portion of other oil waste	17	130 000 litres/a
14	Other wastes not specified in the list	**Retailers/service centres selling batteries:** (e) wastes from discarded batteries	15	9 700 units/a
16	Wastes from human or animal health care and/or related research	**Hospitals, Clinics, Medical practitioners, Pharmacies, Veterinarians, Beauty Salons, Mortuaries:** Included in HCRW results	Refer to HCRW results	Refer to HCRW results
Other	Waste tyres	**Retailers/service centres selling tyres:** Waste tyres	8	71 000 units/a

4 Health Care Risk Waste

4.1 Legislative context for Health Care Risk Waste in South Africa

4.1.1 The National Health Act, 2003 (Act No. 61 of 2003) as amended

This Act regulates national health and provides uniformity in respect of health services. This is done by aiming to establish a national health system which encompasses public and private providers of health services. It further aims to provide the population of South Africa with the best possible health services that available resources can afford. It sets out the rights and duties of healthcare providers, health workers, health establishments and users.

4.1.2 Regulations Relating to Health Care Waste Management in Health Establishments (G.N. No. R. 375 of May 2014)

The following section highlights key principles contained within these Regulations, relevant to this study:

Section (3)(1) maintains that all health establishments that generate Health Care Waste:
(a) have a duty to dispose of the waste safely;
(b) are legally and financially responsible for the safe handling and environment sound disposal of the waste they produce;
(c) must always assume that the waste is hazardous until shown to be safe; and
(d) have a responsibility of the waste from the point of generation until its final treatment and disposal.

Section (4) further indicates that the Scope of the Regulations are applicable to all private and public health establishments; that the regulations shall regulate the handling, storage, collection, transportation, treatment and disposal of health care waste; and that it does not apply to radioactive, electronic and animal wastes.

These Regulations also provide a formal definition of "Health Care Risk Waste". It refers to waste "capable of producing any disease". It includes, but is not limited to, the following:

(i) Chemical waste
Means solid, liquid and gaseous products that are to be discarded and that contain dangerous or polluting chemicals that pose a threat to humans, animals or the environment, when improperly disposed of.

(ii) Cytotoxic waste
Means waste that is toxic to cells and that can lead to cell death.

(iii) Genotoxic waste
Means waste capable of interacting with living cells and causing genetic damage.

(iv) Infectious waste
Means materials suspected to contain pathogens (bacteria, viruses, parasites or fungi) in sufficient concentrations or quantity to cause disease in susceptible hosts.

(v) Isolation waste
Means waste containing discarded materials contaminated with excretion, exudates, or secretions from humans or animals who or which are required to be isolated in order to protect others from highly communicable or zoonotic diseases.

(vi) Laboratory waste
Means human or animal specimen cultures from healthcare and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of bacteria, viruses, or the use of spores, discarded, live and attenuated vaccines, and culture dishes and devices used to transfer, inoculate and mix cultures; and waste containing any microbiological specimen sent to a laboratory for analysis.

(vii) Pathological waste
Means tissues, organs, body parts, blood, body fluids, human foetuses, infected animal carcasses and other waste from surgery and autopsies on patients with infectious diseases.

(viii) Pharmaceutical waste
Means unused medicines, medications and residues of medicines that are no longer usable as medication.

(ix) Radioactive waste
Means liquid, solid or gaseous materials that contain, or are contaminated with, radionuclides at concentrations or activities greater than the clearance levels and for which no use is foreseen.

(x) Sharps waste
Means items that could cause cuts or puncture wounds, including needles, hypodermic needles, scalpels and other blades, knives, infusion sets, saws, broken glass and pipettes.

4.2 Health Care Risk Waste generated in the Stellenbosch Local Municipality

Based on the results obtained during the 2020 HCRW survey, the following table shows which of the waste fractions defined above are generated in the study area. All such wastes form part of Industrial Group 16 listed in Schedule 3 of NEM:WAA.

Table 3: HCRW generated within the study area

Industrial Group (NEM:WAA Schedule 3)	**Waste fraction** (G.N. No. R. 375 of May 2014)	**Generator and notes**	**Number of generators surveyed in study area:**	**Kilograms generated per annum**
16	(i) Chemical waste	**Laboratories and Pathologists:** Figures included in Hazardous Waste results.	Refer to Hazardous Waste Results	Refer to Hazardous Waste Results
16	(ii) Infectious waste	**Hospitals, Clinics, Medical practitioners (including general practitioners, physiotherapists, dentists etc.), pathologists, pharmacies, veterinarians:** Includes Medical Disposables such as cotton swabs, used bandages, gauze, plaster and syringes and could also include pathological waste from small surgeries (e.g. moles, extracted teeth, etc.) as well as isolation waste.	58	74 363 kg/a
16	(iii) Isolation waste	**Hospitals and Clinics:** COVID-19 related but included in infectious waste quantities	Included in infectious waste quantities	Included in infectious waste quantities
16	(iv) Laboratory waste	**Laboratories and Pathologists:** Figures included in Hazardous Waste results.	Refer to Hazardous Waste Results	Refer to Hazardous Waste Results
16	(v) Pathological waste	**Hospitals, Clinics and Medical practitioners:** Also referred to as anatomical waste and includes removed organs, tissues and body parts from humans and animals.	6	6 971 kg/a
6	(vi) Pharmaceutical waste	**Hospitals, Clinics, Medical practitioners and pharmacies:** Expired and redundant pharmaceuticals are	16	1 784 kg/a
16	(vii) Sharps waste	**Hospitals, Clinics, Medical practitioners, Pharmacies, Veterinarians, Beauty Salons, Mortuaries:** Consists mostly of needles but also blades. Average weights: **Hospitals, Clinics, Medical Practitioners and Pharmacies:** 5 - 8g/needle **Dentists and Beauty Salons:** 3 – 5g/needle **Veterinarians:** 8 – 10g/needle	63	5 135 kg/a
			TOTAL H&HCRW:	**88 253 kg/a**

5 Service Providers active in study area

The following Service Providers are appointed by the various H&HCRW generators to collect and transport hazardous waste.

Service Provider	Chemical Waste	Oil waste	Waste Batteries	Waste Tyres	Infectious Waste	Pathological Waste	Pharmaceutical Waste	Sharps Waste
EnviroServ	X							
Oilkol		X						
JJ Oil Removals		X						
Africa Oil		X						
OLS Oil Disposal Services		X						
Ikhapa		X						
Ithekane Waste		X		X				
Battery Manufacturers			X					
CL Waste			X					
Ednol				X				
Luqmaan				X				
UTCA				X				
BCL Medical Waste					X	X	X	X
Clinx					X	X	X	X
Averda					X	X	X	X
Compass					X	X	X	X
Cannon Hygiene (Rentokil)					X	X	X	X
Earthpets						X		

6 Conclusion and Recommendations

Results from the H&HCRW Survey conducted in August 2020 within the Stellenbosch Local Municipality shows that the majority of waste generators have systems and processes in place able to adequately and responsibly deal with the waste generated. However, the following risks have been identified during the 2020 H&HCRW survey:

1. Some smaller medical practices (e.g. single physiotherapists) have indicated that they struggle to find a service provider willing to accept their low quantities of sharps waste generated per annum. Services offered are usually on a monthly contract basis, and not on a once-off basis. Monthly contracts are usually too expensive for these small practices.
2. Interviews with beauty salons have shown that some salons make use of the normal municipal refuse collection systems to dispose of their sharps and infectious waste. This poses a risk to municipal workers. One salon in particular stated that they throw their needles in the recycling bin provided at a local supermarket.
3. Generation of household hazardous waste is not included in the scope of the study but the disposal thereof via the municipal system can still cause harm. A system aimed at collecting household hazardous waste is advised. This includes all lighting waste.
4. Various sources indicated that there is a big problem in the study area regarding theft of car batteries. Once these batteries have been stolen, they are dismantled in order to retrieve the valuable lead contact for reselling purposes. However, during this process, concentrated acid leaches out of the battery, and if uncontaminated can lead to pollution.
5. Two hazardous waste generators indicated that they burn their waste on site.

It is recommended that the Municipality engage with the abovementioned entities to assist them with putting the required systems in place.

Appendix A

Table 4: Schedule 3 of the National Environmental Management: Waste Amendment Act, 2014 Act No. 26 of 2014: Category A: Hazardous Waste

Industrial Group	Waste Fractions
1. **Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing**	(a) hazardous portion of wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing
2. **Wastes from wood processing and the production of panels and furniture, pulp, paper and cardboard**	(a) hazardous portion of wastes from wood processing and the production of panels and furniture (b) hazardous portion of wastes from wood preservation (c) hazardous portion of wastes from pulp, paper and cardboard production and processing
3. **Wastes from the leather, fur and textile industries**	(a) hazardous portion of wastes from the leather and fur industry (b) hazardous portion of wastes from the textile industry
4. **Wastes from petroleum refining, natural gas purification and pyrolytic treatment of coal**	(a) wastes from petroleum refining (b) wastes from the pyrolytic treatment of coal (c) wastes from natural gas purification and transportation
5. **Wastes from inorganic chemical processes**	(a) wastes from the manufacture, formulation, supply and use (MFSU) of acids (b) wastes from the MFSU of bases (c) wastes from the MFSU of salts and their solutions and metallic oxides (d) metal-containing wastes (e) wastes from the MFSU of sulphur chemicals, sulphur chemical processes and desulphurisation processes (f) wastes from the MFSU of halogens and halogen chemical processes (g) wastes from the MFSU of silicon and silicon derivatives (h) wastes from the MSFU of phosphorous chemicals and phosphorous chemical processes (i) wastes from the MFSU of nitrogen chemicals, nitrogen chemical processes and fertiliser manufacture (j) wastes from the manufacture of inorganic pigments (k) other wastes from inorganic chemical processes
6. **Wastes from organic chemical processes**	(a) wastes from the manufacture, formulation, supply and use (MFSU) of basic organic chemicals (b) wastes from the MFSU of plastics, synthetic rubber and man-made fibres (c) wastes from the MFSU of organic dyes and pigments (d) wastes from the MFSU of organic plant protection products, wood preserving agents and other biocides (e) wastes from the MFSU of pharmaceuticals (f) wastes from the MFSU of fats, grease, soaps, detergents, disinfectants and cosmetics (g) other wastes from the MFSU of fine chemicals and chemical products

7. **Wastes from thermal processes**	(a) hazardous portion of wastes from power stations and other combustion plants (b) hazardous portion of wastes from the iron and steel industry (c) wastes from aluminium thermal metallurgy (d) wastes from lead thermal metallurgy (e) wastes from zinc thermal metallurgy (f) wastes from copper thermal metallurgy (g) wastes from silver, gold and platinum thermal metallurgy (h) wastes from other non-ferrous thermal metallurgy (i) hazardous portion of wastes from casting of ferrous pieces (j) hazardous portion of wastes from casting of non-ferrous pieces (k) hazardous portion of wastes from manufacture of glass and glass products (l) hazardous portion of wastes from manufacture of ceramic goods, bricks, tiles and construction products (m) hazardous portion of wastes from manufacture of cement, lime and plaster and articles and products made from them
8. **Waste from the photographic industry**	(a) hazardous portion of waste from the photographic industry
9. **Wastes from the manufacture, formulation, supply and use (MFSU) of coatings (paints, varnishes and vitreous enamels), adhesives, sealants and printing inks**	(a) wastes from MFSU and removal of paint and varnish (b) wastes from MFSU of other coatings (including ceramic materials) (c) wastes from MFSU of printing inks (d) wastes from MFSU of adhesives and sealants (including waterproofing products)
10. **Wastes from chemical surface treatment and coating of metals and other materials; non-ferrous hydrometallurgy**	(a) wastes from chemical surface treatment and coating of metals and other materials (for example galvanic processes, zinc coating processes, pickling processes, etching, phosphating, alkaline degreasing, anodising) (b) wastes from non-ferrous hydrometallurgical processes (c) wastes from sludges and solids from tempering processes (d) wastes from hot galvanising processes
11. **Wastes from shaping and physical and mechanical sur- face treatment of metals and plastics**	(a) hazardous portion of wastes from shaping and physical and mechanical surface treatment of metals and plastics (b) wastes from water and steam degreasing processes
12. **Oil wastes and wastes of liquid fuels (except edible oils)**	(a) waste hydraulic oils (b) waste engine, gear and lubricating oils (c) waste insulating and heat transmission oils (d) oil/water separator contents (e) wastes of liquid fuels (f) hazardous portion of other oil waste
13. **Waste organic solvents, refrigerants and propellants**	(a) waste organic solvents, refrigerants and foam/aerosol propellants
14. **Other wastes not specified in the list**	a) hazardous portion of wastes from end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (b) hazardous portion of wastes from electrical and electronic equipment (c) hazardous portion of wastes from off-specification batches and unused products

	(d) wastes from discarded gases in pressure containers and discarded chemicals (e) wastes from discarded batteries and accumulators (f) wastes from transport tank, storage tank and barrel cleaning (g) spent catalysts wastes (h) oxidising substances wastes (i) aqueous liquid wastes destined for off-site treatment (j) waste linings and refractories
15. **Construction wastes**	(a) wastes from bituminous mixtures, coal tar and tarred products (b) discarded metals (including their alloys) (c) waste soil (including excavated soil from contaminated sites), stones and dredging spoil (d) wastes from insulation materials and asbestos-containing construction materials (e) wastes from gypsum-based construction material (f) wastes from other construction and demolition wastes
16. **Wastes from human or animal health care and/or related research (except kitchen and restaurant wastes not arising from immediate health care)**	(a) wastes from natal care, diagnosis, treatment (b) wastes from research, diagnosis, treatment or prevention of disease in humans prevention of disease involving animals
17. **Wastes from waste management facilities**	(a) hazardous portion of wastes from incineration or pyrolysis of waste (b) hazardous portion of wastes from physico / chemical treatments of waste (c) hazardous portion of stabilised/solidified wastes (d) hazardous portion of wastes from aerobic treatment of solid wastes (e) hazardous portion of wastes from anaerobic treatment of waste (f) landfill leachate wastes (g) wastes from shredding of metal-containing wastes (h) wastes from oil regeneration (i) wastes from soil remediation

ANNEXURE C

DRAFT INTEGRATED WASTE MANAGEMENT BY-LAW AND COUNCIL RESOLUTION

STELLENBOSCH MUNICIPALITY

INTEGRATED WASTE MANAGEMENT DRAFT BY-LAW, 2018

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

Preamble

WHEREAS the Municipality has under the Constitution, legislative competence in respect of refuse removal, refuse dumps and solid waste disposal;

Whereas the Stellenbosch Municipality ("the Municipality") has an obligation to regulate and control waste management so as to ensure a safe, healthy and sustainable environment and to ensure that the rights of individuals are protected;

Whereas the Municipality wishes to reduce the generation and the environmental impact of waste to ensure that the socio-economic development, the health of the people within the Municipality's boundaries and the quality of environmental resources are not unduly adversely affected by waste;

Whereas the Municipality wants to ensure that all residents, organisations, institutions, businesses, visitors or tourists and government departments are able to access services from a legitimate waste management service provider; and

Whereas the Municipality wishes to regulate waste generation, cleaning, separation, storage, collection, processing, treatment, recycling, re-use and disposal of waste, including littering and illegal dumping and the regulation of facilities used for the management of waste, with the ultimate aim of avoiding or minimising the generation of waste.

BE IT ENACTED by the Stellenbosch Municipality, as follows:—

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DRAFT

1. Definitions

1. In this By-law, unless the context indicates otherwise:

Any words not mentioned below of which the definition is addressed in the Act will carry the meaning as defined in the Act.

"Act" means the National Environmental Management: Waste Act, Act 59 of 2008, as amended and includes all Regulations promulgated by the Minister of Environmental Affairs and Tourism

''accredited service provider'' means a person or entity accredited by the Municipality in accordance with its guidelines published from time to time and who provides a waste management service in the Municipality and may include, but is not limited to, large and small business, entrepreneurs, community cooperatives, and venture learnerships;

''building waste'' means waste produced through the construction, alteration, repair or demolition of any structure both manmade and natural, and includes rubble, earth, wood and rock that is displaced during any construction, alteration, repair or demolition, but excludes garden waste;

''business waste'' means waste that emanates from premises that are used, whether lawfully or unlawfully mainly, for commercial, retail, wholesale, entertainment or government administration purposes, and also applies to waste generated by informal traders and residential premises where commercial activities are being conducted;

''chemical waste'' includes discarded solid, liquid and gaseous chemicals;

"Council" shall have the same meaning as defined in the Local Government Systems Act, Act 32 of 2000, as amended.

''Director'' means the Director responsible for solid waste management in the Municipality or any person formally delegated to be responsible by the Municipality;

"delegation" shall have the same meaning as defined in the Local Government Systems Act, Act 32 of 2000, as amended.

''dump'' means to dispose of waste in any manner other than one permitted by law and includes, without derogating from the generality of the aforegoing, to deposit, discharge, spill or release waste, whether or not the waste is in a container or receptacle, in or at any place whatsoever whether publicly or privately owned, including but not limited to vacant land, rivers, waterways, catchments, and sewage and storm water systems, but excludes littering;

''event waste'' means waste that originates from the activities related to an event that is held in the Municipality;

''garden waste'' means organic waste which emanates from gardening or landscaping activities at residential, business or industrial properties including but not limited to, soil, grass cuttings, leaves and branches, and includes any biodegradable material and includes such waste emanating from residential, business or industrial properties, but excludes waste products of animal origin;

"hazardous waste" means health care risk waste and any waste that may, by circumstances of the production, use, quantity, concentration or inherent physical, chemical or toxicological characteristics thereof, have a significant adverse effect on the environment, or the health of a person or other living organism;

"health care waste" means any waste—

(a) Generated by or derived from medical care or medical research including but not limited to—

(i) infectious waste;

(ii) pathological waste;

(iii) sharp waste;

(iv) pharmaceutical waste;

(v) genotoxic waste;

(vi) chemical waste;

(vii) pressurized container waste;

(viii) waste with heavy metals;

(ix) radioactive waste;

(x) general waste

(b) That has been in contact with blood, bodily fluids or tissues from humans, or infected animals from veterinary practices;

"infectious waste" means waste that is suspected to contain pathogens in a sufficient concentration or quantity to cause disease in susceptible hosts, and includes cultures and stocks of infectious agents from laboratory work, waste from surgery and autopsies on corpses with infectious diseases, waste from infected patients in isolation wards, waste that has been in contact with infected patients undergoing haemodialysis, infected animals from laboratories, sanitary waste materials and tissues including swabs and any other instruments or materials that have been in contact with infected persons or materials;

"pathological waste" includes all human tissues, organs, body parts, foetuses, blood and bodily fluids and those also those of animals;

"sharp waste" includes items that could cause cuts or puncture wounds and includes, but is not limited to, needles, hypodermic needles, scalpels and other blades, knives, infusion sets, saws, broken glass and nails, and the word "sharp" has a corresponding meaning;

"pharmaceutical waste" includes expired, unused, spilt and contaminated pharmaceutical products, drugs, vaccines and sera that are no longer required and that need to be disposed of appropriately;

"genotoxic waste" means highly hazardous waste that may have mutagenic, teratogenic or carcinogenic properties and includes certain cytostatic drugs as well as vomit, urine or faeces from patients treated with cytostatic drugs, chemicals and radioactive material;

"pressurized container waste" includes pressurized cylinders and cartridges used in health care facilities to store gases;

"radioactive waste" includes solid, liquid and gaseous materials contaminated with radionuclides, including waste produced as a result of procedures such as in vitro analysis of body tissue and fluid, in vivo organ imaging and tumour localization and various investigative and therapeutic practices;

"general waste" is a generic term for waste that, because of its composition and characteristics, does not pose a significant risk to public health or the environment if managed properly, and typically consists of plastics, paper, food and liquids not considered to be infectious or contaminated with hazardous chemicals or radioactivity;

"health care risk waste" means that portion of health care waste that is hazardous and includes infectious waste, pathological waste, sharp waste, pharmaceutical waste, genotoxic waste, chemical waste, waste with heavy metals, radioactive waste, and any other health care waste which is defined as hazardous in terms of the waste Management Series: Document 1: Minimum Requirements/or the Handling, Classification and Disposal of Hazardous waste, as published by the Department of Water Affairs and Forestry or any other applicable legislation;

"holders of waste" means any person who imports, generates, stores, accumulates, transports, processes, treats, exports or disposes of waste and also includes recyclers and scrap dealers;

"industrial waste" means waste that emanates from premises that are used wholly or mainly for industrial purposes and generate waste through manufacturing, industrial or fabricating processes including premises used for agricultural activities, mining activities or the operation of power stations;

"integrated waste management plan" means an integrated waste management plan which is required by the Municipality in terms of this By-law or that is required in terms of any other applicable legislation;

"licenced waste disposal facility" means a site, or premises which is licenced by the Province of the Western Cape or the National Government and used for the accumulation or disposal of waste;

"litter" means waste, excluding hazardous waste, arising from activities in public areas that has not been disposed of in a public litter container;

"Municipality" means the Stellenbosch Municipality established by Provincial Notice No. 479 of 2000 or its successors in title;

"owner" includes the registered owner, lessee or occupier of a premises, or the person in charge or control of any premises or part thereof who is over 16 years of age, and any person who obtains a benefit from the premises or is entitled thereto;

"person" includes any organ of state;

"priority waste" means waste declared to be such by the Director in terms of this By-law or in terms of national or provincial legislation;

"recyclable materials" means any material that can be converted into raw material that can be re-used to make new products or resources;

"residential waste" means waste that emanates from premises used wholly or mainly for residential, educational, sport or recreational purposes and may include recyclable materials and non-recyclable material, but excludes hazardous waste;

"Tariff Policy and Tariff By-Law" means the Tariff Policy and Tariff By-Law adopted by the Council of the Municipality and published in the Provincial

Gazette from time to time;

"waste" means any matter, whether gaseous, liquid or solid or any combination thereof, which is from time to time designated by the National Minister of Environmental Affairs and Tourism by notice in the Government Gazette or by the member of the Executive Council of the Province of the Western Cape who is responsible for waste management in the Province of the Western Cape, as an undesirable or superfluous by-product, emission, residue or remainder of any process or activity;

"waste generator" means a property owner, a household, organisation or business entity, the inhabitants, occupants or employees of which generate waste and includes sorters of waste such as recycling or waste minimisation groups, scrap dealers and buy-back centres;

"waste management officer" means the Manager of Solid Waste Management, or an officer referred to in section 25 of this By-law;

"waste minimisation club" means a group of persons, typically residing in a high density residential or office building, or a multi-property cluster residential or business development, that have an agreement approved by the Director in terms of this By-law to minimise waste in exchange for a lower tariff according to an integrated waste management plan.

"waste with heavy metals" includes mercury waste from thermometers, blood- pressure gauges, residues from dentistry, cadmium waste from discarded batteries, reinforced wood panels used in radiation proofing, and drugs containing arsenic;

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2. Application of this By-law

2. In the event of conflict between this By Law and any other by law of the Municipality dealing with waste management this By Law must prevail. This By Law is subordinate to the Act and the Act shall prevail should any conflict occur between this By Law and the Act

3. Categorisation of waste

3.(1) Waste shall be categorised in accordance with the definitions of the various types of waste in this By-law, and the Environmental Heath By-Law insofar as it defines Medical waste and to the extent that it is unclear under which category a type of waste falls.

(2) The decision of the Director must, subject to any other law, be final in the categorizing of waste.

4. Obligations of waste generators

4.(1) A waste generator must—

(a) avoid the generation of waste or where it cannot be avoided minimise the toxicity and amounts of waste generated;

(b) separate waste with the aim of minimising waste and its impacts on the environment and to store the recyclable waste separately from non-recyclable waste provided that industrial waste must be separated into liquids, components and materials that can be treated for recycling or re-use;

(c) re-use, recycle or recover waste where possible;

(d) dispose of recyclable waste by—

(i) contracting with the Municipality where the waste generator will be charged at the Municipality's standard charge in terms of the Tariff By-law;

(ii) where the Municipality does not provide such a service by contracting with an accredited service provider; or

(iii) delivering waste to a licenced waste disposal facility and ensure that waste is treated or disposed of in an environmentally sensitive manner at a licenced waste disposal facility;

(e) manage waste so that it does not endanger health or the environment or create a nuisance;

(f) maintain suitable cleanliness and hygiene standards on their premises as required by the Municipality's Environmental Health By-law;

(g) make use of the waste removal services provided by the Municipality or its service provider, unless the Municipality does not provide a waste removal service for the type of waste to be disposed of, in which case they shall make use of an accredited service provider;

(h) conclude a contract with the Municipality, its service provider or an accredited service provider, as the case may be, for the storage and collection of waste;

(i) store waste in the containers provided by the Municipality or an accredited service provider prior to collection or where a container is not provided, store waste in plastic black bags, which containers or bags will be collected by the service provider at least once a week according to the routes as published by the Municipality or the service provider from time to time;

(j) pay tariffs and rates charged by the Municipality for such waste removal services according to the Municipality's Credit Control and Debt Collection By-law.

(2) A waste generator may apply to the waste management officer for an additional container and shall be liable for the additional costs as per the Municipality's Tariff-By-Law and Tariff Policy.

(3) The waste management officer may require a waste generator to submit an integrated waste management plan prior to agreeing to supply an additional container.

(4) The owner and waste generator must comply with the terms and conditions set out by such waste management officer for the generation, minimisation, storage, collection, treatment and disposal of such additional waste.

(5) Should the waste generated by a waste generator exceed the volume that can be stored in the containers provided or bags, the owner must make arrangements for the collection of the excess waste by an accredited service provider.

(6) If no arrangement is made for collection of excess waste, the owner or waste generator must promptly transport that additional waste to and deposit it at a licenced waste disposal facility at his or her own cost.

(7) The owner of a formal dwelling who has other structures on the property with persons living in these separate structures shall also be allocated one container per additional structure by the Municipality and shall be entitled to have it collected on the same terms as the residential dwelling.

(8) The owner of the property will have to sign an additional contract with the Municipality for the storage, collection and disposal of waste contemplated in subsection (7) and shall be liable for the charges levied by the Municipality in connection therewith.

(9) Any business or agent disposing of waste on behalf of such business shall provide a report of the waste disposed to the waste management officer in a format as determined by the Director from time to time, on or before the 7th of each month.

(10) A waste generator generating Industrial waste must contract with an accredited service provider for the collection and disposal of such waste to a licenced waste disposal facility.

(11) The owner must on demand prove to the waste management officer that he or she has entered into a suitable agreement with an accredited service provider for the collection, processing, treatment or disposal of industrial waste at least once per week or as determined by the waste management officer.

(12) An accredited service provider must in respect of industrial waste as defined by SANS 10228 and 10229 comply with all legislation relating to handling, transfer, storage, use, treatment and transportation of the dangerous goods and dispose of same at a licenced waste disposal facility or landfill site.

(13) A waste generator generating industrial waste shall submit an integrated waste management plan to the Municipality and comply with the terms and conditions set out by the Municipality for the generation, minimisation, storage, recycling, collection and disposal of such waste.

(14) Garden waste generated at properties being used mainly for residential purposes may be composted on the property, or it may be stored in a compost heap or suitable bags as per the Municipality's requirements, and it may be kept on the property until collection or taken to a licenced waste disposal facility

(15) The waste generator may be called upon by the waste management officer to produce a weighbridge ticket as proof of proper disposal of garden waste over a certain mass, as determined by the Municipality in terms of its guidelines and conditions imposed from time to time.

(16) Any person who directly or indirectly generates building waste or the owner of the property on which such building waste is generated shall not store such waste in containers provided by the Municipality for residential waste and shall remove and dispose of it at a licenced crushing plant or landfill site or any other licenced building waste disposal facility.

(17) When plans are submitted to the Municipality for its approval in terms of the National Building Regulations and Building Standards Act, 1977(Act No. 107 of 1977), the person submitting same must submit simultaneously therewith—

(a) an integrated waste management plan setting out what provision is made for collection and disposal of the building and other waste;

(b) what provisions are made to store the waste on their property; or

(c) provide a permit to store the waste on the Municipality's property.

(18) Contaminated building or other waste where the contamination agent is hazardous or dangerous must be deposited at a licenced waste disposal facility for the treatment and disposal of hazardous waste.

(19) The owner of the facility where building rubble is disposed of shall provide a monthly report to the waste management officer of the mass of such waste deposited at such facility.

(20) The waste generator or the owner of the property on which waste is generated who deposits or stores waste on property of the Municipality may be fined for failure to have or produce a permit for such deposit or storage.

(21) When the building control officer inspects the property where building works have been undertaken to check that it has been built in accordance with the approved plans, he or she shall also check if all building waste has been disposed of.

(22) The owner of the property referred to in subsection (21) will be required to provide the building control officer with proof of a weighbridge certificate that he or she has disposed of the full mass of the building rubble at a licenced waste disposal facility for that category of waste prior to an occupancy certificate or any final approvals being granted.

(23) The Waste Generator may only dispose of hazardous waste in the prescribed manner. The Waste Generator shall be held responsible for any incidents caused by hazardous waste emanating from his bin(s). The Waste Generator may be charged ito the Act as well as any other related Act, and this By

Law, should any unlawful waste be found, or incidents occurring as a result of unlawful waste being stored in a bin, or bins, operated by the Waste Generator.

5. Hazardous waste

5.(1) A waste generator who generates hazardous waste and an owner of property where hazardous waste is generated must contract with an accredited service provider to collect and dispose of such waste at a licenced hazardous waste disposal facility.

(2) A person transporting the hazardous waste must ensure that the facility or place to which the hazardous waste is transported is authorised to accept such hazardous waste prior to off-loading the hazardous waste from the vehicle

6. Event waste

6.(1) Any person who is directly or indirectly involved with the organisation or management of a sporting, entertainment, cultural or religious event which is to take place on private or public property or owns or controls premises at which a sporting, entertainment, cultural or religious event is to take place, including sports stadia and conference centres, must submit an integrated waste management plan consistent with this By-law to the waste management officer in respect of the storage, collection, recycling and disposal of waste at and after such event at least five working days prior to the proposed event and comply with the terms and conditions set out by the Municipality.

(2) The integrated waste management plan must also include costing information, and the organiser, management or owner will be required to pay a refundable deposit as determined by the Municipality.

(3) Any person who intends to generate event waste shall contract with an accredited service provider for the collection and disposal of such waste to a licenced waste disposal facility and provide proof of this to the Municipality as part of its integrated waste management plan.

(4) If the event is to be held in a public area, the use, sale or distribution of glass or similar containers is prohibited, unless the prior consent has been obtained from the waste management officer on such conditions as will be determined by him or her that will reduce the likelihood of injury from broken glass.

(5) Should a person fail or neglect to obtain services of an accredited service provider in terms of subsection (3) prior to the event in question, or fail to provide the Municipality with the integrated waste management plan or should there be waste left at the area where the event has been held or the surrounding area as a result of the event, the waste management officer may subject to subsection (6), arrange for the collection, clean-up, recycling and disposal of the waste.

(6) The cost for the collection, clean-up, recycling and disposal of the waste shall be payable by the event organiser and may be recovered from the deposit paid or in terms of the Municipality's Credit Control and Debt Collection By-law.

7. Priority waste

7.(1) The Director must in terms of this By-law categorise priority waste if he or she reasonably believes that special measures are required in respect of the management of that waste, because it—

(a) poses a significant threat to health or the environment;

(b) may persist in the environment;

(c) contains or could foster pathogens or communicable diseases; or

(d) has been declared a priority waste in terms of other applicable legislation.

(2) The Municipality may publish guidelines from time to time insofar as may be necessary in respect of categorisation of waste.

8. Emergencies requiring the management of waste

8.(1) In the event of an emergency, the Director may call upon the owner of the property or the waste generator to manage same within a stipulated period to the Municipality's satisfaction.

(2) The Director may arrange for management of an emergency, including the clearing and cleaning of debris and pollution effects, transporting and disposing of the waste at a licenced waste disposal facility accredited for the specific type of waste generated.

(3) The Director may also arrange, manage and co-ordinate the rehabilitation and repair of any infra-structure, buildings, equipment or natural environment in this process.

(4) The cost of such management, rehabilitation and repair, including all costs incurred in the utilisation of the Municipality's resources, equipment and materials shall be for the account of the person responsible for the emergency.

(5) If an emergency occurs by an act of God the Municipality will deal with such emergency in such manner as the circumstances and funding may allow.

9. Establishment of formal waste minimisation clubs in communities or businesses

9.(1) Waste management clubs may apply to the Director for special dispensation as an enhanced service associated with waste minimisation in terms of the Municipality's Tariff By-Law and Tariff Policy.

(2) The club must submit an integrated waste management plan in writing to the Director for approval, as well as other application documentation for the formation and operation of a waste minimisation club, as may be determined by the Municipality.

(3) The Director may subject to the provisions of this By-law determine whether to approve the application for a special dispensation of a waste minimisation club.

(4) If an application is unsuccessful, the Director must stipulate and provide reasons for turning down an approval to the waste minimisation club.

(5) If an application to form a waste minimisation club is approved by the Director, the club must comply with the terms and conditions set out by the Director for the generation, minimisation, storage, collection and disposal of such waste.

10. Integrated waste management plan

10.(1) An integrated waste management plan must be submitted by the waste generators listed in subsection (10) in writing to the waste management officer for approval prior to the generation of the waste to be dealt with in terms of the said plan.

(2) An integrated waste management plan must include —

(a) an assessment of the quantity and type of waste that will be generated;

(b) a description of the services required to store, collect, transport and dispose of such waste;

(c) a description of how they intend separating recyclable and non-recyclable material at the point of source;

(d) the waste minimisation and pollution prevention plans of such waste generator;

(e) the impact or potential impact on the environment of the waste created by them;

(f) the type or characteristics of waste produced of an environmentally sensitive nature or the amount of natural resources that are consumed in the manufacturing or production process that result in waste; and

(g) targets for waste production through waste minimisation, re-use, recycling and recovery measures or programmes that can minimise the consumption of natural resources and the method of disposal of waste.

(3) Industrial entities must include in an integrated waste management plan measures or actions to be taken to manage waste, the phasing out of the use of certain substances, opportunities for reduction of waste generation through changes to product design, product production or packaging to reduce resource consumption.

(4) Industrial and business entities must provide for the education, marketing and sales information to influence perception and behaviour of customers to ensure recycling of products.

(5) When requested to submit an integrated waste management plan or a further integrated waste management plan in terms of this By-law, a waste generator shall do so within the time stipulated and

comply with the terms and conditions set out by the waste management officer for the generation, minimisation, storage, collection and disposal of such waste.

(6) The waste management officer must consider the plan and —

(a) approve it with conditions and give directions for the implementation thereof;

(b) request that additional information be furnished or a revised plan be submitted for approval;

(c) require amendments to be made within a time frame so specified by them;

(d) reject the plan and provide reasons therefor; or

(e) approve such a plan and specify conditions pertaining to such approval.

(7) If an integrated waste management plan is rejected or not submitted at all, the waste management officer shall give directives as to what waste management measures must be taken by the waste generator and should the waste generator fail to take such measures within the time frame specified by the waste management officer, the Municipality may implement such measures and the waste generator will be liable for the cost thereof.

(8) The Director may by written notice require any person to provide such information as he or she requires when preparing the Municipality's integrated waste management plan.

(9) Should a person fail to provide the information referred to in subsection (8), the Director may appoint an auditor to obtain such information at the cost of waste generator.

(10) The waste generators of the following classes of waste must submit an integrated waste management plan:

(a) business waste;

(b) industrial waste;

(c) building waste;

(d) event waste;

(e) priority waste;

(f) hazardous waste;

(g) those applying for special dispensation in terms of section 9;

(h) those who sort waste or undertake a recycling, re-use or waste recovery activity including but not limited to scrap dealers, recycling groups and buy back centres;

(i) any other person who is given notice to do so by the Director; or

(j) those persons carrying out the activities listed in paragraph (h).

11. Exemptions from submitting an integrated waste management plan

11.(1) If one of the waste generators for the categories of waste referred to in section 10(10)(j) wishes to be exempt from submitting a waste management plan, an application must be made in writing to the waste management officer, stipulating reasons for the application.

(2) A waste management officer may also declare—

(a) certain types of waste or waste generators;

(b) a particular mass or volume of waste; or

(c) persons who have submitted such a plan to the other spheres of government in terms of their applicable legislation, to be exempt from the submission of an integrated waste management plan.

12. Storage and transportation of waste

12.(1) Any holder of waste who stores or transports waste must ensure that—

(a) the container in which any waste is stored is intact and not corroded or in any other way rendered unfit for the safe storage or transportation of waste if the waste is not in a container provided by the Municipality;

(b) suitable measures are in place to prevent accidental spillage or leakage;

(c) the waste cannot be blown away;

(d) nuisances such as odour, visual impacts and breeding of vectors do not arise;

(e) pollution of the environment and harm to health are prevented;

(f) hazardous waste is sealed in an impervious container and suitable measures are in place to prevent tampering; and

(g) any waste items or substances are safe for handling, collection or disposal and are not harmful to persons when accessed by unauthorised persons or members of the public.

(2) The waste generator and the holder of waste must ensure that waste is transported to the nearest licenced disposal facility that has capacity to deal with the waste.

13. Recycling, re-use, sorting and recovery of waste

13.(1) Any person who undertakes a recycling, re-use or recovery activity or who sorts waste, including scrap dealers, buy back centres and formalised recycling groups, must, before undertaking that activity make sure by way of an environmental impact assessment or similar procedure required by national or provincial legislation, that the recycling, re-use or recovery of the waste is less harmful to the environment than its disposal and must obtain accreditation from the Municipality in terms of its guidelines as published from time to time.

(2) The person referred to in subsection (1) must also submit an integrated waste management plan, and the waste management officer must, when deciding to grant authorisation, consider such integrated waste management plan.

(3) Any person who undertakes a recycling, re-use, processing, treatment or recovery activity or who sorts waste, including scrap dealers, buy back centres and formalised recycling groups, must register for accreditation with the Municipality that will entitle them to perform such activities.

(4) Persons and entities that handle, transport, process, treat and dispose of waste for recycling purposes shall provide the waste management officer with a written report on or before the 7th of each month in a format to be determined by the Director.

(5) The waste management officer may exempt certain waste generators, handlers, transporters or agents of waste from such requirements.

(6) Any Service Provider or persons that took part in the recycling of waste prior to the date of proclamation of these By Laws, will be allowed 6 months from the date of proclamation, to conform to the all the legal requirements emanation from the Act or this By Law.

14. Prohibition of unauthorised disposal of waste

14. No person may—

(a) dispose of waste in a manner likely to cause pollution of, or have an impact on, the environment or to be harmful to health;

(b) dispose of waste other than in accordance with this By-law or National and Provincial legislation;

(c) dispose of hazardous waste in a container provided by the Municipality that is designed for the storage of residential or business waste or in bags to be collected by the Municipality;

(d) burn waste especially hazardous waste except in approved incinerators which have a permit or licence to do so;

(e) dispose of hazardous waste, unless in accordance with an approved integrated management plan;

(f) deposit residential, business, industrial, garden, building or hazardous waste in a public litter bin; or

(g) deal with waste in a manner that causes dust, spillage or litter.

15. Littering and dumping

15.(1) No person may drop, throw, deposit, spill, dump, store or in any other way discard, any litter or waste into or onto any public place, municipal drain, land, vacant erf, stream, water course, street,

road, wetland, coastline or on any place to which the public has access, or otherwise dispose of it nor may they allow a person under their control to do so.

(2) The owner of private land to which the public has access must ensure that sufficient containers are provided to contain litter which is discarded by the public.

(3) If the provisions of subsection (1) are contravened, the Director may direct, by way of a written notice to persons that—

(a) they cease the contravention, in a specified time;

(b) they prevent a further contravention or the continuation of the contravention;

(c) take whatever measures the Director considers necessary to clean up or remove the waste, and to rehabilitate the affected facets of the environment, to ensure that the waste and any contaminated material which cannot be cleaned or rehabilitated is disposed of lawfully.

(4) The Director may in respect of the notice contemplated in subsection (3)(c) state that the person must, within a maximum of 5 working days remove the waste or litter, provided the Director may grant a further 2 days, on request of the person, to remove the litter or waste.

(5) A person who owns land or premises, or who is in control of or has a right to use land or premises, may not use or permit the use of the land or premises for unlawful dumping of waste and must take reasonable steps to prevent the use of the land or premises for that purpose.

(6) If the Municipality elects to remove the waste or litter the person concerned shall be liable for the cost of such removal operation.

(7) In the case of hazardous waste, the Municipality shall immediately remove same and thereafter issue notices that the person concerned is liable for the cost of the removal and rehabilitation of the area.

16. Licences

16. Any person who, or entity which, requires a license in terms of national, provincial or municipal legislation will have to prove on request, to the waste management officer that such person or entity has obtained the appropriate license within 30 days or such lesser period as specified by such officer.

17. Waste management services, applications and registration for waste collection and removal services

17.(1) All persons collecting or removing waste must have a contract for the collection and removal of waste with the Municipality or an accredited service provider.

(2) Residents must apply and register for waste collection and removal services that will be provided exclusively by the Municipality or its contracted accredited service provider, unless the Council authorises otherwise.

(3) Businesses have an option to contract with the Municipality for the waste collection and removal services, or to contract with an accredited service provider.

(4) Industries, including those that produce hazardous waste, due to the specialised nature of waste produced in these sectors, must contract with a private sector accredited service provider.

(5) If an entity or an accredited service provider is required to have a licence or approval in terms of national or provincial legislation, they are required to provide proof thereof, as well as comply with criteria determined by the Council before they will be registered by the Director.

(6) The Director shall keep an updated record of registered accredited service providers.

(7) Commercial and industrial undertakings, including scrap dealers requiring a waste collection and removal service which is not provided by the Municipality, must register with the Municipality and prove that they have contracted with an accredited service provider for such service.

18. Access to private property

18.(1) The owner must, on request, allow a peace officer or any other duly authorised employee of the Municipality access to their property for the purpose of inspecting the property and investigating any contravention of this By-law and to ensure compliance therewith.

(2) When accessing the property the authorised employee must, on request, identify him or herself by producing written proof of such authority.

(3) Such employee may be accompanied by a person reasonably required to assist in inspecting or conducting an investigation who must be identified as such by the authorised employee.

19. Premises inaccessible for refuse collection

19. Should the Municipality be impeded from handling or collecting refuse due to the layout of a person's premises, and if this impediment imposes a danger to employees of the Municipality, the Director may require the owner to do such alterations or additions to the premises as are necessary to remove such impediment at that persons cost.

20. Compliance notices

20.(1) The waste management officer may issue notices to any person contravening the provisions of this By-Law—

(a) setting out the provisions or conditions contravened;

(b) directing such person to comply with such provisions or conditions; and

(c) setting out the measures which must be taken to rectify the contravention, and the period in which he or she must do so.

(2) If a person fails to comply with directions given in a notice issued by the waste management officer, the waste management officer may —

(a) take whatever steps it considers necessary to clean up or remove waste, to rehabilitate the premises, place or the affected environment at which the waste has been illegally dumped or stored and to ensure that the waste, and any contaminated material which cannot be removed, cleaned or rehabilitated, is disposed of lawfully;

(b) recover the costs of cleaning, removing, rehabilitating or disposing waste, premises or environment, or contaminated material, respectively, from the persons obliged to take such steps in terms of this By-Law, who shall be jointly and severally liable therefor.

(3) The Municipality may, in the case of hazardous or priority waste, require the persons generating such waste to close until such time as steps are taken to dispose of the waste in terms of subsection (2) if there is a real threat of damage or injury to any person or property.

(4) The following persons may be served with such notice:

(a) any person who committed, or who directly or indirectly permitted, the contravention;

(b) the generator of the waste;

(c) the owner of the land or premises where the contravention took place;

(d) the person in control of, or any person who has or had, at that stage of the contravention, a right to use the land or premises where contravention took place.

21. Service of documents and process

21. Whenever any notice, order, demand or other document is authorised or required to be served on a person in terms of this By-law, it shall be deemed to have been effectively and sufficiently served on such a person—

(a) when it has been delivered to him or her personally;

(b) when it has been left at his or her place of residence or business with a person apparently over the age of 16 years;

(c) when it has been posted by registered or certified mail to his or her last known residential or business address and an acknowledgement of posting thereof is produced;

(d) if his or her address is unknown, when it has been served on his or her agent or representative in a manner provided for in paragraph (a), (b) or (c); or

(e) if his or her address and agent are unknown, when it has been posted in a conspicuous place on the immovable property, if any, to which it relates.

22. Failure to comply with the Act and By-law and enforcement

22.(1) If the waste management officer has issued a compliance notice in terms of section 21 to anyone for contravening any provision of the Act and this By-law and such person fails to comply with such notice he or she shall be guilty of an offence.

(2) The waste management officer may in writing require any person to submit a report to him or her in respect of the impact of waste in a specified form as stipulated in the Municipality's guidelines as published from time to time.

(3) If the person fails to submit such a report within the period specified, the waste management officer may appoint an independent person to compile the report and recover the costs of compiling the report from the person required to submit it.

(4) If the waste management officer suspects that the person has on one or more occasion contravened or failed to comply with the Act or this By-law or a license issued in terms of provincial or national legislation and this has had a detrimental effect on the environment, including health, social conditions, economic conditions, ecological conditions or cultural heritage or has contributed to the degradation of the environment, the waste management officer may direct that such a report be compiled by an independent person.

(5) The waste management officer may then direct the person who failed to comply with theAct or this By-Law to take the action recommended in such report, failing which the Municipality may do so, and the person who contravened the Act or this By-Law shall be liable for the cost thereof.

23. Offences and penalties

23.(1) A person who contravenes sections 12(b), 12(f), 15(1) shall be guilty of an offence and shall on conviction be liable for—

(a) littering or dumping over 8m3 of waste or hazardous waste;

(b) spillage or leakage over 8m3 of waste without putting in place suitable measures;

(c) conveying of an uncovered load of hazardous waste of any volume;

(d) conveying of an uncovered or unsecured load which results in spillage over 8m3 of waste or hazardous waste, such fine or imprisonment as the court may deem appropriate and the court may in addition order the removal of such waste or determine what measures must be taken by such person and the payment of the expenses incurred in respect thereof or any other costs or damages.

(2) Should any person induce, influence, persuade or force an employee of the Municipality or other person to commit an offence in terms of this By-law he or she shall be guilty of an offence.

(3) Should any person induce an employee of the Municipality to collect and dispose of waste without the correct payment to the Council, or the correct methods being employed, shall be guilty of an offence.

(4) Any waste generator who fails to submit or comply with an integrated waste management plan in terms of this By-law shall be guilty of an offence.

(5) Any person who commits any offence referred to in subsections (2) to (4) or any other offence in terms of this By-law shall on conviction be liable for the payment of a minimum fine of R500 but not exceeding R10 000 or imprisonment for a minimum period of 6 months but not exceeding 2 years, or to both such fine and such imprisonment.

(6) The court may in addition to any penalty imposed in terms of subsection (5), order a person to repair the damage, make good the loss, rehabilitate the environment, remove waste, or determine what measures must be taken by such person and the payment of the expenses incurred in respect thereof or any other costs or damages.

(7) The Court may, when considering any sentence for an offence in terms of this By-Law, take into account the following:

(a) That a person delayed in complying with or failed to comply with the terms of notices or directions given to that person under this By-law;

(b) that person obtained a financial advantage or was to obtain a financial advantage as a result of the commission of the offence;

(c) the severity of the offence in terms of its impact or potential impact on health, wellbeing, public safety and the environment.

24. Delegations by the waste management officer

24. The waste management officer shall be entitled to sub delegate to any r official of the Municipality under the charge of the, waste management officer, any of his or her powers or obligations in terms of this By-law and as allowed for in the Systems of Delegations approved by Council, from time to time, in accordance with Sections 59 & 60 of the Local Government Municipal Systems Act, Act 32 of 2000, as amended

25. Functions and powers of waste management officer

25. The waste management officer shall be responsible for regulating, controlling, managing and enforcing the provisions of this By-Law and national and provincial legislation relating to waste management in terms of the System of Delegations.

26. Amendments to waste removal services

26. The Municipality may amend any existing waste removal or cleansing services once a process of public notification, participation and comment has been completed and provided the amendment is practical, cost effective and has as its objective the prevention of the proliferation of waste, the minimisation of waste or the reduction of waste to be removed.

27. Transitional provisions

27. Any approvals given in accordance with previous by-laws will be valid in respect of the premises for which they were granted and in respect of the person to whom they were granted, but cannot be transferred to any other person.

28. Guidelines

28. The Council may make guidelines not inconsistent with other legislation generally for the better carrying out of the objects and purposes of this By-law.

29. Repeal of By-laws

29. The By-laws in Schedule 1 hereto are hereby repealed.

30. Interpretation

30. In the event of a conflict between English, Xhosa and Afrikaans versions of this By-law, the English version shall be decisive.

31. Short title and commencement

31. This By-law is called Stellenbosch Municipality: Integrated Waste Management By-law, 2018 and comes into operation on promulgation hereof in the Provincial Gazette.

SCHEDULE 1

REPEALED LAWS

DRAFT

13.5	REQUEST FOR INTRODUCTION OF STELLENBOSCH MUNICIPALITY DRAFT BY-LAW ON INTEGRATED WASTE MANAGEMENT

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 proclamate 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.

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

(c) 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	***Deon.louw@stellenbosch.gov.za***
REPORT DATE	

ANNEXURE D

D:EA&DP COMMENTS AND REPLIES

TEMPLATE: Stellenbosch Municipality 3rd generation IWMP Assessment			
Name of Sub-Directorate:	Waste Management Planning		
Staff member assigned:	August Hoon	Due Date for comments:	
Submitted to:	William Meyers	Date of Submission:	23 February 2021

COMMENTS:

Waste Management Planning								
Introduction								
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	**Reply/How Comments were addressed**
Background		X				The draft IWMP provides a detailed background with a clear scope, methodology and approach used to develop the IWMP and the main aim of the plan.		
Geographical		X				A description and		

area, geo-physical and geo-hydrological conditions						map of the geographical area has been provided as well as the geo-physical and geo-hydrological conditions of the municipality.		
Strategic linkages			X			The municipality has adopted the goals and strategic objectives of the WCIWMP. The IWMP also provides strategic linkages with national, district and local policies.		
Public Participation					X	Due to the Covid 19 pandemic, the municipality was only able to provide access to the draft IWMP via the municipal website and will	Public comments and responses to be included in the final IWMP report. It is also recommended that the municipality follows an online approach during the COVID-19 lockdown to ensure that a wider	Comments received from Franschhoek Heritage and Ratepayers Association and incorporated into report. See

						only attach the public comments in the final IWMP. The report also indicates that recommendations from previous IWMPs were considered when compiling this draft report.	range of stakeholders are reached.	heading 1.9.2
Status Quo								
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	
Legislative requirements		X				The 3rd NWMS was gazette on 28 January 2021. The draft IWMP provides an overview of the effectiveness and implementation of the legislation and	The municipality needs to update the information regarding the finalization and approval of the draft NWMS 2019 indicated in the IWMP draft report. Council resolution for the approval of the municipal by-law to be sent to the	Added under 2.1.14 Council Resolution added as Annexure to IWMP

						policies.	DEADP once approved.	
Demographic profile		X				The draft IWMP provides the current and projected population, socio-economic, education and development profiles. It also includes the unemployment levels.		
Waste management cost and financing		X				The capital and operational budget as well as tariffs are provided in the draft IWMP. Costs for the indigent have been indicated and the draft IWMP indicates that the Council decides what the		

						subsidy will be for registered indigent.		
Services and delivery		X				The municipality provides a waste collection service to businesses and commercial industries, formal and informal households as well as some farms. All farms have access to drop-offs and about 75-80% of the indigent receive a free basic refuse removal service. The municipality intends to phase out the use of black bags, which are currently used in informal and rural areas. The draft IWMP also		

						indicates that a 2 bag system is available for the middle and higher income households with plans to expand the programme.		
Waste generation and composition		X				The draft IWMP provides average waste quantities generated for 2018 and 2019. It also provides projected waste quantities, diverted waste as well as hazardous waste quantities disposed at Vissershok.		
Operational structure and staff capacity				X		According to the draft IWMP, a WMO has been designated. An organogram has been	The municipality needs to provide clearer copies of the organogram.	

						provided in the draft IWMP showing posts including vacant ones. It is unclear whether the vacant posts are funded as the organogram is not clear.		
IWMP IMPLEMENTATION:								
Gaps and Needs								
		Yes	No	Partially provided	N/A	Comments (reasons for selection Yes/No or Partially provided)	Recommendations	

This section should include an analysis and identification of waste management issues, problems, shortcomings and challenges that exist within the municipality between the Status Quo and Desired State. The desired state should be based on the objectives of the NWMS (2020).		X				An assessment of existing waste management gaps and needs has been identified in the draft IWMP report. The gaps and needs are linked to the goals in the implementation plan.	The municipality to ensure that the gazette 3rd NWMS (2021) is used for the basis of the desired state.	Noted
Implementation Plan								
This section should include a detailed		Yes	No	Partially provided	N/A	Comments (reasons for selection Yes/No	Recommendations	

implementation with activities and timeframes. Financial resources and human resources required for the effective implementation of the plan should be provided. The implementation plan should identify a list of projects to be included in the IDP.						or Partially provided)		
		X				The draft IWMP provides clear objectives and targets as well as costs, human resources and timeframes. The objectives and targets are also prioritised.		
Monitoring and Review								
The implementation plan needs to be monitored and reviewed on an annual basis in order to		Yes	No	Partially provided	N/A	Comments (reasons for selection Yes/No or Partially provided)	Recommendations	
		X				The draft IWMP proposes the		

assess the effectiveness of the programme. This will ensure that targets are met by identifying areas for improvement. As part of developing the IWMP a monitor and review action plan should be introduced that will assist the municipality to continuously evaluate and update the implementation plan.						establishment of an IWMP monitoring advisory committee to ensure the implementation of the IWMP is monitored and on track as per the implementation schedule. The implementation progress will also be communicated through annual reports, which will also be submitted to the DEADP as indicated in the draft IWMP.		

Waste Management Licensing								
Status Quo								
Waste Management Facilities	**Operational sites**							
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	**Reply/How Comments were addressed**
	Names:	**x**				All Facilities in the Municipality are mentioned by name in the draft plan.		
	GIS location:			**x**		Only the Devon Valley WDF's GPS location has been included. However, detailed mention is	Add GPS coordinates of all Facilities.	GPS Coordinates provided under headings 2.4.9.1.2 and 2.4.11

						made of the locations of the other Facilities.		
	License details License/permit no., Description of activities Location(coordinates)			x		The waste management license of the Devon Valley WDF and the Permit of the Klapmuts RTS are mentioned. The GPS coordinates of Devon Valley is included in the reports, but the GPS coordinates of Klapmuts RTS was not provided, however, a clear description of the location was provided.	Add GPS coordinates for Klapmuts RTS	Added under heading 2.4.11

	Is the Waste Management control officer mentioned?	x				Mr Clayton Hendricks is mentioned as the WMCO.		
	General management of the site (windblown litter; storm water, access control, compaction, water quality monitoring, etc.)	x				References are made to the External Audit Reports of Devon Valley WDF and Klapmuts RTS. The findings are discussed in the document.		
	Are complaints from the public addressed?	X				The Municipality has a standard operating procedure wrt dealing with complaints. When a complaint is logged, the responsible person must then address the complaint		

						and report back in order to complete the process and for the complainant to be removed from the request register.		
	Remaining airspace (m^3):	x				The Municipality mentions repeatedly that they have run out of airspace, and is currently transporting waste to Vissershok WDF.		
	Lifespan (years):	x				The Stellenbosch Municipality has no available airspace. Mention is made of the status quo as		

						well as future plans wrt unlocking more air space at the existing Devon Valley Facility.		
	Informal salvaging:	x				Informal salvaging is mentioned. This has been stopped at the Devon Valley WDF.		
	Internal audits (frequency; level of compliance; identification of main issues):			x		Internal audits are mentioned; however, more attention is given to the external audit in the document.	Add more detail wrt internal audits	Added under 2.4.11 and in Executive Summary
	External audits (frequency; level of compliance; identification of main issues):	x				External audits are mentioned, as well as the frequency they are undertaken. The main issues		

						were identified for both Klapmuts WTS and Devon Valley WDF.		
	Details of any compliance enforcement actions mentioned? – Current conditions (SQ) / Any improvement?	x				The document refers to findings from the external audits, and also reports on whether there has been improvement on the listed non-compliances since the previous audit.		
	Do they have an organic waste diversion strategy in place at the facility? Please specify	x				There are mention of various organic waste interventions planned, however, the Department still requires an		

						organic waste diversion plan from the municipality.		
	Closed and decommissioned sites							
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	
	Names:				x		There are no closed or decommissioned sites in Stellenbosch, as per page 100. There was an illegal disposal area in Franschoek that residents used, but this has been closed and rehabilitated in 2015 already, as mentioned in the document.	Correct
	GIS location:							
	License details:							
	Are there any illegal activities taking place?							
	Internal audits (are they being done; how							

	frequent; level of compliance; do they identify the main issues)? Action plans to improve conditions? Are they being submitted and implemented?							
	External audits (are they being done; how frequent; level of compliance; do they identify the main issues)? Action plans to improve conditions? Are they being submitted and implemented?							
	Details of any compliance enforcement actions? Action plans to improve conditions?							
		Yes	No	Partially provided	N/A	Comments (reasons for selection Yes/No or Partially	Recommendations	

						provided)		
Contaminated land	**Name**				x		There are no known contaminated land in Stellenbosch, as per page 102.	
	Location							
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	
Waste related complaints (i.e. number and type).	**Is there a system in place to capture waste-related complaints?**	x				Complaints are captured electronically.		
	Number of complaints:	x				3013 complaints		

						have been addressed between 1 June 2017 and 1 July 2020.		
	Type of complaints:	x				The majority of complaints relate to stolen bins, illegal dumping and area cleaning.		
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	
Illegal dumping and costs associated with clean-up efforts.	**Names of illegal dumping sites:**		x			No names of illegal dumping sites are mentioned.	Please update	The only illegal dumping site is the one in Groendal as mentioned. The other illegal dumping referred to in the IWMP is

								where people litter in the streets or on street corners and parks where the Municipality then needs to clean it up
	Locations:		x			The locations of illegal dumping sites are not mentioned.	Please update	
	Length of time in existence:		x			No mentioned of the length of existence of illegal dumping sites are mentioned.	Please update	
	Costs associated with clean-up efforts:		x			No cost related to illegal dumping was mentioned.	Please update	
Gaps and Needs								
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or**	**Recommendations**	

						Partially provided)		
Identification of Gaps and Needs in terms of compliance and enforcement	**Based on your knowledge of the Municipality and the Status Quo Information provided, does the plan sufficiently analyses and identify current gaps, shortcomings or challenges with regards to compliance and enforcement?**	x				Most of the issues identified in the external audit was mentioned and will be addressed.		
	Are there any compliance and enforcement challenges not indicated in the plan i.e. directives issued & how do the municipality respond to these?				x	This is not applicable.		
Implementation Plan								
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	
Objectives and	**Do the objectives and**			x		The biggest	Include	

Targets	**targets indicate respond to the identified Compliance and Enforcement gaps within the municipality.**					need Stellenbosch Municipality has is to free up landfill airspace. This is being addressed. Other issues are however not specifically mentioned in the implementation plan, such as water quality monitoring at the Devon Valley WDF.	compliance/enforcement gaps as matters to address in the objectives and targets table. These can be subheadings to a bigger heading.	Added under heading 3.1
Implementation Table	**Do the planned activities in the implementation table correspond to the identified Compliance and Enforcement gaps within the municipality.**			x		The biggest need Stellenbosch Municipality has is to free up landfill airspace. This is being addressed.	Include compliance/enforcement gaps as matters to address in the objectives and targets table. These can be subheadings to a bigger heading.	Added under heading 3.1

						Other issues are however not specifically mentioned in the implementation plan, such as water quality monitoring at the Devon Valley WDF.		

Waste Policy and Minimisation:								
Status Quo								
	Waste Minimisation Initiatives	**Yes**	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	**Reply/How Comments were addressed**
	Municipal: Type of intervention:	Yes				The IWMP indicates they have a two-bag system. The clear bags are taken to the Kraaifontein	As noted in the document, more is needed to divert the large organic fraction (about 31%) of municipal solid waste.	The chipped material is taken to a licensed composting

						MRF, but the Municipality is constructing its own MRF where the clear bags will be managed. The Municipality is looking to include more households in the current S@S initiative. Diversion in 2018 had high volumes due to the large amounts of builder's rubble being crushed and diverted and used for landfill cover. Chipping of garden waste	It is stated that the municipality also does composting – where is this done and is it only composting of garden waste? Diversion figures only include waste from residents that receive a waste collection service. The municipality should consider encouraging the private sector who are involved in the recycling industry to report figures to the municipality for inclusion in the IWMP. As the Municipality concluded (4	facility and this information was added. Added under 2.4.6.1

						takes place.	Conclusion) that a minimum 3 bag S@S system be considered to include organic waste. Also, a garden waste diversion plan form part of the conclusion. The IWMP should include at least a discussion on a way forward for the above considerations. The IWMP should also consider Recommendations on how to include the private sector and businesses and to support where possible existing Wastepreneurs to ensure the growth of the recycling	Importance of compilation and submission of an Organic Waste Diversion Plan was noted and Municipality currently out on tender for development of this.

							industry through a collaborative approach that serves all. It is recommended the Municipality seriously considers discussing its efforts on how they plan to integrate waste pickers who already plays a big role in the recovery of recyclables.	
	Location:	Yes (WC024)				The clear bag collection project is outsourced to a private service provider.	The Municipality should consider piloting the S@S programme to other wards.	Included under heading 3.3
	Diversion figures:	Yes Table 2-13 provides Diversion figures				The table covers Diversion tonnage for Recyclables, green waste, bricks, crushed rubble,	Diversion figures are captured under 2.3.4.3. The municipality should consider referencing these figures in the	Chapter 2 is the current status quo section and the diversion figures in table 2.13 are the

						soil/rubble used as cover material. The Municipality has a Waste Minimisation Project Capital budget of R1500 000 for the MTREF. They have achieved about 45% diversion over the past 2 years (mainly due to the rubble that was stockpiled).	section highlighting the current Status Quo Section. The inclusion of a table can suffice. The table should speak directly to current projects such as for example S@S of recyclables, drop-off facilities, garden waste projects, projects managed by the private sector, composting efforts by the private sector, swop shops, buyback centres etc.	status quo diversion numbers. Information added to 2.3.4.3 but sufficient information s not available to link an additional table to the provided information.
	Private: Type of intervention:		No mention of private interventions			They know private do recycle, but do not have the necessary information of the waste that	The municipality acknowledge that the 'mixed recyclables projections model does not consider the mass of mixed	Added under section referring to private recycling

						gets diverted privately.	recyclables coming in independently from residents. Please add information pertaining to private recycling interventions	companies above.
	Location:		No			Currently unsure.	Please update	
	Diversion figures:	Yes, ~45%				Section 2.3.4.3 indicates table of waste diverted from Devon Valley Landfill.		
	Status of Municipal By-law (outdated; updated; busy with review?):	Yes. Draft is out for comment				The Draft is included in the IWMP. Name of the By-law: Integrated Waste Management Draft By-Law, 2018	The Municipality provided DEADP with the current status of the By-Law. The Draft was introduced at the Council meeting on the 5 Nov and 25 Nov 2020 and a	

							public commenting period was set for 14 September to 14 October 2020. It was advertised in the 'Die Burger' and the Municipality website. No comments or objections were received. The Council resolved by majority vote the By-Law be adopted, that Council noted a public participation process was followed and no comments or objections were received, and that the By-Law be sent to Provincial Government to be published in the	

							provincial gazette. (According to the Minutes of the Council Resolution dated 25 Nov 2020) It is recommended the Municipality include the resolution in the final IWMP. The municipality is commended for its swift response and effort to draft and get Council's approval.	
	Waste awareness and education campaigns.	**Yes**	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	
	Does the municipality have a waste awareness strategy in	Yes. The service provider who manages the 2-bag system				The municipality indicates it conducts comprehensive awareness and	It is recommended that the municipality include a consolidated waste awareness	Added under heading 2.4.7

	place?	for the municipality are responsible for the awareness around recycling Strategic objective 2 look to promote and ensure awareness and education of integrated Waste management.				education campaigns e.g. newsletters (Utter Rubbish), pamphlets, social media and the municipal website. School visits educate learners on solid waste and recycling. The existing CWDM IWMP has seven goals of which Goal 1 is Awareness and Education. The Stellenbosch IWMP is expected to be updated to ensure alignment with District and Provincial goals.	strategy that describes how the municipality will roll out their strategy and how it plans to build onto and improve current awareness efforts. It is recommended that the municipality refers to the Western Cape Waste Awareness Strategy for guidance to conduct their own strategy. It would also be extremely exciting to follow the progress of the household caddy roll-out (assumedly for organic kitchen waste). Such separation at source is a much-	

						They have a lot planned although it is not clear how much of it has happened – although much may have been affected due to COVID.	needed step, especially considering the organic waste ban.	
	Location:	Throughout the Municipality				Schools, households, notices, website.	There is not much information on their website – perhaps more standard information (e.g. what to recycle) could be added.	Noted, information added to heading 3.3
	Type of campaign:	Yes. Current Campaigns are listed under section 2.4.7 Awareness and Education				Various ongoing.	There is a tariff for the collection of food waste from restaurants. It would be useful knowing more about this pilot and if it is resulting in diverting organic waste from landfill (page 111).	Noted

	Is there a list/log of the campaigns run since the last IWMP?		No			No list is provided.	It is recommended the IWMP includes a table that list all campaigns and indicate where they are implemented e.g. names of schools, how many kids received the information. This can be done by stipulating the different grades and the number of grades that participated. All campaigns should be documented e.g. dates, where they took place and what topics were discussed.	
Gaps and Needs								
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially**	**Recommendations**	

						provided)		
Identification of Gaps and Needs in terms of waste minimisation	**Based on your knowledge of the Municipality and the Status Quo information provided, does the plan sufficiently analyses and identify current gaps, shortcomings or challenges with regards to waste minimisation?**	Yes				The various waste streams are being addressed in terms of minimisation. Under 3.6 Funding Mechanisms it is highlighted that financial support for waste minimisation efforts are required.	It is recommended that the Gap and Needs analysis clearly discuss how current efforts fair and if not doing well what are the needs that should be considered for existing projects to succeed or remain sustainable. Gaps and needs analysis should be linked directly to projects e.g. the S@S project. A concerted effort is required to expand separation-at-source of recyclables and initiate separation-at-source of	This information to be included in the IWMP Annual Report Added under 3.3 Noted

							organics. This will increase diversion and awareness, result in cleaner material and overall better management of waste. Separation at household level is key.	
	Are there any waste minimisation challenges not indicated in the plan		No			The various waste streams are being addressed in terms of minimisation. The Waste Characterization Report dated June 2019 concluded that the 'the municipality engage with existing collectors and	It is recommended that the municipality include challenges it has experienced in their current waste minimisation systems e.g. 2 bag system, drop-off systems, challenges with recyclers and recyclables, the market and potential collection and transport of recyclables	The challenges are mentioned in the report and includes participation rates, reporting of recycling tonnages and management of informal recyclers.

						recyclers to understand the challenges and collaboratively' come up with solutions.		
Implementation Plan								
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	
Objectives and Targets	**Do the objectives and targets respond to the identified waste minimisation gaps within the municipality.**	Yes				They are adequately addressed. The construction of a MRF close to completion. The development of a RTS for organic waste. Franschhoek drop-off facility consultants appointed.	It is necessary that the municipality focusses on developing an organics diversion plan as soon as possible in order to meet targets within necessary timeframes (50% diversion of organic waste by 2022 – next year). It is recommended	Noted, a tender process is underway to appoint a consultant to develop this plan.

						To appoint contractor for chipping at new MRF. To develop the Devon Valley landfill organic diversion plan. Development and finalization of their Integrated Waste Management By-Law.	that further development for current waste minimisation systems e.g. 2 bag system is considered for expansion once the necessary infrastructure that support such systems. It will be useful to understand how the MRF will enhance existing waste minimisation efforts in the Municipality and what the municipality's plan is for new projects and the integration of small wastepreneurs into the overall waste minimisation efforts	Noted. Information to be included in the IWMP Annual report in 2022.

							throughout the municipality	
Implementation Table	**Do the planned activities in the implementation table correspond to the identified waste minimisation gaps within the municipality?**	Yes				Planned continuous awareness and education, increasing human resources and capacity, new MRF and planned organics transfer station, etc.	Greater focus is needed on separation-at-source in order to divert more waste, achieve targets and get cleaner waste streams.	Noted, more information added.

Waste Information Management:								
Status Quo								
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	**Reply/How Comments were addressed**

	Is the status of IPWIS registration for all waste management facilities accurately indicated?		x			The IWMP does not state which waste activities in the Stellenbosch Municipality is registered on the IPWIS and does not provide the Waste Information Registration Number of the activities in the document. The municipality has two (2) registered waste activities registered on the IPWIS. A waste activity for disposal and a waste activity for	Although the municipality does not have a dedicated waste recovery facility the activity of waste recovery is undertaken. Therefore, the registration of a waste activity was recommended to allow for the document of waste recovery activity that is being conducted by the municipality. The IPWIS registration of the waste activities should be included in the document and the waste flow should be discussed in relation to a waste	The information as provided to IPWS was provided to the consultant for the development of the IWMP and the numbers reflected int eh document are the numbers provided to IPWIS.

						recovery and recycling.	activity: E.g. Waste Flow in relation to Disposal Waste Flow in relation to Recovery The manner in which the waste flow in the Executive Summary: Waste Quantities and types is disjointed to the IPWIS. It would be valuable to demonstrate the alignment. As the IPWIS was designed to tell a story about your waste quantities and types and therefore this relationship should be brought to the fore.	

	Is the status of IPWIS reporting for all waste management activities accurately indicated?		x			The status of reporting for each waste activity e.g. the frequency and whether report is up to date is not discussed in detail. The document only states that on page 2 of the executive summary: "The municipality records and records landfilled waste tonnages to the IPWIS System"	The IWMP must provide more detail on the reporting. Indicate the names of the reporting activities and their WIR numbers, the frequency and status of reporting as at the time of the document compilation. E.g. A portion of the waste disposed by the Stellenbosch Municipality is reported by the Vissershok Waste Management Facility as it not disposed in their boundaries.	

						The writer also refers to the IPWIS as the IPWIS System.	reporting on Stellenbosch waste disposal is done by Vissershok The recyclables are sent to Kraaifontein MRF however the Stellenbosch Municipality records and reports that values on their waste recovery activity that is registered on the IPWIS. The writer should refer to the IPWIS as the IPWIS (Integrated Pollutant and Waste Information System) the s is for System. The document also refers to the national IPWIS. It	Noted, reference corrected

							should be the Western Cape Government IPWIS.	
	Where applicable is waste calculator (what about weighbridges?) reporting for relevant waste management facilities indicated?	x				The IWMP indicated that a weighbridge is used at Devon Valley Landfill, Klapmuts Transfer Station and Vissershok Landfill		
Gaps and Needs								
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for selection Yes/No or Partially provided)**	**Recommendations**	
Identification of Gaps and Needs in terms of information management	**Based on your knowledge of the Municipality and the Status Quo Information provided, does the plan sufficiently**	x				The Stellenbosch Municipality IWMP sufficiently analyses the		

	analyse and identify current gaps, shortcomings or challenges with regards to information management?					gaps w.r.t. information management		
	General Comment Exec Summary page 3, Waste Quantities and Types Para 3					The sentence reads: "…. less waste is sent by households residing in areas"	The sentence should be rephrased e.g. The municipality has a split bag system. The 2017 waste characterization study outcomes and recovered waste quantities demonstrates that these initiatives are effective in waste reduction.	Noted and changes made to two areas in the document.
	Are there any information management challenges not indicated in the plan?	x				. The values reported for Devon Valley Landfill in Table 2.11 on page 74 does not	The values in table should be validated against the waste data reported to the IPWIS and specifically the	The information in the report was the information provided to

						correspond to the IPWIS reported values In paragraph 1 of page 76 The first sentence refers to the reduction of the waste quantity to a factor of 100 due to it being an outlier. This was no record on the IPWIS and no correction report made for September 2019 for both waste activities.	2019 recovery and disposal report for the waste entry and classification of organic waste.	the consultant by the Municipality and the contractor operating the landfill site. They include IPWIS numbers.
Implementation Plan								
		Yes	**No**	**Partially provided**	**N/A**	**Comments (reasons for**	**Recommendations**	

						selection Yes/No or Partially provided)		
Objectives and Targets	**Do the objectives and targets respond to the identified information management gaps within the municipality?**	x				As per page 127 of 224, the municipality will improve the detail with which the waste data is recorded, both for generation and transportation. Continue recording at weighbridge and reporting to IPWIS by the Waste Management Officer		
Implementation Table	**Do the planned activities in the implementation table correspond to the identified**	x				Yes, it corresponds		

	information management gaps within the municipality?							
				x		1) Partially yes, because they do state on pg95 that they do not have a handle on private recyclers and later in the document speak to Municipal by-law that will compel businesses to be accredited with the municipality and	1) Addressing the registration of private recyclers and monitoring their operations would assist the municipality in more accurate planning and also bridging an information gap on diversion activities that is not accounted for. As some of these private recyclers might be operating on such a small scale that they are not required to register on the	All noted

						register. 2) Partially no, there is no real attainable or concrete commitment to sustainable waste management practices in relation to strengthening and intensifying diversion. The document outlines a plateau reached with the diversion	IPWIS. Hence their operations are not adequately tracked. 2) Although there is an alternative for waste disposal, the municipality should continue to gear efforts toward diversion and strengthen awareness raising. The waste characterization data in this report indicates that there is in low	

						figures displayed for two consecutive years. Yet on the contrary in table 2.15 page 84 it states that 49 198m³ airspace have been used at Vissershok due to Stellenbosch Waste Disposal. Although the municipality you are not disposing in their own boundaries	income and informal areas and with organic waste diversion. 3) The municipality must keep records in accordance with the Waste Information System Regulations, 2013 for a period of 5 years and must keep electronic back ups of waste data	

						they are still contributing to depletion of airspace in another municipality and at large in the province. 3) 3.2 Waste Generation Quantities on page 116 it states the contractor is keeping records		

Signature of manager responsible for comments

Date:

Comments noted and supported.

ANNEXURE E

COMMENTS FROM FRANSCHHOEK HERITAGE AND RATEPAYERS ASSOCIATION

Franschhoek Heritage and Ratepayers Association

The Garden House, 29 De Wet Street, Franschhoek 7690

Co-chairpersons

Irmela Alberts
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William Meyers
JPCE

8 March 2021

STELLENBOSCH IWMP FOR PUBLIC PARTICIPATION

Your email dated 8 January 2021 and subsequent telephonic interaction with Reon Pienaar refer.

Thank you for the opportunity to review and comment on the third generation Stellenbosch Integrated Waste Management Plan.

Overall it is a very comprehensive document and the FHRPA would like to congratulate you on its detailed contents and analysis.

We would like to offer the following observations:

1. Chapter 2 provides a very useful oversight – especially on the maze of applicable legislative measures and requirements.

2. The FHRPA strongly endorses the set goal of integrating and optimizing waste management and is looking forward to support the actions of the Stellenbosch Municipality - in particular all endeavors to optimize recycling and to support any projects to minimise garden waste (such as composting bins) and food waste. As regards the latter: for it's relative small footprint, Franschhoek has an above average high percentage of restaurants which presents a real opportunity for biogas and other projects.

3. Education and awareness programs are extremely important and – as repeatedly highlighted in the report - there should be structured and continued interventions. Judging by the degree of (a) residents not throwing trash into bins / skips but disposing of it on the spot and (b) illegal dumping in the Franschhoek mountain areas, more could and should be done.
This should, as stated in the report, be supported by an enabled law enforcement initiative.

4. The FHRPA is aware of the Municipality's endeavor to find a suitable area for a solid waste transfer station in Franschhoek and the hope is expressed that this can be concluded in the near future. This should remain a short-term priority as stated in your report.

5. Paragraph 2.3.7.1 (page 92): It is not clear whether the sewage sludge produced at the Wemmershoek Wastewater Treatment Plant is also taken to the farm in Klipheuwel?
It needs to mentioned that this Plant has become notorious for the leakage of effluent into the Bergriver, which in turn creates a dangerous percentage of Ecoli and other pathogens. The FHRPA has been informed of the comprehensive plans of the Municipality to address and rectify this.

6. As concerns your paragraph 2.4.11 (page 107): it is correct that Franschhoek has a central drop-off site with skips in Fabriekstreet. However, there currently is no differentiation for Recyclables, General Waste and Green Waste.

7. Whilst this does not necessarily resort under the scope of this report, we would like to mention two practical challenges encountered in Franschhoek:
   a. The black wheelie bins have become a popular mode of transport for goods and they hence are frequently stolen from outside properties where they are waiting to be emptied.
   b. The wheelie bins are also being scavenged for useful items and discarded food. In this process the bins are emptied on the spot and the rubbish not again put back, which in itself not only adds to the waste problem but also creates a health risk. The possibility could be explored to have bins with some type of "secure" mechanism – but which can still be emptied with minimal time delays. However, the envisaged processing of all organic and recyclable waste will of course largely address this issue.

8. The scope for business opportunities created within the Integrated Waste Management Plan cannot be emphasized enough.

The FHRPA is looking forward to the finalization and adoption of the Integrated Waste Management Plan and especially its subsequent implementation.

For and on behalf of The Franschhoek Heritage & Ratepayers Association

I. C. Alberts

Irmela Alberts – Chairperson: Ratepayers Committee

11.6	**PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))**

NONE

11.7	**PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: (PC: CLLR E GROENEWALD (MS))**

NONE

11.8	**RURAL MANAGEMENT: (PC: CLLR S PETERS)**

NONE

11.9	**YOUTH, SPORTS AND CULTURE: (PC: CLLR J FASSER)**

NONE

11.10	**MUNICIPAL MANAGER**

NONE

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]**

NONE

13.	REPORTS BY THE MUNICIPAL MANAGER

13.1	SUBJECT: REQUEST FOR EXEMPTION FROM THE APPROVED TARIFF STRUCTURE – ELECTORAL COMMISSION OF SOUTH AFRICA (IEC)

Collaborator No:
IDP KPA Ref No: ***Good Governance***
Meeting Date: **26 May 2021**

1. SUBJECT: REQUEST FOR EXEMPTION FROM THE APPROVED TARIFF STRUCTURE – ELECTORAL COMMISSION OF SOUTH AFRICA (IEC)

2. PURPOSE

To consider an exemption for the Electoral Commission of South Africa to display posters on street poles for voter registration and for the upcoming elections without paying the tariffs for posters indicated in the tariff book.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

The next national voter registration for the Local Government Elections is scheduled to be held on 17-18 July 2021. The IEC requested to display the posters on the street poles without having to pay the tariff in the tariff book for the display (**Annexure 1**). The tariff book does not make provision for Government /Government Institutions free of charge or provide for a delegation to consider exemption. We have in the new tariff book (2021/22) made provision for the Municipal Manager to exempt applicants from paying a tariff. We are in the preparation process for the upcoming elections and although the current application deals with the upcoming registration weekend in July it is foreseen that there may be further posters related to the election that we may receive requests from the IEC. It must be noted that political parties must pay as per the tariff book. The tariff that an institution pay to display the posters inter alia cover the costs for the municipality to removed posters that are not removed within the time frame provided. The IEC undertook to ensure that the posters are taken down and it will be built into the approval agreement.

5. RECOMMENDATIONS

(a) that the IEC be allowed to display posters for the upcoming election without the payment of any tariffs as displayed in the tariff book 2020/2; and

(b) that the IEC agree to the to ensure that the posters are taken down within the prescribed period.

6. DISCUSSION / CONTENT

6.1 DISCUSSION

In terms of Chapter 9 of the Constitution of South Africa, 1996, the Electoral Commission is a state institution that strengthens constitutional democracy in the Republic. The national voter registration is scheduled to be held on 17-18 July 2021. The IEC solicited exemption from the approved tariff structure to display voter registration posters on street poles.

6.3 Financial Implications

The current approved tariff structure makes provision for R5000 (deposit) for political parties, R25.00 per poster up to 200 posters, R30 per poster from 201 to 500 posters and R50.00 per poster for more than 500 posters.

6.4 Legal requirements

In terms of Chapter 9, 181 (1) (f), the Electoral Commission is a state institution that strengthen constitutional democracy in the Republic.

There is no delegation in the current tariff book for the Municipal Manager to give exemption from the tariffs to governmental institutions. A delegation to the Municipal Manager is now provided for in the new tariff book.

6.5 Staff Implications

Applications for display of posters are submitted to the office of the Director Corporate Services and the staff in that office then deals with the proses.

6.6 Previous / Relevant Council Resolutions

Approval of tariff in May 2020.

6.7 Risk Implications

Risks addressed in the item.

6.8 Comments from Senior Management

No comments were requested**.**

ANNEXURES:

Annexure 1: Application from IEC

FOR FURTHER DETAILS CONTACT:

NAME	**Annalene de Beer**
POSITION	***Director Corporate Services***
DIRECTORATE	***Corporate Services***
CONTACT NUMBERS	***021-808 8018***
E-MAIL ADDRESS	*annalene.debeer@stellenbosch.gov.za*
REPORT DATE	***2021-05-14***

ANNEXURE 1

Annalene De Beer

From: Ndinyana, Patience [EPC - WC023] <NdinyanaP@elections.org.za>
Sent: Thursday, 06 May 2021 17:06
To: Annalene De Beer
Cc: Akhona Mduzana; Rozeeta Petersen
Subject: [EX] Re: IEC Posters

Good afternoon,

Thank you for your response.

We will run a tender and source a service provider. The successful service provider will be expected to put up and take down eight (8) posters per voting district (8 X 48VDs = 384) for the registration weekend (17 - 18 July). The posters must be up at least up 10 days before the registration weekend (5 July) and be taken down immediately after the registration weekend.

Kind regards
Patience Nosiphiwo Ndinyana
Stellenbosch IEC Office
0218829054

From: Annalene De Beer <Annalene.DeBeer@stellenbosch.gov.za>
Sent: Thursday, 06 May 2021 4:37:26 PM
To: Ndinyana, Patience [EPC - WC023]
Cc: Akhona Mduzana; Rozeeta Petersen
Subject: RE: IEC Posters

Dear Patience

I have noted your information below that Mr Smit gave permission for you not to pay for any posters that was put up by the IEC. Please note he had no delegations to do so. As you are aware we are creature of statute and whatever we do needs to be provided for in legislation of policies of some sort. The current approval of poster rates/fees does not make provision for government institutions to get the service for free. Even the university pay for posters they want to put up and they are also a government institution. It looks at this stage as if we will need to get Council approval first for your request.

I do not see any information on how long (for what period) or the amount of posters that is referred to.

That is information I need for consideration of the request. The main reason for asking a fee is to ensure that we make provision for the costs if we need to take down the posters on day 4 after the event. How will we deal with that part if council does agree that you may put them up without paying a fee. Who would be responsible for the costs of taking it down? Please provide the feedback as soon as possible.

Kind regards,
Annalene de Beer
Director: Corporate Services

T: +27 21 808 8018 | C: +27 83 305 3685
Email:
Annalene.deBeer@stellenbosch.gov.za
Plein Street, Stellenbosch, 7600
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Conditions for erecting of Posters

1. Posters or flags are not allowed on:

   - poles with Fire Brigade or any official signs (colour codes);
   - trees;
   - traffic signs;
   - Municipal notice boards;
   - bridges;
   - Telkom or Eskom distribution boxes; or
   - the area in front of the Town Hall, Plein Street.

2. Posters should not be larger than 600mm x 300mm.

3. Posters be replaced, should it get wet due to the rain weather.

4. Posters should be taken down 3 days after the event

13.2	**SUBJECT: MFMA SECTION 116(3) – PROPOSAL TO AMEND THE CURRENT ICT CONTRACTS FOR SOFTWARE LICENCE AND SUPPORT AGREEMENTS FOR A PERIOD OF THIRTY-SIX MONTHS, EFFECTIVE FROM 01 JULY 2021 TO 30 JUNE 2024**

1. SUBJECT: MFMA SECTION 116(3) – PROPOSAL TO AMEND THE CURRENT ICT CONTRACTS FOR SOFTWARE LICENCE AND SUPPORT AGREEMENTS FOR A PERIOD OF THIRTY-SIX MONTHS, EFFECTIVE FROM 01 JULY 2021 TO 30 JUNE 2024

2. PURPOSE

To obtain Council's approval on the amendment of all the ICT contracts terminating on the 30 June 2021 for a period of 3 years effective 1 July 2021 – 30 June 2024.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

All the current ICT support contracts were previously amended in 2018 through a Section 116 (3) process in order to accommodate the mSCOA implementation and the investigation in regard to an assessment on ERP solutions for the Municipality (**Appendix 1).**

During the last 3 years the administration embarked on a process to determine which of ICT systems in use should we continue to use or should the municipality embark on the acquisition of a brand new system. Should the municipality decide to procure a new system National Treasury must approve such a system as it needed to be mScoa compliant. There are several financial systems used by municipalities and registered at National Treasury to be mSCOA compliant. One of the systems is the current SAMRAS system that is used by the Municipality. During these engagements, an assessment of current ICT systems, their capability to integrate with the financial system SAMRAS was explored as well as the MScoa compliance issue. This included unpacking the system capabilities as per the MSCOA business processes as well as eliminating standalone systems that have duplicated modules available on the SAMRAS solution.

The financial services department has been in constant communication with Bytes Technology now known as SOLVEM whom are the owners of the Financial System (SAMRAS) to ensure that the future system developments and enhancements are of such a nature that it can deal with mSCOA compliance in full. The long term impact of investments made in business systems and services warrants that the Stellenbosch Municipality continually re-assess its investment strategies to ensure on-going alignment with the deployment of business systems in line with mSCOA business processes.

To date various improvements have been made on the SAMRAS financial system to modernize the system to accommodate the growing needs of the municipality based on the MSCOA business processes. The majority of the ICT systems that have modules available on SAMRAS as per the 15 business processes will be evaluated and replaced by a module on SAMRAS. SAMRAS has been required to provide the Stellenbosch Municipality with an implementation roadmap of their system modernisation.

The recommendation from the administration is that we do not procure a new financial system and that we ensure that the ICT systems integrate to SAMRAS. There is in our view no ERP system that is compliant with mScoa and that can provide us the functionalities of other systems like for example Spatial capabilities. No ICT system

may be procured that is not approved by the ICT Forum and the Forums work is to ensure that integration takes place and that no duplication is allowed by procuring new systems where that functionality already exists in current systems. For the next 3 years, no new systems may be procured by any directorates unless it has been debated at the ICT steering committee to ensure integration with the SAMRAS system. Future requirement specifications will be written to ensure that systems can integrate, and that functionality is not duplicated.

Council may terminate any of the contracts on a 6 months' notice period during this period to ensure as new models of current systems are developed and take over other functionalities those other system are then terminated.

All the discussions took place in special ICT forums chaired by the CFO as prescribed by legislation. A summary of the recommendations from the forum on systems to be retained is attached as **Appendix 2.** The GIS system with related modules have been procured through a tender process and do not need to be amended through the section 116 process.

The intention of the municipality to amend these contracts were advertised for public comment (**Appendix 3-5)**

The changes may be affected in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA).

5. RECOMMENDATIONS

(a) takes note of assessments done by the administration on ICT systems to be used and the procurement of an ERP system;

(b) approves the recommendation that the current ICT contracts listed below for ICT related systems and services be amended to be run for a further period of 36 months, effective from 1 July 2021 to 30 June 2024 with the provision that the Municipality can cancel any of the systems with a six (6) month notice period during this time.

Service Provider	Scope of Services
1. SOLVEM (used to be Bytes System Integration)	Financial Services - SAMRAS is the Core Financial System for the Stellenbosch Municipality.
2. PAYDAY	Corporate Services - HR and Payroll System for the Stellenbosch Municipality
3. BUSINESS ENGINEERING	Corporate Services - Data and Workflow System with Document Archiving Capabilities
4. IGNITE	Corporate Services - Performance and Compliance Management System
5. IMQS	Engineering Services - Support and Information System to Manage and Report on Municipal infrastructure Assets
6. GIJIMA	Corporate Services – IP based NEC PABX Telephone System and Support Services
7. ABC SERVICES	Financial Services – Valuations and Rates for the Stellenbosch Municipality
8. CATS	Financial Services – Water and Electricity Meter Reading for the Stellenbosch Municipality
9. MICROSOFT IRELAND	Corporate Services – Microsoft Office 365 Application Software Licenses and Azure Support Services.

(c) Takes note that the Municipalities intention to amend the contracts for a period of 36 months were advertised on on the 29 April 2021 on the local newspaper Eikestad Nuus and Die Burger, Municipal Notice Boards and Municipal Website and no comments were received; and

(d) Approves that sufficient funding on the operational budget vote for the Software Licensing Ukey: 20180711010516 is approved on an annual basis, to finance the extension and renewal of all the listed ICT systems and services.

6. DISCUSSION / CONTENTS

6.1 BACKGROUND

Section 116(3) of the MFMA provides as follows: "(a) the reasons for the proposed amendment have been tabled in the council of the municipality or, in the case of a municipal entity, in the council of its parent municipality; and (b) the local community- (i) has been given reasonable notice of the intention to amend the contract or agreement; and (ii) has been invited to submit representations to the municipality or municipal entity."

The municipality should ideally have a single business system with a single database and workflow. Considerations to introduce such a strategy for business systems should however always be assessed carefully against initial investment costs for such ventures, as well as the potential risks if the anticipated operational efficiencies and return on investments are not realized.

Migration strategies for local government institutions must remain aligned with architectures and technologies of selected manufacturers as well as trusted relationships with selected service providers. Investments made by local government institutions in business system architectures and trusted relationships with service providers are seen as long term investments which cannot readily be changed without exposing the municipality to continuity and contingency risks.

When an information system is bought the long term impact is that the Municipality will be using that system for a period longer than the normal 3 of 5 years that is set for a tender processes. An information system is the intellectual property of a company and no other company can provide the support or licencing for that information system. The dynamic nature of Information and Communications Technology, as well as investments made in business systems warrant a continuous re-assessment of investments and system functionalities to ensure that value for money is achieved at all times. The long term impact of investments made in business systems and services warrants that the Stellenbosch Municipality continually re-assess its investment strategies to ensure on-going alignment with the deployment of business systems in line with mSCOA business processes.

The portfolio of ICT contracts terminating on 30 June 2021 for which a section 116(3) process is followed are depicted on the table below:

Table 1 : Portfolio of ICT Contracts

Service Provider	Scope of Services
10. SOLVEM (used to be Bytes Syste Integration)	Financial Services - SAMRAS is the Core Financial System for the Stellenbosch Municipality.
11. PAYDAY	Corporate Services - HR and Payroll System for the Stellenbosch Municipality
12. BUSINESS ENGINEERING	Corporate Services - Data and Workflow System with Document Archiving Capabilities
13. IGNITE	Corporate Services - Performance and Compliance Management System
14. IMQS	Engineering Services - Support and Information System to Manage and Report on Municipal infrastructure Assets
15. GIJIMA	Corporate Services – IP based NEC PABX Telephone System and Support Services
16. ABC SERVICES	Financial Services – Valuations and Rates for the Stellenbosch Municipality
17. CATS	Financial Services – Water and Electricity Meter Reading for the Stellenbosch Municipality
18. MICROSOFT IRELAND	Corporate Services – Microsoft Office 365 Application Software Licenses and Azure Support Services

6.1 DISCUSSION

6.1.1. Regulatory Requirements from National Treasury

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

MFMA Circular 57 dated 20 October 2011: MFMA Circular 57 Issued by

National Treasury states: “It is imperative that municipalities operate effectively and utilise financial applications optimally to present credible information on a timely basis for internal and external use”.

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

a) Research and assessment into various financial applications and related software systems in use by municipalities.

b) Minimal dependency on service providers, central coordination, guidance and specialist support offered in a cost-effective and efficient manner.

c) That guidelines be issued on minimum standards for financial systems which would minimise excessive or duplicate systems, examine critical integrated ICT solutions to maximise capabilities and achieve cost effectiveness while addressing associated maintenance costs.

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

The ability to remain constantly aligned with the strategic goals and objectives of the municipality as well as the statements of direction from National Government are inhibited by two factors namely legacy business systems and contractual obligations to service providers.

6.1.2. Amendment of contractual considerations with service providers

It is proposed that all business system contracts terminating on 30 June 2021, be amended to remain in effect for a period of three (3) years from 1 July 2021 to 30 June 2024 for the following reasons:

a) To limit the administrative costs of following Supply Chain Management processes to request deviations and funding over the short term, specifically taking into account the strategic intent and requirement to be mSCOA compliant. For all such agreements with service providers, the provision is that the Stellenbosch Municipality may terminate the Agreement at any time and is bound to give at least 6 months prior notice.

b) To align the integration of current systems with each other as appose to procuring a new ERP system with all the complications and costs associated with that;

c) To ensure that the strategic intent of the Municipality to integrate the similar functionalities into the core financial system can be optimized to its full potential.

d) To ensure that stability in the business processes remain intact;

It remains the strategic intent of the Stellenbosch Municipality to assimilate similar functionalities from the other business systems deployed in the municipality into the Samras Financial System or at the least build the integration of the functionalities to the Samras Financial System where it is cost effective and functionally viable and is mSCOA compliant. Due to the complexities inherent to such business system conversions and integration, a phased approach will need to be followed.

Council advertised its intention to amend all ICT systems related contracts for a period of 36 months on the 29 April 2021 on the local newspaper Eikestad Nuus and Die Burger, Municipal Notice Boards and Municipal Website and no comments were received on the closing date of 20 May 2021 – **Appendix 3-5**.

6.2. FINANCIAL IMPLICATIONS

Licence fees are payable on all ICT systems after their procurement and is applicable even if an ERP system should be procured. The systems below has been procured and customised to the municipalities needs and is money already invested in the systems. The procurement and customisation of an ERP system may also run into millions of Rands and may not produce the results promised by companies marketing such a system.

This report has the following financial implications in terms of licence fees for the next 3 years.

Service Provider	Duration (Months)	Estimated Cost (Excl. Vat)
1. SOLVEM (SAMRAS)	36 months	**R 9 468 379,97**
2. PAYDAY	36 months	**R 1 924 378,95**
3. BUSINESS ENGINEERING	36 months	**R 2 084 198,13**
4. IGNITE	36 months	**R 2 042 289,12**
5. IMQS	36 months	**R 256 000,00**
6. GIJIMA HOLDINGS	36 months	**R 728 503,37**
7. ABC SERVICES	36 months	**R 1 210 050,00**
8. CATS	36 months	**R 884 703,05**
9. MICROSOFT IRELAND	36 months	**R 13 621 214,16**
Estimated Cost (Excluding 15% VAT)		**R 33 346 789,21**

6.5 LEGAL IMPLICATIONS

Section 116 (3) of the MFMA requires the Municipality to follow a process before it may make changes to existing contract(s) entered into through the Supply Chain Process. It provides for a notification to the public of the intention to make changes to the contracts, invite the public to provide comments and consider the input, if any, before a final decision on the changes to the contracts are made. The recommendations of the item comply with the requirements.

6.6 STAFF IMPLICATIONS

No additional staff requirements.

6.7 PREVIOUS/RELEVANT COUNCIL RESOLUTIONS

Item 7.2.1 - 23 May 2018 attached as APPENDIX 1.

6.8 RISK IMPLICATIONS

The recommendations of this item manage the risks associated with the ICT contracts coming to an end on 30 June 2021. Should changes not be made to the contracts to allow for another year of service the Municipality will not have the necessary systems to ensure optimal functioning.

6.9 COMMENTS FROM SENIOR MANAGEMENT

The item was discussed at the Director's meeting and Directors' inputs are contained in the report.

6.9.1 CHIEF FINANCIAL OFFICER

Finance supports the three-year extension with 6 months' notice option.

6.9.2 MUNICIPAL MANAGER

Agree with the recommendations.

ANNEXURES

Appendix 1: 17th Council Meeting Resolution dated 23 May 2018.
Appendix 2
Appendix 3
Appendix 4
Appendix 5

FOR FURTHER DETAILS CONTACT:

NAME	**Annalene de Beer**
POSITION	***Director Corporate Services***
DIRECTORATE	***Corporate Services***
CONTACT NUMBERS	***021 808 8018***
E-MAIL ADDRESS	***Annalene.deBeer@stellenbosch.org.za***
REPORT DATE	***20 May 2021***

APPENDIX 1

7.2.1	**MFMA SECTION 116(3) – PROPOSAL TO AMEND THE CURRENT ICT CONTRACTS FOR SOFTWARE LICENCE AND SUPPORT AGREEMENTS FOR A PERIOD OF THIRTY-SIX MONTHS, EFFECTIVE FROM 01 JULY 2018 TO 30 JUNE 2021**

Collaborator No: **589233**
IDP KPA Ref No: **Good Governance**
Meeting Date: **16 May 2018**

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1. SUBJECT: MFMA SECTION 116(3) – PROPOSAL TO AMEND THE CURRENT ICT CONTRACTS FOR SOFTWARE LICENCE AND SUPPORT AGREEMENTS FOR A PERIOD OF THIRTY-SIX MONTHS, EFFECTIVE FROM 01 JULY 2018 TO 30 JUNE 2021

2. PURPOSE

To obtain Council's approval on the proposed amendment of all the ICT contracts terminating on the 30 June 2018 for a period of 3 years effective 1 July 2018 to 30 June 2021, Council may terminate any of the contracts on a 6 months' notice period during this period. The changes may be affected in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA).

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The matter to amend the ICT contracts by extending them for a period of 3 years served before Council in March 2018. Council inter alia resolved on 28 March 2018 (item 7.2.2.) that the intention of Council to extend the contracts for 3 years from 1 July 2018 must be published for public comment. The notice was placed in the Eikestad News and closed on 12 May 2018. A copy of the notice is attached as Annexure A. No comments were received.

All the current ICT contracts were previously amended in 2016 through a Section 116 (3) process in order to accommodate the mSCOA implementation and the investigation in regard to an assessment on ERP solutions for the Municipality. The Finance department is in constant contact with the owners of the Financial System (SAMRAS) to ensure that the system developments are of such a nature that it can deal with mSCOA in full before a final decision is made on the continuation with SAMRAS as the financial system or not.

When an information system is bought the long term impact is that the Municipality will be using that system for a period longer than the normal 3 of 5 years that is set for new tender processes. An information system is the intellectual property of a company and no other company can provide the support or licencing for that information system. The dynamic nature of Information and Communications Technology, as well as investments made in business systems warrant a continuous re-assessment of investments and system functionalities to ensure that value for money is achieved at all times. The long term impact of investments made in business systems and services warrants that the Stellenbosch Municipality continually re-assess its investment strategies to ensure on-going alignment with the deployment of business systems in line with mSCOA business processes. A final decision on whether the Municipality will replace the current financial system needs to be made first to enable the Municipality to determine the starting point for the ERP assessment.

If there is a decision that the financial system should be changed a comprehensive process will have to follow to tender and adjudicate the acquisition of a new system and Treasury plays a watchdog role in this process to ensure that the system that is procured is of the standard required. Should the Municipality decide to buy a new financial system it would make sense to assess the costs of one comprehensive system to replace the current systems listed in paragraph 6. Should the Municipality decide not to acquire a new financial system the assessment would be how we ensure integration of existing systems with SAMRAS where integration is an issue or what new systems should be acquired to integrate with SAMRAS.

Various improvements have been made to ensure that systems integrate and where new support contracts are negotiated that the interests of the Municipality is protected. No new systems may be acquired by directorates unless it was debated at the ICT steering committee to ensure integration with current systems. Specifications are written to ensure that systems can integrate and that functionality is not duplicated.

17TH COUNCIL MEETING: 2018-05-23: ITEM 7.2.1

RESOLVED (majority vote)

(a) that Council takes note of the reasons tabled for the proposed amendments of all the current ICT contracts for ICT related systems and services for a period of 36 months, effective from 1 July 2018 to 30 June 2021 with the provision that the Municipality can cancel any of the systems with a six month notice period during this time;

(b) that Council takes note that Council had advertised its intention to amend all ICT systems related contracts for a period of 36 months on the 12 April 2018 on the local newspaper Eikestad News, Municipal Notice Boards and Municipal Website, and that no comments were received from the public; and

(c) that Council approves that sufficient funding on the operational budget vote for the Software Licensing UKey: 20170608982691 is approved, to finance the extension and renewal of all the current ICT systems and services for the financial year of 2018/2019. Budget provisions will be made on a yearly basis depending on the process forward.

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

Cllr F Adams; GN-Bakubaku-Vos (Ms); FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); MD Oliphant; RS Nalumango (Ms); N Sinkinya (Ms) and P Sitshoti (Ms).

FOR FURTHER DETAILS CONTACT:

NAME	Brian Mkaza
POSITION	***Manager: ICT***
DIRECTORATE	***Corporate and Strategic Services***
CONTACT NUMBERS	***021 808 8018***
E-MAIL ADDRESS	***Annalene.deBeer@stellenbosch.org.za***
REPORT DATE	***14 May 2018***

APPENDIX 2

Municipal Standard Process	Application	Primary Issue	System Utilisation
Main Budget	SAMRAS	Budgeting and Forecasting at Project Level	Fully Utilized
Budget Management	SAMRAS	Budgeting and Forecasting at Project Level	Fully Utilized
General Ledger	SAMRAS	Utilised in SAMRAS classic (flexgen)	Fully Utilized
Accounts Receivable	SAMRAS	Utilised in SAMRAS classic (flexgen) / Banking Services	Fully Utilized
Accounts Payable	SAMRAS	Utilised in SAMRAS classic (flexgen) / Banking Services	Fully Utilized
Bank Reconciliation	SAMRAS	Utilised in SAMRAS classic (flexgen) / Banking Services	Fully Utilized
Cost Planning	SAMRAS	Internal Billing and Job Costing (using case ware for AFS)	Partially Utilized
Project creation and planning	SAMRAS	Project Creation Management	Fully Utilized
Project Management	CP3 (SAMRAS)	Project Planning and Tracking Management	Fully Utilized
Cash Management	SAMRAS	Utilised in SAMRAS classic (flexgen)	Fully Utilized
Supply Chain Management	SAMRAS	eProcurement Management	Implementation phase
Inventory	SAMRAS	Stores and Inventory Management	Fully Utilized
Subsidies	SAMRAS	Module available but not in use	Not Utilized
Asset Management	SAMRAS	Financial Asset Register via SAMRAS linked to ESRI GIS	Fully Utilized
	City Works	Asset Management	Fully Utilized
Rentals	SAMRAS	Module available but not in use	Not Utilized
Billing	SAMRAS	Utilised in SAMRAS classic (flexgen)	Fully Utilized
Invoicing	TPAMS /BPAMS/ SAMRAS	Utilised in SAMRAS classic (flexgen)	Fully Utilized
Meter Management	RouteMaster / SAMRAS / Syntel / SmartWorks	Bulk Meter Management	Fully Utilized
Internal Audit	Teammate	Licenses not renewed. Unit uses MS Office for internal audit reports.	Not Utilized
Audit Committee	No Application System	No application. Reports are produced using MS Office	Fully Utilized
Performance Management System	Ignite	Performance Management and Contracting	Fully Utilized
Risk control and management	BarnOwl	Licenses not renewed. Unit uses MS Office for reporting	Not Utilized
Human Resource	Payday Admin	HR Management	Fully Utilized
Time Management	Kronos	Biometrics Time and Attendance (Switched off due to Covid 19)	Fully Utilized
Payroll	Payday Admin	HR Management and Payroll	Fully Utilized
Credit Control	GeoDebt	Debt Collection	Fully Utilized
Customer Management	City Works	Customer Care Solution	In Development
Valuations	ValuProp/SAMRAS	Manual Integration (Batch dump)	Fully Utilized
Land Use Planning	Esri GIS / SAMRAS	Town Planning and Building Control Management	Fully Utilized
GIS	Esri GIS	AFLA (TPAMS,BPAMS,WAMS,Billing)	Fully Utilized
Building Control	Esri GIS/Collaborator	Building Control Management (BPAMS)	Fully Utilized

APPENDIX 3

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

ADVERTISED IN:	**MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE, EIKESTAD NUUS AND DIE BURGER**		
DATE PUBLISHED:	**29 APRIL 2021**	**NOTICE NO :**	**32/2021**

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

CONTRACT NO:	DESCRIPTION	REASON FOR AMENDMENT
DEPARTMENT:	**CORPORATE SERVICES**	
INFORMATION SYSTEM & SERVICES	• SOLVEM (SAMRAS Financial System) • Payday (HR & Payroll) • Ignite (Performance Management) • Microsoft Corporation (Office 365) • IMQS (Infrastructure & Assets) • Gijima (NEC IP-based PABX) • ABC (Evaluations & Rates) • CATS (Meter Reading) • ValueProp (Valuation System) • Business Engineering (Collaborator)	After a thorough analysis of the business operation of the municipality the administration concluded that the Stellenbosch Municipality will not be procuring any new ERP solution but will rather integrate the existing systems with the core financial system as the backbone over the next 3 years. Due to the complexities inherent to the municipal business application systems conversions, a best practice implementation methodology will be followed over the next three financial years (2021/2022, 2022/2023 and 2023/2024) commencing 01 July 2021. The municipality therefore intends extending the indicated ICT systems by 36 months (1 July – 30 June 2024)

1. The public is hereby invited to submit written presentations to the municipality for the extension of the listed ICT systems from 1 July 2021 – 30 June 2024.
2. Any person, who cannot write, may come to the municipality, where the staff member of the municipality, named below, will assist that person to transcribe that person's comments or representations, during office hours.
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Section:	Information Systems & Services	**Section**:	Supply Chain Management
Contact Person:	**Mr. B Mkaza**	**Contact Person:**	**Mr. D Jacobs**
Tel:	E-mail enquiries only	**Tel:**	E-mail enquiries only
Email:	s116.contracts@stellenbosch.gov.za	**Email:**	s116.contracts@stellenbosch.gov.za
Authorised by:	**MS. G Mettler**	**MUNICIPAL MANAGER**	

APPENDIX 4

Page 1225

THIART
Louisa



11/01/1948 - 23/04/2021

Hartseer, maar met baie liefde neem ons afskeid van my vrou, ons ma en ouma. Gaan haar vreeslik mis, maar gun haar die hemelse rus & vrede.

Deon, Marianne, Helena, Neels en gesinne.

PERSOONLIKE DIENSTE

PERSOONLIK
1460

SIENER - 083 261 0354
Toekoms & hulp met probleme, liefde, finansies, geluk ens.

TE KOOP

WENDY HUISE
1677

Hobby Wendy
Kwaliteit Wendyhuise
Bekostigbaar en vakmansskap gewaarborg.
19mm planke en tong en groef vloere.
Skakel 021 854 8140

LANDBOU
1601

Ko-rog saad te koop in Malmesbury. ☎ 082 576 3202

MEUBELS
1635

AANDAG. Pieter van Parow soek yskaste, beddens, 2de-handse, tv's, outydse meubels. **083 377 7223**

JUWELIERSWARE & BYKOMSTIGHEDE
1645

DIAMANTE/GOUD. Voor u verkoop, raadpleeg my eers. BESTE PRYSE 083 777 4177

TROETELDIERE
1660

Honde: Dobermann R5000. Robertson 0795240972

ALGEMENE & HUISDIENSTE

PLAVEISEL
1873

ALLE PLAVEISEL. Uitstekende Verwys.Tel.393 2090 / 076 124 4713

VOLWASSENES

MASSERINGS
2010

New upmarket Jay's Massage Salon Bellville 0680448146

PRIVAAT
2015

A BEAUTIFUL BLACK DIAMOND STACEY. PAROW 0788899796

A young portable caramel delight comes in a small package. Brackenfell 0640618787

Astrid Bellville 0639507718

BLONDE BOERE MEISIE ALMA 0683747913

BONNY, gorgeous sexy blonde. Tableview. Pvt. 083 555 6151.

BRIGITTE'S 0783133521.

CUT ABOVE THE REST & MASSAGE LYNN 0726712378

LOSKOP DOLLA JESSIE 0738003083

Naughty but nice Strand 0826508929

Serenity upmarket salon Belville - 066 367 7179

new sunkissed beauty **0721200318**

new sunkissed beauty **0721200318**

Nicole(46) Strand 0619960296 Stresterapie R400 vir 30min

Sexy Busty blond N/Sub 0638879312

YOUNG Perfectionists for private massage from the East. S/west - 079 856 3781

Young sexy african girl. 0842431115 Kraaifontein

VAKANSIE & REIS

AKKOMMODASIE
2635

PANORAMA. S.sorg w/s vanaf R400 p.n. ☎ 082 770 9691

EIENDOMME

WOONSTELLE TE HUUR
3250

Parow Sentraal
1 Slaapkamer Woonstel
Ruim, Matte, Moderne Badkamer en Kombuis.R5,500.00 p.m.
Tel: 021 - 854 3704 k.u.

TUINWOONSTELLE TE HUUR
3265

BRACKENFELL
2 vertrek, badk,nou beskik, vir 1 man, nie roker, W&E ingesl.
DSTV&parkering, R4500 pm +dep
0219817309/ 0845377972

REGSKENNISGEWINGS & TENDERS

HOFBEVELE/ SEKWESTRASIES/ LIKWIDASIES
4005

Future Indefinite Investments (Edms.) Bpk.
VOORLOPIGE LIKWIDASIE

IN DIE HOË HOF VAN SUID-AFRIKA (AFD. WES-KAAP, KAAPSTAD). Saaknr.: 2123/2021 voor die agbare regter Steyn, Kaapstad, Dinsdag 20 April 2021. In die saak tussen FUTURE INDEFINITE INVESTMENTS (EDMS.) BPK., Applikant, reg.nr. 2003/001148/07, geregistreerde adres: Knokkelaan 10, Tableview, Kaapstad, Wes-Kaap, vir die likwidasie van die Applikant – art. 344 (f) & 344 (h).
Na die deurlees van die stukke in die saak en die aanhoor van die advokaat vir die Applikant, word 'n bevel soos volg gemaak: 1. Die Applikant word onder voorlopige likwidasie geplaas onder beheer van die Meester van die Hooggeregshof. 2. 'n Bevel nisi word uitgereik wat alle belanghebbende partye aansê om bewys te lewer, indien enige, voor hierdie agbare hof op 3 Junie 2021 om 10:00 of so gou daarna as wat die saak aangehoor kan word, waarom: 2.1 Die Applikant nie onder finale likwidasie geplaas moet word nie; en 2.2 dat die koste van die aansoek nie koste in die likwidasie van die Applikant moet wees nie. 3. Betekening van hierdie bevel moet plaasvind: 3.1 Deur publikasie in een uitgawe elk van die koerante Die Burger en Cape Times; 3.2 Op die Applikant se geregistreerde adres by Knokkelaan 10, Tableview, Wes-Kaap; 3.3 die Suid-Afrikaanse Inkomstediens, Kaapstad; 3.4 die Meester van die Hoë Hof; 3.5 Alle bekende skuldeisers met eise wat R20 000.00 oorskry per geregistreerde pos; 4. Die Griffier moet 'n afskrif van die likwidasiebevel versend aan die Balju van die provinsie waarin die geregistreerde kantoor van Respondent geleë is en aan die balju van elke provinsie waarin dit blyk dat Respondent sake besit. 5. Die balju moet beslag lê op alle eiendom wat blyk aan die Respondent te behoort en aan die Meester 'n opgawe versend van alle eiendom waarop hy beslag lê ingevolge art. 19 van die Insolvensiewet 24 van 1936.
OP LAS VAN DIE HOF.
HOFGRIFFIER.
P.a. K J BREFDENKAMP PROK., Keeromstr. 50, The Chambers, Kaapstad. Bus 661.
293489 Mei 5 (4005)r

VERLORE DOKUMENTE
4040

T72351/94
VERLORE TRANSPORTAKTE

Kennis geskied hiermee dat ingevolge die bepalings van Regulasie 68 van die Wet op die Registrasie van Aktes 1937, daar van voorneme is om aansoek te doen vir gesertifiseerde afskrif van Transportakte-nr. T72351/94. Uitgereik deur: DIE MUNISIPALITEIT VAN KRAAIFONTEIN ten gunste van PAUL MARTHINUS VAN BALLA, ID-nr. 530520 5011 08 1 en JOHANNA MAGDELINE VAN BALLA, ID-nr. 530314 0004 08 9, getroud binne gemeenskap van goedere met mekaar ten opsigte van: Erf 11092 Kraaifontein in die Munisipaliteit van Kraaifontein, Afdeling Paarl. Groot: 207 (tweehonderd en sewe) vierkante meter wat verlore of vernietig is.
Alle belanghebbende persone wat besware teen die uitreik van sodanige afskrif word hiermee versoek om hul besware skriftelik in te dien by die Registrateur van Aktes in Kaapstad, Kamer 1216, 12de Vloer, Pleinstraat 90, Kaapstad, binne twee weke van publikasie datum van hierdie kennisgewing.
Gedageteken te Bellville op 13 Julie 2020.
BORNMAN & HAYWARD ING., Posbus 3609, Tygervallei 7536. Tel. 021 943 1600/Epos: nita@borhay.co.za
294847 Mei 5-(4040)V

T8227/2009
VERLORE AKTE

Kennis geskied hiermee dat ingevolge die bepalings van regulasie 68 van die Wet op die Registrasie van Aktes, 1937, daar van voorneme is om aansoek te doen vir gesertifiseerde afskrifte van notariële akte van serwituut T8227/2009 uitgereik deur STANDARD BANK OF SOUTH AFRICA LIMITED, Registrasienr.: 1962/000738/06 ten gunste van KHANYISO LUKHANYO DIKENI, ID-nr.:761123 5623 08 6, ongetroud, met betrekking tot sekere Erf 10141 Guguletu in die Stad Kaapstad, Afdeling Kaap, Provinsie Wes-Kaap met grootte 250 vierkante meters wat verlore of vernietig is. Alle persone met besware teen die uitreik van sodanige titelbewys word hiermee versoek om dit skriftelik in te dien by die Registrateur van Aktes by Kamer 1216, 12de Vloer, 90 Pleinstraat, Kaapstad, binne twee weke ná die datum van publikasie hiervan.
Gedagteken by Kaapstad op 30 Maart 2021.
D. PADAYACHEE PROKUREURS ING., Rondebultweg 225, Farrar Park, Boksburg 1459, p.a. Kaminer Kriger Hoddinott Prokureurs, St. Stephensweg 14, Pinelands 7405. Tel. 021 425 3070
696832 Mei 5 - (4040)

T75031/2017
VERLORE OF VERNIETIGDE TITELAKTE

Kennis geskied hiermee dat ingevolge die bepalings van Regulasie 68 van die Wet op die Registrasie van Aktes, 1937, daar van voorneme is om aansoek te doen vir 'n gesertifiseerde afskrif van Transportakte T75031/2017 gepasseer deur STAD KAAPSTAD ten gunste van MARGARET NOMATHEMBA SALEM, ID-nr. 551105 0848 08 5 ten aansien van Erf 11017, Kuilsrivier, Stad Kaapstad, Afdeling Kaap, Provinsie Wes-Kaap, wat verlore geraak het of vernietig is.
Alle belangstellendes wat teen die uitreiking van sodanige afskrif beswaar het, word hierby versoek om dit skriftelik in te dien by die Registrateur van Aktes te Kaapstad, Kamer 1216, 12de vloer Pleinstraat 90, Kaapstad, binne twee weke na datum van publikasie van hierdie kennisgewing.
Gedagteken in Kuilsrivier op 28 April 2021.
MARAIS MÜLLER HENDRICKS ING., Van Riebeeckstraat 58, Kuilsrivier. Tel. 021 900 5300. E-pos: pbrink@maraismuller.co.za
261646 Mei 5-(4040)V

T15659/1997
VERLORE TRANSPORTAKTE

Kennis geskied hiermee ingevolge Reël 68 van die Wet op die Registrasie van Aktes 1937, van die voorneme is om aansoek te doen om 'n gewaarmerkte afskrif van Transportakte-nr. T15659/1997 gepasseer deur PROVINSIE WES-KAAP ten gunste van VUKILE STEVE NGQONDLOLO en NTOMBI ANGELINA NGQONDOLO ten opsigte van sekere Erf 35142 Khayelitsha wat verlore of vernietig is.
Alle belanghebbende persone met besware teen die uitreik van sodanige afskrif word hiermee versoek om hul besware skriftelik in te dien by die Registrateur van Aktes in Kaapstad, Kamer 1216, binne twee weke van die publikasiedatum van hierdie kennisgewing.
Gedateer te Monte Vista op 23 April 2021.
TSM INCORPORATED, Applikant, Posbus 13834, N1 City 7463. Epos: antoinette@tsminc.co.za. Tel. 021 558 0067.
637833 Mei 5-(4040)V

VERLORE TRANSPORTAKTE

Kennis geskied hiermee ingevolge Regulasie 68 van die Wet op die Registrasie van Aktes, 1937, van die voorgenome aansoek om die uitreik van gewaarmerkte afskrif van transportakte T 108834/2004 gepasseer deur PIETER SAREL MARAIS ten gunste van CAROL SARIANA LANGENHOVEN (voorheen Munro), ten opsigte van erf 1159 Franskraalstrand, welke transportakte verlore of vernietig is.
Alle belanghebbende persone met besware teen die uitreik van sodanige afskrif word hiermee versoek om hul besware skriftelik te rig aan die Registrateur van Aktes in Kaapstad, Kamer 1216, 12de Vloer, Pleinstr. 90, Kaapstad, binne twee weke van die publikasiedatum van hierdie kennisgewing.
Gedagteken in Bellville op 28 April 2021.
J. N. Gertse
Applikant: Roopa Potgieter Kaapstad Ing., Posbus 4434, Tygervallei 7536. E-pos: jo-anne@roopapotgieter.co.za Tel. 021 919 0490
295320 Mei 5 (4040)r

T71215/2005
VERLORE AKTE

Kennis geskied hiermee dat ingevolge die bepalings van regulasie 68 van die Wet op die Registrasie van Aktes, 1937, daar van voorneme is om aansoek te doen vir gesertifiseerde afskrifte van Transportakte T71215/2005 uitgereik deur CASPER JAN HENDRIK STEENKAMP ten gunste van Elizabeth Catherina Louisa Steenkamp met betrekking tot Erf 2150 Vlliersdorp in die Theewaterskloof Munisipaliteit, Afdeling Caledon, Provinsie Wes-Kaap met grootte van 727 (sewe honderd sewe en twintig) vierkante meters wat verlore of vernietig is. Alle persone met besware teen die uitreik van sodanige titelbewys word hiermee versoek om dit skriftelik in te dien by die Registrateur van Aktes, Kaapstad, binne twee weke ná die datum van publikasie hiervan.
GOUWS PROKUREURS, Monumentpark Uitbr. 2, Pretoria 0181. Tel. 012 347 2000. E-pos: gouws@law.co.za
765031 Mei 5 - (4040)

T1640/1983
VERLORE AKTE

Kennis geskied hiermee dat ingevolge die bepalings van regulasie 68 van die Wet op die Registrasie van Aktes, 1937, daar van voorneme is om aansoek te doen vir gesertifiseerde afskrifte van transportakte T1640/1983 uitgereik deur DENISE KASSEL (gebore Israelson), ID-nr.: 560110 0008 00 2, ten gunste van JOSEPH ISAAC KATZ, ID-nr.: 320709 5073 00 1, met betrekking tot sekere Erf 680 Fresnaye in die Stad Kaapstad, Afdeling Kaap, Provinsie Wes-Kaap met grootte 448 vierkante meters wat verlore of vernietig is. Alle persone met besware teen die uitreik van sodanige titelbewys word hiermee versoek om dit skriftelik in te dien by die Registrateur van Aktes by Kamer 1216, 12de Vloer, 90 Pleinstraat, Kaapstad, binne twee weke ná die datum van publikasie hiervan. Gedagteken by Kaapstad op 13 April 2021.
KAMINER KRIGER HODDINOTT PROKUREURS, St. Stephen'sweg 14, Pinelands 7405. Tel. 021 425 3070. E-pos: colls@kamlaw.co.za.
696832 Mei 5 - (4040)

Kennisgewing

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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

ADVERTISED IN:	**MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE, EIKESTAD NUUS**		
DATE PUBLISHED:	**29 APRIL 2021**	**NOTICE NO:**	**32/2021**

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CONTRACT NO:	DESCRIPTION	REASON FOR AMENDMENT
DEPARTMENT:	CORPORATE SERVICES	
INFORMATION SYSTEM & SERVICES	• SOLVEM (SAMRAS Financial System) • Payday (HR & Payroll) • Ignite (Performance Management) • Microsoft Corporation (Office 365) • IMQS (Infrastructure & Assets) • Gijima (NEC IP-based PABX) • ABC (Evaluations & Rates) • CATS (Meter Reading) • ValueProp (Valuation System) • Business Engineering (Collaborator)	After a thorough analysis of the business operation of the municipality the administration concluded that the Stellenbosch Municipality will not be procuring any new ERP solution but will rather integrate the existing systems with the core financial system as the backbone over the next 3 years. Due to the complexities inherent to the municipal business application systems conversions, a best practice implementation methodology will be followed over the next three financial years (2021/2022, 2022/2023 and 2023/2024) commencing 01 July 2021. The municipality therefore intends extending the indicated ICT systems by 36 months (1 July – 30 June 2024)

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Contact Person:	**Mr B Mkaza**	**Contact Person:**	**Mr D Jacobs**
Tel:	Email enquiries only	**Tel:**	Email enquiries only
Email:	s116.contracts@stellenbosch.gov.za	**Email:**	s116.contracts@stellenbosch.gov.za
Authorised by:	**Ms. G Mettler**	**MUNICIPAL MANAGER**	

X1WNHJ91-DB050521



DIE BURGER

Hoe kan ons help?

Die Burger-intekenare kan ons by die volgende besonderhede kontak met enige navrae.

Intekenare@media24.com SMS "diens" na 31069 (SMS kos R1,50)
087 353 1300

APPENDIX 5

Bekende regsgeleerde sterf

Breyten Cupido
breyten.cupido@media24.com



Wyle prof. Marius de Waal (63)

'n Mentor en staatmaker-regsgeleerde is die afgelope week oorlede.

Prof. Marius de Waal (63), die voormalige dekaan van die regsfakulteit en voorsitter van die departement van privaatreg by die Universiteit Stellenbosch, se dood het verlede week tot groot skok reg oor die land gelei.

De Waal se dood is Donderdag (22 April) aangekondig.

"Dit is met groot leedwese dat ons die dood van prof. Marius de Waal bevestig," het die verklaring van die US gelui.

De Waal was 'n besonderse mens en akademikus wat plaaslik en internasionaal aansien vir sy bydrae tot erfreg en trustreg geniet het.

Hy is op internasionale vlak erken vir sy bydrae met die toekenning van 'n genootskap van die Alexander von Humboldt-stigting in Duitsland en deur sy aanstelling as besoekende professor aan die Paris Descrates-universiteit in Frankryk en die Katholieke Universiteit Leuven in België.

Hy was baie gewild onder studente en talle oudstudente het op sosiale media hulde aan hom gebring.

"Hy was net uniek en enig in sy soort. Dit was so wonderlik dat ek en my dogter die voorreg gehad het om De Waal te kon beleef," skryf 'n oudstudent.

'n Ander kollega onthou hoe hy altyd die assistente in die fakulteit met sjokolade bedank het.

De Waal was die ontvanger van die US-kanseliertoekenning vir navorsing in 2017 en het 'n groot bydrae tot 'n aantal voorstaande publikasies gelewer.

"Hy was 'n begaafde en simpatieke dosent wat besondere moeite gedoen het om studente met sy glashelder uiteensettings deur komplekse regsgebiede te begelei," lui die US se verklaring verder.

De Waal sal vir sy buitengewone integriteit, kollegialiteit en nederigheid onthou word.

Sy dood laat 'n groot leemte in die regsfakulteit.

Stellenbosch het eie 'John Legend'

Breyten Cupido
breyten.cupido@media24.com

'n Jongman met 'n stem van goud het vandeesweek inwoners van Stellenbosch met sy stem betower.

Dwayne Michaels (16), 'n graad 11-leerder aan die Hoërskool Luckhoff, se stem het inwoners laat dink aan die bekende sanger John Legend, en hy is daar en dan as Stellenbosch se eie "John Legend" gedoop.

"Dit was vir my 'n riem onder die hart om te sien hoe mense die video geniet en my met John Legend vergelyk – veral omdat hy my held is," vertel Dwayne met 'n breë glimlag.

Sy sang-droom het in 2016 'n werklikheid geword en hy het met sy deelname aan *Reik na die Sterre,* waar hy 'n tweede plek verwerf het, besef hy kan sing en het 'n stem wat mense se hartsnare roer en emosies uit hulle kan bring.

"Ek het maar onlangs eers begin klavier speel, maar het voorheen net tromme gespeel."

Soos baie ander jong sangers uit die omgewing laat hy ook sy stem gereeld by die Ou-Apostoliese kerk in Stellenbosch hoor.

Met *Eikestadnuus* se onderhoud kon 'n mens die glans en passie vir musiek by Dwayne duidelik oplet.

Hy beskik gewis oor die nodige dissipline wat dit verg om 'n musikant te word.

Dwayne se vingers is nie net op die klavier besig nie, maar is ook vaardig in sy akademiese boeke, waar hy sy droom om 'n rekenmeester of 'n maatskaplike werker te word, najaag.

Hy is ook vir die skool se verteenwoordigende raad van leerders (VRL) verkies.

"Ná skool sal ek altyd eers my huiswerk voltooi voordat ek begin musiek oefen," vertel hy.



Dwayne Michaels (16), 'n gr. 11-leerder aan die Hoërskool Luckhoff, het vandeesweek inwoners met sy stem betower. Die jongman staan nou as Stellenbosch se eie "John Legend" bekend.
Foto: Breyten Cupido

Dwayne kom uit 'n familie met baie sangers en is van 'n jongs af omring deur familielede wat graag musiek maak.

Sy ma, Deline van Rooyen, het hom as enkelouer grootgemaak en Dwayne sê sy ma se liefde en harde werk dien vir hom daagliks as inspirasie.

"Ek wil graag aan meer kompetisies deelneem en my talent toets."

Plaaslik dien Brandell Jonathan vir hom as mentor en Dwayne sê hy het groot respek vir Jonathan.

Dwayne se video wat wyd op sosiale media gedeel is, is deur 'n onderwyseres by Hoërskool Luckhoff gedeel.

Tayesha Januarie, die onderwyseres wat vir Dwayne gesê het hy moet sy talent aanlyn met mense begin deel, sê hy spoor hom aan sy droom na te jaag.

"Musiek bring vir my geluk en dit is die geluk wat ek graag wil deel."



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Authorised by:	**MS. G Mettler**	**MUNICIPAL MANAGER**	

X1WNBUQD-EN290421

Grootouers inspirasie vir Leatitia se tweede fliek

Angelo Julies
angelo.julies@media24.com

Terwyl die Covid-19-pandemie talle mense in die vermaaklikheidsbedryf 'n harde knou gegee het, het 'n plaaslike filmmaker die geleentheid gebruik om 'n splinternuwe kortfilm te skryf.

Leatitia Solomans van Stellenbosch se nuwe kortfilm, *Rykie,* is Woensdag 5 Mei om 20:00 op kykNET te sien.

Solomons sê die fliek handel oor 'n suksesvolle prokureur wat terugkeer huis toe nadat 'n voorval van die verlede haar van haar familie vervreem het. "Sy moet besluit wat is belangriker, haar loopbaan of haar familie.

"Ek het *Rykie* gedurende die grendeltyd in Oktober en November geskryf. Dit was 'n tyd wat my baie laat dink het aan my kinderdae en my oorle ouma en oupa. En dis waar ek my inspirasie gekry het om die storie te skryf. Die fliek is na my ouma Rykie genoem," vertel sy.

Rykie is Solomons se tweede fliek. Haar eerste fliek was *Die Begrafnis* wat ook in 2020 benoem is vir 'n Safta-toekenning vir die beste kortfilm. "So 11 jaar gelede is my ouma skielik oorlede. Ek was baie lief vir haar. Haar dood het my so geskok dat ek vir die eerste keer werklik besef het dat ek ook eendag gaan doodgaan. Ek het besef as ek nou moet doodgaan, is ek nie gelukkig nie."



Leatitia Solomans van Stellenbosch se nuwe kortfilm, *Rykie*, is Woensdag 5 Mei op kykNET te sien.

Sy sê sy het nog altyd 'n passie vir drama gehad. "Dit het by die Breughel-teater begin waar ek my opleiding by dr. Benoni de Haeck en Brandon Strydom gekry het. Ek het my eie verhoogproduksies vir my alterego Mathilda Meraai Thys begin skryf. Ek het my verhoogproduksie *Die Begrafnis* vir die Silwerskermfees in 2019 ingeskryf en dis waar ek geleer het hoe om my verhoogproduksie in 'n kortfilm te omskep. Ek het so baie geleer dat ek 'n tweede fliek kon maak."

13.3	QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 JULY 2020 TILL 31 SEPTEMBER 2020

Collaborator No:
File No:
IDP KPA Ref No: **Good Governance**
Meeting Date:

1. SUBJECT: QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 JULY 2020 TILL 31 SEPTEMBER 2020

2. PURPOSE

To inform Council of the activities of the Audit Committee for the period 01 July 2020 till 31 September 2020 (1st Quarter). The Minutes of the meeting held for this period mentioned is herewith attached as **APPENDIX 1** which outlines the activities of the Audit and Performance Audit Committee.

3. DELEGATED AUTHORITY

Audit and Performance Audit Committee reports to Council periodically.

4. EXECUTIVE SUMMARY

In terms of Section 166 of the Municipal Finance Act (MFMA), Act No 56 of 2003, each municipality must have an Audit and Performance Audit Committee. The Audit and Performance Audit Committee is an independent advisory body which must advise Council, the political office bearers, the accounting officer, the management and staff of the municipality.

The Audit Committee has executed its duties and responsibilities during the period under review in accordance with its terms of reference as they relate to Council's accounting, internal auditing, internal control and financial reporting practices.

5. RECOMMENDATION

that Council take note the report of the Audit Committee for the period 01 July 2020 till 31 September 2020

6. DISCUSSION / CONTENTS

6.1 Background

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

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

The Audit and Performance Audit Committee will also review the annual financial statements in order to advise Council whether its finances are being managed efficiently and effectively. Furthermore, the Audit and Performance Audit Committee may respond to Council on issues raised by the Auditor–General in the audit report and carry out investigations into the financial affairs of the municipality if requested to do so by Council.

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

6.2 Discussion

During this period the committee, amongst other matters, considered the following and would like to report the following in conjunction with the minutes of the meeting attached:

In respect of the external auditors and the external audit

- Reviewed the direct assistance request from the Auditor General for Internal Audit to assist with COVID 19 expenditure.
- Noted that Internal Audit is already assisting the AG with the Stores Inventory review.

In respect of financial statements

- Audit Committee reviewed the Draft Unaudited AFS and noted that this was an interim set of AFS and also noted the extension of the due date for submission of the AFS and APR due to the COVID 19 lockdown;
- Concerns were raised with compilation of interim AFS and recommendations were made to management;
- Reviewed the Draft Annual Performance Report and noted that this would change when the final AFS figures can be used to update actual performance.

In respect of internal control and internal audit:

- Reviewed critical and significant issues raised by the internal audit processes and the adequacy of corrective action in response to such findings as detailed in reports and follow-up reports;
- Noted the progress made with Internal Audit operational plan implementation and requested that Internal Audit highlight any risks in the event any emerge;
- Approved the QAIP (Quality Assurance and Improvement Plan) of internal audit
- Reviewed the APAC Charter and the Internal Audit Charter and recommended to Council for approval:
- Reviewed the Internal Audit Methodology which outlines the scope and deliverables of Internal Audit:
- Noted and approved the changes to the operational plan due to the ad-hoc request from management and the emerging risk of Covid 19;
- Reviewed the COVID 19 Compliance report from internal Audit and noted that compliance to the protocols and regulations have adequately been implemented;
- Noted the performance assessments by the Executive Mayor, MM and the CAE on the effectiveness of the Audit and Performance Audit Committee.

In respect of risk management:

- No reports served for the quarter under review.

In respect of Investigations:

- No reports served for the quarter under review.

6.3 Financial Implications

As per the approved budget.

6.4 Legal Implications

The recommendations comply with legislation.

6.5 Staff Implications

N/A.

6.6 Previous / Relevant Council Resolutions

N/A

6.7 Risk Implications

N/A

6.8 Comments from Senior Management

The Municipal Manager and Senior Managers are in support of this item.

APPENDICES

Appendix 1 - Minutes of the Audit and Performance Audit Committee Meeting dated 26 August 2020

FOR FURTHER DETAILS CONTACT:

NAME	*Faiz Hoosain*
POSITION	*Chief Audit Executive*
DIRECTORATE	*Municipal Manager's Office*
CONTACT NUMBERS	*021-808 8555*
E-MAIL ADDRESS	*Faiz.Hoosain@stellenbosch.gov.za*
REPORT DATE	*26 May 2021*

APPENDIX 1

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2020-09-02

MINUTES

AUDIT AND PERFORMANCE AUDIT COMMITTEE MEETING [IN-COMMITTEE]

2020-08-26

MINUTES **AUDIT AND PERFORMANCE AUDIT COMMITTEE MEETING** **2020-08-26**

[IN-COMMITTEE]

PRESENT: Dr NL Mortimer (Chairperson)
Mr V Botto
Mr T Lesihla
Ms J Williams

Also Present: Councillor WF Pietersen (MPAC Chairperson)

Office of the A-G: Ms L Klue-Knipe

Officials: Municipal Manager
Chief Financial Officer
Director: Corporate Services
Director: Community & Protection Services
Director: Infrastructure Services
Director: Planning and Economic Development
Chief Audit Executive
Senior Manager: Governance
Chief Risk Officer
Senior Internal Auditor
Manager: Supply Chain Management
Manager: Financial Statements
Manager: Secretariat/Committee Services

****

1.	**OPENING AND WELCOME**

The Chairperson welcomed everyone present.

1.1	**COMMUNICATION BY THE CHAIRPERSON**

The Chairperson acknowledged the impact of the Covid-19 pandemic, and reiterated the Audit Committee's sympathies toward all those adversely affected. The Audit Committee paid compliments to the Administration for its excellent leadership in ensuring continued and effective service delivery.

1.2	COMMUNICATION BY THE MUNICIPAL MANAGER

The Municipal Manager expressed gratitude for the support of the Audit Committee. The Municipality is on track with getting audit-ready, and will be in a position to submit the reports to the Auditor-General within the extended timeframes.

1.3	DISCLOSURE OF INTERESTS

NONE

It was noted that the necessary documentation in respect of Declaration of Interest and Confidentiality will be completed and signed by all Audit Committee members present.

2.	APPLICATIONS FOR LEAVE OF ABSENCE

NONE

3.	CONFIRMATION OF MINUTES AND MATTERS ARISING

3.1	**Confirmation of minutes** The minutes of the Audit & Audit Performance Committee held on 2020-06-29. **(APPENDIX 1)**

The minutes of the Audit and Performance Audit Committee held on 2020-06-29 were **confirmed as correct.**

3.2	**MATTERS ARISING FROM PREVIOUS MINUTES / ACTION POINTS** FOR CONSIDERATION & DISCUSSION

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-06-29: ITEM 3.2

NOTED

that all the previous action points have been actioned.

4.	AUDITOR-GENERAL

4.1	A-G: Direct Assistance Request **(APPENDIX 2)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 4.1

The Chief Audit Executive informed the meeting that an informal request for assistance was received from the A-G's Office. Ms Klue-Knipe, of the Office of the AG, explained that the possible assistance relates specifically to the audit of Covid-19 expenditures. Further communication on this request will be channelled to the Audit Committee via the Municipal Manager's Office.

Audit Committee's comments:

The Audit Committee expressed concern about getting Internal Audit involved in the Covid-19 expenditure audit, given the negative publicity attached to the management of Covid relief funds. In view thereof, the Audit Committee will cautiously review the request from the Auditor-General's Office once an official application for such assistance has been received.

RESOLVED

that the request for assistance be noted, and that the matter be considered when an official application for assistance is received.

5.	FINANCIAL STATEMENTS AND PERFORMANCE REPORT

5.1	Draft Unaudited Annual Financial Statements for year ending 30 June 2020. **(APPENDIX 3)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 5.1

The CFO communicated the following salient points:

- The Municipality will be ready to submit a comprehensive set of AFS within the extended timelines, i.e. by end October
- The collection rate for 2019/20 was 96%
- The debtors' days is 29 (i.e. within National Treasury's norm of 30 days)
- The Municipality's Cash and Cash Reserves are sufficient to cover 4 months' operational expenses (i.e. above the National Treasury's norm of 1-3 months)

- The current ratio on the Financial Statements is 1.7%, which is well within the norm of National Treasury
- The Municipality will not be taking up an external loan for the 2020/21 financial year, and the gearing ratio is 19%, also well below Treasury's norm of 45%
- Total employee-related expenditure is at 31% (30% staff, plus councillors)
- Operational expenditure reached 85% (Covid-19 had a major negative impact)
- Capital expenditure at financial year-end was 72% -- delays at the Deeds Office resulted in the late transfer (8 July) of the purchased building for office space; as a result of the AFS not recognizing this procurement (which amounts to 9% of Capex), the anticipated target of 80% was unfortunately not achieved
- The income split across the revenue streams, is healthy.
- The Municipality's Financial Services department gives the assurance that all the audit findings raised in the previous financial year have been addressed, and that a few changes that are cosmetic in nature, will be attended to prior to the submission of the final set of reports. Stock-take, inventory and stores have been satisfactorily managed.

The A-G's Office confirmed that National Treasury has indeed granted extension for the audit process, and that all municipalities have been informed accordingly. The nett effect is that the deadline for submission of the AFS is end October, and that all the municipalities' Audits will only be finally signed off by the end of February 2021. A good idea would be to inform Council of the new timeframe of the audit process.

Audit Committee's comments:

The Audit Committee thoroughly interrogated the AFS, and Management provided corresponding answers. The following remarks warrant Management's further consideration:

- It would be useful to indicate the dates of each Councillors' term of office.
- The Note Disclosure on #18 relating to Operating Lease Liability should be updated to correspond with the entries.
- The entry under Contracted Services (Note #44) in respect of Catering Services, seems astronomically high in comparison to the previous year, and
- That a general but comprehensive Disclosure Note be included in the AFS to depict the impact and circumstances occasioned by the Covid-19 episode.

RESOLVED

(a) that the Draft Unaudited Annual Financial Statements for year ending 30 June 2020, be noted;

(b) that a special Audit Committee Meeting be scheduled for end October 2020 to consider the final AFS; and

(c) that the Audit Committee's comments be considered by Management.

5.2	Annual Performance Report 2019/20 (APPENDIX 4) **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 5.2

The Audit Committee was apprised of the impact of Covid-19 lockdown on the specific municipal key performance areas of Infrastructure, Planning and Finance. It was also noted that the Annual Performance Report gets absorbed into the Annual Report which provides the comprehensive view and context to the demographics and distribution of services and infrastructure.

RESOLVED

that the Annual Performance Report 2019/20, be noted.

6.	**INTERNAL AUDIT AND INTERNAL CONTROL**

6.1	Internal Auditor Progress Report **(APPENDIX 4)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 6.1

RESOLVED

that the Internal Auditor Progress Report, be noted.

6.2	Internal Audit Report: Follow-ups **(APPENDIX 5)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 6.2

Audit Committee's comments:

Where applicable, Management Comments should ideally always indicate the remedial action by the responsible person. A case in point is the findings under Performance Planning, no.2.1, also no.3.1 re Tender Management. Management is urged to amend this Report accordingly.

RESOLVED

(a) that the Internal Audit Report: Follow-ups, be noted; and

(b) that the Audit Committee's comments be considered by Management.

6.3	Internal Audit Report: COVID-19 Compliance **(APPENDIX 6)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 6.3

The Department of Labour carried out three inspections at the municipality. The few findings were attended to, and the municipality was found compliant. The Chief Audit Executive explained that internal inspections are also done regularly by Corporate Services and the Human Resources department, and that the municipality is doing well in attaining full compliance with Covid protocols. Updates will be provided to the Audit Committee.

RESOLVED

that Internal Audit Report: COVID-19 Compliance, be noted.

6.4	Internal Audit: Operational Plan Amendment / Discussion **(APPENDIX 7)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 6.4

It was noted that further discussions for clarity will be had among Senior Management.

RESOLVED

that the Internal Audit: Operational Plan, as amended, be approved.

7.	QUALITY ASSURANCE AND IMPROVEMENT

7.1	Internal Audit: Quality Assurance and Improvement Plan **(APPENDIX 8)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 7.1

Audit Committee's comments:

There are risks associated with crafting Quality Assurance Plans internally without having it reviewed externally. Management should seriously consider the value of subjecting this Quality Assurance Plan to a peer review, or at least for some intervention and scrutiny by an independent body.

RESOLVED

that the Internal Audit: Quality Assurance and Improvement Plan be referred back for external intervention and review.

7.2	Performance Assessment of the Audit & Performance Audit Committee --- By the Executive Mayor **(APPENDIX 9)**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 7.2

RESOLVED

that the Performance Assessment of the Audit & Performance Audit Committee --- By the Executive Mayor, be noted.

7.3	Performance Assessment of the Audit & Performance Audit Committee --- By the Municipal Manager **(APPENDIX 10)**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 7.3

RESOLVED

that Performance Assessment of the Audit & Performance Audit Committee --- By the Municipal Manager, be noted.

7.4	Performance Assessment of the Audit & Performance Audit Committee --- By the Internal Auditor **(APPENDIX 11)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 7.4

RESOLVED

that Performance Assessment of the Audit & Performance Audit Committee --- By the Internal Auditor, be noted.

7.5	Review of The Audit & Performance Audit Committee Charter **(APPENDIX 12)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 7.5

Audit Committee's comments:

The following areas of oversight, responsibilities and duties performed by the Audit Committee are omitted from the Charter, i.e.:

- the review of the draft Annual Financial Statements
- the review of IT-specific matters such as governance, safeguard and controls

Some typographical errors (e.g. page 13) need correction.

RESOLVED

that the Audit & Performance Audit Committee Charter, with the above suggested improvements from the Audit Committee, be submitted to Council for approval.

7.6	Review of The Internal Audit Charter **(APPENDIX 13)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 7.6

Audit Committee's comments:

Miss Williams of the Audit Committee pointed out some semantics to be refined, such as the requirement for reporting to the Audit Committee on the functions identified in the Charter. Miss Williams will forward these few instances to Internal Audit to include it in the Charter before submitting same to Council for approval.

RESOLVED

that the Internal Audit Charter, with the above amendment, be submitted to Council for approval.

7.7	Review of The Internal Audit Methodology **(APPENDIX 14)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 7.7

RESOLVED

that the Review of The Internal Audit Methodology, be noted.

7.8	Review of The Internal Audit Structure **(APPENDIX 15)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 7.8

RESOLVED

that the Review of The Internal Audit Structure be referred back for further discussion by Management.

8.	RISK MANAGEMENT AND ICT

NONE

9.	FRAUD RESPONSE COMMITTEE: INVESTIGATIONS AND FRAUD

NONE

10.	DATE OF NEXT MEETING

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-08-26: ITEM 10

NOTED

that the date of a special Audit Committee Meeting to be scheduled for end October 2020 to consider the final AFS, will be communicated by the Chief Audit Executive.

The meeting adjourned at 17:40.

CHAIRPERSON: ……

DATE: ……

Confirmed on …… **with/without amendments.**

13.4	QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 OCTOBER 2020 TILL 31 DECEMBER 2020

Collaborator No:
File No:
IDP KPA Ref No: **Good Governance**
Meeting Date:

1. SUBJECT: QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 OCTOBER 2020 TILL 31 DECEMBER 2020

2. PURPOSE

To inform Council of the activities of the Audit Committee for the period 01 October 2020 till 31 December 2020 (2nd Quarter). The Minutes of the meeting held for this period mentioned is herewith attached as **APPENDIX 1** which outlines the activities of the Audit and Performance Audit Committee.

3. DELEGATED AUTHORITY

Audit and Performance Audit Committee reports to Council periodically.

4. EXECUTIVE SUMMARY

In terms of Section 166 of the Municipal Finance Act (MFMA), Act No 56 of 2003, each municipality must have an Audit and Performance Audit Committee. The Audit and Performance Audit Committee is an independent advisory body which must advise Council, the political office bearers, the accounting officer, the management and staff of the municipality.

The Audit Committee has executed its duties and responsibilities during the period under review in accordance with its terms of reference as they relate to Council's accounting, internal auditing, internal control and financial reporting practices.

5. RECOMMENDATION

that Council take note report of the Audit Committee for the period 01 October 2020 till 31 December 2020

6. DISCUSSION / CONTENTS

6.1 Background

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

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

The Audit and Performance Audit Committee will also review the annual financial statements in order to advise Council whether its finances are being managed efficiently and effectively. Furthermore, the Audit and Performance Audit Committee may respond to Council on issues raised by the Auditor–General in the audit report and carry out investigations into the financial affairs of the municipality if requested to do so by Council.

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

6.2 Discussion

During this period the committee, amongst other matters, considered the following and would like to report the following in conjunction with the minutes of the meeting attached:

In respect of the external auditors and the external audit

- Reviewed the Auditor General's Audit Strategy and deliberated with Audit General and management on the Engagement letter.
- Approved that Internal Audit assists the AG with the Stores Inventory review.

In respect of financial statements

- Audit Committee noted the extension of the due date for submission of the AFS and APR due to the COVID 19 lockdown;
- Concerns were raised with compilation of interim AFS and recommendations were made to management;
- Reviewed the Draft Annual Performance Report and noted that this would change when the final AFS figures can be used to update actual performance.

In respect of internal control and internal audit

- Reviewed reports by the Internal Audit Unit and the adequacy of corrective action in response to such findings as detailed in reports and follow-up reports;
- Noted the progress made with Internal Audit operational plan implementation and requested that Internal Audit highlight any risks in the event any emerge;
- Reviewed the Internal Audit progress report QAIP (Quality Assurance and Improvement Plan) of internal audit;
- Reviewed QAR (Quality Assurance Review) executed by an independent external reviewer on Internal Audit as is required by the IIA standards;
- Noted and approved the changes to the operational plan due to the ad-hoc request from management and the emerging risk of Covid 19 and the outcomes of the QAR;
- Reviewed the COVID 19 Compliance report from internal Audit and noted that compliance to the protocols and regulations have adequately been implemented;
- Reviewed Internal Audit's reports on the Performance Management System and Pre-determined objectives (PDO'S).

In respect of risk management

- Reviewed progress reports on Risk Management;
- Reviewed minutes of the Risk management Committee;
- Reviewed the updated and revised strategic and operation risk registers;

In respect of Fraud, Investigations and Consequence management

- Noted the risk and fraud management project plan;
- Noted the updated fraud allegations register and closure of resolved matters;

6.3 Financial Implications

As per the approved budget.

6.4 Legal Implications

The recommendations comply with legislation.

6.5 Staff Implications

N/A.

6.6 Previous / Relevant Council Resolutions

N/A

6.7 Risk Implications

N/A

6.8 Comments from Senior Management

The Municipal Manager and Senior Managers are in support of this item.

APPENDICES

Appendix 1: Minutes of the Audit and Performance Audit Committee Meeting dated 07 December 2020

FOR FURTHER DETAILS CONTACT:

NAME	*Faiz Hoosain*
POSITION	*Chief Audit Executive*
DIRECTORATE	*Municipal Manager's Office*
CONTACT NUMBERS	*021-808 8555*
E-MAIL ADDRESS	*Faiz.Hoosain@stellenbosch.gov.za*
REPORT DATE	*26 May 2021*

APPENDIX 1

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2020-12-07

MINUTES

AUDIT AND PERFORMANCE AUDIT COMMITTEE MEETING [IN-COMMITTEE]

2020-12-07

MINUTES **AUDIT AND PERFORMANCE AUDIT COMMITTEE MEETING** **2020-12-07**

[IN-COMMITTEE]

PRESENT: Dr NL Mortimer (Chairperson)
Mr V Botto
Mr T Lesihla
Ms J Williams

Also Present: Councillor P Crawley (till 17:30)
Mr M Grobler (Independent Auditing Professionals) (till 17:25)

Office of the A-G: Ms L Klue-Knipe
Mr Y Alexander
Mr N Ndzamela

Officials: Chief Financial Officer (as Acting Municipal Manager)
Director: Corporate Services (till 17:00)
Director: Community & Protection Services
Director: Infrastructure Services
Director: Planning and Economic Development
Chief Audit Executive
Senior Manager: Governance
Chief Risk Officer
Senior Internal Auditor
Manager: Supply Chain Management
Manager: IDP/PMS
Manager: Secretariat/Committee Services

****

1.	**OPENING AND WELCOME**

The Chairperson welcomed everyone present.

1.1	**COMMUNICATION BY THE CHAIRPERSON**

The Chairperson acknowledged the leave of absence for the Municipal Manager, and confirmed that the Chief Financial Officer will be deputizing as acting Municipal Manager. All the items on the agenda will be considered in the sequence as listed on the agenda, with the exception of Item 7.1 (Quality Assurance Review Report) which will be presented as the first item for consideration.

1.2	COMMUNICATION BY THE MUNICIPAL MANAGER

NONE

1.3	DISCLOSURE OF INTERESTS

NONE

In was noted that the necessary documentation in respect of Declaration of Interest and Confidentiality will be completed and signed by all Audit Committee members present.

	APPLICATIONS FOR LEAVE OF ABSENCE

The following apologies were tendered:

Municipal Manager

Executive Mayor

Cllr P Crawley (from 17:30)

Director: Corporate Services (from 17:00)

3.	CONFIRMATION OF MINUTES AND MATTERS ARISING

3.1	**Confirmation of minutes** The minutes of the Audit & Audit Performance Committee held on 2020-08-26. **(APPENDIX 1)**

The minutes of the Audit and Performance Audit Committee held on 2020-08-26 were **confirmed as correct.**

3.2	**MATTERS ARISING FROM PREVIOUS MINUTES / ACTION POINTS** FOR CONSIDERATION & DISCUSSION

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 3.2

NOTED

that all the previous action points have been actioned.

4.	AUDITOR-GENERAL

4.1	Audit Strategy **(APPENDIX 2)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 4.1

Ms Klue-Knipe, of the Office of the AG, drew attention to the following key matters as elaborated on in the Audit Strategy, namely:

- Paragraph 6: the dates of the various audit actions and reports being extended to the month of February 2021.
- Paragraph 17: KPA 4 (Dignified Living) has been scoped into the audit. While not the full spectrum of basic services will be covered, concerted focus of the audit will be toward water and sanitation services, as well as roads and water and sanitation infrastructure.
- Paragraph 37: Significant Risks in the domain of financial management that will be subject to auditing, relate to possible fraud in Procurement, Revenue Recognition, and the integrity of Journal Entries.

The A-G recognised with appreciation the excellent assistance the municipality's Internal Audit Unit has been providing, and specifically the direct assistance in terms of the year-end inventory count.

RESOLVED

that the Audit Strategy, be noted.

4.2	Engagement Letter **(APPENDIX 3)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 4.2

Ms Klue-Knipe of the A-G's Office, presented the Engagement Letter. The document was taken as read; hence, the A-G merely highlighted the following key matters:

- Paragraphs 38-42: the amendments to the PAA as it pertain to responsibilities regarding material irregularities
- Paragraph 81: the Covid-19 protocols that will be adhered to by the A-G should any in-person contact be deemed necessary.
- Paragraph 90: the statutory dispute resolution mechanism for contested matters.

RESOLVED

that the content of the Engagement Letter, be noted.

5.	FINANCIAL STATEMENTS AND PERFORMANCE REPORT

5.1	Draft Annual Financial Statements for year ended 30 June 2020 **(APPENDIX 4)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 5.1

The Chief Financial Officer confirmed that the comments and inputs received from the Audit Committee at its 26 August 2020 engagement, have been considered and incorporated into the Draft AFS, which was subsequently submitted to the A-G at the end of October 2020.

RESOLVED

that the Draft Annual Financial Statements for year ended 30 June 2020, be noted.

5.2	Draft Annual Performance Report for period ended 30 June 2020 **(APPENDIX 5)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 5.2

The Chief Financial Officer confirmed that the inputs received from the Audit Committee at its 26 August 2020 engagement, have been incorporated into the Draft Annual Performance Report prior to its submission to the A-G at end October 2020. The final product was thoroughly quality-checked as well, and assurance is given that the report on the performance aligns with the top layer SDBIP KPI's.

RESOLVED

that the Draft Annual Performance Report for period ended 30 June 2020, be noted.

6.	INTERNAL AUDIT AND INTERNAL CONTROL

6.1	Internal Audit Progress Report **(APPENDIX 6)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 6.1

In introducing this item, the Chief Audit Executive alluded to the fact that, going forward, the independent Quality Assurance Review Report (QARR) ought to have a definite influence on certain aspects of the Audit Plan, as well as the proper alignment of reporting on progress made against planned audit areas. A thorough, dedicated discussion with the Audit Committee will be required to brainstorm how to incorporate the recommendations of the QARR into internal audit processes, in the pursuit of best-practice.

The Audit Committee agreed that the QARR must definitely be taken on board, and that internal audit should be geared accordingly. The Chief Audit Executive is advised to consult with peer municipalities in terms of groundwork already done in crafting Combined Assurance Frameworks, etc. The Audit Committee also proposed that routinely, separate In-Committee discussions be held just prior to discussing the normal Audit Committee agenda.

RESOLVED

(a) that the Internal Auditor Progress Report, be noted; and

(b) that a separate In-Committee session be had as a standing item in conjunction with every normal Audit & Performance Audit Committee meeting.

6.2	Internal Audit Report: Performance Management System (Performance Review) **(APPENDIX 7)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 6.2

The Chief Audit Executive reiterated that, going forward, the recommendations from the Quality Assurance Review Report (QARR) will definitely alter the nature and extent of these internal audit reports.

RESOLVED

that the Internal Audit Report: Performance Management System (Performance Review), be noted.

6.3	Internal Audit Report: PDO's -- Quarter 4 **FOR CONSIDERATION**	**(APPENDIX 8)**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 6.3

RESOLVED

that the Internal Audit Report: PDO's -- Quarter 4, be noted.

6.4	Internal Audit Report: COVID -19 Compliance --- Phase 2 **FOR CONSIDERATION**	**(APPENDIX 9)**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 6.4

RESOLVED

that the Internal Audit Report: COVID -19 Compliance - Phase 2, be noted.

7.	**QUALITY ASSURANCE AND IMPROVEMENT**

7.1	Quality Assurance Review Report **FOR CONSIDERATION**	**(APPENDIX 10)**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 7.1

Mr Martin Grobler from *Independent Auditing Professionals* made a presentation on the outcomes of the independent Quality Assurance Review, which highlights the follow key aspects for the Internal Audit Unit and Management's consideration:

- to enhance the Internal Audit Charter to include Enterprise Risk Management responsibilities as outlined in current and relevant frameworks, and that the Internal Audit Charter be reviewed annually
- to expand the control environment of Combined Assurance toward a portfolio view which stretches beyond financial controls
- to develop a comprehensive Combined Assurance Policy/Framework that maps out the combined assurance approach, the various assurance providers in the organization, as well as the risk subjects and the levels of perceived assurance
- to enhance the Internal Audit Plan to be more of a "risk-based" plan which focuses on higher risks and includes advisory/consultative/ad-hoc audit areas, i.e. extending beyond recurring, cyclical audits that are compliance-based.

RESOLVED

that the recommendations and areas for improvement as outlined in the Quality Assurance Review Report be considered by Internal Audit -- in collaboration with Management -- for implementation.

8.	**RISK MANAGEMENT AND ICT**

8.1	Minutes of Risk Management Committee Meeting: 15 June 2020 **(APPENDIX 11)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 8.1

RESOLVED

that the Minutes of Risk Management Committee Meeting: 15 June 2020, be noted.

8.2	Risk Assessment and Progress Report: Q1: July – Sep 2020 **(APPENDIX 12)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 8.2

RESOLVED

that the Risk Assessment and Progress Report: Q1: July – Sep 2020, be noted.

8.3	Risk and Fraud Management Project Plan: Q1: July – Sep 2020 **(APPENDIX 13)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 8.3

RESOLVED

that the Risk and Fraud Management Project Plan: Q1: July – Sep 2020, be noted.

8.4	Risk Management Policy Review **FOR CONSIDERATION**	**(APPENDIX 14)**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 8.4

RESOLVED

that the Risk Management Policy Review, be noted.

8.5	Final Revised Strategic and Operational Risk Register **FOR CONSIDERATION**	**(APPENDIX 15)**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 8.5

RESOLVED

that the Final Revised Strategic and Operational Risk Register, be noted.

8.6	COVID-19 Pandemic Action Plan **FOR CONSIDERATION**	**(APPENDIX 16)**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 8.6

RESOLVED

that the COVID-19 Pandemic Action Plan, be noted.

9.	FRAUD RESPONSE COMMITTEE: INVESTIGATIONS AND FRAUD

9.1	Fraud Register Status Report: (as at 30 September 2020) **(APPENDIX 17)** **FOR CONSIDERATION**

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 9.1

The Chief Risk Officer informed the meeting that a new approach toward the conducting and handling of fraud investigations is currently being devised. The key objective is to strengthen the process through additional resources, experience and expertise. A Standard Operating Procedure (SOP), similar to the structure and model of the framework used by the City of Cape Town, is already in draft form. A progress report in this regard will be submitted to the Audit Committee in due course.

RESOLVED

that the Fraud Register Status Report (as at 30 September 2020), be noted.

10.	DATE OF NEXT MEETING

AUDIT & PERFORMANCE AUDIT COMMITTEE MEETING: 2020-12-07: ITEM 10

NOTED

that the date of the next meeting will be communicated by the Chief Audit Executive.

The meeting adjourned at 18:45.

CHAIRPERSON: ……

DATE: ……

Confirmed on …… **with/without amendments.**

14.	**CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER**

14.1	**MOTION BY COUNCILLOR F ADAMS: IMPLEMENTATION OF AN AGRI-VILLAGE FOR FARMWORKERS**

A Notice of a Motion, dated 2021-05-12, was received from Councillor F Adams regarding the implementation of an agri-village for farmworkers.

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

FOR CONSIDERATION

FOR FURTHER DETAILS CONTACT:

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

APPENDIX 1

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
12 MAY 2021
OFFICE OF THE SPEAKER

DNCA
DEMOCRATIC NEW CIVIC ASSOCIATION
U EERSTE YOU FIRST

CONTACT: oackcity2010@yahoo.com
P.O BOX 12445
DIE BOORD
7613

Democratic New Civic Association

"Without Prejudice"

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
12 MAY 2021
OFFICE OF THE SINGLE WHIP

12 May 2021

For attention : The Speaker

Stellenbosch Municipality

Re: Motion

I hereby submit the following Motion to serve at the May 2021 Council meeting.

Motion : The investigation of municipal land and the establishment of an agri-village for farmworkers.

Motivation/background

1. It is a fact that many of the farmworkers over years failed to register on the municipal housing data basis and cause a disadvantage to them to qualify for affordable subsidized state housing.
2. This should influence this Council to come up with breaking new ground and innovative measures to bring some solutions.
3. One option is the identifying of available land belonging to the Municipality to provide a housing solution to these vulnerable communities.
4. It is also a fact that many farm owners for various reasons and some justifiable envisaged for their farm workers alternative accommodation that will ensure, stability, security and ownership.

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5. This will also allow the farm owner to use their property to diversify and convert for example their property to tourism accommodation and also to create more job opportunities. This is definitely a Win- Win scenario.

6. **Recommendation:**

That Council hereby agrees to

1. To mandate the MM to start with an investigation to identify all possible municipal land in cooperation with the local agriculture stakeholders represent both owners and workers
2. That this unique project be focus on the farmworkers along the R44, Annandale road in a radius of 5 km.
3. That the following Municipal land also be identify, e.g. erf 369, Roulon farm (Annandale road)farm 502 BK, 502 AE , farm 502, farm 527, etc.
4. That MM report back to Council at the August 2021 Council meeting.

Clr. Franklin Adams

Seconded by : ----------

"Aluta Continua"

14.2	QUESTION BY COUNCILLOR F ADAMS: DE ZALZE, STELLENBOSCH SQUARE AND LA CLEMENCE

A Notice of a Question, dated 2021-05-12, was received from Councillor F Adams regarding De Zalze, Stellenbosch Square and La Clemence.

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

FOR CONSIDERATION

FOR FURTHER DETAILS CONTACT:

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

APPENDIX 1

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
12 MAY 2021
OFFICE OF THE SPEAKER

In terms of Contract syntell and TMT

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U 1ERSTE YOU FIRST

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Democratic New Civic Association

"Without Prejudice"

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
12 MAY 2021
OFFICE OF THE SINGLE WHIP

12 May 2021

For attention : The Speaker

Stellenbosch Municipality

Re: Question.

I hereby submit the following question to serve at the May 2021 Council meeting.

Motivation/background

1. I refer Council to the conditions of approval by the Municipality/ Council w.r.t. De Zalze, Stellenbosch Sqaure and La Clemence in around 2007.
2. Although the conditions were relevant to all three developments, only La Clemence thus far adhere and paid more than R3million in a Municipal account for community development as agreed to with the Municipality.
3. Since 2007 there were several Municipal Managers who dealt unsuccessfully with this matter and no political will to enforce the conditions. I am referring to, Mr. Dave Daniels, Mr. Dave Beretti, Ms. Christa Liebenberg and now Ms. Mettler.
4. I did request a meeting with Ms. Mettler early in 2017 and she instructed Mr. Mervin Williams to investigate the matter. Adv. De Beer also attended the meeting.

In terms of Contract syntell and TMT

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U EERSTE YOU FIRST

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Question:

Can the MM please explain to Council why it took her nearly 4 years after she made a commitment to me, just ignored this important matter and what actions will she take against Mr. Williams for disregarding her instruction and disrespecting my oversight role?

I request the mayor to answer this in writing.

Clr. Franklin Adams

Aluta Continua

APPENDIX 2

MEMORANDUM

Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder

TO	:	**SPEAKER**
FROM	:	**MUNICIPAL MANAGER**
DATE	:	**20 MAY 2021**
RE		**REPLY TO QUESTIONS IN TERMS OF SECTION 35 OF THE STANDING RULES AND ORDER FOR THE MEETINGS OF COUNCIL**

Dear Speaker

With reference to the question received from the DNCA, Councillor F Adams submitted in terms of Section 35 of the Standing Rules and Order for the meetings of council, received by my office.

QUESTION

"Can the MM please explain to Council why it took her nearly 4 years after she made a commitment to me, just ignored this important matter and what actions will she take against Mr Williams for disregarding her instruction and disrespecting my oversight role?"

RESPONSE

Mervin Williams conducted an investigation into the development contributions payable by La Clemence, Stellenbosch Square and the De Zalze development. In terms of the investigations the La Clemence development on Farm 510/7 and 510/8 Stellenbosch and Stellenbosch Square development on Portion 510/593 and 510/594 Jamestown, development contributions are payable to the Municipality. However, in the De Zalze, Kleine Zalze and the Vlei development, the development contributions are payable to the SMZ Trust.

In light of the aforesaid Mervin Williams corresponded with the La Clemence Home Owners Association, Stellenbosch Square and the De Zalze Home Owners Association to provide him with confirmation that development contributions were indeed paid to Stellenbosch Municipality by La Clemence and Stellenbosch Square and that De Zalze Home Owners Association made payment of the development contribution to SMZ Trust. Mervin requested them to provide him with the information and documentary proof of payments made, whereafter he will be in a position to report on the status of any payments made. He has not yet received a response to that effect from *inter alia* Stellenbosch Square and De Zalze and will endeavor to liaise with them to provide him with the requested information.

Kind regards,

Geraldine Mettler
Municipal Manager

15.	CONSIDERATION OF URGENT MOTIONS

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

17.	REPORTS SUBMITTED BY THE SPEAKER

17.1	REPORT TO COUNCIL REGARDING THE INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT BY CLR R DU TOIT (MS)

Collaborator No:
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 26 May 2021

1. SUBJECT: REPORT TO COUNCIL REGARDING INVESTGATION INTO ALLEGATIONS OF MISCONDUCT BY COUNCILLOR R DU TOIT (MS)

2. PURPOSE

To consider the report submitted by the Speaker against Councillor Cllr R du Toit, which was done in terms of item 14 of Schedule 1 of the Local Government Act: Municipal Systems Act 32 of 2000, as well as the Approved Code of Conduct for Councillors.

3. DELGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Office of the Speaker received a formal complaint from the complainant Liesl Rhaphoto against Cllr R du Toit, for various allegations as listed in her letter of complaint. The Office of the Speaker was requested to assist with the investigation and for this matter Speaker opted for outside legal services.

An Investigator (Adv. Ettiene Vermaak) was appointed to assist the Speaker with the investigation into facts and circumstances related to the complaints received against Councillor R Du Toit.

Advocate Vermaak provided a report with recommendations to the Speaker's office, which report served before Council for consideration on 24 August 2020. In his report Advocate Vermaak under **Remarks** page 36 said that: "In my view, she did not transgress the Code of Conduct for Councillors as attached **as Appendix 1**.

Council however refer the matter to the Disciplinary Committee of Council for Councillors to investigate the matters and make a finding on any alleged breach of the Code of conduct; and that, following the investigation, the Disciplinary Committee make appropriate recommendations to the Council in the event of any findings as per **Appendix 11.**

The Disciplinary Committee hearing was set for 20th April 2021 and Cllr R du Toit was informed of the hearing and also informed of her right to have a representative present. A copy of the Notice and Charge Sheet is attached as **Appendix 111.** Cllr R du Toit as well as the complainant Liesl Rhaptoto was present at the hearing.

The case was vigorously discuss, heated debate takes place and cross examination of the accused and witness of the facts and circumstances around the matters at hand was thoroughly done.

Based on all evidence submitted and produced to the disciplinary committee and as per the regulations for disciplinary hearings the disciplinary committee make the following findings and subsequent recommendation to Council.

5. RECOMMENDATIONS

the disciplinary committee makes the following recommendation to Council as per Section 14 of Schedule 1 of the Municipal Systems Act No 32 of 2000. (154) Subsection 2a. To: read as follows:

Issue a formal warning to the Councillor.

6. DISCUSSION

6.1 Background

The Office of the Speaker received written complaints from the Complainant MS Liesl Raphoto against Cllr Rozette du Toit, namely:

1. It is alleged that Councillor Rozette du Toit did not declare all her income to the Stellenbosch Municipality.
2. It is alleged that she abused her power to instruct two Municipal Law Enforcement Officials to escorted the complainant from the building she was working at.
3. It is alleged that she instructed Mr Michael Moses, her Administrator, to act as presiding officer at the hearing.

6.2 Discussion

An investigation was done by Adv. Etienne Vermaak in respect of the complaints/ allegations of misconduct made against Cllr R du Toit. His report is attached as Appendix 1. The matter served before the full Council on 24 August 2020 where the matter has been referred to the Disciplinary Committee of Council. The Disciplinary Committee did sit on 20 April 2021 and their recommendation now serves before the full Council to finalise the matter.

6.3 Financial Implications

As per the approved appointment through the Supply chain management process.

6.4 Legal Implications

Local Government Act: Municipal Systems, 2000 – Schedule 1: Code of Conduct for Councillors. Sections 13 and 14 read as follows:

"13. DUTY OF CHAIRPERSONS OF MUNICIPAL COUNCILS

13.1. If the chairperson of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the chairperson must

a. authorise an investigation of the facts and circumstances of the alleged breach;

b. give the councillor a reasonable opportunity to reply in writing regarding the alleged breach; and

c. report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.

13.2. A report in terms of sub-item (1)(c) is open to the public.

13.3. The chairperson must report the outcome of the investigation to the MEC for local government in the province concerned.

13.4. The chairperson must ensure that each councillor when taking office is given a copy of this Code and that a copy of the Code is available in every room or place where the council meets.

14 BREACHES OF CODE

14.1. A municipal council may-

a. investigate and make a finding on any alleged breach of a provision of this Code; or

b. establish a special committee-

i) to investigate and make a finding on any alleged breach of this Code; and

ii) to make appropriate recommendations to the council.

14.2. If the council or a special committee finds that a councillor has breached a provision of this Code, the council may-

a. **issue a formal warning to the councillor;**

b. reprimand the councillor;

c. request the MEC for local government in the province to suspend the councillor for a period;

d. fine the councillor; and

e. request the MEC to remove the councillor from office.

14 3. a. Any councillor who has been warned, reprimanded or fined in terms of paragraph (a), (b) or (d) of sub-item (2) may within 14 days of having been notified of the decision of council appeal to the MEC for local government in writing, setting out the reasons on which the appeal is based.

14.3 b. A copy of the appeal must be provided to the council.

14.3 c. The council may within 14 days of receipt of the appeal referred to in paragraph (b) make any representation pertaining to the appeal to the MEC for local government in writing.

14.3 d. The MEC for local government may, after having considered the appeal, confirm, set aside or vary the decision of the council and inform the councillor and the council of the outcome of the appeal.

14.4. The MEC for local government may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation on whether the councillor should be suspended or removed from office.

14.5. The Commissions Act, 1947 (Act No.8 of 1947), may be applied to an investigation in terms of sub-item (3).

14.6. If the MEC is of the opinion that the councillor has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the MEC may

a. suspend the councillor for a period and on conditions determined by the MEC; or

b. remove the councillor from office.

14.7. Any investigation in terms of this item must be in accordance with the rules of natural justice."

6.5 Staff Implications

No internal capacity exists to investigate these types of allegations. It is also not good practise to use internal staff as it may lead to intimidation.

6.6 Previous /Relevant Council Resolutions

None.

6.7 Risk Implications

Addressed in the item.

6.8 Comments from Senior Management

None requested.

ANNEXURES

Annexure 1 –Investigation Report from Adv. Vermaak
Annexure 11 - Minutes of the Disciplinary meeting
Annexure 111 – Notice and Charge sheet

FOR FURTHER DETAILS CONTACT:

NAME	*JC Anthony*
POSITION	*Senior Clerk: Support Staff: Office of the Speaker*
DIRECTORATE	*Corporate Services*
CONTACT UMBERS	*021 – 808 8042*
EMAIL ADDRESS	*Speaker.admin@stellenbosch.gov.za*
REPORT DATE	*26 May 2021*

ANNEXURE 1

27 FEBRUARY 2020

REPORT TO THE SPEAKER OF STELLENBOSCH MUNICIPALITY REGARDING AN ALLEGATION OF THE TRANSGRESSION OF THE CODE OF CONDUCT FOR COUNCILLORS BY CLR ROZETTE DU TOIT

REPORT COMPILED BY ADV E W VERMAAK

BACKGROUND

I was appointed by Stellenbosch Municipality, in an e-mail dated 12 February 2020 from Ms Nomie Tshefu in the Office of the Municipal Manager, at the request of the Speaker of that Municipality, Clr Nyaniso Jindela, to assist the Speaker with an investigation into alleged misconduct of Councillor Rozette du Toit of Stellenbosch Municipality. This e-mail is attached to this report on pages 37 and 38.

MY TERMS OF REFERENCE

My terms of reference are to investigate the written complaint by Ms Liesl Raphoto, an employee of the L'Abrie de Dieu Safe House in Stellenbosch (hereafter referred to as "the Safe House") to the Speaker dated 26 November 2019, which was hand delivered to the Municipality on the same date according to an official stamp of the Municipality on the said letter. See pages 39 and 40.

INITIAL DOCUMENTATION RECEIVED

At a meeting held on 17 February 2020 in the Office of the Speaker, which was attended by the Speaker, Alderman JC Anthony and myself, the Speaker handed a file to me. The file contained documentation particular to the allegation of the transgression of the Code of Conduct by the particular Councillor comprising of:

1. A letter by Ms Liesl Raphoto, addressed to the Municipal Manager of Stellenbosch Municipality, Ms Mettler, and the Speaker of Stellenbosch Municipality, Clr Jindela, as well as to the Speaker of the Cape Winelands District Municipality, Clr Meyer, dated 26 November 2019. This letter consists of two pages and the heading is "Complaint against two law enforcement officers and Councillor du Toit" (see pages 39 and 40);

2. A letter addressed to the Speaker of Stellenbosch Municipality, dated 29 January 2020, by the same Ms Raphoto with the heading "Supporting Documents –REF 8/2019 – ALLEGED BREACHED OF CODE OF CONDUCT FOR COUNCILLORS", which was received by the Municipality on 29 January 2020 according to an official stamp of the Municipality on the first page of the said document (see pages 41 to 51);

3. A sworn Affidavit in Afrikaans made by the same Ms Raphoto on 14 November 2019, consisting of two pages (see pages 42 to 43)

4. A sworn Affidavit in Afrikaans made by Davey Julius on 14 November 2019, consisting of one page (see page 44);

5. A letter addressed to Ms Liesl Raphto, with the heading "PRECAUTIONARY SUSPENSION NOTICE", consisting of five pages which was signed by Ms Alice Wilton as the CEO of the Safe House, dated 12 November 2019 (see page 45 to 49);

6. A photograph of a licence disc of a white Opel with registration number CA 788170 (see page 50 – a better photo appears on page 67);

7. A document with the heading "Notes to the Annual Financial Statements" of the Safe House for the financial year ended 31 March 2019 (see page 51);

8. A sworn affidavit made by Alice Lorenzo Ruth Wilton on the letterhead of the Safe House, dated 28 January 2020, consisting of six pages (see pages 52 to 56);

9. A document with the heading "To whom it may concern" listing the donations made by Clr Rozette du Toit from March 2019 until September 2019, consisting of one page (see page 57);

10. A Disclosure Form for Benefits and Interests of Stellenbosch Municipality, completed by R du Toit, which consists of two pages (see pages 58 and 59);

11. A letter to Clr R du Toit, dated 29 November 2019, and signed by the Speaker, Clr Jindela, with the heading "Alleged breach of the Code of Conduct for Councillors". Consisting of one page (see page 60);

12. An e-mail from Clr Rozette du Toit addressed to the Speaker dated 6 December 2019, in which she responded to the Speaker's letter dated 29 November 2019, consisting of one page (see page 61);

13. A copy of an article in the newspaper "The Argus" with the heading " Councillor probed for misuse of power, consisting of one page (see page 62);

14. A copy of a front page article in the newspaper "Eikestad Nuus" for the period 30 January 2020 to 5 February 2020, with the heading "Raadslid in spervuur" (loosely translated as "Councillor in cross fire" – see page 63).

MODUS OPERANDI OF MY INVESTIGATION

After the perusal of the file handed to me by the Speaker containing the complaints against Clr R du Toit, I identified the issues and I had arranged interviews with all the material witnesses mentioned in the initial documentation. During these interviews,

other possible witnesses were also identified as well as additional documentation which could assist me in my investigations in this regard.

ADDITIONAL DOCUMENTATION REQUESTED AND RECEIVED

I have requested and received the following additional documentation from the following persons during interviews:

1. A document with the heading "Submission of Liesl Raphoto to the Speaker of Stellenbosch Municipality ref 8/2019 re alleged breach of the Code of Conduct for Councillors consisting of 32 pages and received from Ms Liesl Raphoto on Monday, 24 February 2020 (see pages 64 to 96). Some of the documents in her pack also appear in the documentation initially handed to me by the Speaker, but as I gave Ms Raphoto the undertaking that I shall put all of her documentation before the Speaker without any interference, I decided include her bundle of documents as received in this report ;

2. A document with the heading "Re Board Report regarding non-compliance, disciplinary action and criminal matter filed with CAS Number 157/11/2019", dated 14 November 2019 and consisting of 24 pages, signed by Ms Alice Wilton on 18 February 2020 (see pages 97 to 120) which is addressed to all Board Members;

3. A document with the heading "Re Reporting re L'Abrie de Dieu Services (Urgent)" dated 19 November 2019 and addressed to the Department of Social Development consisting of 14 pages (see pages 121 to 134);

4. A document with the heading "Re Report regarding allegations of Board Members against myself and Clr du Toit", dated 21 January 2020 and consisting of 50 pages, drafted and signed by Ms Alice Wilton on 18 February 2020 (see pages 135 to 183), which was addressed to the Department of Social Development Services. Some of the documents in her pack also appear in the documentation initially handed to me by the Speaker and Ms Raphoto, but as I gave Ms Wilton the same undertaking as I had given to Ms Raphoto, namely that I shall put all of her documentation before the Speaker without any interference and I decided include her bundle of documents as received in this report ;

5. A copy of a letter from Stellenbosch Municipality, dated and signed by Mr G Esau on 9 November 2010, addressed to "Whom it may concern" with the

heading " Longterm relationship between Stellenbosch Municipality and the Stellenbosch Safe House: L'Abrie De Dieu" (see page 184);

6. A copy of an invitation to a Grievance meeting scheduled for 21 November 2019 to address the grievance of Ms G Pieterse , received from Ms Nomie Tshefu of the Office of the Municipal Manager (see pages 185 and 186);

7. A copy of the Grievance Application Form completed by Ms Gretlene Pieterse, received from her during our interview on 19 February 2020 (see pages 187 and 188);

8. A copy of the attendance register of the Safe House insofar as Ms Liesl Raphoto is concerned for the month of November 2019 (see pages 189 and 190).

OTHER EVIDENCE REQUESTED AND RECEIVED/ OBTAINED

1. I have recorded my interview with Ms Raphoto with her consent and I am willing to share this recording with the Speaker upon request;

2. I have requested and received several recordings (six to be exact) of Board meetings of the Safe House from Ms Wilton as I was informed by an affidavit of Ms Hillary Bergstedt that Clr du Toit had made certain admissions pertaining to the allegations against her during Board meetings. I am willing to share these recordings with the Speaker. Apart from the fact that Clr du Toit acknowledges that her office was used by the Safe House for meetings and that Mr Michael Moses acted as the Chairperson of the Precautionary Suspension Hearing of Ms Raphoto, she does not admit in these recordings that she was receiving remuneration from the Safe House as claimed and neither does she admit that she had instructed two Law Enforcement Officers of the Municipality tó escort Ms Liesl Raphoto out of the offices of the Safe House on 12 November 2019;

3. I have received a recording of the proceedings on the first day of the disciplinary hearing of Ms Raphoto, but only after I had given an undertaking to Ms Wilton not to share it or disclose it before the disciplinary hearing of Ms Raphoto is finalised. It suffices to say that she had made statements in her disciplinary hearing which make her allegations against Clr du Toit questionable as some of her statements seem to point to an ulterior motive for making the said allegations. I am willing to share this with the Speaker after the said disciplinary hearing is finalised.

OTHER EVIDENCE REQUESTED AND SHOWN BUT CANNOT BE SHARED

Ms Wilton showed me photos of Ms Raphoto leaving the offices of the Safe House on 12 November 2019 with her jacket over her arm and her handbag in the other hand, which were taken from the video footage captured by security cameras fixed to the offices of the Safe House.

I was informed by Ms Wilton that in terms of applicable legislation , the Non Profit Organisations Act of 1997, she may not hand these photos to people like me, as legislation prohibits her from giving me photographic material which could enable people like me to identify a Safe House and which could result in compromising the safety of the clients who live there.

The full length photo clearly shows Ms Raphoto from behind from her shoes to head and it at the same time shows the car of the Law Enforcement Officers parked in front of the gate of the Safe House. This photo confirms that nobody was escorting Ms Raphoto when she left the Safe House and also shows that the Law Enforcement Officers must still have been inside the offices of the Safe House as they do not appear on the photo and as the presence of their car suggests that they have not left the premises. Ms Wilton is willing to testify in a hearing (should there be one) and she is willing to show the photo on her cell phone to a Disciplinary Committee if need be.

OTHER EVIDENCE REQUESTED AND NOT RECEIVED/ OBTAINED

1. I have requested from Mr Fagrie Patel the recordings, which he had alleged to have made of the discussion between him and Ms Bergstedt on the one hand and Ms Tjetjeko and Ms Telemachus (the two Law Enforcement Officers) on the other hand outside the offices of Mr Cedric Thorpe on 13 November 2019, but despite an undertaking by him during our interview on 24 February 2020 that he would send it to me later that day as this recording was on his other cell phone which was at home, I have not received it, despite sending a reminder to Mr Patel on 26 February 2020 in the form of a WhatsApp message.

   He sent me a WhatsApp on 26 February 2020 that his granddaughter now has the particular cell phone and that he will try to get the recording from her, where after he will send it to me. See pages 191 and 192 as proof of the WhatsApp communication between myself and Mr Patel. I eventually received the sound clip on 27 February 2020 but it is unclear due to many people talking at the same time.

2. I have also requested Ms Hillary Bergstedt for a meeting, but she informed me that she was not available to meet with me until next week Tuesday, 3 March 2020.

   As I have a lengthy sworn affidavit from her given to me by Ms Raphoto and as I expect her (Ms Bergstedt) to stand by it as it was made under oath, I decided not to wait for a meeting with her and I requested her in a WhatsApp message instead to send me the minutes of a meeting of the Board of the Safe House to me, which she described in a WhatsApp message to me as of utmost importance.

   I also asked her to send me the audio recordings which she referred to in her sworn affidavit, but by 26 February 2020 I have not received the said minutes or the audio recordings from her. See pages 193 to 200 as proof of the WhatsApp communication between myself and Ms Bergstedt.

THE DIFFERENT COMPLAINTS

1. **The complaint that Clr du Toit had received monies from the Safe House which she did not declare in the Disclosure Form for Benefits and Interests of Stellenbosch Municipality**

The complaint of Ms Raphoto is fully explained in her letter to Ms Mettler as the Municipal Manager dated 26 November 2019, which was also addressed to the Speaker. In the said complaint, the monies in question are referred to as "income" which she had allegedly received from the Safe House.

INTERVIEWS CONDUCTED/ REQUESTED REGARDING THIS COMPLAINT:

Clr Jindela (Speaker)

The Speaker acknowledged that his office had received the written complaint, dated 26 November 2019, from Ms Raphoto as well as her follow up document with the heading "Supprting Documents – Ref 8/2019- Alleged Breach of Code of Conduct for Councillors" dated 29 January 2020.

He informed me that after the receipt of her first letter dated 26 November 2019, he had addressed a letter to Clr du Toit dated 29 November 2019 (see page 60) in which he requested her to respond to the allegations as set out in the first letter of Ms Raphoto.

He added that Clr du Toit did respond to his letter by means of an e-mail dated 6 December 2019 to all three allegations (see page 61). The Speaker told me that, after considering her response, he was of the opinion that these complaints must be investigated more thoroughly and that he had requested the Municipal Manager to appoint a suitable person to investigate the merits of the said complaints (see page 38).

Alderman J C Anthony

Alderman Anthony provided me with more background information about the Safe House and the relationship between the Safe House and the Municipality. He also provided me with information as to what Councillors are expected to declare in the Disclosure Form for Benefits and Interests of Stellenbosch Municipality (hereafter referred to as "the Declaration Form").

He informed me that a Councillor is expected to declare any other salary / remuneration/ allowances received from any other institution or legal entity in the said form, but that re-imbursements for mere out of pocket expenses such as travelling costs do not have to be declared in the said form.

Ms Liesl Raphoto

Ms Raphoto and I agreed at the start of our very long interview that both of us would record the interview using our cell phones. This agreement is part of the recording. I did so because she speaks at a fast pace and I am not able to write at the same speed. I have saved the recording of her interview on my cell phone and I am willing to share it with the Speaker.

Our initial arrangement was to meet on Tuesday, 18 February 2020, but she contacted me via WhatsApp to request me to move the interview to Monday, 24 February 2020, as she needed more time to gather the information and evidence that I had required from her.

Miss Raphoto informed me that she had learnt from the financial statements of the Safe House that a certain amount of money was paid to Clr du Toit, namely R25 186,00, in the financial year of the Safe House which ended 31 March 2019.

She pointed me to the document with the heading "Notes to the Annual Financial Statements" (see page 51) where this amount is listed next to the name of Rozette du Toit as the very last line item on that document under the sub heading "Waste removal and transport claim to related parties".

She explained that Clr du Toit was the only Councillor of the three names listed under this sub heading and that to the best of her knowledge, Clr du Toit should have declared this payment as income to the Municipality. She further pointed to the Declaration Form completed by Clr du Toit (see pages 58 and 59) and stated that Clr du Toit had not declared any income received from the Safe House under the heading " Remuneration work outside the Municipality " (see the bottom of page 58), which form was signed by her on 14 Augustus 2019. Ms Raphoto did not disclose to me how she had obtained a copy of this form or who advised her that Clr du Toit was obliged to declare reimbursements for fuel expenses as income to the Municipality.

Councillor Rozette du Toit

Clr du Toit acknowledged to me in our first interview that she had received the amount of R25 186,00 from the Safe House in the financial year ended 31 March 2019, but she informed me that this whole amount was a re-imbursement for travelling expenses, as the sub heading in the Notes to the Financial Statements indicate by referring to " ...transport claims to related parties".

She explained that the Safe House does not have a vehicle and as such the clients of the Safe House (abused women and children) are without transport when they need to travel to hospitals, courts, government departments, etc..

She accordingly bought a vehicle, a white Opel, using her own funds with the intention to donate this vehicle to the Safe House, but after the purchase of the vehicle and after it having passed the road worthy test at the Traffic Department, she was informed by the Traffic Department that the vehicle cannot be registered in the name of the Safe House, as the seller of the vehicle had a warrant of arrest issued against him and until such time when this issue is resolved between the seller of the vehicle and the Traffic Department, the vehicle cannot be registered in the name of a new owner.

So she made the vehicle available to the Safe House anyway to enable the clients of the Safe House to be mobile and to travel where they need to be. As she has to incur travelling expenses (petrol) from time to time when clients of the Safe House are transported to hospital or somewhere else like a court by the driver of the vehicle who was appointed by the Safe House, Mr Steven Lottering, she is entitled in terms of the policy of the Safe House to be reimbursed for such transport claims.

She explained further that she donates on average about R2 000,00 per week to the Safe House, for the sole purpose of funding the fuel expenses of the said vehicle. She pays this money to Ms Charlene Abels, who is an Acting Manager at the Safe House and who also is responsible for the financial matters of the Safe House.

This donation of hers, is not kept with the cash in the Petty Cash, but apart from any other money by Ms Abels. When Mr Lottering has to refuel the vehicle, he would then approach Ms Abels for an amount of cash to refuel the vehicle and after purchasing the fuel, he would bring her the cash slip for the transaction. Ms Abels keeps these cash slips.

Mr Lottering does on a weekly basis (usually on a Friday) fill in a claim form of the Safe House on behalf of Clr du Toit, in which he records the number of kilometres travelled in that week and in terms of which a particular tariff is claimed for every kilometre travelled for official purposes.

The claim is settled by Ms Abels by paying the claimed amount into her (Clr du Toit's) bank account. Then the process repeats itself when she donates money at the start of the next week to the Safe House to pay for the fuel the vehicle will require in that week.

Ms Alice Wilton

Ms Wilton informed me that, as the CEO of the Safe House, she was aware of the fact that Clr du Toit had regularly paid monies to Ms Abels of the Safe House and that these amounts of money were solely for fuel expenses for the vehicle which Clr du Toit had made available to the Safe House.

She was aware that Ms Abels had kept these funds which were donated by Clr du Toit, separate from the cash in the Petty Cash. She was aware of the arrangement that the driver of the vehicle, Mr Steven Lottering, has to request a sum of money from Ms Abels to put fuel in the said vehicle and that Mr Lottering had to record the number of kilometres that he had travelled with the said vehicle for official purposes of the Safe House and that Clr du Toit would then be reimbursed for travelling expenses in terms of the applicable policy of the Safe House.

She confirmed that Clr du Toit, just like other Board members, do not receive a monthly salary or an allowance for serving in that capacity. The only money that Board members are entitled to, is reimbursements for travelling expenses when they travel for official business for the Safe House (not all Board members do so).

Ms Wilton acknowledged that the payments made by the Safe House to Clr du Toit are part of the financial statements of the Safe House and told me that these financial statements were audited and that no irregularities in this regard have been found by the auditors of the Safe House. She pointed me to supporting documentation pertaining to the claims by Clr du Toit and the payments made by the Safe House. See pages 167 to 183.

She also made the point that Clr du Toit had made anonymous donations to the Safe House as can be seen from page 57 and that only Clr de Wet and herself knew about these donations.

Ms Charlene Abels

Ms Abels confirmed in a separate interview on a different date than Ms Wilton, the version of Ms Wilton. She said that on average Clr du Toit would give about R2 000 per week to her in cash, which she kept separate from the money in her Petty Cash.

She gave Mr Steven Lottering some of the cash that Clr du Toit had given her for fuel expenses when he needed to refuel the vehicle which Clr du Toit had made available to the Safe House. She continued to say that record was kept by her of the money she had given to Mr Lottering and Mr Lottering was obliged to capture the number of kilometres that he had travelled in order to claim a reimbursement on behalf of Clr du Toit. He normally completed the claim form on a Friday.

The claimed amount was then paid into the banking account of Clr du Toit. She said to me that this arrangement has been in place since the vehicle was made available to the Safe House by Clr du Toit.

She is aware that Ms Raphoto may have seen her handing cash to Mr Lottering as they work together in a small office, but she is of the opinion that Ms Raphoto is under the impression that the cash that she had handed to Mr Lottering, came from the Petty Cash of the Safe House, which may be her motivation for making this particular allegation against Clr du Toit.

She continued to say that if MS Raphoto had any concerns about the fact that cash from the Petty Cash was used to refuel the vehicle and that Clr du Toit was reimbursed by the Safe House on top of it, then she would have expected Ms Raphoto to discuss her concerns with her before she had made the allegations against Clr du Toit. She added that Ms Wilton and Mr Basil Pietersen are also reimbursed for travelling expenses by the Safe House.

Mr (Pastor) Basil Pietersen

Mr Pietersen told me in our interview that he has been the Treasurer of the Safe House for the past 2 years. He said that as the Treasurer, he has a good understanding of the finances of the Safe House. He added he was aware that Clr du Toit was providing a vehicle to be used by the Safe House and that she was paying for the fuel for this vehicle.

He is also aware that she was reimbursed for travelling expenses and he added that he and Ms Wilton are also reimbursed in terms of the policy of the Safe House in this regard.

He continued to say that the financial statements of the Safe House are scrutinised by auditors and that the auditors and the Department for Social Services (DSD) and that neither the auditors or DSD had any issues with the reimbursement for travelling expenses by the Safe House. He confirmed that Clr du Toit does not earn a salary or receive a monthly allowance from the Safe House.

2. **The complaint that Clr du Toit had abused her position as a Councillor by allegedly instructing Law Enforcement Officers to escort Ms Raphoto out of the Safe House on 12 November 2019**

The complaint is based on the fact Clr du Toit was present at the Safe House on the day, 12 November 2019, that Ms Raphoto had been suspended and that Clr du Toit was present when the CEO informed Ms Raphoto that she was going to be given a precautionary suspension while two Law Enforcement Officers, Mr Osric Jumat and Ms Gretlene Pieterse, were also present in the Safe House on that specific date and time. Ms Raphoto believes that Clr du Toit was part of the decision to suspend her and that Clr du Toit had instructed or arranged for the 2 Law Enforcement Officers to be at the Safe House on that day to escort her out of the building after she was served with a Notice of a Precautionary Suspension.

INTERVIEWS CONDUCTED/ REQUESTED REGARDING THIS COMPLAINT:

Ms Liesl Raphoto

During our interview, Ms Raphoto informed me that on 12 November 2019 she arrived at the office at the usual time that she starts to work, namely 7.30 am, as the Compliance Officer of the Safe House.

As she had stated in her letter to the Speaker , dated 26 November 2019, and in her sworn affidavit, dated 14 November 2019, she believes that Clr du Toit was part of a

decision to serve a Notice of a Precautionary Suspension Hearing on her on 12 November 2019 as she was present at the Safe House on that day and as she was present when Ms Alice Wilton as the CEO of the Safe House informed her of the intention of the Safe House to suspend her.

In addition, Ms Raphoto believes that Clr du Toit had instructed 2 Law Enforcement Officers to be at the Safe House to escort her out of the offices of the Safe House on 12 November 2019.

When she was asked if she has any proof in the form of documents like e-mails that Clr du Toit was part of a preconceived plan to suspend her or any witnesses to this effect, she said that she did not.

When she was asked if she has any hard evidence or witnesses that Clr du Toit had in fact instructed the Law Enforcement Officers to be at the Safe House and/or to escort her out of the Safe House, she also indicated that she did not.

When she was asked if she agrees that the Law Enforcement Officers were together at all times when they were in the Safe House, she answered that they were. When she was asked if she had to pass the 2 Law Enforcement Officers in the office to exit the building of the Safe House, she said that this is correct.

I asked her who had informed her that the Safe House was considering to suspend her and she said that it was Ms Wilton. I asked her further who had read the Notice of Precautionary Suspension to her and she confirmed that it was Ms Wilton. I enquired from her who had instructed her to hand over her keys for the building and she again said it was Ms Wilton.

I put it to her that Clr du Toit did not inform her of that she may possibly be suspended, neither did she read the Notice of Precautionary Suspension to her and neither did Clr du Toit instruct her to hand over her office keys and Ms Raphoto agreed.

I wanted to know from her why she then believed that Clr du Toit was part of the decision to serve the said Notice on her and she replied that it is because Clr du Toit suggested that the time of the Precautionary Suspension Hearing, which was going to be held at her office, must be inserted in the said Notice (In the typed Notice the time is written in by hand).

I put it to her that Clr du Toit was at the Safe House on 12 November 2019 for a meeting with Funeka Mayembana, an employee of the Department for Social

Development of Stellenbosch Municipality to discuss the "16 Days of Activism Campaign", which is an awareness campaign aimed at highlighting the abuse of women and children. Ms Raphoto told me that she was not aware of this.

When I asked her who was all present when the said Notice was read to her, she said it was herself, Ms Wilton , Clr du Toit , Ms Abels and the two Law Enforcement Officers. I put it to her that the Law Enforcement Officers both deny that they were present during this event and so does Ms Wilton, Clr du Toit and Ms Abels, but she persisted that they were present.

I asked her what made her believe that she was escorted out of the offices of the Safe House and she replied that Ms Wilton asked them to do so and that the two Law Enforcement Officers walked directly behind her as she exited the offices. She told me that Mr Osric Jumat walked behind her left shoulder and Ms Laurika Williams walked behind her right shoulder as they approached the office door.

When I asked her if she was touched by either of the two Law Enforcement Officers at any time as she left the building, she replied that she was not. When I asked her if anyone of them spoke to her as she left the building, she replied that they did not.

I then reminded her that there were other employees in the office who saw her leaving the building on that day after she was served with the said Notice and that they did not see the Law Enforcement Officers leave the building with her. I also reminded her that there are security cameras fixed to the building, which records video footage and that the footage showed that she left the building alone and minutes before the two Law Enforcement Officers left through the same door that she did. She persisted that the two Law Enforcement Officers escorted her out of the building.

I further put it to her that Laurika Williams, who she names in her sworn affidavit as one of the Law Enforcement Officers who escorted her out of the building, has never ever been to the Safe House and that she does not work the same shift as Mr Osric Jumat, the other Law Enforcement Officer that she had identified in her sworn affidavit. I put it to her that Ms Gretlene Pieterse was the other Law Enforcement Officer at the Safe House with Mr Jumat and she agreed that she had made a mistake with the name of the female officer.

I informed her that Ms Pieterse and Mr Jumat had told me in separate interviews that they were actually at the Safe House on 12 November 2019 to obtain legal advice from Ms Alice Wilton, who is legally qualified and who was once the Manager of Law Enforcement at the Municipality, about a grievance that Ms Pieterse had

submitted against Mr William September. The Grievance Hearing was scheduled for 21 November 2019 and as Ms Pieterse had never been through such a process, she wanted Ms Wilton to give her some advice about this process. Mr Jumat gave her a lift to the Safe House in a Law Enforcement vehicle on his way to his appointment with a doctor. I asked Ms Raphoto if she was aware of this and she said she was not.

I put it to her that although the two Law Enforcement Officers agree that they were requested by Ms Wilton to sign the Notice of the Precautionary Suspension Hearing as witnesses, that they deny that they were part of a preconceived plan to serve the said Notice on her. Ms Raphoto, however, persisted in her belief that the two Law Enforcement Officers were there to escort her out of the offices of the Safe House.

At the end of the interview I asked her if she could provide me with names of witnesses who could verify her version of the events. I was expecting her to name employees of the Safe House who were present on 12 November 2019 when she was allegedly escorted out of the offices of the Safe House by the two Law Enforcement Officers, but she gave me the names of Mr Fagrie Patel and Ms Hillary Bergstedt as her only witnesses.

I was informed by her that Mr Patel is a Board member of the Safe House and that Ms Bergstedt was the Secretary of the Board. I was further informed that although they were not present at the Safe House on 12 November 2019, that they had met with Mr Cedric Thorpe, the Deputy Chief of Law Enforcement on 13 November 2019 and that they understood from that visit that Mr Osric Jumat had admitted that he was instructed by Clr du Toit to go to the Safe House to escort her out of it.

She provided me with a sworn affidavit of each of these witnesses, which from part of her bundle of documents and which can be seen on pages 90 to 92 and page 93 respectively.

Ms Alice Wilton

Ms Wilton confirmed that Clr du Toit visited the Safe House on 12 November 2019 to attend a meeting with Funeka Mayembana, an employee of Stellenbosch Municipality, to discuss "16 Days of Activism Campaign", which is an awareness campaign aimed at highlighting the abuse of women and children. The Safe House, being a home to such women and children, was one of the key role players in planning this campaign.

She informed me that Clr du Toit arrived at the Safe House on 12 November 2019 before Funeka Mayembana did and that she entered the office using the office door

(as opposed to the front door). When Clr du Toit greeted the staff in the office of the Safe House, Ms Wilton, who was in the skills room adjacent to the office, recognised her voice as the door between the office and the skills room was open. The skills room is a room where meetings and training take place. Clr du Toit came into the skills room to greet Ms Wilton, who was busy taking to the two Law Enforcement Officers about the grievance of Ms Pieterse. She told them to wait for her in the skills room as she was busy with something important. Ms Wilton said that when Clr du Toit realised that she (Ms Wilton) was in a meeting, she left the skills room and returned to the office where she sat on a couch to wait for Funeka Mayembana. During this time Ms Raphoto was in the office.

Ms Wilton continued to say that she then returned to the office, which is an open plan office where a number of employees of the Safe House work, including Ms Rapotho. She then attended to the Notice of Precautionary Suspension to Ms Raphoto that she had prepared before the arrival of Clr du Toit and she discussed it with Ms Abels, who also co-ordinates the HR Function in the Safe House. Clr du Toit also joined them during this discussion as Ms Wilton wanted to know from Clr du Toit if her offices could be used to hold the Precautionary Suspension Hearing of Ms Raphoto on 14 November 2019, as this detail had to be inserted in the said Notice. After Clr du Toit had indicated that her office is available on 14 November 2019 for that purpose, Ms Wilton requested Ms Raphoto to join them, which she did.

Ms Wilton continued to say that she then informed Ms Raphoto of the intention of the Safe House to suspend her and that she then continued to read the said Notice to Ms Raphoto. At that time Ms Raphoto , Ms Abels, Clr du Toit and herself were present. The two Law Enforcement Officers were not part of this discussion.

Ms Wilton said that she had requested Ms Raphoto to sign the said Notice as proof of receipt, which she did. Ms Wilton added that she wanted witnesses to sign the said Notice and that she then called the two Law Enforcement Officers to the office where they were sitting in the skills room and requested them to sign the said Notice as witnesses, which they did in the office.

According to Ms Wilson, she told Ms Raphoto that she must hand over her keys for the office, which she did, and Ms Wilton then told her that she is free to leave the premises. Ms Raphoto collected her jacket and her handbag, where after she headed for the office door to leave the building.

At that time Ms Wilton attended to the two Law Enforcement Officers, who were still in the office area waiting to speak to her about the grievance of Ms Pieterse. As Mr Jumat had to leave for his doctor's appointment and as Ms Pieterse would not

have a lift if he had left without her, the discussed another date and time to meet with Ms Wilton to get legal advice about the grievance process. Ms Wilton said that the two Law Enforcement Officers left about 5 minutes after Ms Raphoto did.

Ms Wilton continued to say during her discussion with the Law Enforcement Officers Clr du Toit was sitting on the couch in the office area waiting for Funeka Mayembana to arrive for their meeting.

She said that at no time did she instruct or request the Law Enforcement Officers to escort Ms Raphoto out of the building as alleged by Ms Raphoto. Ms Wilton was very upset about his allegation during my interview with her. She told me that when she first heard of this allegation, she requested Ms Abels to look at the video footage at the time when Ms Raphoto left the building of the Safe House and it showed that Ms Raphoto left the offices alone with nobody else in sight.

She was informed later by Ms Abels that Ms Raphoto, when she was already outside the automated gate of the Safe House, was calling the Law Enforcement Officers when they left the building with a request that they must go and fetch her cell phone which she had left on her desk. Ms Pieterse did so and handed the cell phone to Ms Raphoto.

Ms Wilton assured me that Clr du Toit was not aware that a Notice of a Precautionary Suspension Hearing was going to be served on Ms Raphoto on 12 November 2019 when she arrived at the offices of the Safe House for her meeting with Funeka Mayembana . She also assured me that Clr du Toit played no part in the fact that the two Law Enforcement Officers were visiting the Safe House on 12 November 2019 as they came to seek legal advice from her about the grievance of Ms Pieterse against a fellow employee.

She added that Clr du Toit was only present when the Notice of a Precautionary Suspension Hearing was served on Ms Raphoto, as Ms Wilton beforehand had to ascertain from Clr du Toit if her municipal office could be used to hold the hearing. Clr du Toit did suggest that Ms Wilton insert the time of the said hearing in the said Notice as Ms Wilton omitted the time of the hearing. Clr du Toit suggested that the time be inserted as she could only avail her office from a certain time for this purpose. This explains why the time of the said hearing was written in by hand by Ms Wilton in the said Notice.

Ms Charlene Abels

In my interview with her in this regard, she informed me that she also fulfils the HR function in the office, apart from being responsible for the Petty Cash and the receipt of cash from Clr du Toit for the fuel of the vehicle that she had made available to the Safe House.

She said that she was on duty on 12 November 2019 and confirmed that Ms Raphoto was also at work on that day and that their desks are in the same open plan office. She said that two Law Enforcement Officers, Mr Osric Jumat and Ms Gretlene Pieterse, arrived at the Safe House, which was not uncommon as several Law Enforcement Officers stop by the Safe House from time to time to get legal advice from Ms Wilton, who was their Manager at the Municipality at one time.

She added that the Law Enforcement Officers were asked to sit in the skills room by Ms Wilton, as she was busy with another matter, namely preparing the Notice of a Precautionary Suspension Hearing for Ms Raphoto. She said that at that time Clr du Toit had not yet arrived and that she and Ms Wilton discussed the said Notice in the office adjacent to the skills room.

She continued to say she was aware that Clr du Toit had made arrangements with Funeka Mayembana of the Municipality for a meeting with staff of the Safe House about the 16 Days of Activism Campaign on 12 November 2019, as she was also going to be part of that meeting. When I asked her if Ms Raphoto was also going to be part of the meeting about the 16 Days of Activism Campaign, she answered that Ms Raphoto was a Compliance Officer and as such she was not going to be part of that meeting.

She confirmed that Clr du Toit arrived shortly after the Law Enforcement Officers and before Funeka Mayembana of the Municipality had arrived. After greeting her and other staff in the office, Clr du Toit saw Ms Wilton in the skills room as the door between the office and the skills room was open at that time and Clr du Toit walked to the skills room where she greeted Ms Wilton, who was talking to the two Law Enforcement Officers in the skills room. When she realised that Ms Wilton was not alone and in a meeting, she left the skills room and sat on the couch in the office. The couch is next to the desk of Ms Abels and therefore Ms Abels had a clear view of where Clr du Toit was.

She confirmed that Clr du Toit had joined her and Ms Wilton in a discussion in the office when Ms Wilton wanted to ascertain from Clr du Toit if her offices could be used to hold the Precautionary Suspension Hearing for Ms Raphoto on 14 November 2019. She said that Clr du Toit had indicated that her office would be available from

10.00 am for that purpose and that Clr du Toit suggested that the time of the hearing be inserted in the said Notice when Ms Wilton read the said Notice to Ms Raphoto.

She also confirmed that Ms Wilton had requested the two Law Enforcement Officers to sign as witnesses on the said Notice after Ms Raphoto had signed it. This was done in her presence and also in the presence of Ms Wilton and Clr du Toit.

She further confirmed that at no stage did Ms Wilton or Clr du Toit instruct or request the Law Enforcement Officials to escort Ms Raphoto out of the building. Ms Raphoto , according to her, left on her own after she took her jacket and her handbag from her desk. The Law Enforcement Officials left about 5 minutes later after a short discussion with Ms Wilton. One of the Law Enforcement Officers returned to the office soon after they had left to say that Ms Raphoto had left her cell phone on her desk. Ms Abels then gave the cell phone to the Law Enforcement Officer to give it to Ms Raphoto.

She added that the Safe House has an attendance register which all staff members must sign when they report for duty and when they leave work, but on 12 November 2019 Ms Raphoto did not sign the said register when she arrived for work or before she had left. See pages 189 and 190.

She told me that the video footage of the security cameras fixed to the building of the Safe House, can be accessed from her cell phone, as well as the cell phone of Ms Wilton an the computer of the Social Auxiliary Worker. The video footage of a particular day is available for 2 weeks, where after it is automatically deleted by the camera system.

Ms Abels told me that Ms Wilton had requested her to look at the video footage for 12 November 2019 at the time when Ms Raphoto left the building. She saw that the footage shows that when Ms Raphoto left the building, nobody else can be seen on the video footage. She showed the footage to Ms Wilton, who suggested that she takes a photograph of the footage, which she did. She noticed from the date and the time on the video footage that Ms Raphoto exited the offices of the Safe House on 12 November 2019 at 15:30 and that the Law Enforcement Officers left about 5 minutes later.

I put it to her that Ms Raphoto stated to me that the two Law Enforcement Officers were walking directly behind her when she was escorted out of the building, with Mr Jumat allegedly behind her left shoulder and Mr Pieterse allegedly behind her right shoulder. Ms Abels assured me that nobody else, including the Law Enforcement Officers could be seen on the video footage or the photo that was taken from the video footage. When I asked her how ide the angel was of the video footage and the

photo, she said that it shows Ms Raphoto from her shoes to her head and the angle is wide enough that the Law Enforcement vehicle can also be seen where it was parked in front of the gate.

Ms Funeka Mayembana

Ms Mayembana confirmed in my interview with her that she indeed had an appointment with Clr du Toit at the Safe House on 12 November 2019 from 2.30 pm until 4.30 pm. She sent me a photo of her diary on 12 November 2019 via WhatsApp, which can be seen on page 201. This appointment was to discuss the 16 Days of Activism Campaign with her and some staff members of the Safe House.

Ms Shireen Williams

Ms Williams informed me that she is an employee at the Safe House and that she is a "House Mother" (Huis Moeder). She is one of the employees who were in open plan office on 12 November 2019 when two Law Enforcement Officers entered the office and she confirmed that Ms Wilton had asked them to wait for her in the skills room as she was busy with something else. Ms Williams went to the skills room to offer the Law Enforcement Officers coffee or tea.

She told me that a while later, Clr du Toit arrived at the Safe House and after greeting the staff in the office, she went to the skills room where Ms Wilton was talking to the Law Enforcement Officers. She said that Clr du Toit had greeted Ms Wilton, but turned around and left the skills room when she realised that Ms Wilton was not alone. Clr du Toit then sat on the couch in the office and Ms Williams made tea for her.

She informed me that, as there are only a few staff members working for the Safe House and as they all have desks next to each other in the open plan office, they can communicate very easily with one another.

She was aware that Clr du Toit had an appointment to meet with Ms Funeka Mayembana and some staff members of the Safe House on 12 November 2019 as Ms Wilton informed her about the meeting.

As the office in the Safe House is the size of a normal living room in a normal home, she saw and heard Ms Wilton speaking to Ms Raphoto about the Notice of a Precautionary Suspension Hearing for Ms Raphoto. At that time the Law Enforcement Officers were still in the skills room, but Ms Abels and Clr du Toit were standing next to Ms Wilton.

Mr Cedric Thorpe

Mr Thorpe is the Deputy Chief of Law Enforcement at Stellenbosch Municipality and he informed me in our first interview that he first became aware of the alleged escorting of Ms Raphoto when Mr Fagrie Patel and Ms Hillary Bergstedt visited his offices on 13 November 2019 to discuss the incident with him. As he had no knowledge about the incident and as Mr Patel mentioned the name of Mr Osric Jumat as being one of the Law Enforcement Officers who were involved in the alleged incident, Mr Thorpe phoned Mr Jumat on his cell phone from his (Mr Thorpe's) cell phone and he put the cell phone on speaker phone so that Mr Patel and Ms Bergstedt could follow the conversation.

He asked Mr Jumat if he was at the Safe House on 12 November 2019 and when Mr Jumat replied that he was, he asked him if Clr du Toit had given him an instruction to be there, as this was the information that he was given by Mr Patel and Ms Bergstedt. Mr Jumat explained that he took Ms Gretlene Pietersen to see Ms Alice Wilton for legal advice regarding a grievance which she had lodged against Mr William September and that Clr du Toit did not instruct him to go there.

M Thorpe then said to Mr Patel that it is not the policy of the Municipality that a Councillor may instruct a Law Enforcement Official to escort an employee of a private institution or to do anything of that kind, as Councillors must contact the Municipal Manager with a request that municipal perform a municipal function and the Municipal Manager will then decide if she will approve the request and if so, she will contact the relevant Department to perform the function as a general principle. At the time of our first interview, I did not yet receive the sworn affidavits of Mr Fagrie Patel and Ms Hillary Bergstedt, as I received these sworn affidavits from Ms Raphoto a few days later as a result of her request to me to postpone our first appointment.

After I had received these sworn affidavits, I set up a follow up interview with Mr Thorpe and I asked him to read these affidavits, which he did.

During our second interview, he explained that Mr Patel and Ms Bergstedt came to his office without making an appointment first and that he was very busy. As he had no prior knowledge of the alleged escorting of Ms Raphoto by Law Enforcement Officers, he called Mr Jumat, who was identified by Mr Patel and Ms Bergstedt to have been one of the two Law Enforcement Officers to involved in the incident. He said that the nature of the allegation was disturbing and that he wanted to allay the concerns of Mr Patel and Ms Bergstedt immediately.

He distinctly remember Mr Jumat saying that Clr du Toit did not instruct them to go to the Safe House as alleged by Mr Raphoto, Mr Patel and Ms Bergstedt. He clearly remembers Mr Jumat saying that they were there to get legal advice from Ms Wilton about a grievance of Ms Laurika Williams, but as he found out later, Mr Jumat was referring to Ms Gretlene Pieterse.

He acknowledges that he questioned Ms Laurika Williams, after Mr Patel and Ms Bergstedt had left, about the incident shortly after his conversation with Mr Jumat, but he found out that she was not at the Safe House ever and that Mr Jumat had accidently referred to her instead of Ms Pieterse. He then spoke to Ms Pieterse about the incident and she confirmed that she was at the Safe House with Mr Jumat on 12 November 2019 so that she could get legal advice from Ms Wilton about her grievance. Ms Pieterse also told him that Clr du Toit did not instruct them or request them to go to the Safe House.

Mr Thorpe told me that he was not aware that he was being recorded by Mr Patel on his cell phone when he talked to them in his office that day. He said that if Mr Patel and Ms Bergstedt had understood that he or Mr Jumat had acknowledged that Clr du Toit had instructed Mr Jumat to go to the Safe House on 12 November 2019, then it is their problem and not his.

Mr Osric Jumat

Mr Jumat informed me that he is a Law Enforcement Officer at Stellenbosch Municipality with about 13 years' service. He said that on 12 November 2019 Ms Gretlene Pieterse requested him "to give her a lift" to the Safe House in Stellenbosch when she heard that he had an appointment with a doctor that afternoon. He said he agreed and on the way Ms Pieterse spoke to him about her grievance in respect of Mr William September and that she wanted to obtain free legal advice from Ms Wilton, the CEO of the Safe House, who was the Manager of Law Enforcement at the Municipality before.

He said that when they arrived at the Safe House, Ms Wilton was busy in the office area and she had asked them to wait for her in the skills room. Clr du Toit was not yet there. After a while Clr du Toit, who he does not really know well, arrived at the Safe House and after greeting Ms Wlilton who was speaking to them in the skills room, Clr du Toit left the skills room and returned to the office area. He and Ms Pieterse remained in the skills room.

Ms Wilton approached them to sign a document as witnesses on her desk and they both agreed to do so. He told me that he did not know what type of document it was, but he trusted Ms Wilton and he had no problem to act as a witness. Ms

Wilton, Ms Raphoto, Ms Abels and Clr du Toit were in close proximity when they signed as witnesses.

He said that Ms Raphoto then left the office area with her jacket and her handbag through the office door as he and Ms Pieterse waited for Ms Wilton to come and speak with them. As he was concerned that he might miss his appointment with his doctor that afternoon, he suggested that Ms Pieterse should make another appointment to see Ms Wilton as Ms Pieterse depended on him for transport from the Safe House. Ms Pieterse and Ms Wilton agreed and he and Ms Pieterse left the Safe House through the same door that Ms Raphoto had used about 5 minutes after her departure.

When they were outside the building but still inside the premises, they saw and heard Ms Raphoto calling them with a request to fetch her cell phone which was still on her desk. Mr Jumat said that Ms Pieterse went back inside the building and soon came outside with the cell phone of Ms Raphoto and she gave it to her. Ms Raphoto then drove away in her car and shortly after that Mr Jumat and Ms Pieterse left in the Law Enforcement vehicle.

Mr Jumat strongly denied that he was instructed or requested by Clr du Toit to go the Safe House on that day. He further strongly denied that he was requested by Ms Wilton to escort Ms Raphoto out of the Safe House building and that he and Ms Pieterse indeed escorted Ms Raphoto out of the building. He added that as far as he knows, Clr du Toit does not have his cell phone number and neither does he have hers. He does not know Clr du Toit very well and he had not dealt with her before in sees her, like he does with any other Councillor.

He did acknowledge that he initially told Mr Thorpe that Ms Laurika Williams was with him at the Safe House, but he explained that he is not the only one that confuses the two women as they have the same appearance in terms of height and built.

Ms Getlene Pieterse

Ms Williams told me that she is a Law Enforcement Officer at Stellenbosch Municipality and that she had asked Mr Osric Jumat for a lift to the Safe House in Stellenbosch on 12 November 2019 when she overheard him saying that he had an appointment to see a doctor that afternoon. He agreed to take her there when she told him that she wanted to obtain legal advice from Ms Alice Wilton, the CEO of the Safe House.

She confirmed that they were told to wait in the skills room for Ms Wilton, who was busy with something else. She also confirmed that when they arrived there, Clr du Toit was not yet there.

She said that after a while, Ms Wilton came to them asking for them to be patient as she was dealing with something very important. At that time Clr du Toit came into the skills room to greet Ms Wilton, but she left when she saw the Law Enforcement Officers. Ms Wilton returned to the office, but a while later she came to them and asked them to sign as witnesses on a document. She did not know what she was signing, but as she had known Ms Wilton for a very long time, she had no problem to sign the document as a witness. When they signed the document, Ms Wilton, Ms Abels, Ms Raphoto and Clr du Toit were also present. After they had signed the document, Ms Pieterse and Mr Jumat waited for Ms Wilton to speak to her about the grievance of Ms Pieterse.

While they were waiting, they saw Ms Raphoto leave the building through the office door by herself. After speaking to Ms Wilton briefly about another date and time for a consultation with her about the said grievance, she and Mr Jumat also left the office of the Safe House using the same door as Ms Raphoto to exit the building.

When they got outside the building, they saw and heard Ms Raphoto calling them and she requested them to go back into the office to fetch her cell phone which was laying on her desk. Ms Pieterse went back into the building and got the cell phone from an employee of the Safe House and she then handed it to Ms Raphoto who waited outside the gate.

She also strongly denied that she was instructed by Ms Wilton or Clr du Toit to go to the Safe House. She gave me a copy of her Grievance to prove that this is the only reason why she was there (see pages 187 and 188). She further strongly denied that she had escorted Ms Raphoto out of the Safe House.

Ms Laurika Williams

She informed me that she is a Law Enforcement Officer at Stellenbosch Municipality and that she had never been to the Safe House in Stellenbosch. She confirmed that Mr Thorpe had questioned her about an incident at the Safe House in November 2019, but she told him that Mr Jumat must have confused her with Ms Pieterse, like many people do.

Mr Fragie Patel

In my interview with Mr Patel, he told me that he can only speak about the incident at the Safe House and not the other allegations, as Ms Raphoto brought this incident to his attention. He then contacted M Bergstedt and on 13 November 2019 they both went to see Mr Thorpe about it.

He said Mr Thorpe phoned Mr Jumat in their presence and as he understood the conversation, Mr Jumat had acknowledged that he was instructed by Clr du Toit to go to the Safe House to escort Ms Raphoto out of the Safe House.

He said that he recorded a conversation with Mr Thorpe on his cell phone when he and Ms Bergstedt spoke to Mr Thorpe after he had spoken to Mr Jumat. He later sent me a sound clip which appears to be a recording of such a conversation, but due to other persons speaking loudly in the background and other background noise, it is very difficult to hear this conversation. I am willing to share this recording with the Speaker.

Ms Hillary Bergstedt

I tried to set up an interview with Ms Hillary Bergstedt , but she indicated in a WhatsApp message that she was only available to see me on Tuesday, 3 March 2020. As I am in possession of a lengthy sworn affidavit from her and as the contents were made under oath, I am comfortable that she had covered all of her concerns and that she will stand by the contents thereof. See pages 193 to 200 as proof of my attempt to set up an appointment with her and to get information from her.

Mr John Tjetjeko

Mr Tjetjeko was named in a sworn affidavit by Ms Bergstedt as well as in the sworn affidavit of Mr Patel as being one of the Law Enforcement Officers who confirmed later to Mr Patel that he had heard Mr Jumat say to Mr Thorpe on speaker phone that Clr du Toit had instructed him to go to the Safe House to escort Ms Raphoto out of the building.

Mr Tjetjeko told me that he is an Law Enforcement Officer at Stellenbosch Municipality and that he and Carmen Telemachus, another Law Enforcement Officer, went into the office of Mr Thorpe on 13 November 2019 to do work, when he heard Mr Thorpe asking Mr Jumat on speaker phone if Clr du Toit had instructed him to go the Safe House to escort Ms Raphoto out of the building. He saw Mr Patel and Ms Bergstedt with Mr Thorpe. He knows both of them as they were Councillors of Stellenbosch Municipality before.

He said that he did not hear the reply from Mr Jumat as he and Ms Telemachus was in a hurry to do something. As for the allegation of Mr Patel that he confirmed to Mr Patel and Ms Bergstedt outside of the offices of Mr Thorpe that he had heard Mr Jumat say that Clr du Toit had instructed him to go to the Safe House, he denies it.

Ms Carmen Telemachus

Ms Telemachus is the Carmen who was named in a sworn affidavit by Ms Bergstedt as well as in the sworn affidavit of Mr Patel as being one of the Law Enforcement Officers who confirmed later to Mr Patel that she had heard Mr Jumat say to Mr Thorpe on speaker phone that Clr du Toit had instructed him to go to the Safe House to escort Ms Raphoto out of the building.

She confirmed Mr Tjetjeko's version of the events in the finest detail by saying that she did not hear the reply of Mr Jumat as she was in a hurry to leave the offices of Mr Thorpe to attend to an important matter. She also did not speak to Mr Patel or Ms Bergstedt outside the offices of Mr Thorpe on that day about Mr Jumat.

Clr du Toit

In short, she told me that on 12 November 2019 she had an appointment with Ms Funeka Mayembana of the Municipality and some staff members of the Safe House about the 16 Days of Activism Campaign at about 2.30 pm. She said that she went to the Safe House a bit earlier to ensure that she is in time for the meeting.

When she arrived there, she went inside through the office door and she greeted all the staff members, including Ms Raphoto, in the office like she always does. Ms Mayembana was not yet there. She noticed that Ms Wilton was not in the office and saw her through the open door that she was in the skills room. She then proceeded to the skills room to greet Ms Wilton but when she noticed that Ms Wilton was in a meeting with two Law Enforcement Officers, she left the skills room and sat on the couch in the office to wait for Ms Mayembana.

Ms Wilton later approached her to ascertain from her if her office could be used for a Precautionary Suspension Hearing on 14 November 2019, which she agreed to. After a while Ms Wilton informed Ms Raphoto while Clr du Toit and Ms Abels were present, that the Safe House is intending to suspend her and Ms Wilton read the Notice of the Precautionary Suspension to Ms Raphoto. Clr du Toit said that hse realised that the time of the said hearing was not mentioned in the said Notice and that it was important to insert the time as her office was only available from 10.00 am on 14 November 2019.

She said that she was present when Ms Raphoto and the Law Enforcement Officers signed the said Notice. She was also present when Ms Wilton asked Ms Raphoto to hand over the keys of her office. She said that Ms Wilton told Ms Raphoto that she can leave and Ms Raphoto did so after she fetched her jacket and her handbag. She said that Ms Raphoto left unaccompanied through the office door. A that time the Law Enforcement Officers were talking to Ms Wilton about something else and Clr du Toit again sat on the couch in the office to wait for Ms Mayembana.

She added that after about 5 minutes the Law Enforcement officers left through the office door, but a female Law Enforcement Officer returned shortly afterwards, saying that Ms Raphoto had forgotten her cell phone on her desk and one of the staff members handed it to the Officer. The Officer then left the office area.

She informed me that she did not know that a Notice of a Precautionary Suspension Hearing was going to be served on Ms Raphoto that day before her arrival and neither did she know that the two Law Enforcement Officers were going to be at the Safe House.

Therefore she strongly denied the allegation of Ms Raphoto that she had instructed the Law Enforcement Officers to go to the Safe House to escort her out of the building and she in fact took exception to his allegation. She told me that she does not have the cell phone number of any Law Enforcement Officer of Stellenbosch Municipality, except for a Mr Abrahams who she contacts when she sees drug sales going on. This is also stated in her response, dated 6 December 2019, to the letter of the Speaker. She offered her cell phone records to the Speaker in her said response as soon as she gets it from Vodacom.

Clr du Toit told me that she does not know why Ms Raphoto is making these allegations against her, but she does know that Ms Raphoto does not have proof in this regard and that she does not have all the information in these respects.

3. The complaint that Clr du Toit is allowing the resources of the Municipality to be used by the Safe House, including her office and the services of Mr Michael Moses, her Administrator

This complaint results from observations by Ms Raphoto that the office of Clr du Toit is used from time to time for meetings of the Safe House and that her Administrator, Mr Michael Moses, had chaired her (Ms Raphoto's) Precautionary Suspension Hearing.

INTERVIEWS CONDUCTED/ REQUESTED REGARDING THIS COMPLAINT:

Ms Raphoto

Ms Raphoto informed me in our interview that she has personal knowledge that the municipal office of Clr du Toit is being used for some meetings of the Safe House, in that her Precautionary Suspension Hearing was held on 14 November 2019 at her office in Reyneveld street in Stellenbosch, which she had attended (see page 47). She added that she was advised that a Councillor may not avail her or his office for meetings of external organisations as it is municipal property which must be used for municipal purposes alone.

She continued to say that she has personal knowledge that a few other meetings organised by the Safe House, were also held at the municipal office of Clr du Toit and that her Precautionary Suspension Hearing was not the only occasion where the office of Clr du Toit was used for non- municipal purposes.

She added that Clr du Toit did not only misuse municipal property, but also municipal staff as her Administrator, Mr Michael Moses, was requested to act as the Chairperson of her Precautionary Hearing on 14 November 2019 when the original Chairperson, Ms Zelda Dalling, had withdrawn in this regard. She said that Mr Moses works in the municipal office of Clr du Toit in Reyneveld street.

She continued to say that she was advised that Councillors may not instruct municipal officials to do so and that Clr du Toit had transgressed the Code of Conduct for Councillors by instructing Mr Moses as her Administrator to act as the Chairperson of the said hearing.

Ms Raphoto made mention of two other matters which she believed that Clr du Toit played an instrumental role in, namely the appointment of the driver, Mr Steven Lottering for the vehicle that she had made available to the Safe House as well as the appointment of an accountant, Mr Stephen Louw, for the Safe House, but toward the end of our interview she conceded that the Board of the Safe House had appointed Messrs Lottering and Louw and not Clr du Toit.

Ms Alice Wilton

Ms Wilton informed me that the identity and the location of the Safe House are regarded as confidential matters and that it is protected by legislation, as the Safe House is home to vulnerable women and children who have been victims of abuse. In order to ensure their safety and the progress made with counselling and to protect them against the perpetrators of the crimes against them and the friends or families of such perpetrators, the integrity and the location of the Safe House must be regarded as confidential information. According to her, this means necessarily that access to the Safe House must be restricted and one of the ways to do that, is to arrange meetings of the Safe House elsewhere so that the people who have to attend such meetings, do not know where the Safe House is located. She also added

that clients (the term used for victims of abuse in the Safe House) are free to walk around in the Safe House as they do not want to create the impression in the minds of the clients that they are confined or locked up, which means that clients can walk into meetings at any time and this is not desirable for the clients or for having uninterrupted meetings.

She said that the Safe House has an agreement with Stellenbosch Municipality in terms of which the Municipality gives financial and administrative support to the Safe House. The financial support is considered by the Municipality upon motivated requests by the Safe House on an ad hoc basis. The Municipality also for instance leases a municipal property to the Safe House at a nominal rate and as the space in the Safe House is not enough for all the activities of the Safe House, a request was made by the Safe House in 2010 for the expansion of the Safe House by the Municipality. She pointed me to a letter written by Mr G Esau of the Municipality in November 2010 in which he replied to the request for the expansion of the Safe House, which also proves the "Long term partnership" (as the heading of the said letter states) between Stellenbosch Municipality and the Safe House (see page 184). In this letter it is stated in the last paragraph that "We support the Stellenbosch Safe House and their activities..... " and also "We hope that as our partnership with them has made possible for them to continue serving, they will find a partnership who can assist them in serving a bigger portion of our community.'

It is against this background that the Safe House had for a long time requested the Municipality, if and when necessary, for a venue to hold meetings and Clr du Toit assisted the Safe House by agreeing that her municipal office can be used for meetings of the Safe House.

Ms Wilton also informed me that the Safe House does not only request the Municipality to avail meeting space for it at no charge. It also approaches guest houses and other organisations from time to time for office space to hold meetings free of charge.

As for making use of Mr Michael Moses, the Administrator of Clr du Toit, as the Chairperson of the Precautionary Suspension Hearing of Ms Raphoto, she informed me that Ms Zelda Dalling withdrew as the Chairperson of the said hearing shortly before it was scheduled. In this regard she pointed to the Notice of the Precautionary Suspension Hearing to Ms Raphoto, which is dated 12 November 2019 and in which Ms Dalling is mentioned as the Chairperson of the said hearing which was scheduled for 14 November 2019 (see page 47).

Ms Wilton told me that when Ms Dalling withdrew as the Chairperson, she had to find someone else who is available on 14 November 2019 to act in this position and eventually Mr Moses was available and agreed to fulfil this role. Asked if Clr du Toit

had instructed Mr Moses to Chair the Precautionary Suspension Hearing of Ms Raphoto, she replied that Clr du Toit did not. Asked if the Safe House had compensated Mr Moses for his time in this regard, she replied that he was not compensated by the Safe House.

Clr du Toit

In our interview in her office in Reyneveld street, Clr du Toit acknowledged that she avails her office as a meeting place for the Safe House when it does not interfere with her work as a Councillor. She informed me that when Clr Loretta Maree was the Mayor of Stellenbosch Municipality about thirteen years ago, a decision was taken by the Municipality that a home owned by the Municipality, would be made available to the Safe House as offices and accommodation for the clients of the Safe House. She added that there is a long standing relationship between the Municipality and the Safe House and that she has been serving on the Board of the Safe House for about two years as it is her passion to serve people in need. She does not receive a salary or an allowance to serve on the Board and neither does any other Board member.

She continued to say that apart from the municipal building, for which the Safe House pays nominal rent, the Municipality also considers applications for funding by the Safe House, in the same manner that it considers applications for funding from other community organisations. Such applications must follow a prescribed process and must be fully described and motivated.

She confirmed that it is very difficult and sometimes even impossible to hold meetings at the Safe House, as the safety of the clients can be compromised if anyone off the street is allowed to enter the premises to ask for a meeting or to attend a meeting. Therefore, taking into account the long relationship between the Municipality and the Safe House, she avails her municipal office free of charge to the Safe House for meetings if it is not being used by her for meetings. In this regard she pointed out that her office in her view must serve the broad community of Stellenbosch and that it is not only to be used by her to have meetings. She therefore also from time to time makes her office available to other community organisations to conduct meetings. It is therefore not only the Safe House that benefits from using her offices for meetings.

She informed me that the Municipality is not the only institution that makes meeting space available for the Safe House, as other some organisations also do so free of charge.

With regard to the allegation that she had instructed Mr Michael Moses, her Administrator, to act as the Chairperson of the Precautionary Suspension Hearing of

Ms Raphoto, she informed me that Ms Zelda Dalling withdrew as the Chairperson of the said hearing and she had proposed to Ms Wilton, the CEO of the Safe House, that Mr Moses be considered for this role as she is very impressed by his work and his judgement. She denies that she had instructed Mr Moses to act as the Chairperson of the said hearing and added that Mr Moses had worked many hours overtime and that he could take time off his official duties to do whatever he pleases. When he acted as the Chairperson of the said hearing, it was regarded by her that he was doing so in his time off. Asked if Mr Moses was compensated by the Municipality or the Safe House for acting as Chairperson of the Precautionary Suspension Hearing of Ms Raphoto, she replied that he was not to her knowledge.

Mr Michael Moses

In my interview with him, he acknowledged that he is the Administrator of Clr du Toit and that he works in her office in Reyneveld street in Stellenbosch. He also conceded that he was the Chairperson of the Precautionary Suspension Hearing of Ms Raphoto on 14 November 2019 which was held in the municipal offices of Clr du Toit. Asked if he was instructed to act in this position by Clr du Toit, he replied that she did not and that he willingly agreed to fulfil this role when Ms Wilton requested him to do so. He added that he had worked many hours overtime and because the Municipality has a policy that he cannot be paid for overtime worked and that he must take time off instead, he took time off to assist the Safe House in this regard. Asked if he was paid by the Safe House for his time, he answered that he was not.

Ms Charlene Abels

Ms Abels, the Acting Manager of the Safe House since September 2019, said that she is aware that meetings of the Safe House are often held at other venues than the offices of the Safe House. She mentioned a few examples of such venues which the Safe House have used free of charge, namely the Simonberg Guesthouse in Cloetesville, the Ou Luckhof offices in Banghoek street in town, the home of Mr Fagrie Patel in Jamestown, the Breugel Civic Centre in Cloetesville, the office of Clr du Toit, etc.. This is done to protect the location, the safety and the integrity of the Safe House as well as the wellbeing of the clients as Board meetings lately were marked with screaming and shouting which could upset clients, especially those with mental issues and those who have fears of any type of aggression.

EVALUATION OF EVIDENCE

THE DIFFERENT COMPLAINTS

1. The complaint that Clr du Toit had received monies from the Safe House which she did not declare in the Disclosure Form for Benefits and Interests of Stellenbosch Municipality

It is common cause that the Safe House has a policy that Board members and staff members who have to travel in the execution of their duties and responsibilities can be reimbursed for travelling expenses. Nobody disputes this – not even Ms Raphoto.

It is further common cause that Clr du Toit is a Board member and that she had incurred travelling costs as she funded the fuel expenses of the vehicle that she had made available to the Safe House to transport clients. Nobody disputes this, including Ms Raphoto.

It is common cause further that Mr Lottering kept record of the kilometres that he had travelled in the said vehicle and that he completed a claim form on behalf of Clr du Toit, where after Clr du Toit was reimbursed by the Safe House for travelling expenses by means of an EFT into her banking account. Ms Raphoto also agrees with this as she included proof of such payments in her bundle of documents.

The donations by Clr du Toit to the Safe House by means of cash payments to Ms Abels to refuel the said vehicle, which monies were kept separately by her from the money of the Safe House, appears not to be general knowledge as Ms Raphoto is not aware of it. In the mind of Ms Raphoto, Ms Abels took money from the Petty Cash, therefore income of the Safe House, to give to Mr Lottering when he had to refuel the said vehicle. Then, in the mind of Ms Raphoto, Clr du Toit was reimbursed by the Safe House for travelling expenses, which made her believe that the Safe House was making two payments for each tank of fuel (firstly to the garage where the fuel was purchased and then, secondly, another payment to Clr du Toit for travelling expenses incurred with the same tank of fuel.

The issue in dispute in this regard between Ms Raphoto and Clr du Toit, is whether or not the reimbursements to Clr du Toit for travelling expenses can be defined to be "income" as the income envisaged by the Declaration Form of the Municipality.

Ms Raphoto was advised (I still do not know by whom) that a reimbursement for travelling expenses is income and that Clr du Toit is obliged in terms of the relevant policy of the Municipality to declare it to the Municipality.

Clr du Toit is of the opinion that reimbursements for travelling expenses is not an income as it merely places money back in one's pocket after the out of pocket expense occurred. Accordingly she believes that these reimbursements are not similar to a second salary or another allowance which must be declared in terms of the Declaration Form.

My instructions from Alderman J C Anthony in the Speaker's Office is that Clr du Toit is correct with her interpretation and that the interpretation of Ms Raphoto is incorrect.

There is no evidence offered by Ms Raphoto in the form of a policy or Council resolution to say that reimbursements for travelling expenses by third parties to a Councillor will be regarded as income for purposes of completing the said Declaration Form.

2. The complaint that Clr du Toit had abused her position as a Councillor by allegedly instructing Law Enforcement Officers to escort Ms Raphoto out of the Safe House on 12 November 2019

There is ample evidence that Clr du Toit visited the Safe House on 12 November 2019 to attend a meeting with Ms Mayembana of the Municipality and some staff members of the Safe House to discuss the 16 Days of Activism Campaign. In this regard the inputs of Ms Mayembana (and particularly her diary showing the appointment), Ms Wilton, Ms Abels, Ms Williams and Clr du Toit are proof of this.

It appears from my interview with Ms Raphoto and also from her bundle of documents which were handed to me, that Ms Raphoto was unaware of the above meeting. She was not part of the group of employees of the Safe House that were going to discuss the said campaign with Ms Mayembana and Clr du Toit. Ms Raphoto is a Compliance Officer and as such she was not involved by Ms Wilton in the said campaign.

I believe that, after listening to all the witnesses and after studying all the documentation, Ms Raphoto jumped to conclusions by assuming that Clr du Toit came to the Safe House for the sole purpose of being present when she was going to be served with the Notice of Precautionary Suspension on 12 November 2019. The fact that the Precautionary Suspension Hearing was going to take place in the office of Clr du Toit coupled with the fact that Clr du Toit had suggested to Ms Wilton that the time of the said hearing must be inserted in the said Notice, fuelled her belief that Clr du Toit and Ms Wilton had decided jointly that Ms Raphoto would be served with the said Notice on that day.

Furthermore, Ms Raphoto, in my opinion, believed further that the presence of the two Law Enforcement Officers were organised by Clr du Toit and that they were only there to escort her out of the building. She assumed that Clr du Toit had abused her authority to instruct the two Law Enforcement Officers to be there in case Ms Raphoto would refuse to leave the building. She made this assumption as, in her mind, neither Ms Wilton or Ms Abels (who were actually involved in the decision to suspend her) had the authority to instruct the two Law Enforcement Officers to be there.

Even furthermore, I believe that the sequence of events on 12 November 2019 in a relative short space of time, namely the arrival of the two Law Enforcement

Officers, followed by the arrival of Clr du Toit, followed by the statement by Ms Wilton to Ms Raphoto that the Safe House is considering her suspension which was followed by the Law Enforcement Officers signing the said Notice as witnesses, led to an assumption by Ms Raphoto that all these events tie up together to make a plan of conspiracy against her.

The problem with this assumption is that the truth is that the Law Enforcement Officers were at the Safe House for legal advice from Ms Wilton about a grievance and that Clr du Toit was at the Safe House to attend a meeting regarding the 16 Days of Activism Campaign. This can be proved with documentation attached to this report. The Law Enforcement Officers did not know that Clr du Toit was going to be there on that day and neither did Clr du Toit know that Law Enforcement Officers would be visiting the Safe House on that day, as they were not part of the group of people which was going to discuss the said campaign.

I could not find any witness (including Ms Raphoto) who could provide me with hard evidence that Clr du Toit had instructed Law Enforcement Officials to be at the Safe House on 12 November 2019 or that she had arranged for them to be there on that date to escort Ms Raphoto out of the building.

3. The complaint that Clr du Toit is allowing the resources of the Municipality to be used by the Safe House, including her office and the services of Mr Michael Moses, her Administrator.

It is a fact that the Municipality has a long standing agreement with the Safe House, in terms of which office space and accommodation for clients are made available at a nominal fee and in terms of which the Municipality supports the Safe House in other ways.

It is a fact that Ms Raphoto is apparently not aware of and neither is Ms Bergstedt, who in her affidavit also criticises Clr du Toit for lending support to the Safe House, despite being the Secretary of the Board of the Safe House. One would assume that Ms Bergstedt would welcome any support to the Safe House in that capacity.

I could not find any person to say that Clr du Toit's support to a non-profit organisation like the Safe House by making her office available at times for meetings of the Safe House, contravenes a policy of the Municipality or a Council resolution. In fact, her gesture of goodwill in this regard can be seen as being part of the continued support of the good cause that the Safe House represents.

As for requesting her Administrator, Mr Moses, to act as the Chairperson of the Precautionary Suspension Hearing of Ms Raphoto, it was a request in the first place as Mr Moses certainly did not see it as an instruction. Therefore, Mr Moses could have turned down the said request if he was uncomfortable with it. In the second place, Mr

Moses can do whatever he wants in his time off as long as he does not transgress any law. He decided to do his good deed for the day by making himself available in that capacity in his time off.

This too can be seen to have taken place in the spirit of the long standing agreement between the Municipality and the Safe House.

As for other allegations that Clr du Toit had recommended Mr Lottering as the driver for the vehicle that she had made available and that she had recommended Mr Stephan Louw as the accountant for the Safe House, these recommendations are just that – recommendations. She did not appoint Mr Lottering as the driver or Mr Louw as the accountant – the Board of the Safe House did (which included Ms Bergstedt).

FINDINGS

1) **The complaint about reimbursements for travelling expenses by the Safe House not being declared as income by Clr du Toit to the Municipality**

   I am of the opinion that Clr du Toit is not obliged to declare reimbursement for travelling expenses by a third party, to the Municipality as it cannot be regarded as income. Accordingly, she did not transgress the Code of Conduct for Councillors.

2) **The complaint that Clr du Toit had abused her position as a Councillor by allegedly instructing Law Enforcement Officers to escort Ms Raphoto out of the Safe House on 12 November 2019**

   I cannot find any evidence to prove on a balance of probabilities that Clr du Toit had instructed the two Law Enforcement Officials to be at the Safe House on 12 November 2019 or that she had instructed them to escort Ms Raphoto out of the building. In fact, I cannot find any evidence that Ms Raphoto was escorted out of the building by Law Enforcement Officials as she claims. To the contrary, video footage shows that she walked out by herself with nobody near her. This fact is also supported by many eye witnesses. Therefore Clr du Toit did not transgress the Code of Conduct for Councillors in this regard in my view.

3) **The complaint that Clr du Toit is allowing the resources of the Municipality to be used by the Safe House, including her office and the services of Mr Michael Moses, her Administrator.**

I am of the opinion that Clr du Toit acted within the scope and the spirit of the long standing agreement between the Municipality and the Safe House by making available administrative support to the Safe House, which clearly lacks resources as a non-profit organisation. In my view, she did not transgress the Code of Conduct for Councillors.

CLOSING COMMENTS

It is noteworthy that the letter of Ms Raphoto dated 26 November 2019 addressed to the Municipal Manager and the Speaker, identifies all persons referred to in her said letter who are DA members, namely Clr du Toit, Mr Stephan Louw and Ms Zelda Dalling.

Many other names appear in her said letter and no indication is given by her of their political affiliation.

The nature of the allegations against Clr du Toit, did not require Ms Raphoto to involve party politics in her complaints. The political affiliation of certain persons does not make the complaints more or less serious.

Allegations of misconduct against a Councillor should stand on their own feet and not on a political platform.

ADV E W VERMAAK
27 February 2020

37

INVESTIGATION REGARDING ALLEGATIONS AGAINST CLR R DU TOIT

Nomie Tshefu <Nomie.Tshefu@stellenbosch.gov.za>

Wed 2020/02/12 16:10

To: Etienne Vermaak <evermaak@outlook.com>
Cc: Annalene De Beer <Annalene.DeBeer@stellenbosch.gov.za>; JC Anthony (Speaker Admin) <Speaker.Admin@stellenbosch.gov.za>; Sharesa Cammeleto <Sharesa.Cammeleto@stellenbosch.gov.za>; mm <Municipal.Manager@stellenbosch.gov.za>; Raydine Wenn <Raydine.Wenn@stellenbosch.gov.za>

2 attachments (151 KB)
SMFD-Comite20020414160.pdf; 357405 - EVermaak.pdf;

Dear Adv Vermaak

Our telephonic conversation refers.

Attached please find a letter requesting an investigation on a Councillor.

FQ112/19 is still applicable.

Kind regards,
Nomie Tshefu
Chief Administrative Officer
Office of the Municipal Manager

T: +27 21 808 8049 | C: +27 76 626 9438
Plein Street, Stellenbosch 7600
www.stellenbosch.gov.za

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

STELLENBOSCH

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 [https://www.stellenbosch.gov.za" target=]www.stellenbosch.gov.za

Disclaimer:
The information contained in this communication from nomie.tshefu@stellenbosch.gov.za sent at 2020-02-12 16:09:54 is confidential and may be legally privileged. It is intended solely for use by evermaak@outlook.com and others authorized to receive it. If you are not evermaak@outlook.com you are hereby notified that any disclosure, copying, distribution or taking

STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

38

OFFICE OF THE SPEAKER

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4 February 2020

Ref: 8/2019

To: **The Municipal Manager**
Stellenbosch Municipality
Plein Street
Stellenbosch
7600

Dear Ms Mettler

RE:REQUEST TO APPOINT AN INVESTIGATOR

Complaints have been lodged against Councilor Rozette du Toit for various "illegal" activities done by herself during the execution of her Councillors duties.

I have investigated all the facts and circumstance of the above matter and am of the view that an initiator/investigator be appointed to investigate the matter.

I hereby kindly request the appointment of an investigator in terms of the SCM process to conduct an investigation on behalf of the Speaker.

Thanking you in advance.

.....

SPEAKER: Nyaniso Jindela
nyaniso.jindela@stellenbosch.gov.za
021 808 8074

The Municipal Manager

Stellenbosch municipality

Ms. Metler

The Speaker

Stellenbosch Municipality

Councillor Jindela

The Speaker

Cape Winelands District Municipality

Councillor Meyer

Formal Complaint against two law enforcement officers and Councillor Du Toit

I am Liesl Raphoto, coloured female with Id number, 7904270066083

I am a single mother with two children.

I am employed by the safe house as a Compliance Officer.

Complaint

Councillor Rozette Du Toit is a DA member and councillor at Stellenbosch Municipality.

The councillor had to declare all income she received from the safe house to the municipality. The councillor were never able to submit proof that she declare to the municipality the income she received from the safe house.

The councillor made her unlicensed vehicle, Registration number, CA 788170 available to the Safe house to transport patients of the safe house. This is a risk in itself and compromise the safe house and safety of the patients and integrity of the Municipality as she is a public representative.

The friend and driver of Councillor Du Toit, Mr. Steven Lottering was appointed by the safe house to do the driving and would get a salary for driving.

Councillor Du Toit would then submit petrol claims and be paid again for the use of the unlicensed vehicle.

Councillor Du Toit brought another DA member, Mr Stephan Louw as the accountant to the Safe house.

The accountant was accused in the general media for corruption of company's books. The media also reported that the councillor was requested to resign as a councillor from Stellenbosch municipality.

Thus the integrity of the safe house and the municipality was compromise again by a public representative, DA Councillor Du Toit.

STELLENBOSCH MUNICIPALITY
COMMUNITY AND PROTECTION SERVICES
LAW ENFORCEMENT
26 NOV 2019
STELLENBOSCH MUNISIPALITEIT
GEMEENSKAP BESKERMINGSDIENSTE
WETSTOEPASSING

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
26 NOV 2019
OFFICE OF THE SPEAKER

Received:
R. Langeveldt

40

Abuse of municipal resources

On 12 November 2019, I was informed by Councillor Du Toit and the CEO of the Safe House (Ms. Alice Wilton) that I was suspended. Two municipal law enforcement officials, Mr. Osric Jumat and Laurika Williams escorted me from the premises of the safe house. The safe house is a private institution and municipal officials are not allowed to interfere.

In terms of municipal processes, the involvement of the two officials is abuse of municipal resources since they had no authority to escort me off the premises.

I received a notice informing me that my precautionary suspension hearing will be held on Thursday, 14 November 2019 at the ward office of DA councillor Rozette du Toit at Laplan. The presiding officer for this hearing would be Ms. Zelda Dalling, again a DA councillor. On the day of the hearing Councillor Du Toit's administrative officer, Mr. Moses Michaels was the acting presiding officer during working hours. Again the employment of municipal officials and municipal property were abused.

I intent to inform the Premier of the Western Cape, MEC of local government (Anton Bredell), FEDEX and the Media of this abuse of municipal resources towards vulnerable women by DA councillors and political appointees.

I take note that council will go into recess early in December 2019. I have to apologise for the timing of my complaint but this was unfortunately out of my control. I would appreciate a correspondence on this matter before then. I also take note from Stellenbosch municipality's webpage that a council meeting is scheduled for Wednesday, 27 November 2019. According to the agenda for the above mentioned meeting you will be dealing with misconduct of councillors. I therefore urge you to also deal with my complaint at the above mentioned meeting as an urgent matter as the conduct of Councillor Du Toit have a negative impact on my lively wood as a single mother to two young children. This is especially crucial in this time where we are celebrating 16 days of Activism against abused women and children.

In failing to comply I will have no other alternative than to raise this matter in the media.

Yours sincerely,

STELLENBOSCH MUNICIPALITY
COMMUNITY AND PROTECTION SERVICES
LAW ENFORCEMENT

26 NOV 2019

STELLENBOSCH MUNISIPALITEIT
GEMEENSKAP BESKERMINGSDIENSTE
WETSTOEPASSING

Raphoto

Ms. L. Raphoto

(Compliance officer, Safe House)

0630032884

lieslraphoto@yahoo.com

26 November 2019

Received: K. Langeveldt.

MUNICIPALITY / MUNISIPALITEIT
STELLENBOSCH

26 NOV 2019

OFFICE OF THE SPEAKER

41

The Speaker

Stellenbosch Municipality

Councillor Jindela

RE: SUPPORTING DOCUMENTS – Ref: 8/2019 – ALLEGED BREACHED OF CODE OF CONDUCT FOR COUNCILORS

Please find attached supporting documents with regards to my complaint of 26 November 2019.

Kind regards

Liesl Raphoto

Compliance officer – L'Abrie De Dieu Safehouse

29 January 2020

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH

29 JAN 2020

OFFICE OF THE SPEAKER

BEëDIGE VERKLARING - SWORN AFFIDAVIT

Naam Van/Name Surname: Liesl Raphoto

ID No/ID Nr: 7904270066083. Huis Adres/House Address: 10 Newman Straat, Idasvallei, Stellenbosch. Werk Adres/Work Address: Safehouse Stellenbosch, Simonsberg Weg, Stell. Tel No/Tel Nr (h): _____ Sel No/Cell Nr: 0630032884

Tel No/Tel Nr (w): (021) 883 2574.

Verklaar onder eed in Afrikaans / States under oath in English

Hiermee verklaar ek, Liesl Raphoto, 'n werker as "Compliance Officer" by Safehouse Stellenbosch die volgende. Op 12 November 2019 om 07h30 het ek na my werksplek "L'Abris De Dieu Safehouse" gegaan en my daaglikse pligte uitge= voer. Ontrent van wat aangaan het die volgende gebeur wat my summier getraumati= seer het want ek het nie geweet waar oor dit gaan nie.

Op 12 November 2019, om 08h00 het twee Weetstoepassers (Chr Oscic Sumat en sy rede vroue kollega) na die Safehouse se kantore toe gekom om vir Adv. Alice Wilton e kom sien. Alice Wilton het toe gevra dat hulle, die Weetstoepassers, saam met haar n die Skills kamer gaan konsulteer. 10 Minute later het Raadslid Rozette du Toit ook by die Safehouse op gedaag en saam met Alice Wilton en die Weetstoe= passers in die skills kamer gekonsulteer. Sowat 10 minute later het hul almal n die kantoor gekom waar ek rustig gesit het en my werk doen. Alice Wilton het toe in die teenwoordigheid van Raadslid Rozette du Toit, die Weetstoepassers n Charlene Abels 'n dokument aan my oorhandig aangaande 'n "Precautionary suspention Notice". Alice Wilton het toe die inhoud van die dokument aan my gelees n Raadslid Rozette du Toit het gesê dat daar 'n verandering moet aangebring word wat insluit die tyd van wanneer die verhoor gaan plaasvind op die 1 November 2019. Ek was gevra of ek enigiets wil byvoeg waarop ek geantwoor het nee. Dit was met my meegedeel deur Alice Wilton dat 'n kriminele saak een my gemaak is en dat ek kan weg vir 'n oproep van die SAPS. Dit was ook vir my meegedeel deur Alice Wilton dat hierdie situasie is aan DSD meegedeel. Ek was toe gevra om die kopie van die dokument te teken as bewys van ontvangs waarvan die twee Weetstoepassers

is vertroud met die inhoud van die verklaring en begryp dit. Ek het geen beswaar teen die aflê van die voorgeskrewe eed nie. beskou die voorgeskrewe eed as bindend vir my gewete. I know and understand the contents of this statement. ave no objection in taking the prescribed oath. I consider the prescribed oath to be binding on my conscience.

Verklaarder Handtekening/Deponent Signature

sertifiseer dat die verklaarder erken dat hy/sy vertroud is met die inhoud van die verklaring en dit begryp. erdie verklaring is voor my beëdig en verklaarder se handtekkening/ ~~duimafdruk~~/ merk is in my teenwoordigheid daarop ebring te

rtify that the above statement was taken by me and that this deponent has acknowdlged that he/she knows and understands the tents of this statement. The statement was sworn before me and deponent's signature/ thumb print/ mark was placed there on ny presence at STELLENBOSCH op/on (Datum/Date) 2019-11-14 on/at(Tyd/Time) 08:05

Kommissaris van Ede/Commissioner of Oaths

OYSON JACOBS

Volle Naam en van/ Full name and Surname in pri

POLISIE DIENS / S A POLICE SERVICE,

23 Du Toit Street, STELLENBOSCH

COLONEL RANK

SUID-AFRIKAANSE POLISIEDIENS
STASIE BEVELVOEDER
STELLENBOSCH

2019-11-14

STELLENBOSCH
STATION COMMANDER
SOUTH AFRICAN POLICE SERVICE

BEëDIGE VERKLARING - SWORN AFFIDAVIT

Naam Van/Name Surname: Liesl Raptoo

ID No/ID Nr: 7904270066083 . Huis Adres/House Address : 10 Newman Street Idasvallei, Stellenbosch . Werk Adres/Work Address : Stellenbosch Safehouse, Simonsberg weg .Tel No/Tel Nr (h): _____ Sel No/Cell Nr : 0630032884

Tel No/Tel Nr (w): (021) 8832574 .

Verklaar onder eed in Afrikaans / States under oath in English

getuie het as getuies. Ek was gevra deur Alice Wilton om my sleutels oor te handig. Ek het geen kapsie gemaak teen wat besig was om te gebeur nie. Alice Wilton het toe die Weerstoepassers gevra, in die teenwoordigheid van Raadslid Rozette du Toit, om my te vergesel van die perseel af. Ek het toe my sak gevat en die perseel verlaat sonder enige teenstaan. Die hele gebeure het my erenstig getraumatiseer dat ek nie eers kan praat nie en kan nie nordentlik funksioneer nie.

t is vertroud met die inhoud van die verklaring en begryp dit. Ek het geen beswaar teen die aflê van die voorgeskrewe eed nie.
: beskou die voorgeskrewe eed as bindend vir my gewete. I know and understand the contents of this statement.
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Kommissaris van Ede/Commissioner of Oaths

Volle Naam en van/ Full name and Surname in pri
POLISIE DIENS / S A POLICE SERVICE ,
23 Du Toit Street, STELLENBOSCH
COLONEL **RANK**

SUID-AFRIKAANSE POLISIEDIENS
STASIE BEVELVOEDER
STELLENBOSCH
2019-11-14
STELLENBOSCH
STATION COMMANDER
SOUTH AFRICAN POLICE SERVICE

BEëDIGE VERKLARING - SWORN AFFIDAVIT

Naam Van/Name Surname: Davey Julius

ID No/ID Nr: 670202 5143 08 7 . Huis Adres/House Address : 11 Anthony Street, Clootesville, Stellenbosch Werk Adres/Work Address : N/A

. Tel No/Tel Nr (h): _____ Sel No/Cell Nr : 076 8165 427

Tel No/Tel Nr (w): _____

Verklaar onder eed in Afrikaans / States under oath in English

Ek Davey Julius, verteenwoordiger van Liesl Raphoto, het op 14 November 2019 om 10h00 haar verteenwoordig in haar "Precautionary Suspension Notice" verhoor by die kantore van Raadslid Rozette du Toit. Teenwoordig by die verhoor was Adv Alice Witton (CEO van L'Abrie "De Dieu" Safehouse, Charlene Abels (the officer and Acting office manager). Mnr Moses Michaels was aan ons voorgestel as die acting Presiding officer. Mnr Moses Michaels is 'n administratiewe beampte vir Raadslid Rozette Du Toit. Hierdie verrigtinge het plaas gevind gedurende mnr. Michaels se werks ure.

k is vertroud met die inhoud van die verklaring en begryp dit. Ek het geen beswaar teen die aflê van die voorgeskrewe eed nie. ‹ beskou die voorgeskrewe eed as bindend vir my gewete. I know and understand the contents of this statement. ıave no objection in taking the prescribed oath. I consider the prescribed oath to be binding on my conscience

Verklaarder Handtekening/Deponent Signature

sertifiseer dat die verklaarder erken dat hy/sy vertroud is met die inhoud van die verklaring en dit begryp . erdie verklaring is voor my beëdig en verklaarder se handtekkening/ duimafdruk/ merk is in my teenwoordigheid daarop ebring te

rtify that the above statement was taken by me and that this deponent has acknowdlged that he/she knows and understands the tents of this statement. The statement was sworn before me and deponent's signature/ thumb print/ mark was placed there on ny presence at STELLENBOSCH op/on (Datum/Date) 2019-11-14 on/at(Tyd/Time) 13:45

SUID-AFRIKAANSE POLISIEDIENS
STASIE BEVELVOEDER
STELLENBOSCH
2019 -11- 14
STELLENBOSCH
STATION COMMANDER
SOUTH AFRICAN POLICE SERVICE

Kommissaris van Eed/Commissioner of Oaths

Volle Naam en van/ Full name and Surname in pri
POLISIE DIENS / S A POLICE SERVICE ,
23 Du Toit Street, STELLENBOSCH
RANK

~~23 October 2019~~ 12 November 2019

Name : **Liesl Rhaphoto**

Staff designation : **Compliance Officer**

NPO : **L'Abrie de Dieu Safe House Stellenbosch**

(Shelter for abused women and children)

PRECAUTIONARY SUSPENSION NOTICE

It has been **alleged** that you have breached your duty as compliance officer of the Safehouse Stellenbosch, as included herein.

Fraud/Theft

You promoted fraud and/or theft of monies due to the Safehouse thus promoting fraud/theft of money, which should have been paid to the safehouse, in terms of the High Tea held on the 9th of August 20019. Allegations for investigation includes:

1. That you reneged your duty as compliance officer to ensure that all compliance procedures were followed during the arrangements of the high tea dated the 9th of August 2019. Processes not followed includes:

1.1. Failure to ensure that the Board member, Fachrie Patel who arranged the function with you documented and sought board approval for expenses;

1.2. Failure to ensure that all accepted procurement processes for the services were rendered were documented and processed by approved officials and board members of the safehouse.

1.3. Failure to ensure that monies received were documented and paid into the safehouse bank account.

1.4. Failure to meet a legal order to provide a report on the deviation and/or non-compliance with the safehouse constitution, delegations and financial policies and procedure.

1.5. Threatening staff and residents with Board conduct (EXCO) against staff and therapeutic staff.

Gross insubordination

2. Interference and/or blatant abuse and preying on of clients with mental illness, by interfering in the therapeutic processes of the safehouse by consulting and advising residents with mental illness about conflict between the board and staff, discussing therapeutic actions, advising clients on therapy regardless of lack of training, thus causing a therapeutic breach. Said interference has caused a violent therapeutic fallout between mental illness patients held at the safehouse. You have thus led to the risk that the safehouse will be shut down. Said matter will be reported to DSD and a meeting had been arranged for the 26th of November 2019 for investigation at the safehouse.

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Rude, abusive and insolent behavior

3. Acting abusively with the CEO when you were requested to provide a report on the high tea matter referred to above. Threatening and scaring staff with board interference. Then bragging via whattsapp about your conduct.

Be advised that said investigation will not be limited to the above.

Accordingly, you are requested to make representation regarding the Management decision to firstly suspend you, with pay, until said investigation is completed, within 48 hours from receipt of said notice. Your suspension hearing has been scheduled for the **14th of November 2019**, at the **Office of Rozette Du Toit**, LAP ward office, Reyneveldstr. The presiding officer is Zelda Dalling.

You are allowed to obtain legal representation in this regard as the allegations leveled amounts not only breach of duty, fraud and theft. Said legally qualified person can then make representations on your behalf in protection of your rights. The criminal matter has already been registered and it is advisable to rather appoint an attorney.

You are also compelled to hand over all keys and remote control with immediate effect. Your co-operation in this regard will be appreciated.

Please indicate the address for delivery of all formal notices in terms of relevant legislation.

Yours faithfully

48

Alice Wilton

CEO

L'Abrie de Dieu Safe House Stellenbosch

Acknowledgement of receipt

49

....

Signature Date

....

Witness Date

50

Counselor Rozette Du Toit'S **unlicensed vehicle, White Opel, reg CA788170** that was used to transport patients of the Safehouse.



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Notes to the Annual Financial Statements

Figures in Rand	2019	2018

11. Cash (used in) generated from operations

Loss before taxation	(290 147)	(163 852)
Adjustments for:		
Depreciation and amortisation	315 482	289 319
Profit on sale of assets	-	(300)
Dividends received	-	(186)
Interest received	(43 444)	(49 974)
Fair value adjustments	-	(1 009)
Changes in working capital:		
Trade and other receivables	-	3 231
Trade and other payables	4 076	(16 064)
	(14 033)	**61 165**

12. Related parties

Relationships

Board members	Gordon Reid
	Alice Wilton
	Basil Pietersen
	Rozette du Toit
	Elize Anthony
	Zenobia Sedeman
	Magdalene Blankenberg
	Faghrie Patel
	Hillary Bergstedt

Related party balances and transactions with other related parties

Related party transactions

Salary paid to related parties		
Alice Wilton	119 312	-
Waste removal and transport claim to related parties		
Alice Wilton	39 022	-
Basil Pietersen	70 777	-
Rozette du Toit	25 186	-

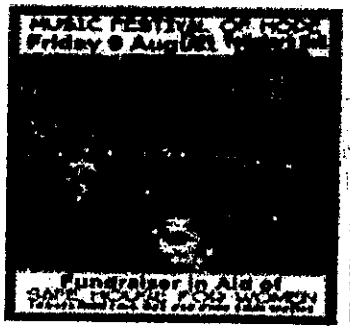
Safe House
L'ABRI DE DIEU
STELLENBOSCH

I, **Alice Lorenzo ruth Wilton** affirm as follows:

1. That I am an adult female and CEO of the safehouse Stellenbosch.

2. I am responsible for compliance within the safehouse, Stellenbosch.

3. On the 9th of August 2019, a High Tea with a difference was held to do fundraising for the safehouse by one of our board members. See posters attached.





The agreement was always that the fundraising was to be for the safehouse. Based on the marketing, we received free venue, cutlery, crockery, food etc. Our relationships allow us to have 0-cost events.

The proceeds from functions are always paid into the bank account/petty cash of the safehouse. No exception has ever been made during my tenure as CEO. We will make our statements available to you for verification.

To date this is the only transaction which has not been accounted for and we have reported it to our auditors who advised us to proceed with civil and criminal litigation.

Note that during the planning of this event we had several meetings and at no stage were we advised that M & F Events would be appointed to do the events and be remunerated for it.

NB: Also be advised that there is only one person who does procurement and that is Charlene Abels. I have attached our System of Delegations for your attention.

No board members is allowed to procure any services. Even if we procured the services then I have no explanation why monies were received in the personal bank account of the board member. I have proof thereof.

4. On the 31st of August 2019, our processes include completing financial month end, collation of information which is sent to the accountant and scanning of all hard copies of receipts and or invoices. Note that at the end of the month this was the only transaction with non-compliance. I then requested financial information on said transaction and was told by the compliance officer that I should not report on it. This immediately concerned me that I could not account for a significant amount of money, but I started the enquiry process to report it.

5. On the 12th of September 2019, I was verbally attacked by the Board member responsible for the function. The attack was unrelated to the successful golf day and centered around me being ill on the golf day and sitting with stakeholders having breakfast, while drinking my tablets, which the Board member saw on the table that morning.

I admit that I became upset due to the fact that my disability/illness is now used as a tool to ridicule and humiliate me, by a male board member whose conduct I experience as narcissistic behavior and/or bullying. Said board member ostensibly recruited the compliance officer and one other board members to continuously harass and bully me on a continuous basis. This persists to date.

Board meetings and communications are aggressive, name calling is common and allegations of misconduct has been levelled already. I suspended the compliance officer for financial misconduct, interference in the therapeutic processes of mental health patients/clients and threatening of staff. The above-mentioned board members refuse to allow me to proceed with the precautionary suspension and/or the disciplinary matter.

I have recordings of board meetings where I am screamed at, humiliated, accused of writing "rubbish" reports, having a personal vendetta, promoting apartheid and references are made to politics and the "DA."

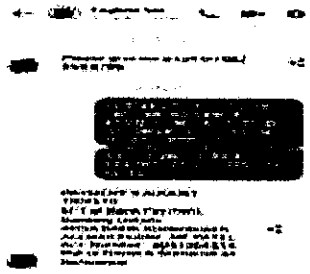
This has never happened that politics and personal vendettas were mentioned and/or used as a tool to humiliate and ridicule staff and other board members. Clause A15 of our Constitution" specifically prescribes that our organization "Has not and will not use its resources directly or indirectly to support, advance or oppose any political party."

Cllr Du Toit joined the safehouse and established a direct communication between us and the local authority which advances our work, leads to benefit for victims of violence and we receive support for all our events. The personal attacks and whatsapps followed only after I started enquiring about the missing funds.

6. On the 12th of October 2019, the therapeutic team walked out and suspended services due to interference by the compliance officer and board. The same compliance officer was working with EXCO members in a recruitment drive of clients, which led to a breakdown of therapeutic services and urgent medical intervention for two clients. We have complete record of all proceedings. Note that this suspension is 100% aligned with our standard practices in the safehouse.

7. On the 16 of November 2019, we received evidence that the board member had payments done into his bank account. See proof of at least one payment reflected. I have recordings of the Board member saying that he is entitled to the money. The criminal matter has been

registered with CAS no Stellenbosch 157/11/2019. Hillary Bergstedt has tried to get our Chairperson to withdraw the matter. He refused and the matter is still being investigated.



Clause 8.2 of our "Constitution" provides that "No portion of the income or property of the Association shall be paid or distributed directly or indirectly to any person (otherwise than in the ordinary course of undertaking any public benefit activity) or to any Management Board Member of the Association, except as : reasonable compensation for services actually rendered to the Association; reimbursement for actual costs or expenses reasonably incurred on behalf of the Association.'

Be advised that no staff or board members takes money into their bank accounts. This is the first time this has ever happened during my term as CEO. We have all documents hard copy and electronically available to prove that this is not done. Every payment reflected in petty cash and the bank account has a corresponding proof for payment. All payments made is related to our prerogatives in our constitution. I have attached the constitution for your attention.

Note that the Board member never denied that he did it. I have received proof that he also received monies for CANSA functions in his bank account. This is however not our practice at the safehouse.

8. On the 19th of November 2019, I sent a letter dated the 19th of November 2019 to DSD requesting assistance to resolve this issue. We agreed on more board training and a meeting with the Chairperson. I am also herewith requesting said suggested meeting dates. See a copy of said reports attached. I sent a letter in an attempt to seek resolution and guidance.

9. On the 29th of November 2019, we were made aware of charges lodged against Cllr Du Toit. See the complaint attached. I immediately drafted a response, but she said I must hold it back until we are advised by Stellenbosch Municipality Speaker on their response.

The problem with the complaint is that it is factually incorrect.

Re allegations of Nepotism

Cllr Du Toit did not commit any act of nepotism. We have a closed recruitment process and the Chairperson made the appointment.

Re Allegations of Financial misconduct

There were no acts of financial misconduct. Cllr Du Toit made several contributions to the safehouse and runs at a loss in the provision of a vehicle. She has been supporting our safehouse financially for years.

Re allegations of Abuse of power

The law enforcement persons did not remove the member of personnel, so there was no abuse of power. Said law enforcement officials frequent our facility and assist when we are on lockdown.

That day a female official visited us to obtain legal advice regarding an abusive male colleague. I have email proof for this. She merely signed as a witness at my request, because they were in the room next door waiting for me.

We also have video and photographic footage that this person was not escorted off the premises and a recording to prove that Cllr Du Toit merely sat in the office and did not partake in the suspension hearing. Cllr Du Toit was at our premises to see someone from community development regarding the 16 days of activism programme.

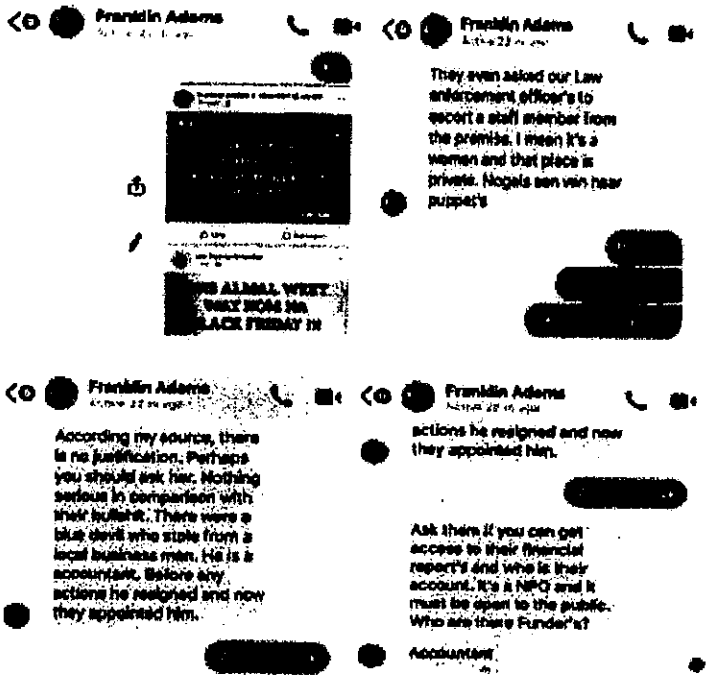
10. On the 19th of January 2020, Hillary Bergstedt asked the Board and Chairperson for a meeting regarding misconduct of myself. She attached proof thereof. I asked her to write a report and offered to send it to the Department for investigation. I also advise that I would be sending it to the auditors for investigation. I am sending her details for your office to also contact her on 0769608099.

I have cut and paste said allegations:

"Voorsitter en mede raadslede. Na vele versoeke en pleidooie op die groep, vanaf myself vir n vergadering, blyk dit asof die voorsitter hom nie steur aan die erns van die saak. Alhoewel ek die versoek op die groep gesit het, het ek dit ook privaat op whatsupp versoek vanaf voorsitter. Ek kom agter dat dit gelees word maar geen reply. Daaromhalwe plaas ek n paar dokumente van Liezl se submission op die groep waar daar uitgewys word hoe die board misiel word. Daar was verslag by Faghrie se huis gedoen dat privaat skool net 1keer deur safehouse betaal was. Die dokumente bewys die teendeel. Derduisende rande in petrol claims vir leerder na en vanaf skool. Training ook derduisende Rande was spandeer op training vir die vig mense, Rozette, Alice, Shireen, Bronwin, Charlene en Orlando. Raai wie het betaling vir training geteken. Hoekom was die volle board nie in kennis gestel nie en wie het alleen mandaat gebruik. Dan wil ek nie eens begin met dokumentasie van golf dag nie. Al die dokumentasie laat my weer wonder oor eindlike redes hoekom boardmembers nie by die safehouse mag kom nie want ek wag nog steeds vir die klag wat Alice na Departement toe gestuur het. Ek lees ook Alice se laaste concern oor die kliente. As dit so is, hoekom training laat aanbied wat net 1 klient benefit. Lede indien ons nie nie binne 24 uur vergader nie laat u my geen ander keuse as om al 66 bladsye aan die Departement te gee en n klag van mismanagement te maak nie."

My response to the allegations can be summarized as follows:

I agree that private school fees had been paid. I agree that I applied to all public schools and have proof that my applications were all rejected. I sent requests to the Minister of Education. They responded saying that they would intervene and never did.



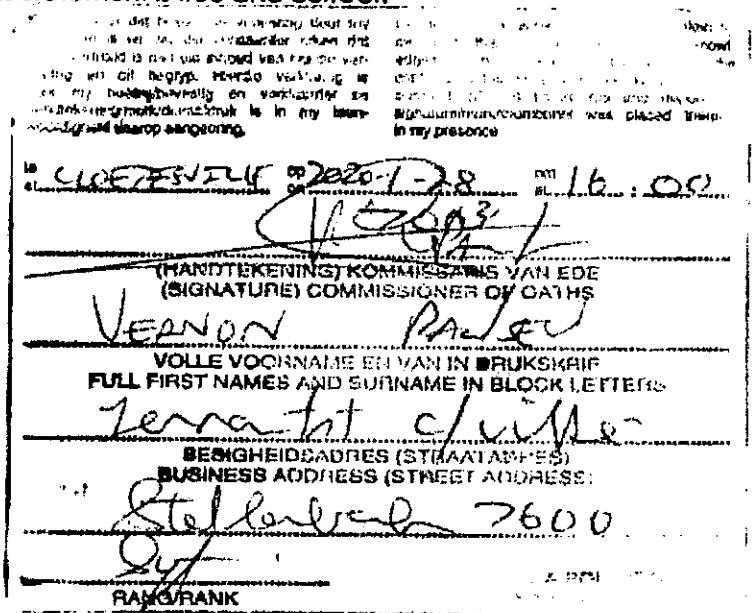
We are a non-political organization and do not engage with this councilor. He however has a smear campaign against us. Our staff are being attacked by stakeholders in public for working at the safehouse.

This document reflects my version and interpretation of events. As advised above you should feel free to contact the other board members to verify and investigate allegations. Elsa and all other staff has also indicated their willingness to testify and provide evidence in any investigation.

Be advised that we will answer all enquiries, and be willing to make all documents available for investigation at your request.

I affirm that the content of this statement is true and correct.

Alice Wilton
CEO
Safehouse Stellenbosch



Safe House
L'ABRI DE DIEU
STELLENBOSCH

To Whom It May Concern

L'ABRIE DE DIEU SAFEHOUSE

Donations Received by Rozette du Toit

Date	Descriptions	Quantity	Amount
04/03/2019	R du Toit	1	R 200,00
11/03/2019	R du Toit	1	R 200,00
18/03/2019	R du Toit	1	R 200,00
25/03/2019	R du Toit	1	R 200,00
01/04/2019	R du Toit	1	R 200,00
08/04/2019	R du Toit	1	R 200,00
15/04/2019	R du Toit	1	R 200,00
22//04/2019	R du Toit	1	R 200,00
29/04/2019	R du Toit	1	R 200,00
06/05/2019	R du Toit	1	R 200,00
07/05/2019	R du Toit	1	R 500,00
13/05/2019	R du Toit	1	R 200,00
20/05/2019	R du Toit	1	R 200,00
27/05/2019	R du Toit	1	R 200,00
28/05/2019	R du Toit	1	R 3 000,00
29/05/2019	R du Toit	1	R 500,00
03/06/2019	R du Toit	1	R 200,00
10/06/2019	R du Toit	1	R 200,00
17/06/2019	R du Toit	1	R 200,00
24/06/2019	R du Toit	1	R 200,00
01/07/2019	R du Toit	1	R 200,00
22/07/2019	R du Toit	1	R 4 000,00
31/07/2019	R du Toit	1	R 2 000,00
08/08/2019	R du Toit	1	R 200,00
15/08/2019	R du Toit	1	R 200,00
22/08/2019	R du Toit	1	R 200,00
29/08/2019	R du Toit	1	R 200,00
05/08/2019	R du Toit	1	R 200,00
12/08/2019	R du Toit	1	R 200,00
19/08/2019	R du Toit	1	R 200,00
16/08/2019	R du Toit	1	R 200,00
02/09/2019	R du Toit	1	R 200,00
09/09/2019	R du Toit	1	R 200,00
16/09/2019	R du Toit	1	R 200,00

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STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Disclosure form for benefits and interests

I, the undersigned (Surname and Initials) R. du Toit

(Postal or Residential Address) 1 Zambezi Flat Borcherdste. Stellenbosch

(Position Held) Ward Councillor

(Name of Municipality) Stellenbosch DEPT:

Tel: 0722182267 Fax:

I hereby certify that the following information is complete and correct to the best of my knowledge and that I will inform the employer if any changes occur to my current position. Failure to inform the employer timeously may lead to disciplinary steps taken against me. Completed forms must be handed in at Human Resource Department by 23 August 2019.

1. Shares, securities and other financial interests (Not bank accounts with financial institutions.)

Number of shares/extent of financial interest	Nature	Nominal Value	Name of Company/Entity

2. Interest in a trust

Name of trust	Amount of Remuneration/Income

3. Membership, directorships and partnerships

Name of Corporate entity, partnership or firm	Type of business	Amount of Remuneration/Income

4. Remunerated work outside the Municipality (Must be sanctioned by Council)

Name of employer	Type of Work	Amount of Remuneration/Income

59

5. Consultancies, Retainerships and Relationships with service providers			
Name of client	Nature	Type of business activity	Value of any benefits

6. Subsidies, grants and sponsorships by any organisation		
Source of assistance	Descriptions of assistance	Value of assistance

7. Gifts and Hospitality from a source rather than a family member		
Description	Value	Member

8. Land and Property			
Description	Extent	Area	Value

9. Whether employee could be deemed as a spouse/cbild/parent of a service provider or of a director/manager/shareholder/stakeholder of the service provider. SCM Regulation 13 (c) & SCM policy 4.41.

Name of Service Provider	Name of the Owner/Director/Shareholder etc	Relationship

SIGNATURE OF EMPLOYEE

DATE: 14/08/2019

PLACE: Stellenbosch

CONFIDENTIAL

OFFICIAL USE:

RECEIVED ON (DATE): _____ OFFICIAL: _____

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

OFFICE OF THE SPEAKER

29 November 2019

Ref: 8/2019

To: Councilor R. Du Toit
1 Zambezi Flats
C/O borchard and Bird Street
Stellenbosch
7600

Re: ALLEDGED BREACH OF THE CODE OF CONDUCT FOR COUNCILORS

Dear Councilor R. Du Toit

You have allegedly breached the Code of Conduct for Councilors in terms of Item 13 in that:

- You in your position as Councillor alledgedly did not declare all your income to the Stellenbosch municipality
- You alledgedly abuse your power to instruct two Municipal Law Enforcement Officials to escorted the complainant from the building she was working at.
- That you alledgedly instructed Mr Michael Moses your administrator to act as presiding officer at he hearing.

In terms of item 13 of the said Code you are hereby given the oppurtunity to reply, in writng regarding the alledged breach by not later than 16H00 on Friday, 13th December 2019.

Kindly see attached complaint letter my office received regarding this matter

Thanking You

SPEAKER: Nyaniso Jindela

nyaniso.jindela@stellenbosch.gov.za

021 808 8074

Sharesa Cammeleto

From: Rozette DuToit
Sent: Friday, 06 December 2019 15:16
To: Sharesa Cammeleto
Subject: RE: ALLEDGED BREACH CODE OF CONDUCT
Attachments: Safe_House_Stellenbosch_Letterhead_Donations Received by Rozette du Toit.pdf

Good day Speaker

I hope this e-mail finds you well. This is my response on the allegations.

Allegation 1: Attached you will find a document from the safe house regarding donations made by me as from 1 March 2019.

Allegation 2: I have no powers to order, instruct or demand any official from the municipality to perform a duty. We as councillors must put a request to the relevant Mayco Member. I am willing to produce my cell phone and landline records to prove that I have no direct contact with any law enforcement officers beside Cecil Abrahams, who is a Special Op, person, he is also the only person that I contact when I see drug deals go down or anything that is drug related. Mr Abrahams can confirm this.

Allegation 3. Mr . Michaels does voluntary work for the safe house form time to time. Once again I can not demand, order or instruct any person to do anything.

Further more I would like meeting with Speaker.

Kind regards.

Rozette du Toit

From: Sharesa Cammeleto
Sent: 04 December 2019 11:25 AM
To: Rozette DuToit
Cc: JC Anthony (Speaker Admin); Nyaniso Jindela
Subject: ALLEDGED BREACH CODE OF CONDUCT

Delay

Good day **Cllr Du Toit**

Kindly see attached letter for your perusal.

Kind regards,
Sharesa Arendse
Personal Assistant
OFFICE OF THE SPEAKER

T: +27 21 808 8074
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za

...Wilhelmina White waiting for a shelter to open. Distressed, Timmer vowed to come up with a solution to protect the homeless from extreme cold, and the Sheltersuit was born.

Timmer is changing the world one Sheltersuit at a time. With an accommodate the real needs of those trying to survive on the street.

"The suit is created from upcycled and recycled materials, and is, in effect, a waterproof and wind-proof bodysuit with an attachable sleeping bag," he said. "If the wearer needs to move away from a particular location quickly, there's an opening at the bottom of the suit to facilitate this. The ingeniously designed garment can be stored in a matching backpack during the day," Timmer said.



SHELTERSUITS are created from upcycled and recycled materials.

Sheltersuits are made by volunteers, formerly homeless people, refugees and the unemployed, with some of the workers receiving payment.

■ STELLENBOSCH

ARGUS

Councillor probed for misuse of power

MWANGI GITHAHU
mwangi.githahu@inl.co.za

ALLEGATIONS against a Stellenbosch Municipality councillor, involving the alleged of misuse of power, a breach in the code of the conduct for councillors and the mismanagement of a safe house in the Stellenbosch area, are being investigated.

DA councillor Rozette du Toit was asked to answer to Stellenbosch speaker Nyaniso Jindela after a formal complaint about her conduct from the compliance officer at the L' Abde de Dieu Safe House, a shelter for physically, emotionally and sexually abused women and children.

> "We cannot provide further details at this time.
>
> Stuart Grobbelaar
> STELLENBOSCH MUNICIPALITY

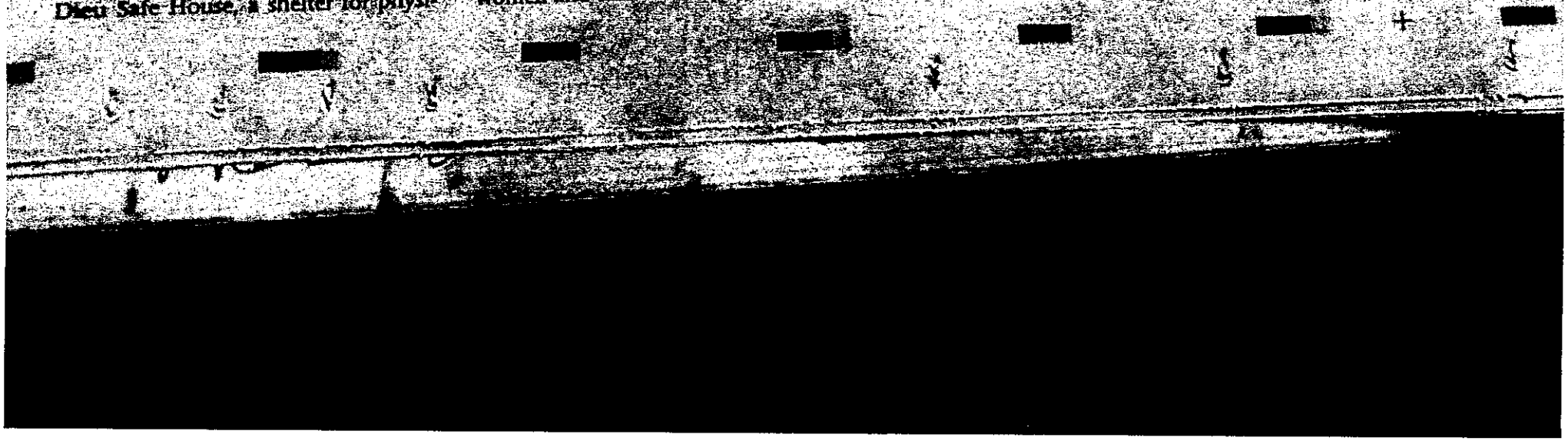
The safe house is funded by the Department of Social Development (DSD).

In a letter to Du Toit, dated November 29, Jindela wrote: "You are alleged to have breached the code of conduct for councillors in that: You did not declare all your income to the Stellenbosch Municipality, you abused your power to instruct two municipal law enforcement officials to escort the complainant from the building she worked in (the safe house), and that you instructed Michael Moses, your administrator, to act as presiding officer at a hearing on the matter."

The complaint against the councillor was lodged by suspended compliance officer Liesel Raphoto, who claimed that Du Toit had not declared her income from the safe house, of which she is a director. Du Toit is also accused of employing friends to positions at the safe house.

Stellenbosch Municipality spokesperson Stuart Grobbelaar said any accusation against a councillor was taken seriously. "As this is an ongoing internal process, we cannot provide further details at this time."

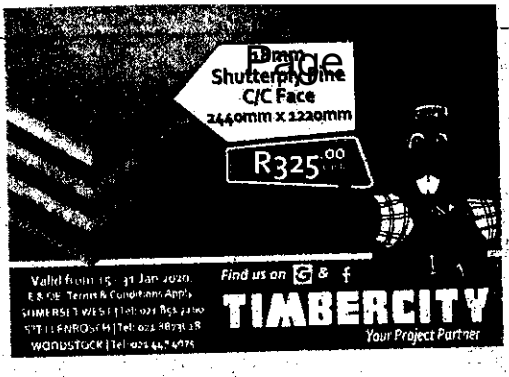
Despite a request for comment, the DSD failed to respond.



30 Januarie 2020 - 5 Februarie 2020

GRATIS | FREE
Nuus net vir jou sedert 1950

stadNUUS



63



ar in wording

Oldenburg-wyne in Helshoogte, klink 'n glasie op die plaas
bl. 10 oor wat wynmakers van die nuwe oesjaar verwag.

glike omstandighede

Raadslid in spervuur

Danie Keet

Talle bewerings oor wanbestuur en nepotisme hang oor die kop van 'n raadslid van die Stellenbosch-munisipaliteit.

Rozette du Toit, DA-wyksraadslid vir wyk 10, is in die spervuur oor die beweerde wanbestuur by die L'Abrie de Dieu huis van veiligheid, bekend as Stellenbosch Safe House, vir mishandelde vroue en kinders wat slagoffers is van seksuele en huishoudelike geweld.

In 'n brief wat die speaker van die raad, Nyaniso Jindela, op 29 November verlede jaar aan Du Toit gestuur het, word aantygings gemaak van die verbreking van die etiese kode, wanverklaring van inkomste verdien uit betrokkenheid by die Safe House, wanbenutting van mag en die aanstelling van vriende in posisies in die Safe House.

Volgens Alice Wilton, bestuurder van die huis, het die raadslid niks verkeerds gedoen nie.

"Die wyksraadslid is 'n raadslid van ons tehuis en werk hard om geld vir ons in te samel. Die aantygings teen haar is gemaak deur 'n personeellid, Liesl Rhapoto, wat ons tydelik geskors het. Daardie dissiplinêre proses is nog hangende. Daar is 'n raadslid van ons wat 'n medebeskuldigde in die saak is en 'n strafregtelike saak is aanhangig gemaak.

"Ek het ook die departement van maatskaplike ontwikkeling oor die saak ingelig en hulle versoek om 'n oudit van ons finansies te doen – dit was reeds in November 2019. Hoe kan daar wanbestuur van geld wees as ek self die ondersoek aangevra het en ons eie ouditeure in kennis gestel het?" het 'n omgekrapte Wilton gevra.

'n Skriftelike waarskuwende skorsingsbrief is op 12 November deur Wilton aan Rhapoto beteken waarin haar dienste opgeskort word. Hierin word bewerings van bedrog en/of diefstal, grootskaalse insubordinasie en onbehoorlike gedrag gemaak.

Wilton het egter ontken dat Du Toit, wat van wanbestuur aangekla word, enige inkomste uit die Safe House verdien het.

"Ons is 'n organisasie sonder winsbejag en die Stellenbosch-munisipaliteit is 'n aandeelhouer wat ons help met die bestuur van ons programme in ons gemeenskap. Ons het reeds 'n kurrikulum vir gender-gegronde geweld ontwikkel en dit hier en in die Paarl geïmplementeer – met groot sukses. Ons red lewens en steel nie geld nie," was Wilton se reaksie op navrae oor die bewerings.

Stuart Grobbelaar, munisipale woordvoerder, het bevestig dat 'n klagte by die speaker se kantoor deur 'n voormalige amptenaar van die Safe House teen die raadslid ingedien is.

"Die aangeleentheid word tans deur die speaker se kantoor ondersoek.

"Aangesien hierdie 'n interne ondersoekproses is en ondersoeke ingevolge die wet vertroulik is totdat dit afgehandel is, kan ons nie in hierdie stadium verdere inligting verskaf nie.

"Die Safe House word as 'n onafhanklike nieregerings-organisasie bedryf uit 'n perseel wat by die munisipaliteit gehuur word. Die munisipaliteit het geen insae in die organisasie se personeel of finansiële strukture nie," het Grobbelaar gesê.

▸ Du Toit het teen druktyd nog nie gereageer op versoeke om kommentaar te lewer nie.

SUBMISSION OF LIESL RAPHOTO TO THE SPEAKER OF STELLENBOSCH MUNICIPALICTY. REF: 8/2019 RE: ALLEDGED BREACH OF THE CODE OF CONDUCT FOR COUNCILORS.

Complaint 1

The Councilor had to declare all income received from the safe house to the municipality. The Councilor were never able to submit proof that she did indeed declared to the municipality.

Income received from the Safehouse.

- The amount of R25 186 reflecting on L'Abrie de Dieu Safe House Annual Financial Statement for the year ended 31 March 2019
  Attachment 1 – Copy of the Financial Statement
- The income made from the unlicensed vehicle, CA788170, Councilor Du Toit made available to the safe house to transport patients of the safe house. The friend and driver of Councilor Du Toit, Mr. Steven Lottering was appointed by the safe house to do the driving and would get a salary for driving. Petrol will be paid by the safe house to fill up the vehicle. Councilor Du Toit would then submit petrol claims and be paid again for the use of the unlicensed vehicle without subtracting the petrol advance that was paid by the safe house. In making her unlicensed vehicle available to the safe house for transporting patients, she brought the council in disrepute. The responsibility of a councilor is very important as they are public figures and the onus are on them to lead by example. Councilors may not disobey the rules of the country.
  Attachment 2 – Copy of the disk of the unlicensed vehicle.
  Attachment 3 – Copy of an affidavit of Claudine Loggerenberg, a former house mother of L'Abrie de Dieu Safe House, stating that she was transported with the clients in the above mentioned vehicle.
  Attachment 4 – A spreadsheet indicating the salary payouts from L'Abrie de Dieu Safe House towards Mr. Steven Lottering for the period April 2019 – August 2019.
  Attachment 5 – April Bank statement of L'Abrie de Dieu – example of payment made by the safe house towards Mr. Steven Lottering's salary.
  Attachment 6 – A spreadsheet indicating the weekly petrol advances paid towards the unlicensed vehicle for the period April 2019 – September 2019. These amounts were paid out to Mr. Steven Lottering as he was driving the vehicle of Councilor Du Toit.
  Attachment 7 – April 2019 Bank statement of L'Abrie de Dieu – example of payment made by the safe house towards Mr. Steven Lottering with regards to petrol for the unlicensed vehicle of Councilor Du Toit.

Attachment 8 – A spreadsheet indicating the kilometer claims that Councilor Du Toit would put in for the use of the unlicensed vehicle for the period April 2019 – September 2019.
Attachment 9 – July 2019 Bank statement of L'Abrie de Dieu Safe House – example of payment made by the safe house towards Councilor Du Toit's kilometer claims.
Attachment 10 – Example of Councilor Du Toit's kilometer claim correlating with July 2019 bank statement of L'Abrie de Dieu Safe House.

L'Abrie de Dieu Safe House

(Registration number: 050482 NPO)
Annual Financial Statements for the year ended 31 March 2019

Notes to the Annual Financial Statements

Figures in Rand	2019	2018

11. Cash (used in) generated from operations

Loss before taxation	(290 147)	(163 852)
Adjustments for:		
Depreciation and amortisation	315 482	289 319
Profit on sale of assets	-	(300)
Dividends received	-	(186)
Interest received	(43 444)	(49 974)
Fair value adjustments	-	(1 009)
Changes in working capital:		
Trade and other receivables	-	3 231
Trade and other payables	4 076	(16 064)
	(14 033)	**61 165**

12. Related parties

Relationships

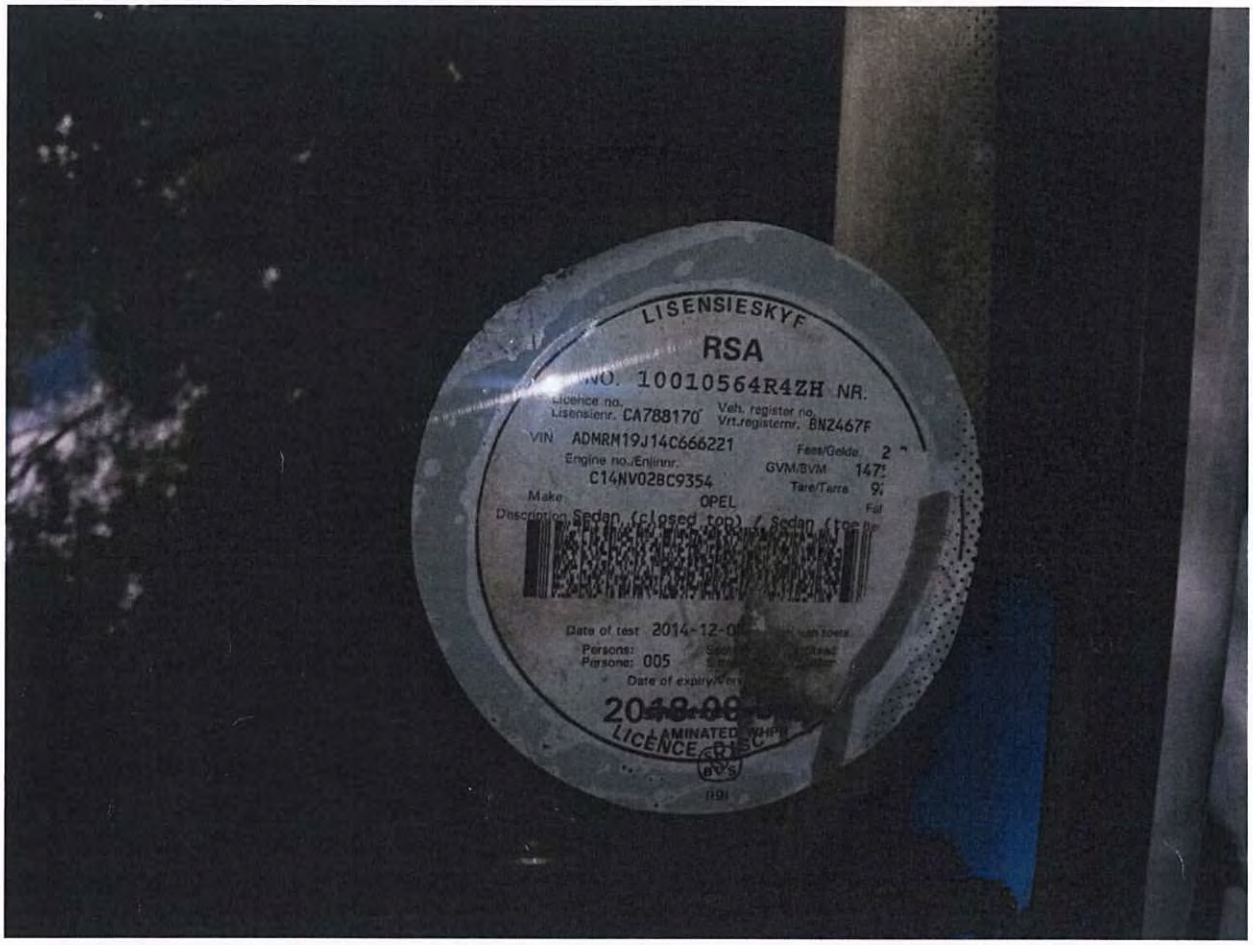
Board members	Gordon Reid
	Alice Wilton
	Basil Pietersen
	Rozette du Toit
	Elize Anthony
	Zenobia Sedeman
	Magdalene Blankenberg
	Faghrie Patel
	Hillary Bergstedt

Related party balances and transactions with other related parties

Related party transactions

Salary paid to related parties		
Alice Wilton	119 312	-
Waste removal and transport claim to related parties		
Alice Wilton	39 022	-
Basil Pietersen	70 777	-
Rozette du Toit	25 186	-

Counselor Rozette Du Toit'S **unlicensed vehicle, White Opel, reg CA788170** that was used to transport patients of the Safehouse.



RANG/RANK

BEËDIGDE VERKLARING – SWORN AFFIDAVIT

NAAM VAN/NAME SURNAME : CLAUDINE LOGGERENBERG ID NO/ID NR :

HUIS ADRES / HOUSE ADDRESS : 142 Curry Str Cloetesville Stellenbosch 7600

WERK ADRES / WORK ADDRESS :

CELL NO/ SELFOON NR : 062 655 0488 WERK NO/ WORK NR :

VERKLAAR ONDER EED IN AFRIKAANS/ STATES UNDER OATH IN ENGLISH

Ek Claudine Loggerenberg het vir Swanepoel by Safe House Stellenbosch gewerk. In April het die HR Charlyn vir my gesê dat daar nie meer geld is om vir my te betaal nie en ek 21 April 2018 klaarmaak. En Kliente is vir haar in ~~was~~ Car registration nor CA opel 788170, dop toe, hospitaal en clenke toe, marnel, Adrian

EK IS VERTROUD MET DIE INHOUD VAN DIE VERKLARING EN BEGRYP DIT.EK HET GEEN BESWAAR TEEN DIE AFLEGING VAN DIE VOORGESKREWE EED NIE.EK BESKOU DIE VOORGESKREWE EED AS BINDEND OP MY GEWETE SO HELP MY GOD.

I KNOW AND UNDERSTAND THE CONTENTS OF THIS STATEMENT. I HAVE NO OBJECTION I N TAKING THE PRESCRIBED OATH. I CONSIDER THE PRESCRIBED OATH TO BE BINDING ON MY CONSCIENCE.

HANDTEKENING

HIERMEE SERTIFISEER EK DAT DIE BOSTAANDE VERKLARING DEUR MY AFGENEEM IS EN DAT DIE VERKLAARDER ERKEN DAT HY/SY VERTROUD IS MET DIE INHOUD VAN DIE VERKLARING EN BEGRYP DIT. HIERDIE VERKLARING IS VOOR MY BEËDIG EN DIE VERKLAARDER SE HANDTEKENING/MERK/DUIMAFDRUK IS IN MY TEENWOORDIGHEID DAAROP AANGEBRING TE:

I CERTIFY THAT THE ABOVE STATEMENT WAS TAKEN BY ME AND THAT THIS DEPONENT HAS ACKNOWLEDGE THAT HE/SHE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS STATEMENT. THE STATEMENT WAS SWORN BEFORE ME AND DEPONENT'S SIGNATURE / TUMB PRINT/MARK WAS PLACED THERE ON IN MY PRESENCE AT:

CLOETESVILLE OP/ON(DATUM/DATE) 2020/1/30 ON/AT(TYD/TIME) 12.11:05

SOUTH AFRICAN POLICE SERVICE
CLOETESVILLE
COMMUNITY SERVICE CENTRE
30 JAN 2020
GEMEENSKAP DIENSSENTRUM
CLOETESVILLE
SUID-AFRIKAANSE POLISIEDIENS

Kommissaris van Ede/Commissioner of Oaths

Volle naam en Van in drukskrif/ Full name and surname in print

S. MBUBO

S A POLISIE DIENS / S A POLICESERVICE

TENNANT STREET, CLOETESVILLE,STELLENBOSCH

RANG/RANK

Attachment (4)

69

Wages- Casual (Stipen) paid by L'Abrie de Dieu Safe House

Date	Item no.	Descriptions	Quantity	Amount
06/04/2019	28	Mr. Steven Lottering Stipen	1	R 2,000.00
24/04/2019	70	Mr. Steven Lottering Stipen	1	R 2,300.00
23/05/2019		Mr. Steven Lottering Stipen	1	R 2,300.00
25/06/2019	75	Mr. Steven Lottering Stipen	1	R 2,300.00
23/07/2019	57	Mr. Steven Lottering Stipen	1	R 2,300.00
23/08/2019	81	Mr. Steven Lottering Stipen	1	R 2,300.00
			Total	**R 13,500.00**

absa

Date:	Transaction Description	Amount	Balance
2019-04-03	CHQ ENCASHMENT STELLENBOS(155,00) CHEQUE AMOUNT : 5 000,00	0.00	6,091.96
2019-04-03 (19)	CHEQUE 173 (150,00)	-5,000.00	1,091.96
2019-04-04 (20)	IBANK TRANSFER 93-3128-3130 ABSA BANK transfer	3,000.00 → in	4,091.96
2019-04-04 (21)	IBANK PAYMENT TO ABSA BANK Heather Resident	-375.00	3,716.96
2019-04-04 (22)	IBANK PAYMENT TO ABSA BANK Petrol Claim	-1,305.60	2,411.36
2019-04-04 (23)	IBANK PAYMENT TO ABSA BANK Boots and Play	-885.78	1,525.58
2019-04-04 (24)	IBANK PAYMENT TO ABSA BANK Alice reimburse	-812.90	712.68
2019-04-05 (25)	IBANK TRANSFER 93-3128-3130 ABSA BANK transfer	15,000.00 → in	15,712.68
2019-04-05 (26)	IBANK PAYMENT TO ABSA BANK Alice petrol	-9,062.70	6,649.98
2019-04-05 (27)	IBANK PAYMENT TO ABSA BANK Windows replace	-2,943.75	3,706.23
2019-04-06 (28)	IBANK PAYMENT TO ABSA BANK Steve Stipend	-2,000.00	1,706.23
2019-04-08 (29)	IBANK PAYMENT TO ABSA BANK Basil-Travel claim	-999.60	706.63
2019-04-08 (30)	IBANK PAYMENT TO ABSA BANK Liesl R petrol	-438.60	268.03
2019-04-08 (31)	IBANK PAYMENT TO ABSA BANK Abels reimburse	-211.44	56.59
2019-04-10 (32)	IBANK TRANSFER 93-3128-3130 ABSA BANK transfer	2,000.00 → in	2,056.59
19-04-10 (33)	IBANK PAYMENT TO ABSA BANK Alice reimbur erina	-180.00	1,876.59
2019-04-10 (34)	IBANK PAYMENT TO ABSA BANK Takealot	-1,757.00	119.59
2019-04-10 (35)	IBANK TRANSFER 93-3128-3130 ABSA BANK transfer	1,500.00 → in	1,619.59
2019-04-10 (36)	IBANK PAYMENT TO ABSA BANK Plumbing Katts	-1,462.00	157.59
2019-04-11 (37)	ACB CREDIT HELENA OLIVIER	150.00	307.59
2019-04-12 (46)	IBANK TRANSFER 93-3128-3130 ABSA BANK transfer	2,000.00 → in	2,307.59
2019-04-12 (39)	IBANK PAYMENT TO ABSA BANK Petrol Claim	-1,922.70	384.89
2019-04-12 (40)	IBANK PAYMENT TO ABSA BANK Alice reimb park	-52.80	332.09

Date:		Transaction Description	Amount	Balance
2019-04-24	64	IBANK PAYMENT TO ABSA BANK Rina salary	-7,017.00	63,644.88
2019-04-24	65	IBANK PAYMENT TO ABSA BANK R Robertson salary	-6,855.00	56,789.88
2019-04-24	66	IBANK PAYMENT TO ABSA BANK cammie salary	-3,500.00	53,289.88
2019-04-24	66	IBANK PAYMENT TO ABSA BANK Dot salary	-4,460.00	48,829.88
2019-04-24	66	IBANK PAYMENT TO ABSA BANK Loggereberg salary	-3,280.00	45,549.88
2019-04-24	66	IBANK PAYMENT TO ABSA BANK Liesl R petrol	-3,500.00	42,049.88
2019-04-24	67	IBANK PAYMENT TO ABSA BANK Elsa Salary	-14,606.63	27,443.25
2019-04-24	68	IBANK PAYMENT TO ABSA BANK C A Johnson cleaning	-1,865.00	25,578.25
2019-04-24	69	IBANK PAYMENT TO ABSA BANK training	-4,015.00	21,563.25
2019-04-24	70	IBANK PAYMENT TO ABSA BANK Steve Stipend	-2,300.00	19,263.25
2019-04-25	71	IBANK PAYMENT TO ABSA BANK Orlando salary	-2,000.00	17,263.25
2019-04-25	72	IBANK PAYMENT TO ABSA BANK dstv	-400.00	16,863.25
2019-04-25	73	ACB CONTRA SAFEHOUSE CONTRA	500.00	17,363.25
2019-04-25	74	IBANK PAYMENT TO ABSA BANK takealot	-12,530.00	4,833.25
2019-04-25	75	ACB DEBIT:EXTERNAL (19,00) TELKOMMOBI502902298010675940	-1,500.00	3,333.25
2019-04-25	76	ACB CREDIT DONATION2SAFEHOUSE	100.00	3,433.25
2019-04-25	77	ACB CREDIT DIS-CHEM FOUNDATION	5,000.00	8,433.25
2019-04-26	78	ACB CREDIT Donation	300.00	8,733.25
2019-04-26	79	ACB CREDIT INVESTECPBT J. Fick	2,900.00	11,633.25
2019-04-28	80	STOP ORDER FROM ABSA BANK MARI & ME	500.00	12,133.25
2019-04-29	81	ACB CREDIT REF: E	50.00	12,183.25
2019-04-30	82	STOP ORDER FROM ABSA BANK Donasie H Sahd	100.00	12,283.25
2019-04-30	83	IBANK PAYMENT TO ABSA BANK takealot	-2,181.00	10,102.25
2019-04-30	84	IBANK PAYMENT TO ABSA BANK SARSEF 0054301155	-5,984.57	4,117.68

Petrol advance paid to Steven Lottering for Rozette Du Toit's unlicensed vehicle on a weekly base.

Wages- Casual (Stipen)

Date	Item no.	Descriptions	Quantity	Amount
12/04/2019	42	Steven - Petrol Allowance	1	R 500.00
18/04/2019	52	Steven - Petrol Allowance	1	R 500.00
03/05/2019		Steven - Petrol Allowance	1	R 500.00
10/05/2019		Steven - Petrol Allowance	1	R 500.00
16/05/2019	21	Steven - Petrol Allowance	1	R 200.00
17/05/2019		Steven - Petrol Allowance	1	R 500.00
28/05/2019		Steven - Petrol Allowance	1	R 500.00
07/06/2019	11	Steven - Petrol Allowance	1	R1,000.00
14/06/2019	29	Steven - Petrol Allowance	1	R500.00
21/06/2019	28	Steven - Petrol Allowance	1	R 200.00
27/06/2019	83	Steven - Petrol Allowance	1	R 500.00
27/06/2019	84	Steven - Petrol Allowance	1	R 500.00
28/06/2019	35	Steven - Petrol Allowance	1	R 200.00
02/07/2019	2	Steven - Petrol Allowance	1	R400.00
12/07/2019	20	Steven - Petrol Allowance	1	R 200.00
12/07/2019	31	Steven - Petrol Allowance	1	R500.00
19/07/2019	41	Steven - Petrol Allowance	1	R 500.00
19/07/2019	39	Steven - Petrol Allowance	1	R 100.00
24/07/2019	47	Steven - Petrol Allowance	1	R 200.00
27/07/2019	65	Steven - Petrol Allowance	1	R 500.00
02/08/2019	12	Steven - Petrol Allowance	1	R500.00
05/08/2019	14	Steven - Petrol Allowance	1	R200.00
08/08/2019	33	Steven - Petrol Allowance	1	R 500.00
16/08/2019	50	Steven - Petrol Allowance	1	R 500.00
16/08/2019	30	Steven - Petrol Allowance	1	R 200.00
21/08/2019	38	Steven - Petrol Allowance	1	R 200.00
23/08/2019	77	Steven - Petrol Allowance	1	R 500.00
30/08/2019	105	Steven - Petrol Allowance	1	R 500.00
09/09/2019	46	Steven - Petrol Allowance	1	R500.00
13/09/2019	86	Steven - Petrol Allowance	1	R 500.00
13/09/2019	8	Steven - Petrol Allowance	1	R200.00
Total				**R 12,800.00**

Date:		Transaction Description	Amount	Balance
2019-04-12	41	IBANK TRANSFER 93-3128-3130 ABSA BANK Transfer	500.00	832.09
2019-04-12	42	IBANK PAYMENT TO ABSA BANK Steve Stipend	-500.00	332.09
2019-04-15	43	ACB DEBIT:EXTERNAL (19,00) PASTEL 66742708 SAGEPAY	-578.75	-246.66
2019-04-16	44	IBANK TRANSFER 93-3128-3130 ABSA BANK transfer	15,000.00	14,753.34
2019-04-16	45	IBANK PAYMENT TO ABSA BANK Basil-Travel claim	-999.60	13,753.74
2019-04-16	46	IBANK PAYMENT TO ABSA BANK Checkers Charity	-6,000.00	7,753.74
2019-04-16	47	IBANK PAYMENT TO ABSA BANK Takealot	-2,250.00	5,503.74
2019-04-16	48	IBANK PAYMENT TO ABSA BANK Takealot	-1,483.00	4,020.74
2019-04-17	49	ACB CREDIT BASX33 WC: SOCIA001163958	68,545.00	72,565.74
2019-04-17	50	IBANK PAYMENT TO ABSA BANK getsmart education	-10,300.00	62,265.74
2019-04-17	51	IBANK PAYMENT TO ABSA BANK Plumbing Katts	-370.00	61,895.74
2019-04-18	52	IBANK PAYMENT TO ABSA BANK Steve Stipend	-500.00	61,395.74
2019-04-18	53	IBANK PAYMENT TO ABSA BANK Petrol Claim	-2,636.70	58,759.04
2019-04-24	54	IBANK PAYMENT TO ABSA BANK Alice Petrol	-2,376.60	56,382.44
2019-04-24	55	IBANK PAYMENT TO ABSA BANK Windows repair	-981.25	55,401.19
19-04-24	56	IBANK PAYMENT TO ABSA BANK Alice reimb PNA	-217.22	55,183.97
2019-04-24	57	IBANK PAYMENT TO ABSA BANK Basil-Travel claim	-999.60	54,184.37
2019-04-24	58	IBANK TRANSFER 93-3128-3130 ABSA BANK transfer	60,000.00	114,184.37
2019-04-24	59	IBANK PAYMENT TO ABSA BANK Alice salary	-13,336.28	100,848.09
2019-04-24	60	IBANK PAYMENT TO ABSA BANK J Govinden	-5,820.47	95,027.62
2019-04-24	61	IBANK PAYMENT TO ABSA BANK N Danana Salary	-6,770.87	88,256.75
2019-04-24	62	IBANK PAYMENT TO ABSA BANK Salary	-10,824.00	77,432.75
2019-04-24	63	IBANK PAYMENT TO ABSA BANK Lydia Lakay Salary	-6,770.87	70,661.88

Rozette Du Toit's claims (most of them are for the unlisensed vehicle)

Medical Expenses

Date	Item no.	Descriptions	Quantity	Amount
04/04/2019	22	Petrol claim (Rozette)	1	R 127.50
12/04/2019	39	Petrol claim (Rozette)	1	R 178.50
18/04/2019	53	Petrol claim (Rozette)	1	R 168.30
03/05/2019		Rozette : Petrol Claim	1	R 188.70
17/05/2019		Rozette : Petrol Claim	1	R 117.30
28/05/2019		Rozette : Petrol Claim	1	R 51.00
07/06/2019	13	Petrol claim - Rozette	1	R10.20
06/06/2019	14	Petrol claim - Rozette	1	R 86.70
14/06/2019	31	Petrol claim - Rozette	1	R 66.30
05/07/2019	16	Petrol - Rozette	1	R 81.60
05/07/2019	19	Petrol - Rozette	1	R 86.70
15/07/2019	36	Petrol - Rozette	1	R 15.30
19/07/2019	42	Petrol - Rozette	1	R 22.95
26/07/2019	64	Petrol - Rozette	1	R 15.30
05/08/2019	23	Petrol - Rozette	1	R 25.50
27/08/2019	91	Petrol - Rozette	1	R 66.30
27/09/2019	141	Petrol - Rozette	1	R 102.00
			Total	**R 1,410.15**

Specialised Services

Date	Item no.	Descriptions	Quantity	Amount
12/04/2019	39	Petrol claim (Rozette)		R 902.70
18/04/2019	53	Petrol claim (Rozette)		R 1,030.20
03/05/2019		Rozette : Petrol Claim	1	R 882.30
17/05/2019		Rozette : Petrol Claim	1	R 402.90
28/05/2019		Rozette : Petrol Claim	1	R 402.90
07/06/2019	13	Petrol Claim - Rozette	1	R525.30
06/06/2019	14	Petrol Claim - Rozette	1	R367.20
14/06/2019	31	Petrol Claim - Rozette	1	R387.60
05/07/2019	16	Petrol - Rozette	1	R382.50
05/07/2019	19	Petrol - Rozette	1	R367.20
26/07/2019	64	Petrol - Rozette	1	R367.20
27/08/2019	91	Petrol - Rozette	1	R372.30
17/09/2019	101	Petrol - Rozette	1	R357.00
20/09/2019	107	Petrol - Rozette	1	R270.30
			Total	**R 7,017.60**

Transport Costs

Date	Item no.	Descriptions	Quantity	Amount
15/07/2019	36	Petrol - Rozette	1	R 165.75
19/07/2019	42	Petrol - Rozette	1	R 1,009.80
17/09/2019	100	Petrol - Rozette	1	R 33.15
17/09/2019	101	Petrol - Rozette	1	R 107.10
20/09/2019	107	Petrol - Rozette	1	R 1,116.90
27/09/2019	141	Petrol - Rozette	1	R 181.05
			Total	**R 2,613.75**

Victim Care Cost

Date	Item no.	Descriptions	Quantity	Amount
04/04/2019	22	Petrol Claim (Rozette)	1	R 1,178.10
12/04/2019	39	Petrol Claim (Rozette)	1	R 841.50
18/04/2019	53	Petrol Claim (Rozette)	1	R 1,438.20
03/05/2019		Rozette : Petrol claim	1	R 244.80
03/05/2019		Rozette : Petrol claim	1	R 1,162.80
17/05/2019		Rozette : Petrol claim	1	R 703.80
28/05/2019		Rozette : Petrol claim	1	R 1,295.40
07/06/2019	13	Petrol - Rozette	1	R637.50
07/06/2019	14	Petrol - Rozette	1	R601.80
14/06/2019	31	Petrol claim - Rozette	1	R 1,229.10
14/06/2019	32	Petrol claim - Rozette	1	R 239.70
05/07/2019	16	Petrol - Rozette	1	R 961.35
05/07/2019	19	Petrol - Rozette	1	R 841.50
15/07/2019	36	Petrol - Rozette	1	R 912.90
19/07/2019	42	Petrol - Rozette	1	R 153.00
26/07/2019	64	Petrol - Rozette	1	R 209.10
05/08/2019	23	Petrol - Rozette	1	R 1,116.90
16/08/2019	49	Petrol - Rozette	1	R 1,680.45
16/08/2019	53	Petrol - Rozette	1	R 765.00
27/08/2019	91	Petrol - Rozette	1	R 708.90
17/09/2019	100	Petrol - Rozette	1	R 127.50
17/09/2019	101	Petrol - Rozette	1	R 986.85
20/09/2019	107	Petrol - Rozette	1	R 140.25
27/09/2019	141	Petrol - Rozette	1	R 479.40
			Total	**R 18,655.80**

Victim Empowerment

Date	Item no.	Descriptions	Quantity	Amount
19/07/2019	42	Petrol - Rozette	1	R 239.70
26/07/2019	64	Petrol - Rozette	1	R 193.80

17/09/2019	100	Petrol - Rozette	1	R 290.70
17/09/2019	101	Petrol - Rozette	1	R 211.65
20/09/2019	107	Petrol - Rozette	1	R 117.30
27/09/2019	141	Petrol - Rozette	1	R 99.45
			Total	**R 1,152.60**

Golf Day

Date	Item no.	Descriptions	Quantity	Amount
17/09/2019	100	Petrol - Rozette	1	R 326.40
			Total	**R 326.40**
Total				**R31,176.65**

absa

Transaction History (2019-08-01 09:08:47)

L' ABRIE DE DIEU	**ABSA**
PO BOX 4130	4069604712
IDASVALLEI	
7609	

Current balance	R 5,585.92
Available Balance as at	R 5,585.92
Uncleared Cheques	R 0.00

Statement for Period 2019-07-01 - 2019-08-01

Date:	Transaction Description	Amount	Balance
	Balance Brought Forward		**7,053.45**
2019-07-01	SERVICE FEE	-150.00	6,903.45
2019-07-01	MONTHLY ACC FEE	-75.00	6,828.45
2019-07-01	TRANSACTION CHARGE	-193.00	6,635.45
2019-07-01	ADMIN CHARGE	-30.00	6,605.45
2019-07-01	IBANK PAYMENT TO ABSA BANK Basil-Travel claim	-999.60	5,605.85
2019-07-01	ACB DEBIT:EXTERNAL (19,00) SANTAM J073127538	-1,104.69	4,501.16
2019-07-01	ACB CREDIT LILIAS H VAN WYK	100.00	4,601.16
2019-07-01	ABSA FEE Business Integrator Fees	-512.05	4,089.11
2019-07-02	ACB CREDIT BASX33 WC: SOCIA001171734	68,545.00	72,634.11
2019-07-03	IBANK PAYMENT TO ABSA BANK Stelkor Apteek	-3,544.77	69,089.34
2019-07-04	IBANK PAYMENT TO ABSA BANK sanca training	-4,000.00	65,089.34
19-07-04	IBANK PAYMENT TO ABSA BANK Peddie petrol	-663.00	64,426.34
2019-07-04	IBANK PAYMENT TO ABSA BANK Petrol Claim	-1,152.60	63,273.74
2019-07-04	IBANK PAYMENT TO ABSA BANK Alice petrol	-2,458.20	60,815.54
2019-07-05	IBANK PAYMENT TO ABSA BANK Alice commision	-13,600.00	47,215.54
2019-07-05	IBANK PAYMENT TO ABSA BANK Petrol Claim	-1,425.45	45,790.09
2019-07-05	IBANK PAYMENT TO ABSA BANK Steve salary	-500.00	45,290.09
2019-07-05	IBANK PAYMENT TO ABSA BANK takealot	-512.00	44,778.09

(16) 05/07/2019

Safe House	PAYMENT REQUISITION FORM
RECIPIENT:	Rozette Du Toit.
REQUISTED BY:	Admin
MANAGEMENT AUTHOROSATION	
PAYMENT PROCEED BY:	EFT.
Details of payment:	Petrol Claim R1425.45
Payment method:	☑ EFT ☐ Petty cash ☐ Cheque ☐ Expense claim
Receipt/Invoice date:	
Payment date:	
Pastel ref#:	

Victim empowerment	☐	
Victim entertainment	☐	
Victim Support	☐	
Victim Care	☑	R 961.35
Specialist Care	☑	R 382.50
Printing & Stationary	☐	
Incomes	☐	
Medical	☑	- R81.60
Other	☐	_____

05 July 2019

Jun-19

Date	Driver	Vehicle	Time	KM/PU	PU Point	KM D/O	Destination	Total km	
21-Jun		Opel			S/H Sistene		S/B Taxirank	3	
21-Jun					Traffic Lorri Kay		S/H	2	
24-Jun					S/H Lucinda		Rietenbosch	4	
24					S/H Shireen		SAPS Cloetesville	6	
24					S/H		Bridgette SB Hospital	1.5	→ med
24					SH		Leonice Hospital clothing	1.5	
24					Lucinda Rietenbosch		S/H Stellenbosch	4	
25-Jun					S/H L Lucinda		Rietenbosch	4	
25					Rietenbosch		Lucinda S/H	4	
25					Shirene S/H		Town Hall	3	
26-Jun					S/H Lucinda		Rietenbosch/ Home Affairs	9.5	
26					Stellenbosch Hosp		Audrey/Pakama	1.5	- med.
26					Spar		S/H		
26					Rietenbosch		Lucinda S/H	4	
27-Jun					Lucinda< Pakama, Shireen		Rietenbosch/Town	6	
27					Bridgette		Bellville Txi rank	29	
27					SH Shireen		Dr Rossouw	8	- med
28-Jun					Lucinda & Heather		RietenboschAcvv	9.5	
28					Rietenbosch		Lucinda S/H	4	
28					Acvv		Heather	9	
01-Jul-19					Lucinda		Rietenbosch	4	
1					Rietenbosch		Lucinda S/H	4	
1					Acvv		Heather	9	
02-Jul					Lucinda/Heather		Rietenbosch/acvv	9.5	
2					Lucinda Rietenbosch		S/H	4	
2					Acvv		Heather	9	

Date	Driver	Vehicle	Time	KM/PU	PU Point	KM D/O	Destination	Total km	
03-Jul					S/H Lucinda/Heather		RietenboschAcvv	9.5	
03-Jan					Rietenbosch		Lucinda S/H	4	
03-Jan					S/H Heather		Acvv	9	
04-Jul					Lucinda/ Heather		RietenboschAcvv	9.5	
4					Lorri-kay		Lentegeur	75	- special
4					Heather/Lucinda		Rietenbosch/ SAPS Cloetesville	9.5	
4					Safe House		Stelkor Apteek		
TOTAL								279.5	

X5.10 = R1425.45.

Med = 16 km X 5.10 = R 81.60
Spec = 75 km X 5.10 = R 382.50
Vte Other = 188.5 km X 5.10 = R 961.35

(2) (10) Attachment

SUBMISSION OF LIESL RAPHOTO TO THE SPEAKER OF STELLENBOSCH MUNICIPALICTY. REF: 8/2019 RE: ALLEDGED BREACH OF THE CODE OF CONDUCT FOR COUNCILORS.

Complaint 2

Councilor Du Toit abused her power in instructing two Municipal Law Enforcement Officials to escort me, Liesl Raphoto, from the premises of my work place on 12 November 2019.

Evidence.

- **Attachment 11** -Affidavit of Liesl Raphoto dated 14 November 2019 detailing the events of 12 November 2019.
- On 13 November 2019 Ms. Hillary Bergstedt and Mr. Faghrie Patel made some enquiries with Mr. Cedric Thorpe with regards to the Law Enforcement Officers presence at the L'Abrie De Dieu Safe House on 12 November 2019. Mr. Thorpe called Mr. Osric Jumat to obtain the information. This call was made in the presence of fellow colleagues Carmen and John Tjetjeka. Mr. Jumat informed Mr. Thorpe that Councilor Du Toit instructed him to be at the Safe house on 12 November 2019 and Laurika Williams was with him.
  Attachment 12 – Affidavit of Hillary Bergstedt with regards to the above event
  Attachemtn 13 – Affidavit of Faghrie Patel with regards to the above event.

BEëDIGE VERKLARING - SWORN AFFIDAVIT

Naam Van/Name Surname: Liesl Raphoto

ID No/ID Nr: 7904270066083 . Huis Adres/House Address: 10 Newman Straat, Idasvallei, Stellenbosch . Werk Adres/Work Address: Safehouse Stellenbosch, Simonsberg Weg, Stell. .Tel No/Tel Nr (h): _____ Sel No/Cell Nr: 0630032884

Tel No/Tel Nr (w): (021) 883 2574 .

Verklaar onder eed in Afrikaans / States under oath in English

Hiermee verklaar ek, Liesl Raphoto, 'n werker as "Compliance Officer" by Safehouse Stellenbosch die volgende. Op 12 November 2019 om 07h30 het ek na my werksplek "L'Abrie De Dieu Safehouse" gegaan en my daaglikse pligte uitge= voer. Onbewus van wat aangaan het die volgende gebeur wat my sumier getraumati= seer het want ek het nie geweet waar oor dit gaan nie.

Op 12 November 2019, om 14h00 het twee Wetstoepassers (Mnr Osčič Jumat en sy mede vroue kollega) na die Safehouse se kantore toe gekom om vir Adv. Alice Wilton te kom sien. Alice Wilton het toe gevra dat hulle, die Wetstoepassers, saam met haar in die Skills kamer gaan konsulteer. 10 Minute later het Raadslid Rozette du Toit ook by die Safehouse op gedaag en saam met Alice Wilton en die Wetstoe= passers in die skills kamer geraadpleeg. Sowat 10 minute later het hul almal in die kantoor gekom waar ek rustig gesit het en my werk doen. Alice Wilton het toe in die teenwoordigheid van Raadslid Rozette du Toit, die Wetstoepassers en Charlene Abels 'n dokument aan my oorhandig aangaande 'n "Precautionary Suspention Notice". Alice Wilton het toe die inhoud van die dokument aan my gelees en Raadslid Rozette du Toit het gesê dat daar 'n verandering moet aangebring word wat insluit die tyd van wanneer die verhoor gaan plaasvind op die 4 November 2019. Ek was gevra of ek enigiets wil byvoeg waarop ek geantwoord het nee. Dit was met my meegedeel deur Alice Wilton dat 'n kriminele saak teen my gemaak is. en dat ek kan wag vir 'n oproep van die SAPS. Dit was ook vir my meegedeel deur Alice Wilton dat hierdie Situasie is aan DSD meegedeel. Ek was toe gevra om die kopie van die dokument te teken as bewys van ontvangs waarvan die twee Wetstoepassers

ik is vertroud met die inhoud van die verklaring en begryp dit. Ek het geen beswaar teen die aflê van die voorgeskrewe eed nie. k beskou die voorgeskrewe eed as bindend vir my gewete. I know and understand the contents of this statement. have no objection in taking the prescribed oath. I consider the prescribed oath to be binding on my conscience.

Verklaarder Handtekening/Deponent Signature

k sertifiseer dat die verklaarder erken dat hy/sy vertroud is met die inhoud van die verklaring en dit begryp . ierdie verklaring is voor my beëdig en verklaarder se handtekkening/ ~~duimafdruk~~/ merk is in my teenwoordigheid daarop gebring te

ertify that the above statement was taken by me and that this deponent has acknowdlged that he/she knows and understands the ntents of this statement. The statement was sworn before me and deponent's signature/ thumb print/ mark was placed there on my presence at STELLENBOSCH op/on (Datum/Date) 2019-11-14 on/at(Tyd/Time) 08:05

Kommissaris van Ede/Commissioner of Oaths

OYSON JACOBS

Volle Naam en van/ Full name and Surname in pri

POLISIE DIENS / S A POLICE SERVICE ,

23 Du Toit Street, STELLENBOSCH

COLONEL RANK

SUIDAFRIKAANSE POLISIEDIENS
STASIE BEVELVOEDER
STELLENBOSCH

2019 -11- 14

STELLENBOSCH
STATION COMMANDER
SOUTH AFRICAN POLICE SERVICE

BEëDIGE VERKLARING - SWORN AFFIDAVIT

Naam Van/Name Surname: Liesl Raphoto

ID No/ID Nr: 7904270066083 . Huis Adres/House Address : 10 Newman Street Idasvallei, Stellenbosch . Werk Adres/Work Address : Stellenbosch Safehouse, Simonsberg weg .Tel No/Tel Nr (h): _____ Sel No/Cell Nr : 0630032884 Tel No/Tel Nr (w): (021) 8832874 .

Verklaar onder eed in Afrikaans / States under oath in English

Geteken het as getuies. Ek was gevra deur Alice Wilton om my sleutels oor te handig. Ek het geen kapsie gemaak teen wat besig was om te gebeur nie. Alice Wilton het toe die Weststoepassers gevra, in die teenwoordigheid van Raadslid Rozette du Toit, om my te vergesel van die perseel af. Ek het toe my saak gevat en die perseel verlaat sonder enige teenstaan. Die hele gebeure het my erenstig getraumatiseer dat ek nie eers kan praat nie en kan nie hardentlik funksioneer nie.

Ek is vertroud met die inhoud van die verklaring en begryp dit. Ek het geen beswaar teen die aflê van die voorgeskrewe eed nie. Ek beskou die voorgeskrewe eed as bindend vir my gewete. I know and understand the contents of this statement. I have no objection in taking the prescribed oath. I consider the prescribed oath to be binding on my conscience.

Verklaarder Handtekening/Deponent Signature

Ek sertifiseer dat die verklaarder erken dat hy/sy vertroud is met die inhoud van die verklaring en dit begryp . Hierdie verklaring is voor my beëdig en verklaarder se handtekkening/ ~~duimafdruk~~/ ~~merk~~ is in my teenwoordigheid daarop gebring te

I certify that the above statement was taken by me and that this deponent has acknowdlged that he/she knows and understands the contents of this statement. The statement was sworn before me and deponent's signature/ thumb print/ mark was placed there on my presence at STELLENBOSCH op/on (Datum/Date) 2019-11-14 on/at(Tyd/Time) 08:05

Kommissaris van Ede/Commissioner of Oaths

DYSON JACOBS

Volle Naam en van/ Full name and Surname in pri

POLISIE DIENS / S A POLICE SERVICE ,
23 Du Toit Street, STELLENBOSCH

COLONEL RANK

SUID-AFRIKAANSE POLISIEDIENS
STASIE BEVELVOEDER
STELLENBOSCH
2019 -11- 14
STELLENBOSCH
STATION COMMANDER
SOUTH AFRICAN POLICE SERVICE

SUBMISSION OF LIESL RAPHOTO TO THE SPEAKER OF STELLENBOSCH MUNICIPALICTY. REF: 8/2019 RE: ALLEDGED BREACH OF THE CODE OF CONDUCT FOR COUNCILORS.

Complaint 3

Councilor Du Toit instructed Mr. Micheal Moses, her administrator, to act as presiding officer at my precautionary suspension hearing dated 14 November 2019.

Evidence.

- **Attachment 14** –Precautionary suspension notice indicating the time and venue of the hearing. It also indicated Ms. Zelda Darling as the presiding officer. On the day of the hearing Ms. Darling was not available and Mr. Michael Moses was acting presiding officer.
- **Attachment 15** – Affidavit of Mr. Davey Julius, my representative, describing the individuals present at the precautionary suspension hearing of 14 November 2019 and in what capacity they were there.
- Ms. Hillary Bergstedt will also testify with regards to the above matter as she is the Secretary of the L'Abrie De Dieu Safe house Board and the matter was discussed in the board meeting of 15 November 2019.

Attachment (14) (1)

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Safe House

~~23 October 2019~~ 12 November 2019

Name : **Liesl Rhaphoto**

Staff designation : **Compliance Officer**

NPO : **L'Abrie de Dieu Safe House Stellenbosch**

(Shelter for abused women and children)

PRECAUTIONARY SUSPENSION NOTICE

It has been **alleged** that you have breached your duty as compliance officer of the Safehouse Stellenbosch, as included herein.

Fraud/Theft

You promoted fraud and/or theft of monies due to the Safehouse thus promoting fraud/theft of money, which should have been paid to the safehouse, in terms of the High Tea held on the 9th of August 20019. Allegations for investigation includes:

1. That you reneged your duty as compliance officer to ensure that all compliance procedures were followed during the arrangements of the high tea dated the 9th of August 2019. Processes not followed includes:

1.1. Failure to ensure that the Board member, Fachrie Patel who arranged the function with you documented and sought board approval for expenses;

1.2. Failure to ensure that all accepted procurement processes for the services were rendered were documented and processed by approved officials and board members of the safehouse.

1.3. Failure to ensure that monies received were documented and paid into the safehouse bank account.

1.4. Failure to meet a legal order to provide a report on the deviation and/or non-compliance with the safehouse constitution, delegations and financial policies and procedure.

1.5. Threatening staff and residents with Board conduct (EXCO) against staff and therapeutic staff.

Gross insubordination

2. Interference and/or blatant abuse and preying on of clients with mental illness, by interfering in the therapeutic processes of the safehouse by consulting and advising residents with mental illness about conflict between the board and staff, discussing therapeutic actions, advising clients on therapy regardless of lack of training, thus causing a therapeutic breach. Said interference has caused a violent therapeutic fallout between mental illness patients held at the safehouse. You have thus led to the risk that the safehouse will be shut down. Said matter will be reported to DSD and a meeting had been arranged for the 26th of November 2019 for investigation at the safehouse.

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Rude, abusive and insolent behavior

3. Acting abusively with the CEO when you were requested to provide a report on the high tea matter referred to above. Threatening and scaring staff with board interference. Then bragging via whattsapp about your conduct.

Be advised that said investigation will not be limited to the above.

Accordingly, you are requested to make representation regarding the Management decision to firstly suspend you, with pay, until said investigation is completed, within 48 hours from receipt of said notice. Your suspension hearing has been scheduled for the **14th of November 2019**, at the **Office of Rozette Du Toit**, LAP ward office, Reyneveldstr. The presiding officer is Zelda Dalling.

You are allowed to obtain legal representation in this regard as the allegations leveled amounts not only breach of duty, fraud and theft. Said legally qualified person can then make representations on your behalf in protection of your rights. The criminal matter has already been registered and it is advisable to rather appoint an attorney.

You are also compelled to hand over all keys and remote control with immediate effect. Your co-operation in this regard will be appreciated.

Please indicate the address for delivery of all formal notices in terms of relevant legislation.

Yours faithfully

Alice Wilton

CEO

L'Abrie de Dieu Safe House Stellenbosch

Attachment (14) (5)

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Acknowledgement of receipt

.....

Signature

.....

Date

.....

Witness

.....

Date

BEëDIGE VERKLARING - SWORN AFFIDAVIT

Naam Van/Name Surname: Davey Julius

ID No/ID Nr: 670202 5143 087. Huis Adres/House Address: 11 Anthony Street, Cloetesville, Stellenbosch Werk Adres/Work Address: N/A

Tel No/Tel Nr (h): Sel No/Cell Nr: 076 8155 427

Tel No/Tel Nr (w):

Verklaar onder eed in Afrikaans / States under oath in English

Ek Davey Julius, verteenwoordiger van Liesl Raphoto, het op 14 November 2019 om 10h00 haar verteenwoordig in haar "Precautionary Suspension Notice" verhoor by die kantore van Raadslid Rozette du Toit. Teenwoordig by die verhoor was Adv Alice Wilton (CEO van "Above De Dieu" Safehouse, Charlene Abels (the officer and Acting office manager). Mnr Moses Michaels was aan ons voorgestel as die acting Presiding officer. Mnr Moses Michaels is 'n administratiewe beamptenaar van Raadslid Rozette Du Toit. Hierdie verrigtinge het plaas gevind gedurende Mnr. Michaels se werks ure.

Ek is vertroud met die inhoud van die verklaring en begryp dit. Ek het geen beswaar teen die aflê van die voorgeskrewe eed nie. Ek beskou die voorgeskrewe eed as bindend vir my gewete. I know and understand the contents of this statement. I have no objection in taking the prescribed oath. I consider the prescribed oath to be binding on my conscience.

Verklaarder Handtekening/Deponent Signature

Ek sertifiseer dat die verklaarder erken dat hy/sy vertroud is met die inhoud van die verklaring en dit begryp. Hierdie verklaring is voor my beëdig en verklaarder se handtekkening/ duimafdruk/ merk is in my teenwoordigheid daarop gebring te

I certify that the above statement was taken by me and that this deponent has acknowdlged that he/she knows and understands the contents of this statement. The statement was sworn before me and deponent's signature/ thumb print/ mark was placed there on my presence at STELLENBOSCH op/on (Datum/Date) 2019-11-14 on/at(Tyd/Time) 13:45

Kommissaris van Eed/Commissioner of Oaths

Volle Naam en van/ Full name and Surname in pri
POLISIE DIENS / S A POLICE SERVICE,
23 Du Toit Street, STELLENBOSCH
RANK

SUIDAFRIKAANSE POLISIEDIENS
STASIE BEVELVOEDER
STELLENBOSCH
2019-11-14
STELLENBOSCH
STATION COMMANDER
SOUTH AFRICAN POLICE SERVICE

AFFIDAVIT

Ms. Hillary Bergstedt, female, I.D. 6804010081080, Carriemstreet 31, Cloetesville, Stellenbosch, 7600 Declare under oath in english.

① That i am the current secretary of L'Abrie De Dieu Safehouse in Stellenbosch. I was also for a number of years MPAC chairperson (Municipal public accounts) ~~Chair~~. Cllr R. du Toit is known to me as she was a member of MPAC. This committee exclusively dealt with Compliance, legislations, code of conduct, MFMA ext.

① After our Safehouse board mtg 13 November 201c myself and Mr F. Patel went to the office of Mr Cedric Thorpe. Mr Patel was informed by staff member (L. Raphoto) that she was escorted by 2 law enforcement officers, Osric Jumat and a female from her workplac At the office of Mr C. Thorpe, Mr F Patel enquired about above said matter. Mr C. Thorp immediatly phone Mr Osric Jumat to raise the allegation. Mr C. Thorpe left the phone on speaker in order for us to listen. Mr Osric Jumat confirmed and that he was at the safehouse on instruction from cllr du Toit. ~~He~~ We were futhermore informed tha the female law enforcement officer is Ms L. Williams. The following law enforcement staff was also present in the office when Mr. C. Thorpe called Mr. Jumat, John Tjetjek and Carmen.

H A Bergstedt

Outside the office Mr F. Patel again ask John Tjetjeka, who ~~instructed~~ gave the instruction? Mr Jumat and Carmen re-affirmed that it was indeed Cllr R. du. Tiot. (Audio recordings is available)

2) At a Safehouse board meeting 12 Sept 2019 at the office of Cllr R. du Tiot the Chairperson of the board enquired about the car that is used by the Safehouse. The manager (Ms Alice Wilton) indicated to the chairman that it was the property of Cllr du Tiot and mentioned that the Safehouse received R430 000 from Stellenbosch municipality and the board must give her permission to buy a car for the Safehouse. (Audio recording available) as well as minutes.

) 14 November 2019 the manager (Ms A. Wilton) informed he board that a board mtg will be held at the ffice of Cllr R du Tiot's office (15 Nov 2019). Mr atel indicated that he was uncomfertable with his arrangement and asked if the chairperson had written concent to make use of the office. rom the municipality. I then arrange with taff from Breughel to host our mtg. (Screenshots. tudio recordings available)

) Meeting 14 Nov 2019 Breughel. At this meeting eet Cllr R. du Tiot admitted to the board nat, Cllr Zelda Dalling did not understand the rocess of being a preciding officer and that he thefore decided that mr Moses Micheals hould act in the position. (Audio recordings

Attachment (12)

G.P.-S. 01/02

(5) Car registration (Opel Sedan CA 788170) At our Safehouse board mtg 4 January 2020 Cllr du Tiot indicated that ~~it~~ there was issue with the car and explained to the board in the presence of Mr Jacobs (representer from DSD) and Zenobia Sedeman (boardmem SAPS) (minutes available)

I would like to go on record and thefore avail myself.

(6) The Manager (Ms A-Wilton) indicated in the media that the allegations made by Ms L. Raphoto is false although she was present at the various meetings where Cllr du Tiot admitted to ~~the~~ instruction She ~~mo~~ gave to Mr Moses Micheals. The manager (Ms A. Wilton) also gave and signed the precautionary suppention lette with venue of Cllr du Tiot.

Cloetesville SAPS:
Danita Williams
7017298 6.
Sersant.
021 8885940.

SOUTH AFRICAN POLICE SERVICE
CLOETESVILLE
COMMUNITY SERVICE CENTRE
24 FEB 2020
GEMEENSKAP DIENSSENTRUM
CLOETESVILLE
SUID-AFRIKAANSE POLISIEDIENS

Attachment 13

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BEËDIGDE VERKLARING – SWORN AFFIDAVIT

NAAM VAN/NAME SURNAME : MF PATEL (MOGAMAT FAGHRODEEN) ID NO/ID NR : 5903155091085

HUIS ADRES / HOUSE ADDRESS : FESTIVAL STRAAT 47, JAMESTOWN, STELLENBOSCH

WERK ADRES / WORK ADDRESS : —

CELL NO/ SELFOON NR : 082 858 8705 WERK NO/ WORK NR : —

VERKLAAR ONDER EED IN AFRIKAANS/ STATES UNDER OATH IN ENGLISH

HIERMEE VERKLAAR EK MOGAMAT FAGHRODEEN PATEL ID 5903155091085 ONDER EED DAT EK OP 13 NOVEMBER 2019 NA MNR CEDRIC THORPE TE MUNISIPALITEIT STELLENBOSCH SE KANTOOR GEGAAN HET OM TE VERNEEM WAAROM VAN HAL PERSONEEL LIESEL RAHOTO BY STELLENBOSCH SAPS HOKSE GAAN VERWYDER HET OP 12 NOVEMBER 2019. VOLGENS MNR THORPE HET N SEKERE CEDRIC JULIAT & LAURA WILLIAMS DIT IN OPDRAG VAN RDI ROZETTE DU TOIT GEDOEN

EK IS VERTROUD MET DIE INHOUD VAN DIE VERKLARING EN BEGRYP DIT.EK HET GEEN BESWAAR TEEN DIE AFLEGING VAN DIE VOORGESKREWE EED NIE.EK BESKOU DIE VOORGESKREWE EED AS BINDEND OP MY GEWETE SO HELP MY GOD.

I KNOW AND UNDERSTAND THE CONTENTS OF THIS STATEMENT. I HAVE NO OBJECTION I N TAKING THE PRESCRIBED OATH. I CONSIDER THE PRESCRIBED OATH TO BE BINDING ON MY CONSCIENCE.

HANDTEKENING/SIGNATURE

HIERMEE SERTIFISEER EK DAT DIE BOSTAANDE VERKLARING DEUR MY AFGENEEM IS EN DAT DIE VERKLAARDER ERKEN DAT HY/SY VERTROUD IS MET DIE INHOUD VAN DIE VERKLARING EN BEGRYP DIT. HIERDIE VERKLARING IS VOOR MY BEëDIG EN DIE VERKLAARDER SE HANDTEKENING/MERK/DUIMAFDRUK IS IN MY TEENWOORDIGHEID DAAROP AANGEBRING TE:

I CERTIFY THAT THE ABOVE STATEMENT WAS TAKEN BY ME AND THAT THIS DEPONENT HAS ACKNOWLEDGE THAT HE/SHE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS STATEMENT. THE STATEMENT WAS SWORN BEFORE ME AND DEPONENT'S SIGNATURE / TUMB PRINT/MARK WAS PLACED THERE ON IN MY PRESENCE AT:

CLOETESVILLE OP/ON(DATUM/DATE) 2020-02-24 ON/AT(TYD/TIME) 09:15

SOUTH AFRICAN POLICE SERVICE
CLOETESVILLE
COMMUNITY SERVICE CENTRE
24 FEB 2020
GEMEENSKAP DIENSSENTRUM
CLOETESVILLE
SUID-AFRIKAANSE POLISIEDIENS

Kommissaris van Ede/Commissioner of Oaths

Volle naam en Van in drukskrif/ Full name and Surname in print

S A POLISIE DIENS / S A POLICESERVICE

TENNANT STREET, CLOETESVILLE,STELLENBOSCH

RANG/RANK



Twee mense het Dinsdagoggend omstreeks 09:00 ernstige beserings in 'n botsing tussen 'n minibustaxi en 'n motor op die R45 naby Franschhoek opgedoen. Die beseerdes is na die Paarl-hospitaal geneem. Nog twee passasiers het ligte beserings opgedoen. Die presiese omstandighede van die botsing is nog nie bepaal nie.

Die bestuurder van dié voertuig het ernstige beserings opgedoen.

Sakeman ingeloop; derduisende rande glo betrokke

Raadslid in die sop

Danie Keet

'n Raadslid van die Stellenbosch-munisipaliteit word tans in sy hoedanigheid as rekenmeester van 'n plaaslike sakeonderneming weens moontlike wanbestuur van geld ondersoek.

Die raadslid, wat 'n proporsionele lid van die DA-beheerde stadsraad is, dien ook in die munisipale openbare rekeninge komitee (MPAC) wat alle finansiële aangeleenthede van die munisipaliteit oorweeg.

Die man, 'n geoktrooieerde rekenmeester (CA), het na bewering die boeke van klein sakeondernemings in die dorp hanteer en BTW- en ander geld wat aan die Suid-Afrikaanse Inkomstediens (SAID) verskuldig was, na sy eie rekening oorgeplaas.

Derduisende rande is na bewering ter sprake.

Die sakeman wat ingeloop is en wie se naam aan *Eikestadnuus* bekend is, het bevestig dat die boekhouer reeds die afgelope jaar en 'n half na sy boekhouding omsien, maar dat hy eers onlangs van wanoptrede bewus geword het nadat van sy eie personeel navraag oor finansiële aangeleenthede gedoen het.

Die sakeman het bevestig dat die saak ondersoek word, maar dat geen formele klagte nog by die plaaslike polisie aanhangig gemaak is nie.

"Ek het my hele besigheid aan die man oopgemaak en al my finansiële state vir hom gewys – ook my persoonlike rekeninge. Ek het hom met al my belange vertrou, en nou gebeur dit.

"Ek wag nou dat hy kom verduidelik wat gebeur het en hoekom. Ek weet nie hoe ek oor hierdie skok gaan kom nie. Dit beïnvloed selfs my gesondheid op die oomblik," het hy gesê.

Die Stellenbosse munisipaliteit wou nie by navraag op die bewerings kommentaar lewer nie.

"Enigiemand kan 'n klag by die speaker se kantoor indien en alle klagtes sal ondersoek word," het Mart-Marié Haasbroek, die munisipale woordvoerder, gesê.

ANNEXURE 11

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

2021-04-20

MINUTES

DISCIPLINARY COMMITTEE MEETING

2021-04-20

MINUTES

DISCIPLINARY COMMITTEE MEETING

2021-04-20

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MINUTES **DISCIPLINARY COMMITTEE MEETING** **2021-04-20**

PRESENT: Cllr Q Smit [Chairperson]

Councillors: A Frazenburg
E Groenewald (Ms)
N Sinkinya (Ms)
L Stander

Officials: Committee Clerk: (N Mbali (Ms))

****

1.	**OPENING AND WELCOME**

The Chairperson, Cllr Q Smit, welcomed everyone present, and for the record, acknowledged the presence of the other Disciplinary Committee members, i.e. Cllrs A Frazenburg, E Groenewald (Ms), N Sinkinya (Ms) and L Stander.

2.	**COMMUNICATION BY THE CHAIRPERSON**

The Chairperson briefly stated the purpose of the meeting, namely to deal with the investigation into an allegation of misconduct by Councillor MD R du Toit, as contained in the pack of documentation provided to the committee members.

3. 1	**APPLICATION FOR LEAVE OF ABSENCE**

NONE

3. 2	**DISCLOSURE OF INTERESTS**

NONE

4.	**CONFIRMATION OF MINUTES**

NONE

5.	**AGENDA ITEMS FOR CONSIDERATION**

5.1	INVESTIGATION INTO AN ALLEGATION OF MISCONDUCT BY CLLR R DU TOIT

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **20 April 2021**

1. SUBJECT: INVESTIGATION INTO AN ALLEGATION OF MISCONDUCT BY COUNCILLOR R DUT TOIT

2. PURPOSE

To provide the Chairperson of the Disciplinary Committee and the Disciplinary Committee with the information in regard to the disciplinary hearing of Cllr R du Toit as per the resolution taken by Council on 24/08/2020 for misconduct.

To investigate the alleged allegation of misconduct against Councillor R du Toit, and to report back to Council.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Office of the Speaker received a formal complaint from the complainant Liesl Rhaphoto against Cllr R du Toit, for various allegations as listed in her letter of complaint. The Office of the Speaker was requested to assist with the investigation and for this matter Speaker opted for outside legal services.

An Investigator (Adv. Ettiene Vermaak) was appointed to assist the Speaker with the investigation into facts and circumstances related to the complaints received against Councillor R Du Toit.

Advocate Vermaak provided a report with recommendations to the Speaker's office, which report served before Council for consideration on 24 August 2020.

.

5. RECOMMENDATIONS

(a) The disciplinary committee make the following recommendation to Council as per Section 14 of Schedule 1 of the Municipal Systems Act No 32 of 2000. (154) Subsection 2. To: read as follows:

Issue a formal warning to the councillor;

DISCUSSION / CONTENTS

6.1 Background

The Systems Act as per Schedule 1 of the Code of Conduct for Councillors determines the mechanism of accountability in fulfilling the role of a Councillor. The same act also makes provision for rules and procedures should councillors not adhere to the rules. The Stellenbosch Municipality's Standing Rules and Order By-law also needs to be adhered to.

6.2 Discussion

All documentation is attached.

6.3 Financial Implications

None

6.4 Legal Implications

Municipal Systems Act, 2000 – Schedule 1: Code of Conduct for Councillors Section 13 and Section 14:

"***Duty of chairpersons of municipal councils***

13.1 If the chairperson of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the chairperson must-

a. authorise an investigation of the facts and circumstances of the alleged breach;
b. give the councillor a reasonable opportunity to reply in writing regarding the alleged breach; and
c. report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.

13.2 A report in terms of subitem (1)(c) is open to the public.

13.3 The chairperson must report the outcome of the investigation to the MEC for local government in the province concerned.

13.4 The chairperson must ensure that each councillor when taking office is given a copy of this Code and that a copy of the Code is available in every room or place where the council meets.

Breaches of Code

14.1 A municipal council may-

a. investigate and make a finding on any alleged breach of a provision of this Code; or
b. establish a special committees-
    i. to investigate and make a finding on any alleged breach of this Code; and

ii. to make appropriate recommendations to the council.

14.2 If the council or a special committee finds that a councillor has breached a provision of this Code, the council may-

a. issue a formal warning to the councillor;

b. reprimand the councillor;

c. request the MEC for local government in the province to suspend the councillor for a period;

d. fine the councillor; and

e. request the MEC to remove the councillor from office.

14.3 a. Any councillor who has been warned, reprimanded or fined in terms of paragraph (a), (b) or (d) of subitem (2) may within 14 days of having been notified of the decision of council appeal to the MEC for local government in writing, setting out the reasons on which the appeal is based.

b. A copy of the appeal must be provided to the council.

c. The council may within 14 days of receipt of the appeal referred to in paragraph (b) make any representation pertaining to the appeal to the MEC for local government in writing.

d. The MEC for local government may, after having considered the appeal, confirm, set aside or vary the decision of the council and inform the councillor and the council of the outcome of the appeal.

14.4 The MEC for local government may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation on whether the councillor should be suspended or removed from office.

14.5 The Commissions Act, 1947 (Act No.8 of 1947), may be applied to an investigation in terms of subitem (3).

14.6 If the MEC is of the opinion that the councillor has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the MEC may-

a. suspend the councillor for a period and on conditions determined by the MEC; or
b. remove the councillor from office.

14.7 Any investigation in terms of this item must be in accordance with the rules of natural justice.

6.5 Staff Implications

N/A

6.6 Risk Implications

N/A

6.7 Comments from Senior Management:

None required.

Annexures of the relevant documentation:

Appendix A: Notice of Disciplinary Meeting

Appendix B: Charge Sheet

Appendix C: Council decision on the matter, referring it to the DC

DISCIPLINARY COMMITTEE MEETING: 2021-04-20: ITEM 5.1

Findings:

Based on all the evidence submitted and produced to the Disciplinary Committee and as per the regulations for disciplinary hearings, the Disciplinary Committee makes the following findings:

1. The Disciplinary Committee would urge Cllr Du Toit to seriously reconsider her position and involvement in the organization as stipulated in the charge sheet.

2. Even though the evidence led could not prove any wrongdoing, and the Committee is of the opinion that Cllr Du Toit acted in good faith, the Committee strongly feels that the integrity of Council could have been affected should the circumstances have been different.

Recommendation:

The Disciplinary Committee therefore makes the following recommendation to Council as per Section 14 of Schedule 1 of the Municipal Systems Act No 32 of 2000, (154) Subsection 2, namely; to issue a formal warning to the councillor.

RESOLVED

to recommend to Council:

that a formal warning be issued to Councillor R du Toit.

The meeting adjourned at 10:20.

CHAIRPERSON: ……

DATE: **……**

Confirmed on …… **with/without amendments.**

ANNEXURE 111

STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

NOTICE OF DISCIPLINARY HEARING

To: Cllr R du Toit
1 Zambesie Flats
C/O Borchart & Bird Street
Stellenbosch
7600

26 March 2021

NOTICE OF HEARING: INVESTIGATION INTO ALLEGED BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS

You are hereby given notice in terms of Item 14 of the Code of Conduct for Councillors {'the Code") to attend a disciplinary hearing to answer to allegations of breaches of the Code.

The alleged breaches are contained in the Charge Sheet attached hereto. Council reserves the right to amend or to extend the charges against you before you plead to such charges and should this be necessary, you will be informed in writing thereof.

The hearing will be held in the Speaker's Boardroom on 7 April 2021 at 14H00.

You have the following rights:

1. To be informed of the charges against you;
2. To be present at the hearing;
3. To be represented by a representative of your choice at your own costs;
4. To request additional information from the Initiator that you may require to prepare for the hearing, excluding information/documentation that are protected by legal privilege and/or the provisions of the Promotion of Access to Information Act, No 2 of 2000;
5. To cross-examine the witnesses for the Council;
6. To present your case and call witnesses to testify on your behalf. It is your responsibility to ensure that your witnesses are present at the disciplinary hearing;
7. To present evidence in mitigation should you be found guilty of any charge/charges;
8. To be notified in writing of the decision and of the sanction /penalty imposed as well as the reasons therefore, if applicable;
9. To appeal to the MEC for Local Government against the imposition by Council of a sanction of a warning, reprimand or a fine, within 14 days of notification of the decision of the Council (see Item 14(3) of the Code).

If you do not attend and if you cannot give reasonable grounds for failing to attend the hearing, the hearing may be held in your absence.

STADSAAL / TOWN HALL • PLEINSTRAAT / STREET • 7600 • POSBUS / P.O. BOX 17 • STELLENBOSCH • 7599
TEL: +27 21 808 8111 • FAKS / FAX: +27 21 808 8200 • E-POS / E-MAIL: MUNISIPALITEIT@STELLENBOSCH.ORG

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CHARGE SHEET

To: Cllr R du Toit
1 Zambesie Flats
C/O Borchart & Bird Street
Stellenbosch
7600

26 March 2021

It is alleged that you are guilty of the following breaches of the Code of Conduct for Councillors, Schedule 1 to the Local Government: Municipal Systems, Act No 32 of 2000:

CHARGE 1

It is alleged that you have transgressed Item 7 of the Code of Conduct for Councillors ("the Code"), which requires that:

"(1) When elected or appointed, a councillor must within 60 days declare in writing to the municipal manager the following financial interests held by that councillor:

a) Shares and securities in any company;
b) Membership of any close corporation;
c) Interest in any trust;
d) Directorships;
e) Partnerships;
f) other financial interests in any business undertaking;
g) employment and remuneration;
h) interest in property;
i) pension and
j) Subsidies, grants and sponsorships by any organisation.

(2) Any change in the nature or detail of the financial interests of a councillor must be declared in writing to the municipal manager"

by failing to disclose to Stellenbosch Municipality that you had received reimbursements for travelling expenses from the Safe House in Stellenbosch in the amount of R25 186, 00 in the financial year of the Safe House which ended on 31 March 2019.

Alternatively to the main charge above, it is alleged on the same facts that you have transgressed Item 2(b) of the Code, which requires that:

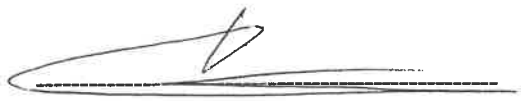
"A Councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised".

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Further note that the hearing will be held *in camera* (meaning it will not be open for the public or for the media).

The Initiator in your hearing will be Adv Etienne Vermaak and he will lead evidence on behalf of the Municipality. Should you need to contact him, his e-mail address is evermaak@outlook.com.

Yours faithfully



Speaker

ACKNOWLEDGEMENT OF RECEIPT

I, Clr R du Toit, hereby acknowledge receipt of this Notice and the attached Charge Sheet.



SIGNATURE

26/03/2021

DATE

IN THE EVENT THAT THE COUNCILLOR SHOULD REFUSE TO SIGN AS ACKNOWLEDGEMENT OF RECEIPT

I, the undersigned, hereby confirm that the Councillor refused to sign the Notice as acknowledgement of receipt of the said Notice and the Charge Sheet when I attempted to serve these documents on her at the address stated in the Notice.

NAME

DATE

SIGNATURE

STADSAAL / TOWN HALL • PLEINSTRAAT / STREET • 7600 • POSBUS / P.O. BOX 17 • STELLENBOSCH • 7599
TEL: +27 21 808 8111 • FAKS / FAX: +27 21 808 8200 • E-POS / E-MAIL: MUNISIPALITEIT@STELLENBOSCH.ORG

17.2	REPORT TO COUNCIL REGARDING THE INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT BY COUNCILLOR F ADAMS

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **28 October 2020**

1. SUBJECT: REPORT TO COUNCIL REGARDING INVESTGATION INTO ALLEGATIONS OF MISCONDUCT BY COUNCILLOR F ADAMS

2. PURPOSE

To consider the report submitted by the Speaker against Councillor Cllr F. Adams, which was done in terms of item 14 of Schedule 1 of the Local Government: Municipal Systems Act 32 of 2000, as well as the Council's Code of Conduct for Councillors.

3. DELGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Office of the Speaker received five complaints from the Municipal Manager whereby it is alleged that Cllr F Adams had transgressed the Code of Conduct for Councillors. The Office of the Speaker was requested to assist with the investigation and for this matter Speaker opted for outside legal services.

An Investigator (Adv. Ettiene Vermaak) was appointed to assist the Speaker with the investigation into facts and circumstances related to the five complaints received against Councillor F. Adams.

Advocate Vermaak provided a report with recommendations to the Speaker's office, which report served before Council for consideration on 28 October 2020.

In his report Advocate Vermaak under **Recommendations** page 21 as **APPENDIX 1** state as follows:

I recommend that Cllr F Adams should be charged in a disciplinary hearing in terms of the Code of Conduct for Councillors, Schedule 1 to the Local Government Act: Municipal Systems Act of 2000, read with Council's policy document " Code of Conduct for Councillors-procedures: Disciplinary Hearing/Investigations" for the charges 1- 6.

Council during the debate of the item on 28 October 2020 however refer the matter to the Disciplinary Committee of Council for Councillors to investigate the matters and make a finding on any alleged breach of the Code of conduct; and that, following the investigation, the Disciplinary Committee make appropriate recommendations to the Council in the event of any findings.

The Disciplinary Committee hearing was set for Thursday 15th April 2021 and

Cllr F Adams was informed of the hearing and also informed of his right to have a representative present. A copy of the Notice and Charge Sheet is attached as **Appendix 11.** Cllr F Adams was present at the hearing. The Disciplinary Committee of council debate the matter and conclude to the following findings:

Herewith the findings and subsequent recommendations from the Disciplinary Committee with reference to the hearing of Cllr Franklin Adams on the 15th of April 2021.

Findings

Based on all evidence submitted to the disciplinary committee and disciplinary processes followed as per the regulations provided, the disciplinary committee unanimously find Cllr Franklin Adams guilty of misconduct as per the rules of order of Council and as per the Code of Conduct for Councilors.

The disciplinary committee considered all the evidence produced and find the evidence adequate to allow a finding and subsequent recommendation to Council.

The disciplinary committee unanimously found Cllr Adams guilty on all 5 charges as per the evidence provided.

It is furthermore clear to the committee that Cllr Adams is in breach of numerous sections within the Municipal Systems Act No 32 of 2000. As per schedule 1 of the Code of Conduct for Councilors.

5. RECOMMENDATIONS

The Disciplinary Committee make the following recommendation to Council as per Section 14 of Schedule 1 of the Municipal Systems Act No 32 of 2000. (154) Subsection 2. Read as follows:

Request the MEC to remove the Councillor from Office.

6. DISCUSSION

6.1 Background

The Office of the Speaker received five written complaints from the office of the Municipal Manager against Cllr F Adams, namely:

6.2 Discussion

An investigation was done by Adv. Etienne Vermaak in respect of the complaints/ allegations of misconduct made against Cllr F Adams. His report is attached as Appendix 1. The matter served before the full Council on 28 October 2020 where the matter has been referred to the Disciplinary Committee of Council.

The Disciplinary Committee did sit on 15 April 2021 as per **Appendix 111** and their recommendation now serves before the full Council to finalize the matter.

6.3 Financial Implications

As per the approved appointment through the Supply chain management process.

6.4 Legal Implications

Local Government Act: Municipal Systems, 2000 – Schedule 1: Code of Conduct for Councilors. Sections 13 and 14 read as follows:

"13. DUTY OF CHAIRPERSONS OF MUNICIPAL COUNCILS

13.1 If the chairperson of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the chairperson must

a. authorize an investigation of the facts and circumstances of the alleged breach;

b. give the Councillor a reasonable opportunity to reply in writing regarding the alleged breach; and

c. report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.

13.2 A report in terms of sub-item (1) (c) is open to the public.

13.3 The chairperson must report the outcome of the investigation to the MEC for local government in the province concerned.

13.4 The chairperson must ensure that each Councillor when taking office is given a copy of this Code and that a copy of the Code is available in every room or place where the council meets.

14 BREACHES OF CODE

14.1 A municipal council may-

a. investigate and make a finding on any alleged breach of a provision of this Code; or

b. establish a special committee-

i) to investigate and make a finding on any alleged breach of this Code; and

ii) to make appropriate recommendations to the council.

14.2 If the council or a special committee finds that a councillor has breached a provision of this Code, the council may-

a. issue a formal warning to the Councillor;

b. reprimand the Councillor;

c. request the MEC for local government in the province to suspend the Councillor for a period;

d. fine the Councillor; and

e. request the MEC to remove the Councillor from office.

14.3.a Any Councillor who has been warned, reprimanded or fined in terms of paragraph (a), (b) or (d) of sub-item (2) may within 14 days of having been notified of the decision of council appeal to the MEC for local government in writing, setting out the reasons on which the appeal is based.

14.3b A copy of the appeal must be provided to the council.

14.3c The council may within 14 days of receipt of the appeal referred to in paragraph (b) make any representation pertaining to the appeal to the MEC for local government in writing.

14.3d The MEC for local government may, after having considered the appeal, confirm, set aside or vary the decision of the council and inform the Councillor and the council of the outcome of the appeal.

14.4 The MEC for local government may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation on whether the Councillor should be suspended or removed from office.

14.5 The Commissions Act, 1947 (Act No.8 of 1947), may be applied to an investigation in terms of sub-item (3).

14.6 If the MEC is of the opinion that the Councillor has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the MEC may

a. suspend the Councillor for a period and on conditions determined by the MEC; or

b. remove the Councillor from office.

14.7 Any investigation in terms of this item must be in accordance with the rules of natural justice."

6.5 Staff Implications

No internal capacity exists to investigate these types of allegations. It is also not good practice to use internal staff as it may lead to intimidation.

6.6 Previous /Relevant Council Resolutions

None.

6.7 Risk Implications

Addressed in the item.

6.8 Comments from Senior Management

None requested.

ANNEXURES

Annexure 1 – Investigation Report from Adv. Vermaak
Annexure 11 – Notice of Disciplinary Committee @ Charge Sheet
Annexure 111 – Disciplinary Committee Minutes

FOR FURTHER DETAILS CONTACT:

NAME	*JC Anthony*
POSITION	*Senior Clerk: Support Staff: Office of the Speaker*
DIRECTORATE	*Corporate Services*
CONTACT NUMBERS	*021 – 808 8042*
EMAIL ADDRESS	*Speaker.admin@stellenbosch.gov.za*
REPORT DATE	*26 May 2021*

ANNEXURE 1

CONFIDENTIAL 14 OCTOBER 2019

REPORT TO THE SPEAKER OF STELLENBOSCH MUNICIPALITY REGARDING AN ALLEGATION OF THE TRANSGRESSION OF THE CODE OF CONDUCT FOR COUNCILLORS BY CLR FRANKLIN ADAMS

REPORT COMPILED BY ADV E W VERMAAK

BACKGROUND

I was appointed by Stellenbosch Municipality in a letter dated 20 June 2019, signed by Ms Annalene de Beer as the Director: Corporate Services, at the request of the Speaker of that Municipality, Ms WC Petersen, to assist the Speaker with an investigation into alleged misconduct of four Councillors, including Clr Franklin Adams, a Councillor of Stellenbosch Municipality. This letter is attached to this report on page 24 . Although the said letter is dated 20 June 2019, it was only sent to me via e-mail on 25 July 2019 by Ms Annalene de Beer.

MY TERMS OF REFERENCE

My terms of reference are to investigate the complaints by the following persons and institutions:

1. A written complaint by Mr Faiz Hoosain, the Chief Audit Executive of Stellenbosch Municipality, dated 2 March 2018 addressed to the Municipal Manager of Stellenbosch Municipality, Ms G Mettler, in which he alleges that Clr F Adams had verbally abused him by shouting, screaming and swearing at him on the same date.

2. A written complaint by the Executive Mayor, Adv G van Deventer, dated 7 November 2018, against Clr F Adams in respect of certain postings by him on his Facebook page about her, which complaint was addressed to the Speaker, Clr W Petersen;

3. A written complaint by Clr A Frazenburg, dated 11 February 2019, about posts by Clr F Adams on his Facebook page about Clr Frazenburg, which complaint was addressed to the Speaker;

4. A written complaint by Clr Patricia Crawley, dated 13 May 2019, about posts by Clr F Adams on your Facebook page about her, which complaint was addressed to the Speaker;

5. Ms Annalene de Beer, the Director: Corporate Services, had also complained to the Municipal Manager, Ms Mettler, following posts on the Facebook page of Clr F Adams about her and Ms Mettler had referred this complaint to the Speaker via e-mail on 18 February 2019.

INITIAL DOCUMENTATION RECEIVED

At a meeting held on 29 July 2019 in the Office of the Speaker which was attended by the Speaker, Alderman JC Anthony and myself, the Speaker handed four files to me. Each file contained documentation particular to the allegation of the transgression of the Code of Conduct by the particular Councillor and one of these four files contained five complaints against Clr Franklin Adams.

A. The documentation received from the Office of the Speaker pertaining to the complaint by Mr Fiaz Hoosain, the Chief Audit Executive of Stellenbosch Municipality against Clr F Adams, comprised of:

1. An e-mail from the Municipal Manager of Stellenbosch Municipality, Ms G Mettler, to the former Speaker of Stellenbosch Municipality, Clr Donovan Joubert, dated 2 March 2018 (a copy of which was sent to the Executive Mayor, Adv G van Deventer) on page 25 of this report, in which Ms Mettler forwarded an e-mail that she had received from Mr Fiaz Hoosain, the Chief Audit Executive of Stellenbosch Municipality on the same date regarding a complaint against Clr F Adams. See pages 25 and 26 of this report;

2. An e-mail from Clr D Joubert addressed to Ms Mettler (a copy of which was sent to the Executive Mayor, Adv G van Deventer) dated 5 March 2018, in which he stated that he will deal with the matter on page 25 of this report;

3. A letter written by Clr D Joubert to Clr F Adams dated 12 March 2018, in which he advised Clr Adams of the complaint against him and in which he requested his response by 26 March 2018 on page 27 of this report;

4. A hand written letter by Clr F Adams addressed to the former Speaker, Clr D Joubert, dated 18 March 2018, requesting details of the complaint by Mr Fiaz Hoosain on pages 28 of this report;

5. A letter by Clr D Joubert, dated 12 June 2018, addressed to the Municipal Manager, Ms Mettler, requesting the appointment of an investigator on page 29 of this report;

6. A letter by Clr D Joubert, dated 17 July 2018, addressed to Ms Mettler, requesting that an investigator investigate the complaint against Clr Adams on page 30 of this report;

7. A letter by Clr W Petersen, the current Speaker of Stellenbosch Municipality, dated 4 October 2018, to Mr Fiaz Hoosain, requesting an affidavit from him regarding his complaint on page 31 of this report;

8. A letter by Clr W Petersen, the current Speaker of Stellenbosch Municipality, dated 4 October 2018, to Mr Bradley Dyers, requesting an affidavit from him regarding the complaint of Mr Hoosain on page 32 of this report;

9. A letter by Clr W Petersen, dated 12 October 2018, addressed to Clr Adams on page 33 of this report;

10. A sworn affidavit by Mr Fiaz Hoosain, dated 16 October 2018, on pages 34 to 36 of this report;

11. A statement by Mr Bradley Dyers confirming the affidavit of Mr Fiaz Hoosain on page 37 of this report;

12. A letter by Clr W Petersen to Ms Mettler, dated 14 December 2018, requesting the appointment of an investigator on page 38 of this report.

B. <u>The documentation received from the Office of the Speaker pertaining to the complaint by Adv G van Deventer, the Executive Mayor of Stellenbosch Municpality, against Clr F Adams comprised of:</u>

1. A letter from the Executive Mayor, Adv G van Deventer, addressed to the current Speaker, Clr W Petersen, dated 7 November 2018, to which she had attached a print out of the Facebook page of Clr F Adams on pages 39 to 41 of this report. In the post, he referred to her as the "visiting Mayor" and in it Clr F Adams implies that the Executive Mayor had rewarded Clr P Crawley (although Clr Crawley is not mentioned by name, her background information and her photo are parts of the particular post) for laying false charges against him by promoting her to the Mayoral Committee;

2. A letter by Clr W Petersen, the Speaker, addressed to Clr F Adams, dated 20 November 2018, in which he was informed of the above complaint of the Executive Mayor and in which he was given until 7 December 2018 to respond to the said complaint on page 42 of this report ;

3. A letter on the letterhead of the Democratic New Civic Association, dated 6 December 2018 and addressed to the Speaker, by Clr F Adams, in which he repeated statement relating to the "visiting Mayor" and in which he once again criticised the Executive Mayor for appointing Clr Crawley (this time mentioning her name) to the Mayoral Committee on pages 43 and 44 of this report;

4. A letter from the Speaker, dated 3 June 2019, addressed to the Municipal Manager, Ms Mettler, in which the Speaker requested that an external facilitator be appointed to investigate the complaint of the Executive Mayor on page 45 of this report.

C. The documentation received from the Office of the Speaker pertaining to the complaint by Clr A Frazenburg of Stellenbosch Municipality

1. A letter from Clr A Frazenburg addressed to the Speaker, Clr W Petersen, dated 11 February 2019, to which he had attached a post by Clr F Adams on the latter's Facebook page and in which Clr F Adams alleges that Clr A Frazenburg had been dismissed as a Mayoral Committee member before and that he was now back in Mayco and in which he further refers to the Executive Mayor as "Kesie" (instead of Gesie) on pages 45 to 48 of this report.

2. A letter from the Speaker, dated 19 February 2019, addressed to Clr F Adams, in which the latter is advised of the complaint by Clr A Frazenburg and in terms of which he was afforded an opportunity until 11 March 2019 to respond to the said complaint on page 49 of this report;

3. A document showing the tracking of the above letter from the Speaker to Clr Adams, which shows that the said letter was delivered to the e-mail address of Clr F Adams on 20 February 2019 on page 50 of this report;

4. Written confirmation from Microsoft Outlook on 20 February 2019 confirming that the letter of the Speaker, dated 19 February 2019, was delivered to Clr F Adams on page 51 of this report;

5. A letter from the Speaker, dated 3 June 2019, addressed to the Municipal Manager, Ms Mettler, requesting the appointment of an investigator regarding the said complaint on page 52 of this report.

D. The documentation received from the Office of the Speaker pertaining to the complaint by Clr P Crawley

1. A letter from Clr P Crawley addressed to the Speaker, Clr W Petersen, dated 13 May 2019, in terms of which Clr Crawley laid a formal complaint against Clr F Adams for continually posting "defamatory and totally incorrect information" about her on his Facebook page as well as pictures of her. A printout of the Facebook page of Clr Adams is attached to this complaint, which shows his posts on 11 May 2019. The complaint further addresses the allegation that Clr F Adams

continually defames the Executive Mayor and the DA. See pages 53 to 58 of this report.

2. A letter, dated 15 May 2019 and addressed to Clr F Adams by the Speaker, in which the complaint of Clr P Crawley is conveyed to Clr F Adams and in terms of which he was requested to respond to the complaint by 29 May 2019 on page 59 of this report.

3. A document confirming the tracking of the above letter of the Speaker to Clr Adams, which shows that the said letter was delivered to the e-mail address of Clr F Adams on 15 May 2019 page 60 of this report;

4. Written confirmation from Microsoft Outlook on 15 May 2019 confirming that the letter of the Speaker, dated 19 February 2019, was delivered to the e-mail address of Clr F Adams on 15 May 2019 on page 61 of this report;

5. A letter from the Speaker, dated 3 June 2019, addressed to the Municipal Manager, Ms Mettler, requesting the appointment of an investigator regarding the said complaint on page 62 of this report.

6. A letter from the Speaker, dated 25 July 2019, sent to Clr F Adams, confirming that he had not responded to her letter to him on page 63 of this report.

E. <u>The documentation received from the Office of the Speaker pertaining to the</u> <u>complaint by Ms Annalene de Beer, the Director: Corporate Services of Stellenbosch Municipality</u>

1. An e-mail from the Municipal Manager of Stellenbosch Municipality, Ms G Mettler, to the Speaker of Stellenbosch Municipality, Clr W Petersen, dated 18 February 2019, in which Ms Mettler confirms that a formal complaint has been received by her from Ms de Beer, as a result of confidential and personal information that he had posted about her (Ms de Beer) on his Facebook page. See pages 64 to 68 of this report.

2. A print out of the Facebook page of Clr F Adams on 18 February 2019 in which he refers to Ms de Beer as “Beertjie” and “ the Task Expert who received an 10 year contract without Council authority”. He further states that “the visiting Mayor” (a reference to Adv Gesie van

Deventer) is the "Bestie" (slang for best friend) of Ms de Beer and that Adv van Deventer as the Executive Mayor had "driven" this contract. He further refers to Adv Gesie van Deventer once again as "Kesie" and added that Ms de Beer cannot spell. He had posted the application letter of Ms de Beer for the position of Director: Corporate Services and excerpts of her CV. See page 65 of this report.

7. A letter by the Speaker addressed to Clr Adams, dated 19 February 2019, in which the complaint of Ms de Beer is conveyed to Clr F Adams and in terms of which he was requested to respond to the complaint by 11 March 2019 on page 69 of this report;

8. A document confirming the tracking of the above letter of the Speaker to Clr Adams, which shows that the said letter was delivered to the e-mail address of Clr F Adams on 20 February 2019 on page 70 of this report;

9. A letter from the Speaker, dated 3 June 2019, addressed to the Municipal Manager, Ms Mettler, requesting the appointment of an investigator regarding the said complaint on page 71 of this report.

MODUS OPERANDI OF MY INVESTIGATION

After the perusal of the file handed to me by the Speaker containing the five complaints against Clr F Adams, I identified the complainants and I had interviewed them all. During these interviews, other possible witnesses were also identifies as well as additional documentation which could assist me in my investigations in this regard. I also extended an invitation to Clr F Adams for an interview to obtain his version or explanation for the events, but he refused to be interviewed by me.

THE DIFFERENT COMPLAINTS

1. **The complaint by Mr Fiaz Hoosain, the Chief Audit Executive of Stellenbosch Municipality**:

The complaint of Mr Hoosain is fully explained in his e-mail to Ms Mettler as the Municipal Manager dated 2 March 2018 as well as in his affidavit dated 16 October 2018. The incident when Clr F Adams had allegedly verbally abused him, happened on 2 March 2018 and his e-mail to Ms Mettler in this regard to lodge the said complaint, was sent a few hours after the incident.

INTERVIEWS CONDUCTED/ REQUESTED REGARDING THIS COMPLAINT:

Clr Wilhelmina Petersen (Speaker)

Before my interview with Mr Hoosain, I had an interview with Clr Petersen as the Speaker, during which she briefed me about this complaint of Mr Hoosain and during which she confirmed that she had received the said complaint and that she had requested Clr F Adams in writing to respond to it. She told me that, although he did reply in a handwritten letter dated 26 March 2018, he did not address the merits of the complaint. Instead, he posed questions to her about the complaint in his said letter.

Mr Fiaz Hoosain

I interviewed Mr Hoosain regarding his complaint and he told me that he entered the main building of the Municipality on 2 March 2018 at about 11:15 am from the enclosed parking area behind the main building to take the lift to office. At the same time, Mr Bradley Dyers also came through the main entrance of the building and they waited for the lift (See pages 25 and 26 of this report).

Councillor F Adams then entered the building through the main entrance and joined them to wait for the lift. He told me that Clr F Adams, immediately upon his arrival, started to make comments about Mr Hoosain and he continued doing so even when two unknown members of the public exited the lift.

While just the three of them were travelling in the lift, the statements made by Clr F Adams intensified. While they were in the lift, Clr F Adams allegedly screamed and shouted at Mr Hoosain, who felt that the verbal attack by Clr Adams was directed at him as Clr Adams did not verbally abuse Mr Dyers.

Clr Adams allegedly blamed Mr Hoosain for being part of a group who did not wanting to give him a copy of the contract of the Director: Corporate Services, Ms Annalene de Beer and during this verbal attack, Clr Adams allegedly used the word “fokken” may times and he threatened Mr Hoosain that he (Mr Hoosain) will “fokken” see what is going to happen. Mr Hoosain said to me that he was not sure what Clr Adams exactly meant with the words “ you will fokken see”, but he interpreted it to mean that whatever will happen will be harmful to him.

Mr Hoosain informed me that there was never any friction between him and Clr Adams prior to this incident and neither did he say or do anything to provoke this

verbal attack by Clr Adams, as he merely greeted Clr Adams when he joined him and Mr Dyers to wait for the lift.

He added that Clr Adams had not yet apologised to him for this verbal abuse, which took place in the presence of a colleague, Mr Dyers, and which partially took place in the presence of two members of the public.

Mr Hoosain said to me that he was very upset after this encounter with Clr Adams and that he decided not to leave the matter there. He addressed an e-mail to the Municipal Manager, Ms Mettler, a short while after the incident, to lodge a formal complaint against Clr Adams.

He is aware of the fact that Ms Mettler had forwarded his complaint to the previous Speaker, Clr D Joubert, as Ms Mettler had copied him in the e-mail which she had sent to Clr Joubert in this regard. He is also aware that Clr Joubert had received the said complaint, as Clr Joubert had copied him in his e-mail to Ms Mettler in which he informed her that he will deal with the matter.

Mr Bradley Dyers

In our interview, Mr Dyers confirmed the version of Mr Hoosain of the events on 2 March 2018, as he did in his statement dated 16 October 2018. He in particular confirmed that Mr Hoosain had only greeted Clr Adams before Clr Adams started with his verbal attack on Mr Hoosain.

He also remembers that Clr Adams had used the word “fokken” many times and that he told Mr Hoosain that he will “fokken” see what is going to happen as a result of his (Mr Hoosain’s) refusal to give him a copy of the employment contract of Ms de Beer, the Director: Corporate Services.

He also stated that he could see that Mr Hoosain was upset by this incident when he exited the lift.

Mr Cedrick Thorpe

I interviewed Mr Cedrick Thorpe, who is the Supervisor of the security personnel in the main building, to determine if video footage exists of this incident, as there is a security camera which is placed so that it can film the lift and the waiting area in front of it. He informed me that as this incident happened about a year and a half ago, the video footage taken on 2 March 2018 is no longer available as they only keep it for about four weeks. He said that unless a request is received to make a

video clip of a particular incident, the video footage is deleted in order to use the film again.

I also requested a copy of the register at the reception in the main building, which had to be signed by visitors on 2 March 2018, in an attempt to identify and to speak to the two members of the public who exited the lift as Clr Adams had allegedly already started with his verbal attack on Mr Hoosain. I reasoned that, as the incident between Mr Hoosain and Clr Adams had taken place at about 11:15 am, the two members of the public (who were leaving the lift and presumably the main building at the time) had entered the main building in the time from 08:00 am until possibly 11:10 am.

Mr Thorpe did give me a copy of the register (see page 72 of this report) showing all the visitors who had entered the main building on 2 March 2018. I attempted to contact all the visitors who entered the building that morning and who had left the building by 11:30 am in an attempt to ascertain if they were one of the two members of the public who existed the lift while Clr Adams was allegedly busy with his verbal attack on Mr Hoosain and to determine (if they were present) if they remember the incident. I was not able to identify who these two members of the public were, as the visitors that I was able to speak with, had told me that they cannot remember such an incident.

Ms Geraldine Mettler (the Municipal Manager)

In my interview with her, which was scheduled to primarily discuss her complaint against Clr Hendrickse, we also touched on the complaint of Mr Hoosain and she confirmed that she did receive a complaint by Mr Hoosain on 2 March 2018, which referred to the Speaker. See pages 25 and 26 of this report.

Clr Franklin Adams

I have tried several times to set up an interview with Clr F Adams to hear his version or explanation of this complaint, for instance:

1. on 26 September 2019 I was busy in the Boardroom of the Speaker with interviews of witnesses in another investigation that I was requested to do by the Speaker and as a witness in that matter had left, Clr Franklin Adams entered the reception area of the Speaker's office at about 14:20 and after greeting him, I requested him in Afrikaans for an interview on a date and time which will suit him in the presence of Ms Candice Wesso, the secretary of the Chief Whip, Clr Biscombe. In Afrikaans, I said to him: "Raadslid, ek wil graag met jou gesels oor die klagtes teen

jou wanneer dit jou pas." Clr Adams looked me in the eye and said to me: " Gaan praat iewers anders" and he then turned his back on me and left the office of the Speaker.

2. I have sent an e-mail on pages 75 and 76 of this report to Clr F Adams on 2 October 2019 requesting an interview, after I had informed him of the complaints against him and after I had informed him that I was appointed by the Municipality to investigate these complaints. I did not receive any reply of any nature to my said e-mail.

3. I sent Clr F Adams another e-mail on 10 October 2019 on page 74 of this report, in which I have repeated my request for an interview with him, but I never received a reply from him of any nature in this respect either.

4. I sent Clr Adams another e-mail on 11 October 2019 on the top of page 74 of this report, in which I set a deadline for him to respond to my requests for an interview with him, the deadline being before close of business on 11 October 2019. On 11 October 2019, as can be seen on page 73 of this report, Clr F Adams responded to my last e-mail to him of this report, by acknowledging that I have sent him several e-mails asking for an interview and by stating that he does not want to talk to me.

2. <u>The complaint by Adv G van Deventer, the Executive Mayor of Stellenbosch Municipality:</u>

The complaint of Adv van Deventer, the Executive Mayor, is evidenced by her letter, dated 7 November 2018, to the Speaker, Clr W Petersen, to which she had attached a print out of the Facebook page of Clr F Adams. See pages 39 to 41 of this report. It appears from the posts by Clr Adams that he had made comments about the Executive Mayor which she believes are derogatory and she also believes that he used unacceptable terms in this post to describe her. In her aforesaid letter to the Speaker, she states in Afrikaans that Clr F Adams had made" blatante beledigings" in respect of her on his Facebook page.

<u>INTERVIEWS CONDUCTED/ REQUESTED REGARDING THIS COMPLAINT</u>

<u>Clr Wilhelmina Petersen (Speaker)</u>

Before my interview with the Executive Mayor, Adv G van Deventer, I had an interview with Clr Petersen as the Speaker, during which she briefed me about this complaint of Adv van Deventer and during which she confirmed that she had

received the said complaint and that she had requested Clr F Adams in writing to respond to it, but he did not reply to her request.

Adv G van Deventer (Executive Mayor)

Adv van Deventer informed me in our interview that, although she had only attached one print out of the Facebook page of Clr F Adams to her complaint against him to the Speaker in her letter dated 7 November 2018, she is aware of other posts on other dates made by him on his Facebook page in which he used unacceptable terms to describe her and in which he made unacceptable statements about her.

She said that she is upset by his reference to her as "the visiting Mayor"; as "Kesie", which she interprets to be a reference to a baby baboon, and as the "Bestie" of Ms Annelene de Beer in other posts by Clr F Adams on his Facebook page. She said that she was also upset by derogatory comments made by Clr Adams on his Facebook page about her, for instance the allegation that she had rewarded Clr Patricia Crawley for telling lies about him in a disciplinary hearing against him, by appointing Clr Crawley on the Mayoral Committee thereafter. Another example of an unacceptable post by him about her, is his allegation that she had "driven" the appointment of Ms Annelene de Beer, which she said is not true.

She informed me that Clr Adams had not yet apologised to her for his posts on his Facebook page about her. Instead, he continually posts unfavourable comments and unfounded allegations about her. Some of these posts were brought to her attention by persons such as Clr Frazenburg, who was also targeted in terms of posts by Clr Adams on his Facebook page.

Clr Franklin Adams

I have tried several times to set up an interview with Clr F Adams to hear his version or explanation of this complaint as well, but as explained on page 10 and 11 of this report, he did not respond or refused all of my requests to comment on the complaint of Adv van Deventer.

3. The complaint by Clr A Frazenburg of Stellenbosch Municipality:

The complaint of Clr Frazenburg is, like the complaint of Adv van Deventer, a result of posts by Clr F Adams on his Facebook page about Clr Frazenburg, which posts are totally unacceptable in the view of Clr Frazenburg as they are false.

INTERVIEWS CONDUCTED / REQUESTED REGARDING THIS COMPLAINT:

Clr Wilhelmina Petersen (Speaker)

Before my interview with Clr Frazenburg, I had an interview with Clr Petersen as the Speaker, during which she briefed me about this complaint of Clr Frazenburg and during which she confirmed that she had received the said complaint and that she had requested Clr F Adams in writing to respond to it. She told me that he did not respond to her request.

Clr A Frazenburg

He informed me that when he first saw the posts by Clr Adams on his Facebook page about him, he felt that the allegations about him, were demeaning. He is of the opinion that Clr Frazenburg should have discussed any issue which he (Clr Adams) may have with him, with him in person, instead of doing posts on his Facebook page for the world to see. See pages 46 to 48 of this report.

He said that, after he had read the posts by Clr Adams on his Facebook page, he had discussed these posts with the Executive Mayor, Adv van Deventer, and her office was able to print the posts for him. He then lodged a formal complaint at the Speaker.

He said that he was upset by some of the allegations made by Clr Adams, such as the insinuation by Clr Adams in February 2018 that he (Clr Frazenburg) was dismissed as a Mayoral Committee member, which is untrue.

He told me that he was also very unhappy about the allegation by Clr F Adams that he (Clr Frazenburg) had blackmailed the Executive Mayor, Adv van Deventer, with an affidavit about an alleged affair between the Speaker and another Mayoral Committee member, as “leverage” to get back on the Mayoral Committee. He stated that this allegation was false.

He informed me that he was also very unhappy about the use of the word “Kesie” by Clr Adams in the said post, as the word “kesie” in Afrikaans is a reference to a baby baboon.

He told me that he expected Clr F Adams to apologise for his posts about him on his Facebook page, but that Clr Adams never did so.

Clr Franklin Adams

I have tried several times to set up an interview with Clr F Adams to hear his version or explanation of this complaint as well, but as explained on page 10 and 11 of this report, he did not respond or refused all of my requests to comment on the complaint of Clr A Frazenburg.

4. **The complaint by Clr Patricia Crawley of Stellenbosch Municipality:**

The complaint of Clr Crawley is, like the complaints of Adv van Deventer and Clr Frazenburg, related to posts by Clr F Adams on his Facebook page about her, in which he allegedly uses derogatory language to describe her as well as false information to make unfounded allegations or insinuations about her actions.

INTERVIEWS CONDUCTED / REQUESTED REGARDING THIS COMPLAINT:

Clr Wilhelmina Petersen (Speaker)

Before my interview with Clr Crawley, I had an interview with Clr Petersen as the Speaker, during which she briefed me about this complaint of Clr Crawley and during which she confirmed that she had received the said complaint and that she had requested Clr F Adams in writing to respond to it. She told me that he did not respond to her request.

Clr Patricia Crawley

In our interview, Clr Crawley made it very clear that she is continually being targeted by Clr Adams in posts on his Facebook page, which she finds defamatory, embarrassing and a threat to her security.

She informed me that Clr Adams also uses photos of her in the some of his posts about her in his posts about her when he does not mention her by name in such posts, in order to make it clear to the readers of such posts that he is referring to her. She confirmed that she had lodged a complaint at the Speaker's office. See pages 53 to 58 of this report.

She said that his favourite term to describe her, is the "the Blue Devil". Sometimes he would add "the Blue Devil from KZN" and he would add the fact that she serves on the Mayoral Committee to make sure that there is no uncertainty to who he is referring to.

In a particular post on 7 November 2018 (see page 58 of this report), he referred to her as "the blue devil who migrated from KZN to Skelmbos". Further in this post, he

referred to her as “the dishonest blue devil who laid false charges against me.” Further, in the same post he says that her salary jumped from R20 000,00 per month to R60 000,00 per month as a Mayoral Committee member and that she is “devious, ruthless and plain evil.” Again he placed a photo of her in this very post.

She referred me to another post of Clr F Adams on his Facebook page about her, namely one on 28 June 2018 in which he described her as a “dishonest blue liar” and he actually this time stated her surname in this post. Again he placed a photo of her in this post.

She referred me to another post by Clr F Adams on his Facebook page, namely one on 16 June 2018 (see page 55 of this report), in which he called her one of the greatest witches (“een van die grootste hekse” in Afrikaans) and he stated that she had fled from Nakandla to Stellenbosch to become a Councillor. Clr Crawley said that it is well known that she and her husband had moved from Kwa-Zulu Natal to Stellenbosch. She said the fact that he again placed a photo of her in this particular post made it as clear as daylight that he was referring to her and nobody else.

Clr Crawley informed me that because of the continual posts by Clr F Adams in which she is portrayed as being dishonest, ruthless and evil (see page 58 of this report), she fears not only that her good name and reputation will be harmed in the Stellenbosch community, but she also fears for her safety, as a person who is mentally unstable may read the posts of Clr F Adams and he or she may decide to act on it.

She added that her daughter had alerted her to some of the posts by Clr F Adams and the fact that he is broadcasting his unfounded and derogatory views about her so that the whole wide world can read it, including her family and friends, is most upsetting for her.

Lastly, she confirmed that Clr F Adams had never apologised to her for his posts about her on his Facebook page.

<u>Clr Franklin Adams</u>

I have tried several times to set up an interview with Clr F Adams to hear his version or explanation of this complaint as well, but as explained on page 10 and 11 of this report, he did not respond or refused all of my requests to comment on the complaint of Clr P Crawley.

5. The complaint by Ms Annalene de Beer, the Director: Corporate Services:

As in the complaints of Adv van Deventer, Clr Frazenburg and Clr Crawley, the complaint of Ms de Beer also results from a post by Clr F Adams on his Facebook page about her.

INTERVIEWS CONDUCTED / REQUESTED REGARDING THIS COMPLAINT:

Clr Wilhelmina Petersen (Speaker)

Before my interview with Ms de Beer, I had an interview with Clr Petersen as the Speaker, during which she briefed me about this complaint of Ms de Beer and during which she confirmed that she had received the said complaint and that she had requested Clr F Adams in writing to respond to it. She told me that he did not respond to her request.

Ms Annalene de Beer (Director: Corporate Services)

In my interview with her, Ms de Beer told me that she was alerted to a post on the Facebook page of Clr F Adams by the Municipal Manager, Ms Mettler, about her. Ms de Beer does not access the Facebook page of Clr F Adams herself. She confirmed that she did lodge a formal complaint against Clr F Adams because of his post on his Facebook page about her. See pages 64 to 68 of this report.

When she saw a printout of his post about her, she noticed that Clr F Adams had also placed parts of her application letter for the position of Director: Corporate Services in his post as well as parts of her CV, which contains personal information about her like her residential address, her private e-mail address and information that she had provided to the Municipality in confidence when she applied for the post. She told me that Clr F Adams had violated her constitutional right the privacy and that he had compromised her safety.

She was also very upset by the fact that he referred to her as the “infamous Beertjie” and that he alleged that she was appointed on a ten year contract “without Council authority”. She was also perturbed about his statement that “she can’t even spell properly”.

She was further most unhappy with his reference to the Executive Mayor as her “Bestie” as this could create a wrong impression as they are not friends, as well as

the fact that he had referred to Adv van Deventer as “Kesie”, which she interprets as a reference to a baby baboon.

She said to me that she considers herself to be a professional person and that as a Senior Manager, she is entitled to be treated with respect by Councillors, even when they disagree with her. She added that her dignity was tarnished by the posts of Clr F Adams.

Lastly, she confirmed that Clr F Adams had never apologised to her for his posts about her on his Facebook page.

Ms Geraldine Mettler (the Municipal Manager)

In my interview with her, which was scheduled to primarily discuss her complaint against Clr Hendrickse, we also touched on the complaint of Ms de Beer and she confirmed that she had alerted Ms de Beer to the post about her by Clr F Adams on his Facebook page and that she did receive a complaint by Ms de Beer thereafter, which she referred to the Speaker.

Clr Franklin Adams

I have tried several times to set up an interview with Clr F Adams to hear his version or explanation of this complaint as well, but as explained on page 10 and 11 of this report, he did not respond or refused all of my requests to comment on the complaint of Ms de Beer.

EVALUATION OF EVIDENCE

1. The complaint by Mr Fiaz Hoosain, the Chief Audit Executive of Stellenbosch Municipality:

There is sufficient evidence to prove the merits of this complaint on a balance of probabilities in the form of verbal evidence, in that Mr Hoosain and Mr Dyers will be able to, and are willing to testify, against Clr F Adams should Council decide to proceed with a disciplinary hearing against Clr F Adams.

There is also documentary evidence to support the version of Mr Hoosain in the form of the e-mail that he had addressed to the Municipal Manager on 2 March 2019, which was written a few hours after the incident, showing that he was still upset about the verbal abuse of Clr F Adams even a few hours after being shouted and cursed at. See page 26. Also see his sworn affidavit on pages 34 to 36.

As far as I can determine, Clr F Adams only responded once to this complaint in writing, when the Speaker requested him to do so. From his handwritten response in

his letter dated 26 March 2018 on page 28 , he “disputed the manner in which he received notice, because it is unprocedural” and he stated that he needs answers to his four questions in his letter “for me to give a proper response”.

He does not in this particular letter deny the truth of the complaint by Mr Hoosain and further, he never gave “a proper response” (to use his words) when the Speaker had provided him with a copy of the e-mail of Mr Hoosain in a letter dated 12 October 2018.

2. The complaint by Adv G van Deventer, the Executive Mayor of Stellenbosch Municipality:

There is sufficient documentary evidence to prove the merits of this complaint on a balance of probabilities in the form of documentary evidence, with particular reference to the posts by Clr F Adams on his Facebook page about her.

Adv Gesie van Deventer, the Executive Mayor, is willing to provide oral evidence against Clr F Adams, should Council decide to proceed with a disciplinary hearing against Clr F Adams.

Clr F Adams did respond to this complaint by Adv van Deventer on a letterhead of the Democratic New Civic Association (see pages 43 and 44), dated 6 December 2018, in which he repeated the phrase “visiting Mayor” used in his posts on his Facebook page, which Adv van Deventer found offensive in the first place.

His defence to this complaint by Adv van Deventer was that he “never insulted the visiting Mayor.”

He further in the aforesaid letter accused her of doing “nothing about the complaint of adultery by two senior councillors”, thereby implying that she had neglected to do her duty, but Clr Adams seems to forget that such complaints against Councillors are handled by the office of the Speaker.

3. **The complaint by Clr A Frazenburg of Stellenbosch Municipality:**

There is sufficient evidence in the form of a post on the Facebook page of Clr F Adams (see page 48), to substantiate the complaint of Clr Frazenburg on a balance of probabilities (his complaint is on pages 45 and 46).

Clr Frazenburg is also willing to testify at a disciplinary hearing against Clr F Adams, should Council decide that disciplinary action should be taken against him. The Executive Mayor, Adv van Deventer, can also be asked to testify about the fact that Clr Frazenburg was upset about the post of Clr F Adams when he showed it to her. The staff member in the office of the Executive Mayor who made a print out of the

Facebook page of Clr F Adams at the time, can also be a witness in a disciplinary hearing, should there be one.

As for the defence of Clr F Adams in respect of this complaint, he never replied (as far as I can determine) to a request of the Speaker to respond to the complaint of Clr Frazenburg.

4. The complaint by Clr Patricia Crawley of Stellenbosch Municipality:

There is sufficient documentary evidence in the form of several posts on his Facebook page by Clr Adams to support the complaint by Clr P Crawley on a balance of probabilities. Her complaint and the posts by Clr Adams are on pages 53 to 58.

In addition, Clr Crawley is willing to testify in a disciplinary hearing against Clr F Adams.

As for the defence of Clr F Adams in respect of this complaint, he never replied (as far as I can determine) to a request of the Speaker to respond to the complaint of Clr Crawley either.

5. The complaint by Ms Annalene de Beer, the Director: Corporate Services:

There is sufficient documentary evidence to prove the merits of this complaint on a balance of probabilities in the form of a post on his Facebook page about her. Her complaint is on pages 64 to 68.

In addition, Ms de Beer is willing to testify at a disciplinary hearing against Clr F Adams, should Council decide that disciplinary action should be taken against him. The Municipal Manager, who brought the post of Clr F Adams to the attention of Ms de Beer, can also be requested to testify as a witness in this regard.

As for the defence of Clr F Adams in respect of this complaint, he never replied (as far as I can determine) to a request of the Speaker to respond to the complaint of Ms de Beer either.

FINDINGS

1. The complaint by Mr Fiaz Hoosain, the Chief Audit Executive of Stellenbosch Municipality:

I find that the complaint of Mr Hoosain, who he stated under oath in a sworn affidavit on 16 October 2018 after his initial complaint on 2 March 2018 in the form of an e-mail to Ms Mettler that he was verbally abused by Clr F Adams, is founded.

2. The complaint by Adv G van Deventer, the Executive Mayor of Stellenbosch Municipality:

I find that the complaint of Adv van Deventer about the posts by Clr F Adams on his Facebook page in respect of her, in which

a. she is referred to as the "visiting Mayor";
b. she is accused of rewarding Clr Crawley for lying in his previous disciplinary hearing about his physical abuse of her by promoting her to the Mayoral Committee;
c. she is referred to as "Kesie", which is a reference to a baby baboon in Afrikaans;

is founded.

3. **The complaint by Clr A Frazenburg of Stellenbosch Municipality:**

I find that the complaint of Clr Frazenburg about the post of Clr F Adams on his Facebook page in respect of him, in which Clr Adams stated that he (Clr Frazenburg) was dismissed as a Mayoral Committee member and which suggests that he had done something so bad to have been dismissed, is founded. His complaint that Clr Adams suggest in his said post that Clr Frazenburg had used an affidavit of an alleged relationship between two Mayoral Committee as leverage to blackmail the Executive Mayor to reappoint him on the Mayoral Committee, is also founded and so is his complaint that Clr Adams refers to Adv Gesie van Deventer as "Kesie".

4. The complaint by Clr Patricia Crawley of Stellenbosch Municipality:

I find the complaint by Clr Crawley is founded as ample evidence exists that he had made offensive comments about her and Adv Gesie van Deventer in posts on his Facebook page, such as:

a) because of her previous complaint of physical abuse against him, he called her a "blue liar" and
b) by calling her" the blue devil" and
c) by calling her "one of the greatest witches" and
d) by describing her as "devious, ruthless and plain evil" and
e) by calling Adv Gesie van Deventer "Kesie" in his posts about her.

I find that although he did not always use her name in his posts about her, he made sure that the readers of these posts could identify her by giving enough personal information about her, like that she "migrated from KZN to Skelmbos" and by placing a photo of her in such posts.

5. The complaint by Ms Annalene de Beer, the Director: Corporate Services:

I find that the complaint by Ms de Beer is founded as sufficient evidence exist that Clr F Adams had made offensive comments about her in a post on his Facebook page, namely:

a. that she only got the position of Director: Corporate Services as her" Bestie", Adv van Deventer, drove the process of her appointment in this position;
b. that he described her as "the infamous Beertjie" as the word infamous means "having a bad reputation or being wicked" according to the Oxford dictionary;
c. by stating that she "can't even spell properly".

I also find that the complaint by Ms de Beer is founded as sufficient evidence exist that Clr F Adams had published personal and confidential information of her in a post on his Facebook page, by placing parts of her letter of appointment for the position of Director: Corporate Services as well as parts of her CV in his post on his Facebook page about her. By doing so, her constitutional right to privacy was infringed and her personal safety was compromised.

RECOMMENDATIONS:

I recommend that Clr F Adams should be charged in a disciplinary hearing in terms of the Code of Conduct for Councillors, Schedule 1 to the Local Government Act: Municipal Systems of 2000, read with Council's policy document " Code of Conduct for Councillors –Procedures : Disciplinary Hearing/ Investigations" ,with the following charges:

Charge 1

That he had transgressed Item 2(b) of the Code of Conduct for Councillors which requires that:" A councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised", by verbally abusing Mr F Hoosain on 2 March 2018 in the main building of Stellenbosch Municipality.

Alternatively that he had, on the same set of facts, transgressed Item 2(a) of the Code of Conduct for Councillors which requires that :" A councillor must perform the functions of office in good faith, honestly and in a transparent manner."

Charge 2

That he had transgressed Item 2(b) of the Code of Conduct for Councillors which requires that :" A councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised", by making offensive posts in respect of Adv Gesie van Deventer, the Executive Mayor, on his Facebook page such as calling her "the visiting Mayor" and " Kesie", as well as making derogatory / unfounded comments about her in his posts on his Facebook page, such as that she had rewarded the alleged dishonest behaviour of Clr Crawley, by promoting her to the Mayoral Committee after she had testified against him in a previous disciplinary hearing.

Alternatively that he had, on the same set of facts, transgressed Item 2(a) of the Code of Conduct for Councillors which requires that :" A councillor must perform the functions of office in good faith, honestly and in a transparent manner."

Charge 3

That he had transgressed Item 2(b) of the Code of Conduct for Councillors which requires that :" A councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised", by making offensive an post in respect of Clr A Frazenburg on his Facebook page, such as stating that Clr Frazenburg was previously dismissed as a Mayoral Committee member and that he is guilty of blackmailing the Executive Mayor with an affidavit about a relationship between two Mayoral Committee members, in order to be reappointed on the Mayoral Committee.

Alternatively that he had, on the same set of facts, transgressed Item 2(a) of the Code of Conduct for Councillors which requires that :" A councillor must perform the functions of office in good faith, honestly and in a transparent manner."

Charge 4

That he had transgressed Item 2(b) of the Code of Conduct for Councillors which requires that :" A councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised", by making offensive posts in respect of Clr P Crawley on his Facebook page, by referring to her as "the blue liar", the "blue devil", "one of the greatest witches" ,as well as being "devious, ruthless and plain evil".

Alternatively that he had, on the same set of facts, transgressed Item 2(a) of the Code of Conduct for Councillors which requires that: " A councillor must perform the functions of office in good faith, honestly and in a transparent manner."

Charge 5

That he had transgressed Item 2(b) of the Code of Conduct for Councillors which requires that: " A councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised", by making offensive posts in respect of Ms Annalene de Beer, the Director: Corporate Services, in a post on his Facebook page, by saying that she is "infamous" and that she "can't spell properly" .

Alternatively that he had, on the same set of facts, transgressed Item 2(a) of the Code of Conduct for Councillors which requires that: " A councillor must perform the functions of office in good faith, honestly and in a transparent manner."

Charge 6

That he had transgressed Item 2(b) of the Code of Conduct for Councillors which requires that:" A councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised", by posting personal and/ or confidential in respect of Ms Annalene de Beer, the Director: Corporate Services, which infringed on her constitutional right to privacy and /or compromised her safety.

Alternatively that he had, on the same set of facts, transgressed Item 10 (1)of the Code of Conduct for Councillors, which requires that: "A councillor may not without the permission of the municipal council or a committee disclose any privileged or confidential information of the council or committee to any unauthorised person", read with Item 10(2)(c) of the same Code which defines "privileged or confidential information" to include " disclosure of which would violate a person's right to privacy."

ADV E W VERMAAK

14 OCTOBER 2019

ANNEXURE 11

A

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

NOTICE OF DISCIPLINARY HEARING

Cllr Franklin Adams

26 March 2021

39 Whiteheart Street

Stellenbosch

Sir

NOTICE OF HEARING: INVESTIGATION INTO ALLEGED BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS

You are hereby given notice in terms of Item 14 of the Code of Conduct for Councillors ('the Code") to attend a disciplinary hearing to answer to allegations of breaches of the Code.

The alleged breaches are contained in the Charge Sheet attached hereto. Council reserves the right to amend or to extend the charges against you before you plead to such charges and should this be necessary, you will be informed in writing thereof.

The hearing will be held in the Council Chamber on 6 April 2021 at 10.00.

You have the following rights:

1. To be informed of the charges against you;
2. To be present at the hearing;
3. To be represented by a representative of your choice at your own costs;
4. To request additional information from the Initiator that you may require to prepare for the hearing, excluding information/documentation that are protected by legal privilege and/or the provisions of the Promotion of Access to Information Act, No 2 of 2000;
5. To cross-examine the witnesses for the Council;
6. To present your case and call witnesses to testify on your behalf. It is your responsibility to ensure that your witnesses are present at the disciplinary hearing;
7. To present evidence in mitigation should you be found guilty of any charge/charges;
8. To be notified in writing of the decision and of the sanction /penalty imposed as well as the reasons therefore, if applicable;
9. To appeal to the MEC for Local Government against the imposition by Council of a sanction of a warning, reprimand or a fine, within 14 days of notification of the decision of the Council (see Item 14(3) of the Code).

If you do not attend and if you cannot give reasonable grounds for failing to attend the hearing, the hearing may be held in your absence.

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OFFICE OF THE SPEAKER

CHARGE SHEET

To: Cllr Franklin Adams 25 March 2021

39 Whiteheart Street

Stellenbosch

It is alleged that you are guilty of the following breaches of the Code of Conduct for Councilors, Schedule 1 to the Local Government: Municipal Systems, Act No 32 of 2000:

CHARGE 1

It is alleged that you have transgressed Item 2(b) of the Code of Conduct for Councilors ("the Code"), which requires that:

"A Councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised"

by verbally abusing and/or threatening Mr. F Hoosain on 2 March 2018 in the main building of Stellenbosch Municipality in the area of the lift on the ground floor in that you have wrongfully accused him to be part of a group of people who do not want to give him a copy of the Contract of Employment of the Director: Corporate Services/ access to such document and in that you have threatened him with the words that "you will fokken see" (or words to the same effect).

Alternatively to the main charge above, it is alleged on the same facts that you have transgressed Item 2(a) of the Code, which requires that:

"A Councillor must perform the functions of office in good faith, honestly and in a transparent manner."

STADSAAL / TOWN HALL • PLEINSTRAAT / STREET • 7600 • POSBUS / P.O. BOX 17 • STELLENBOSCH • 7599
TEL: +27 21 808 8111 • FAKS / FAX: +27 21 808 8200 • E-POS / E-MAIL: MUNISIPALITEIT@STELLENBOSCH.ORG

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CHARGE 2

It is alleged that you have transgressed Item 2(b) of the Code of Conduct for Councilors ("the Code"), which requires that:

"A Councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised"

by making offensive posts in respect of Adv. Gesie van Deventer on your Facebook page such as calling her "the visiting Mayor "and "Kesie", as well as making derogatory /unfounded comments about her in on your Facebook page in or about November 2018, such as that she had rewarded the alleged dishonest behavior of Cllr Crawley by promoting her to the Mayoral Committee after she had testified against you in a previous disciplinary hearing.

Alternatively to the main charge above, it is alleged on the same facts that you have transgressed Item 2(a) of the Code, which requires that:

"A Councillor must perform the functions of office in good faith, honestly and in a transparent manner."

CHARGE 3

It is alleged that you have transgressed Item 2(b) of the Code of Conduct for Councilors ("the Code"), which requires that:

"A Councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised"

by making an offensive post about Cllr A Frazenburg on your Facebook page in or about February 2019, such as stating that Cllr Frazenburg was previously dismissed

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Alternatively to the main charge above, it is alleged on the same facts that you have transgressed Item 10(1) of the Code, which requires that:

"A Councillor may not without the permission of the municipal council or a committee disclose any privileged or confidential information of the council or committee to any unauthorized person",

read with Item 10(2) (c) of the same Code which defines "privileged or confidential information "to include "a disclosure of which would violate a person's right to privacy."

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from the Mayoral Committee and that he is guilty of blackmailing the Executive Mayor with an affidavit about an alleged relationship between two Mayoral Committee members, in order to be reappointed on the Mayoral Committee.

Alternatively to the main charge above, it is alleged on the same facts that you have transgressed Item 2(a) of the Code, which requires that:

"A Councillor must perform the functions of office in good faith, honestly and in a transparent manner."

CHARGE 4

It is alleged that you have transgressed Item 2(b) of the Code of Conduct for Councilors ("the Code"), which requires that:

"A Councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised"

by making offensive posts about Cllr P Crawley by referring to her on your Facebook page on 16 June 2018 as "the blue devil" and as "one of the greatest witches"; by referring to her as "the other dishonest blue liar" on your Facebook page on 28 June 2018; by yet again referring to her as "another blue devil who migrated from KZN to Skelmbos", as "the dishonest blue devil who laid false charges against me" and as being "devious, ruthless and plain evil" in a post on your Facebook page on 7 November 2018 and by referring to her again as the "blue devil" again on your Facebook page on 11 May 2019,

Alternatively to the main charge above, it is alleged on the same facts that you have transgressed Item 2(a) of the Code, which requires that:

"A Councillor must perform the functions of office in good faith, honestly and in a transparent manner."

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CHARGE 5

It is alleged that you have transgressed Item 2(b) of the Code of Conduct for Councilors ("the Code"), which requires that:

"A Councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised"

by making offensive posts in respect of Ms. Annalene de Beer, the Director: Corporate Services of the Municipality, on your Facebook page in that you stated that she is "infamous" and by alleging that she "can't spell properly".

Alternatively to the main charge above, it is alleged on the same facts that you have transgressed Item 2(a) of the Code, which requires that:

"A Councillor must perform the functions of office in good faith, honestly and in a transparent manner."

CHARGE 6

It is alleged that you have transgressed Item 2(b) of the Code of Conduct for Councilors ("the Code"), which requires that:

"A Councillor must at all times act in the best interest of the municipality and in such a way that the credibility and the integrity of the municipality are not compromised"

by posting personal and/or confidential information about Ms. Annalene de Beer, the Director: Corporate Services of the Municipality, on your Facebook page, which infringed on her constitutional right to privacy and/or which compromised her safety.

CHARGE 1

Compliant by Mr. Fiaz Hoosain

Relevant bundle: Bundle A

P26: His E-mail to MM

P25: E-mail from MM to Speaker

P25: E-mail from speaker to MM

Hoosain copied in both bottom and top

P27: Letter from Speaker to Adams

P28: Reply from Speaker to Adams

P28: Reply from Adams without responding to compliant by Hoosain

P29: Speaker's Memo to MM to appoint an investigator 12 June 2018

P30: Follow-up letter from Speaker to MM on 17 July 2018

P33: Memo from Speaker to Clr. Adams dated 12 October 2018

P34: Sworn Affidavit by Mr. Hoosain

P37: Statement by Bradley Dyers

P38: Memo from Speaker to MM requesting appointment of independent Investigator

P1-23: Report of Investigator

CHARGE 2

Compliant by Clr Gesie van Deventer

Relevant bundle: Bundle A

P31 - Memo from Mayor to Speaker dated 7 November 2018

P40: - Post of Adams: he refers to Major as "visiting Mayor (same post is more clear on page 58)

- says she rewarded dishonesty of Clr. Crawley by making her a Mayco member

P48: Refers to the Mayor as "Kesie" ("Kees is an Afrikaan term for a baboon)

P54: Adams again refers to the Mayor as "Keesie"

CHARGE 3

Compliant by Clr. Frazenburg

Relevant bundle: Bundle A

P13: of the report: Interview

P46: Compliant by Clr. Frazenburg dated 11 February 2019

P47: Post which offended Clr. Frazenburg

P49: Memo from Speaker to Clr Admas informing him of compliant by Clr. Frazenburg dated 19 February 2019

P50: E-mail to Clr. Adams with Memo of Speaker attached

P51: Confirmation of delivery of e-mail to Clr. Adams

P52: Memo from Speaker to MM requesting appointment of independent investigator

CHARGE 4

Compliant by Clr. Patricia Crawley

Relevant bundles: Bundle A and B

P53: Compliant by Clr. Crawley to the Speaker dated 13 May 2019

P54: Post by Clr. Adams on 11 May 2018 referring to Clr. Crawley as a "female blue devil"

P55: Post by Clr. Adams on 16 June 2018 calling Clr. Crawley "one of the biggest witches "(een van die grootste hekse")

P57: Post by Clr. Adams on 28 June 2018 referring to Clr. Crawley as a "dishonest blue liar" and a "dishonest blue devil"

P58: Post by Clr. F Adams on 7 November 2018 referring to Clr. Crawley as "another blue devil who migrated from KZN to Skelm bos".

and as "I never assaulted these blue devil from KZN"

and "The visiting mayor deemed it necessary to reward the dishonest blue devil who laid false charge against me"

and that she is "devious, ruthless and plain evil."

P59: Memo from Speaker to Clr. Adams requested response to compliant of Clr. Crawley dated 15 May 2019

P60: E-mail by Speaker's office with Memo as attachment to Clr. Adams on 15 May 2019

P61: Proof of delivery of e-mail by Speaker's office to Clr. Adams on 15 May 2019

P63: Follow-up Memo from speaker' office to Clr. Adams on 25 July 2019 as he did not respond to her Memo to him dated 15 May 2019

P62: Memo from speaker's Office to MM dated 3 June 2019 requesting appointment of investigator

P13: Interview with Clr. Crawley during investigation

Bundle B – see index to bundle B

CHARGE 5

Compliant by Ms Annalene de Beer

Relevant bundle: Bundle A

P64: E-mail from MM to the Speaker informing Speaker of post by Clr. Adams about Ms. De Beer on 18 February 2019

P65: Post by Clr Adams on 18 February 2019 about Ms. De Beer, referring to her as "infamous Beertjie"

and that she "can't even spell properly"

CHARGE 6

Compliant by Ms. Annalene de Beer

Relevant bundle: Bundle A

P65-67 Photos of post of parts of Ms. De Beers CV as part of her application for the position of Director: Corporate services, including confidential information

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INTERNAL MEMORANDUM

DATE	:	**12 March 2021**
TO	:	**DIRECTOR CORPORATE SERVICES**
FROM	:	**MERVIN WILLIAMS**
RE	:	**APPOINTMENT OF LEGAL SERVICE PROVIDER TO ACT AS INITIATER IN THE DISCIPLINARY MATTER OF COUNCILLOR F ADAMS**
COPIES	:	**MUNICIPAL MANAGER; CFO; SENIOR MANAGER SCM**

1. The Speakers office received a complaint regarding alleged misconduct against Councillor Adams.

2. The Speaker's office requested that a service provider be appointed to assist the office of the Speaker to gather the facts and circumstances around the allegations.

3. Adv Vermaak was appointed and provided a report to the speaker's office.

4. The report was submitted to Council and Council resolved on 28 October 2020 that the matter be referred to the Disciplinary Committee to investigate and make a finding on any alleged breach of the Code of Conduct.

5. The Speakers office requested the appointment of an initiator.

6. Adv Etienne Vermaak is nr 3 on the Legal Panel under tender B/SM 97/19 for the area Investigations in terms of the Code of Conduct for Councillors.

7. Given that Adv Vermaak is already familiar with the allegations and has written the report that served before Council he is regarded as the most suitable service provider to act as initiator in the matter.

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8. In light of the above-mentioned, it is recommended that Adv Etienne Vermaak be appointed to act as initiator in the disciplinary matter of Councillor F Adams.

9. SCM is also requested to provide us with your reference number in this matter.

MC Williams
Chief Legal Advisor

Approved/ ~~Not Approved~~

AMC de Beer
Director: Corporate Services

Copy to office of Municipal Manager.

SUPPLY CHAIN MANAGEMENT:

1. Adv E Vermaak is nr 3 on the list of services providers for the area Investigations in terms of the Code of Conduct for Councillors. He is regarded as the most suitable person for the appointment as he already dealt with the initial investigation process.

2. The reference number for this matter is _____.

~~Zaibel Jacobs~~ KEVIN CARROLUS
~~Senior Manager: Supply Chain Management~~ CFO

ANNEXURE 111

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2021-04-15

MINUTES

DISCIPLINARY COMMITTEE MEETING

2021-04-15

MINUTES

DISCIPLINARY COMMITTEE MEETING

2021-04-15

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MINUTES **DISCIPLINARY COMMITTEE MEETING** **2021-04-15**

PRESENT: Cllr Q Smit [Chairperson]

Councilors: A Frazenburg
E Groenewald (Ms.)
N Sinkinya (Ms.)
L Stander

Officials: Committee Clerk: (N Mbali (Ms.))

****

1.	**OPENING AND WELCOME**

The Chairperson, Cllr Q Smit, welcomed everyone present, and for the record, acknowledged the presence of the other Disciplinary Committee members, i.e. Cllrs A Frazenburg, E Groenewald (Ms), N Sinkinya (Ms) and L Stander.

2.	**COMMUNICATION BY THE CHAIRPERSON**

The Chairperson briefly stated the purpose of the meeting, namely to deal with the investigation into an allegation of misconduct by Councillor F. Adams, as contained in the pack of documentation provided to the committee members.

3. 1	**APPLICATION FOR LEAVE OF ABSENCE**

NONE

3. 2	**DISCLOSURE OF INTERESTS**

NONE

4.	**CONFIRMATION OF MINUTES**

NONE

5.	**AGENDA ITEMS FOR CONSIDERATION**

5.1	INVESTIGATION INTO AN ALLEGATION OF MISCONDUCT BY CLLR F ADAMS

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **15 April 2021**

1. SUBJECT: INVESTIGATION INTO AN ALLEGATION OF MISCONDUCT BY COUNCILLOR F ADAMS

2. PURPOSE

To provide the Chairperson of the Disciplinary Committee and the Disciplinary Committee with the information in regard to the disciplinary hearing of Cllr F. Adams as per the resolution taken by Council on 28/10/2020 for misconduct.

To investigate the alleged allegation of misconduct against Councillor F. Adams and to report back to Council.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Office of the Speaker received five complaints from the Municipal Manager whereby it is alleged that Cllr F Adams had transgressed the Code of Conduct for Councilors. The Office of the Speaker was requested to assist with the investigation and for this matter Speaker opted for outside legal services.

An Investigator (Adv. Ettiene Vermaak) was appointed to assist the Speaker with the investigation into facts and circumstances related to the complaints received against Councillor F. Adams

Advocate Vermaak provided a report with recommendations to the Speaker's office, which report served before Council for consideration on 28 October 2020. Council there after decide to refer the matter to the Disciplinary Committee to investigate the matters, make a finding on any alleged Breach of the Code and following that the DC make appropriate recommendations to Council in the event of any findings.

5. DISCIPLINARY COMMITTEE RECOMMENDATIONS

(a) The disciplinary committee at its meeting held decide that:

The MEC be request to remove the Councillor from office.

DISCUSSION / CONTENTS

6.1 Background

The Systems Act as per Schedule 1 of the Code of Conduct for Councillors determines the mechanism of accountability in fulfilling the role of a Councillor. The same act also makes provision for rules and procedures should councillors not adhere to the rules. The Stellenbosch Municipality's Standing Rules and Order By-law also needs to be adhered to.

6.2 Discussion

All documentation is attached.

6.3 Financial Implications

None

6.4 Legal Implications

Municipal Systems Act, 2000 – Schedule 1: Code of Conduct for Councillors Section 13 and Section 14:

"***Duty of chairpersons of municipal councils***

13.1 If the chairperson of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the chairperson must-

a. authorise an investigation of the facts and circumstances of the alleged breach;
b. give the councillor a reasonable opportunity to reply in writing regarding the alleged breach; and
c. report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.

13.2 A report in terms of sub item (1) (c) is open to the public.

13.3 The chairperson must report the outcome of the investigation to the MEC for local government in the province concerned.

13.4 The chairperson must ensure that each councillor when taking office is given a copy of this Code and that a copy of the Code is available in every room or place where the council meets.

Breaches of Code

14.1 A municipal council may-

a. investigate and make a finding on any alleged breach of a provision of this Code; or
b. establish a special committees-
    i. to investigate and make a finding on any alleged breach of this Code; and

ii. to make appropriate recommendations to the council.

14.2 If the council or a special committee finds that a Councillor has breached a provision of this Code, the council may-

a. issue a formal warning to the councillor;

b. reprimand the councillor;

c. request the MEC for local government in the province to suspend the councillor for a period;

d. fine the councillor; and

e. request the MEC to remove the councillor from office.

14.3 a. Any councillor who has been warned, reprimanded or fined in terms of paragraph (a), (b) or (d) of sub item (2) may within 14 days of having been notified of the decision of council appeal to the MEC for local government in writing, setting out the reasons on which the appeal is based.

b. A copy of the appeal must be provided to the council.

c. The council may within 14 days of receipt of the appeal referred to in paragraph (b) make any representation pertaining to the appeal to the MEC for local government in writing.

d. The MEC for local government may, after having considered the appeal, confirm, set aside or vary the decision of the council and inform the councillor and the council of the outcome of the appeal.

14.4 The MEC for local government may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation on whether the Councillor should be suspended or removed from office.

14.5 The Commissions Act, 1947 (Act No.8 of 1947), may be applied to an investigation in terms of sub item (3).

14.6 If the MEC is of the opinion that the councillor has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the MEC may-

a. suspend the councillor for a period and on conditions determined by the MEC; or
b. remove the councillor from office.

14.7 Any investigation in terms of this item must be in accordance with the rules of natural justice.

6.5 Staff Implications

N/A

6.6 Risk Implications

N/A

6.7 Comments from Senior Management:

None required.

Annexures of the relevant documentation:

Appendix 1: Investigating Report from Adv. E. Vermaak

Appendix 11: Notice of Disciplinary hearing @ Charge Sheet

Appendix 111: Disciplinary Committee Minutes

DISCIPLINARY COMMITTEE MEETING: 2021-04-15: ITEM 5.1

Findings:

Based on all evidence submitted to the disciplinary committee and disciplinary processes followed as per the regulations provided, the disciplinary committee unanimously find Cllr Franklin Adams guilty of misconduct as per the rules of order of Council and as per the Code of Conduct for Councilors.

The disciplinary committee considered all the evidence produced and find the evidence adequate to allow a finding and subsequent recommendation to Council.

The disciplinary committee unanimously found Cllr Adams guilty on all 5 charges as per the evidence provided.

It is furthermore clear to the committee that Cllr Adams is in breach of numerous sections within the Municipal Systems Act No 32 of 2000. As per schedule 1 of the Code of Conduct for Councilors.

Recommendation:

The disciplinary committee therefore make the following recommendation to Council as per Section 14 of Schedule 1 of the Municipal Systems Act No 32 of 2000. (154) Subsection2. to:

Request the MEC to remove the Councillor from office.

The meeting adjourned at 16.15

CHAIRPERSON:

DATE:

Confirmed on …… **with/without amendments.**

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR

NONE

19.	MATTERS TO BE CONSIDERED IN–COMMITTEE

SEE IN-COMMITTEE DOCUMENTATION

THE AGENDA HAS BEEN DISCUSSED WITH THE SPEAKER, CLLR WC PETERSEN (MS), AND SHE AGREES WITH THE CONTENT.