



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2016-09-16

**MAYORAL COMMITTEE MEETING**  
**WEDNESDAY, 2016-09-21 AT 10:00**

**TO** The Executive Mayor, Ald G Van Deventer (Ms)  
The Deputy Executive Mayor, Cllr N Jindela

**COUNCILLORS** PW Biscombe  
J De Villiers  
AR Frazenburg  
E Groenewald(Ms)  
XL Mdemka(Ms)  
S Peters  
Ald JP Serdyn (Ms)  
Q Smit

Notice is hereby given that a Mayoral Committee Meeting will be held in the Council Chamber, Town House, Plein Street, Stellenbosch on **Wednesday, 2016-09-21 at 10:00** to consider the attached agenda.

EXECUTIVE MAYOR, ALD GM VAN DEVENTER (MS)

**CHAIRPERSON**

## MAYORAL COMMITTEE MEETING

2016-09-21

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
<b>1.</b>	<b>COMMUNICATIONS</b>	<b>3</b>
1.1	COMMUNICATION BY THE CHAIRPERSON	3
1.2	DISCLOSURE OF INTERESTS	3
<b>2.</b>	<b>APPLICATION FOR LEAVE OF ABSENCE</b>	<b>3</b>
<b>3.</b>	<b>CONFIRMATION OF PREVIOUS MINUTES</b>	<b>3</b>
3.1	CONFIRMATION OF THE MINUTES OF THE MAYORAL COMMITTEE MEETING HELD ON 2016-08-22	
<b>4.</b>	<b>REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MAYORAL COMMITTEE MEETINGS</b>	<b>3</b>
<b>5.</b>	<b>REPORTS FROM STANDING COMMITTEE MEETINGS</b>	<b>4</b>
<b>5.1</b>	<b>NON-DELEGATED MATTERS</b>	
	<b><u>STRATEGIC AND CORPORATE SERVICES: (PC:CLLR E GROENEWALD (MS))</u></b>	
5.1.1	COMMUNICATION STRATEGY FOR STELLENBOSCH MUNICIPALITY	4
5.1.2	PROVISION OF BASIC SERVICES FOR RURAL DWELLINGS	16
5.1.3	HAND-OVER REPORT TO THE NEW COUNCIL	110
	<b><u>PLANNING AND ECONOMIC DEVELOPMENT: (PC:ALD JP SERDYN (MS))</u></b>	
5.1.4	PROPOSAL FOR AMENDMENT OF MUNICIPAL BOUNDARY	113
	<b><u>HUMAN SETTLEMENTS: (PC: CLLR PW BISCOMBE)</u></b>	
5.1.5	FINAL REPORT ON THE AUDIT OF LEGAL OCCUPATION OF PUBLIC RENTAL MUNICIPAL FLATS	128
	<b><u>ENGINEERING SERVICES: (PC: CLLR J DE VILLIERS)</u></b>	
5.1.6	REPORT BACK ON WASTE WEEK (9-13 MAY 2016) FOR STELLENBOSCH MUNICIPALITY	134
	<b><u>FINANCIAL SERVICES: (PC: CLLR S PETERS)</u></b>	
5.1.7	NONE	
	<b><u>COMMUNITY AND PROTECTION SERVICES:(PC:CLLR AR FRAZENBURG &amp; Q SMIT</u></b>	
5.1.8	NONE	
<b>5.2</b>	<b>DELEGATED MATTERS</b>	<b>149</b>
	NONE	
<b>6.</b>	<b>REPORTS SUBMITTED BY THE MUNICIPAL MANAGER</b>	<b>150</b>
<b>6.1</b>	<b>NONE- DELEGATED MATTERS</b>	
6.1.1	COMMUNITY WORKS PROGRAM APPROVAL: 2016/17 AND BEYOND	150
6.1.2	MFMA SECTION 116(3) – PROPOSAL TO EXTEND THE INTEGRATED ZONING SCHEME CONTRACT	155
<b>6.2.</b>	<b>DELEGATED MATTERS</b>	<b>161</b>
	NONE	
<b>7.</b>	<b>REPORTS SUBMITTED BY THE EXECUTIVE MAYOR</b>	<b>161</b>
<b>7.1</b>	<b>NON-DELEGATED MATTERS</b>	
	NONE	
<b>7.2.</b>	<b>DELEGATED MATTERS</b>	<b>161</b>
	NONE	
<b>8.</b>	<b>MOTIONS AND QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER</b>	<b>161</b>
	NONE	
<b>9.</b>	<b>CONSIDERATION ITTED BY THE EXECUTIVE MAYOR</b>	<b>161</b>
	NONE	
<b>10.</b>	<b>MATTERS TO BE CONSIDERED IN-COMMITTEE</b>	<b>161</b>
	NONE	

**1. COMMUNICATIONS****1.1 COMMUNICATION BY THE CHAIRPERSON****1.2 DISCLOSURE OF INTERESTS (3/6/2/2)****2. APPLICATION FOR LEAVE OF ABSENCE (3/4/1/6)****3. CONFIRMATION OF PREVIOUS MINUTES (3/4/1/5)****3.1 CONFIRMATION OF THE MINUTES OF THE MAYORAL COMMITTEE MEETING HELD ON 2016-08-22 (3/4/1/5)**

The minutes of the Mayoral Committee Meeting held on 2016-08-22 were distributed previously.

**FOR CONFIRMATION****4. REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT A PREVIOUS MAYORAL COMMITTEE MEETING (3/4/2/5)**

NONE

**5. REPORTS FROM STANDING COMMITTEE MEETINGS****5.1 NON- DELEGATED MATTERS****5.1.1 COMMUNICATION STRATEGY FOR STELLENBOSCH MUNICIPALITY**

*File number* : 3/P  
*Report by* : Director: Strategic & Corporate Services  
*Compiled by* : Director: Strategic & Corporate Services  
*Delegated authority* : Council

**Strategic intent of item:**

Preferred investment destination

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

**1. PURPOSE OF REPORT**

To present the Revised Communication Strategy, attached as **APPENDIX 1**, to Council for approval and adoption.

**2. BACKGROUND**

The Communication Strategy, adopted by Council in June 2015, was revised in March 2016.

**3. DISCUSSION**

The need for a formal Communication Strategy was identified by the Directors' Forum, and the task was allocated to the Director: Strategic and Corporate Services.

**4. COMMENTS BY OTHER PARTIES**

Budget provisions on suggested themes, as well as a calendar of commemorative events, will be addressed outside of the strategy.

**RECOMMENDED**

that the Revised Communication Strategy be approved and adopted by Council.

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

**FINANCE AND STRATEGIC AND CORPORATE SERVICES COMMITTEE:  
2016-06-07: ITEM 6.1.1**

that the Revised Communication Strategy be approved and adopted by Council.

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

**MAYORAL COMMITTEE MEETING: 2016-06-10: ITEM 5.1.9**

**RECOMMENDED BY THE EXECUTIVE MAYOR**

that the Revised Communication Strategy be approved and adopted by Council.

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

**FOR CONSIDERATION**

# APPENDIX 1



**STELLENBOSCH**  
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## Communication Strategy

~~2015~~2016/~~2016~~2017

~~May 2015~~February 2016

**CONTENTS**

1. Background ..... 3

2. Key Objectives ..... 3

3. Target Audience..... 4

4. Key Channels ..... 4

5. Proposed Themes ..... 6

6. Communication Plan ..... 8



## Background

A Communication Strategy or Plan helps to streamline communication, in order to avoid haphazard and mixed messages. The strategy or plan should be viewed in conjunction with the Municipality's public participation strategy in order to ensure interactive participation with stakeholders.

Communication is also important in order to:

- Establishing a more interactive local governance structure;
- Creating a more transparent internal and external organization;
- Adopting a more open door approach to local governance;
- Informing, educating and obtaining community buy-in from the very beginning;
- Manage the Corporate Identity and Corporate Image of the Stellenbosch Municipality.

The strategic objectives are as follows:-

- Preferred Investment Destination
- Greenest Valley
- Safest Valley
- Dignified Living
- Good Governance and Compliance

These strategic objectives inform or support the Municipality's vision:

***The Innovation Capital of South Africa***

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## Key Objectives

- To reinforce and increase accountability through the communication process.
- Obtain public buy- in through information sharing and educating processes.
- Provide accessible, cost effective service delivery and to communicate this message to our stakeholders.
- Establish communication platforms where the community needs are communicated to the Municipality and vice versa.
- Adopt an integrated approach, involving all stakeholders to bridge the communication gaps.
- Empower local communities by keeping them informed about local government issues and how they can participate in these processes.
- Communicate all municipal processes, priorities and outcomes to stakeholders.
- Improve and encourage good media relations.
- Promote interactive governance and direct communication programmes with communities within Stellenbosch Municipality.

- Raise awareness of the achievements of Stellenbosch Municipality and the programmes and services delivered.
- Manage the corporate brand identity and image of Stellenbosch Municipality.

### **Target Audience**

The following target audiences were identified as recipients of messages. This was also identified as channels to evaluate Stellenbosch Municipality's service delivery initiatives:

-

- Indigent communities
- Youth
- Rural and urban communities
- NGO's
- CBO's
- Faith based organizations
- Business
- Physically challenged persons
- Traditional leaders
- Staff
- Women
- Councillors
- Ward Committees
- Media (electronic and print – mainstream and community)
- Rate payers
- Investors
- Suppliers
- Business Chamber
- National and Provincial Government
- Cape Winelands District Municipality, etc

### **Key Channels**

The following channels were identified to communicate Stellenbosch Municipality's programmes, services and achievements: -

#### **INTERNALLY**

- Internal newsletter
- Using the telephone more effectively
- Media, print and electronic (mainstream and community)
- Intranet

- Salary Advice
- Information Brochures
- Staff Noticeboards
- Municipal Accounts
- Staff meetings
- Communications Task Team
- Joint Operations CommitteesCentres
- LED screens and electronic displays
- Intranet

#### EXTERNALLY

- Bulk SMS Communication
- Media – print, radio & online
- Social Media
- Government departments and parastatals
- Public Notice Boards
- Public Meetings and Council Meetings
- Information / Open Days
- Community Events
- Ward Committee Meetings
- Faith based organizations
- Community newsletters
- LED Screens at Entrances to Town
- LED Screens in Municipal Buildings
- Website
- Banners
- Billboards
- Municipal Accounts
- Drama / Theatre
- Face-to-face, direct communications with communities & community structures
- National and international events ( eg National Women’s Day, Human Rights Day, Youth Day, Day for the Disabled, 16 Days of Women and Child Abuse, etc)

#### Key Events & Campaigns

The key events & campaigns featured are on a monthly basis with the various departments/organizations that lead the communication activities and processes.

**Proposed themes:****January**

- Opening of Council
- IDP, PMS & Budget Preparation

**February**

- Opening of Parliament
- Opening of Provincial Parliament
- Brief Council on Draft IDP & Budgets
- Customer Care Campaign
- Stop at the Stop Street Campaign – Character Leadership

**March**

- 21 March - Human Rights Day
- 24 – 27 March - Water Week

**April**

- IDP / Budget Consultation
- 27 April - Freedom Day
- Easter Road Safety

**May**

- 1 May - Workers Day
- Finalisation of IDP / Budget
- Council Adopts IDP & Budget
- Winter Readiness
- Staff Wellness

**June**

- Youth Month
- Advise Community on IDP & Budget

**July**

- Character Leadership

**August**

- Women's Month

**September**

- Tourism / Heritage Month
- Arbor Day

**October**

- Transport Month

**November**

- 16 Days of Activism against women & children abuse
- Fraud Awareness
- Diabetes Awareness Day

**December**

- HIV/AIDS (Department of Health leads with communities being the receivers)
- Festive Season Safety Campaign

**Generic Communications Activities**

1. External Newsletter
2. Internal Newsletter
3. Website Maintenance and Content Management
4. Media Releases
5. Media Monitoring
6. Municipal Branding
7. Pamphlets / Brochures
8. Event Support, etc
9. Hosting special events

### Communications Plan (~~20152016-20162017~~)

Vision: The Innovation Capital of South Africa

Activities proposed to promote the 5 strategic objectives:

1. Preferred Investment Destination
2. Greenest Valley
3. Safest Valley
4. Dignified Living
5. Good Governance and Compliance

Listed below are examples (limited to 4) of activities which *may* be used to promote the above strategic objectives.

	Activity	Timeframe	Person / Department Responsible	Partnership	Budget & Comments
<b>Preferred Investment Destination</b>					
1	Starting your own business Campaign --media release --website information --ward committees	Sept <del>20152016</del>	LED	Provincial Government Western Cape (PGWC)	Line Department
2	Red Tape Reduction Campaign --media release --website information	Oct <del>20152016</del>	LED	PGWC	Line Department
3	Tourism Month	Sept <del>20152016</del>	LED	PGWC	Line Department
4	Mayor's Business Breakfast	Jan <del>20162017</del>	LED / Mayor's Office	Chamber of Commerce PGWC SEDA	Line Department
	Activity	Timeframe	Person / Department Responsible	Partnership	Budget & Comments
<b>Greenest Valley</b>					
1	Million Trees Campaign	Sept <del>20152016</del>	Greening	Department of Environmental Affairs & Development Planning (DEA&DP)	Line Department
2	Arbor Week	Sept <del>20152016</del>	Greening	DEA&DP	Line Department
3	Adopt-A-River	Nov <del>20152016</del>	Environment	DEA&DP	Line Department
4	World Environment Day	5 Jun <del>20162017</del>	Planning and Economic Development	DEA&DP	Line Department

	Activity	Timeframe	Person / Department Responsible	Partnership	Budget & Comments
<b>Safest Valley</b>					
1	Safer Festive Season Campaign	Dec <del>2015</del> 2016	Community & Protection Services	Department of Community Safety	Line Department
2	Traffic Services --Scholar Programme --Road Blocks	Sept <del>2015</del> 2016	Traffic Services	Department of Community Safety	Line Department
3	Disaster Management --Fire Prevention Campaign	Nov <del>2015</del> 2016	Disaster Manager	Department of Local Government	Line Department
4	Disaster Management --Winter Readiness Programme	May <del>2016</del> 2017	Disaster Manager	Department of Local Government	Line Department
	Activity	Timeframe	Person / Department Responsible	Partnership	Budget & Comments
<b>Dignified Living</b>					
1	Water Savings Campaign	Ongoing	Water Services	DEA&DP	Line Department
2	Access to Basic Services Campaign	Aug <del>2015</del> 2016	Informal Settlements	Department of Human Settlements (National)	Line Department
3	EPWP --quarterly reports	Sept <del>2015</del> 2016 Dec <del>2015</del> 2016 Mar <del>2016</del> 2017 Jun <del>2016</del> 2017	LED	Department of Transport and Public Works	Line Department
4	Indigent Programme	Apr / May <del>2016</del> 2017	Public Participation / Finance	Provincial and National Treasury	Line Department
	Activity	Timeframe	Person / Department Responsible	Partnership	Budget & Comments
<b>Good Governance &amp; Compliance</b>					
1	Fraud Awareness Campaign	Ongoing	Internal Audit	Auditor-General	Line Department
2	Customer Service --Useful Information --Services Booklet	Ongoing	IDP	Provincial Treasury	Line Department
3	Performance Management --ward committees	Ongoing	IDP	Department of Transport and Public Works	Line Department
4	Biometrics --Time & Attendance	Ongoing	HR	SALGA	Line Department

**5.1.2 PROVISION OF BASIC SERVICES FOR RURAL DWELLINGS**

*File number* : 17/4/5  
*Report by* : Municipal Manager  
*Compiled by* : Directorate: Strategic & Corporate Services  
*Delegated authority* : Council

**Strategic intent of item**

Preferred investment destination	
Greenest municipality	
Safest valley	
Dignified Living	
Good Governance	<b>X</b>

**1. PURPOSE OF REPORT**

The purpose of this report is to obtain council approval for

- (i) the establishment of a Service Level Agreement (SLA) with Cape Winelands District Municipality (CWDM) for the provision of basic services to rural dwellings in our Municipal area (WC024)
- (ii) CWDM to administer the implementation of the provision of basic services for rural households in WC024 on behalf of Stellenbosch Municipality and for
- (iii) Stellenbosch Municipality to contribute financially to provide these services.

**2. BACKGROUND**

The Constitution of South Africa determine under Section 41 Principles of co-operative government and intergovernmental relations therein that

- (1) All spheres of government and all organs of state within each sphere must (h) co-operate with one another in mutual trust and good faith by inter alia
  - i. Fostering friendly relations;
  - ii. Assisting and supporting one another;
  - iii. Informing one another of, and consulting one another on, matters of common interest;
  - iv. Co-ordinating their actions and legislation with one another.



A motion was also submitted to council in January with a request to investigate the possibilities of support to rural indigent households in terms of infrastructural and social development support.

The Agricultural Association of Stellenbosch also forwarded a request for support to rural households.

### 3. DISCUSSION

The CWDM has agreed in principle to support the request from Stellenbosch Municipality, and in a meeting of CWDM on 28 April 2016, it was resolved that

- 1) Cognisance be taken of the request received from the Administration of Stellenbosch Municipality for assistance to indigent residents on farms by the Cape Winelands District Municipality in terms of the District Municipality's Policy for the Provision of Basic Services to Rural Dwellings, be supported in principle;
- 2) The cost pertaining to assistance to indigent residents on farms in terms of the Cape Winelands District Municipality's Policy for the provision for Basic Services to Rural Dwellings in the area of Stellenbosch Municipality be quantified and agreed upon between the Cape Winelands District Municipality (CWDM) and Stellenbosch Municipality;
- 3) A service level agreement pertaining to 1) above be entered into between the Cape Winelands District Municipality (CWDM) and Stellenbosch Municipality.

The condition for the above is for the Stellenbosch Municipal Council to agree with the above resolutions to enter into an agreement with CWDM.

Find attached to the item the following Annexures as proof of the communication with CWDM, **APPENDIX 1** Minutes of the CWDM's Council meeting on 28<sup>th</sup> April 2016, **APPENDIX 2** a letter from the CWDM to the Acting Municipal Manager of Stellenbosch Municipality to confirm CWDM's Council decision and willingness to conclude a SLA with Stellenbosch Municipality and **APPENDIX 3** the CWDM's policy for the provision of basic services to rural dwellings.

### 4. COMMENTS BY RELEVANT DEPARTMENTS

#### 4.1 Financial

Recommended to provide for an amount of R500 000 in the budget to provide for services to rural dwellings.

#### Legal Snr Legal Advisor EA Rhoda

##### 4.1.1. Background

In terms of the item a request is made to the Council to ensure the implementation of the provision of basic services for rural households. The South African Constitution is explicitly framed in transformative language. The preamble of the Constitution provides that it seeks to

heal the divisions of the past, established as a society based on democratic values, social justice and fundamental human rights and improve the quality of life for all citizens and free the potential of each person. While poverty has slightly decreased in South Africa between 1993 and 2012 (mainly through social grants and the extension of basic services to poor household)<sup>1</sup> there are two worrying socio economic indicators for the same period: inequality has increased, and the racialised nature of poverty has hardly shifted since 1994. South Africa is becoming an ever more unequal society... Race remains a dominant factor in poverty and inequality. *A recent study by the Community Law Centre (CLC) of local protests between 2007 and 2010 found that there was a common mix of issues in the articulated concerns of protestors across the country, all either directly or indirectly related to socio-economic rights, with access to housing, water; electricity; poor service delivery; sanitation and corruption*<sup>2</sup>. Thus broadly speaking, protest is about both poor service delivery and unresponsive government.

The legislative framework promulgated to give effect to the rights of farm dwellers creates a number of obligations not only for municipalities but various national and provincial sector departments.

#### 4.1.2. Service delivery mandate of local government

The developmental mandate and functions of local government is set out in schedule 4B and 5B of the Constitution. The wording of section 156(1) of the Constitution may create the impression that municipalities have discretion as to whether they wish to deliver these services.

Case law, categorically contradicts the notion that a municipality has a discretion as to whether to provide services. (my emphasis) *In Beck and Others v Kopanong Local Municipality and Others*,<sup>3</sup> the Court held

*"It is the constitutional imperative of the local municipality to provide these various community services and many more to its own community, and to ensure that these services are provided in an effective and systematic and sustainable manner."*<sup>4</sup>

In *Mkontwana v Nelson Mandela Metropolitan Municipality*<sup>5</sup> the Court held that:

- The right of access to sufficient food and water is entrenched in the Bill of Rights;

<sup>1</sup> Murray Leibbrandt, Ingrid Woolard, Arden Finn, Johathan Argent (2010) "*Trends in South African Income Distribution and Poverty since the fall of Apartheid*", *OECD Social, Employment and Migration Working Paper*, No 101, OECD <http://www.npconline.co.za/MediaLib/Downloads/Home/Tabs/diagnostic/Economy2/trends%20in%20South/20African%20Income/20Distribution%20Poverty%20since%the20Fall%20of%20Apartheid.pdf>

<sup>2</sup> Hirsch Jain, *Community Protest in South Africa: Trends, Analysis and Explanations*, 1 Local Government Working Paper Series, (2009) (Community Law Centre, University of the Western Cape): <http://idphs.org.za/publications/publications-by-theme/local-government-in-south-africa/community-protests/final/20Report/20-%20Community%20Protests%20south%20Arca.pdf>

<sup>3</sup> *Beck and Others v Kopanong Local Municipality and Others* (Case No 3772/2002) (Orange Free State)

<sup>4</sup> *Beck and Others v Kopanong Local Municipality and Others* (Case No 3772/2002) (Orange Free State)

<sup>5</sup> *Mkontwana v Nelson Mandela Metropolitan Municipality* (CCT 57/03)(2004)ZACC9; 2005(1) SA530 (CC); 2005 (2) BCLR 150 (CC) (9 October 2009).

- The service objects of local government is listed in section 152(1); and
- The developmental objectives listed in S153 of the Constitution and S73(1) of the Systems Act, are the sources of this obligation.

4.1.3. The socio-economic rights and service delivery obligations outlined above, bind local government *in respect of all residents within the municipal community including farm dwellers (my emphasis)*. The judgments in *Beck* and *Mkontwana* re-iterate the constitutional duties of municipalities to deliver services to the municipal community which it serves. The Constitutional Court in *Joseph and Others v City of Johannesburg and Others*<sup>6</sup> also confirmed the principle that its basic service delivery and developmental mandate is grounded in the Constitution itself. The Court referred to the

The provision of municipal services is a cardinal function if not the most important function of every municipal government. The central mandate of local government is to develop a service delivery capacity to meet the basic needs of all inhabitants of South Africa.<sup>7</sup>

4.1.4. Section 1 of the Systems Act defines 'local community' or 'community' in relation to a municipality [as] that body of persons comprising-

- a) the residents of the municipality;
- b) the ratepayers of the municipality;
- c) any civic organisations and non-governmental, private sector or Labour organisations or bodies which are involved in local affairs within the municipality; and
- d) visitors and other people residing outside the municipality who, because of their presence in the municipality make use of services or facilities provided by the municipality, *and includes, more specifically, the poor and other disadvantaged sections of such body of persons.* [my emphasis].

It is clear from the above definition that 'farm dwellers' form part of the municipal community and include a broad range of occupiers who may assume different occupational status within the municipality.

*Jurisprudence clearly dictates that, any policy provision that fails to cater for the needs of the most vulnerable will not pass constitutional muster (my emphasis)*

4.1.5. Section 7 of the Bill of Rights provides that

<sup>6</sup> *Joseph and Others v City of Johannesburg and Others* (CCT 43/09) (2009) ZACC 30, 2010 (3) BCLR 212(CC) 2010(4)SA55(CC) (9 October 2009).

<sup>7</sup> *Joseph*, at para34.

*'(2) The state must respect, protect, promote and fulfil the rights in the Bill of Rights.*

The obligations in section 7(2) of the Bill of Rights impose a combination of negative and positive duties on the state in respect of each of the rights entrenched in the Bill of Rights. Thus the '*duty to respect*' requires the state to refrain from law or conduct that would interfere in people's access to and enjoyment of the rights. The '*duty to protect*' places a duty on the state to take legislative and other measures to protect vulnerable groups against violations of their rights by more powerful private parties (e.g. landlords, banks etc) The *duty "to promote and fulfil"* requires the state to take positive measures to ensure that those persons who currently lack access to the rights gain access to them. *The 'duty to promote' entails ensuring that citizens are aware of their rights and are equipped with information about how to access and enforce these rights.(my emphasis)*

#### 4.1.6. Socio-Economic Rights Framework

The Municipal Systems Act was enacted to "*provide for the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively toward the social and economic uplifting of local communities, and ensure universal access to essential services that are affordable to all.*"<sup>8</sup> According to the Act, the concept "basic municipal service" is defined as "*a municipal service that is necessary to ensure an acceptable and reasonable quality of life and, if not provided, would endanger public health or safety or the environment*".<sup>9</sup> In municipal practice and policy, as well as national standards, "basic services" most commonly includes water, electricity and sanitation services.

#### 4.1.7. The Systems Act further entrenches the socio-economic rights duties of municipalities in section 23(1) by providing that :

*"a municipality must undertake developmentally oriented planning so as to ensure that it strives to achieve the objects of local government as set out in section 152, 153 as well as the progressive realisation of the fundamental rights contained in sections 24, 25,26, 27 and 29 of the Constitution. These rights intersect with, and inform the service delivery and developmental mandate of local government. The socio economic rights obligations bind all municipalities as entrenched in the Bill of Rights. These rights insect with, and inform the service delivery and developmental mandate of local government. Of critical importance is the extent to which provision is made to ensure that the rights of the most vulnerable in society are realised as held in Mazibuko<sup>10</sup>.*

#### 4.1.8. Water Services

<sup>8</sup> Objects of the Municipal Systems Act.

<sup>9</sup> Section 1 Municipal Systems Act.

<sup>10</sup> *Mazibuko and Others v City of Johannesburg and Others* (CCT 39/09) [2009] ZACC 28;

In recognition of the importance of water to life, health and dignity, section 27(1)(b) of the Constitution guarantees everyone's "right" to have access to...sufficient water". and , to provide meaning to the Constitutional right.

Section 1 of the Water Services Act defines a 'water services' authority as 'any municipality, including a district or rural council as defined in the Local Government Transition Act, 1993 (Act No. 209 of 1993), responsible for ensuring access to water services'. Clearly indicating the primary responsibility of municipalities. (my emphasis)

Section 3 of the Water Services Act provides that "everyone has the right of access to basic water supply" and "every water services institution must take reasonable measures to realise this right. Basic water supply is defined in section 1(iii) of the Act as:" the prescribed minimum standard of water supply services necessary for the reliable supply of a sufficient quantity and quality of water to households, including informal households, to support life and personal hygiene. "Regulations clarify that the minimum standard for basic water supply is, inter alia, a minimum quantity of potable water of 20 litres per person per day or 6 kilolitres per household per month within 200 metres of a household.

Giving further effect to these legal reiterations and in recognition of the fact that greater access to water is meaningless if water remains unaffordable. (my emphasis)

The applicants in *Mazibuko*<sup>11</sup>, argued that the duty to 'take reasonable legislative and other measures to progressively realise the right within available resources' must take into the account the needs of vulnerable households. A free basic water policy must not only make provision for the specific needs of poorer communities but must be continually reviewed to ensure that the allocation remains sufficient to meet their needs. In *Mazibuko*<sup>12</sup>, the Court held that:

*'If the City had not continued to review and refine its Free Basic Water Policy after it was introduced in 2001, and had taken no steps to ensure that the poorest households were able to obtain an additional allocation, it may well have been concluded that the policy was flexible and therefore unreasonable. This would have been so, in particular, given the evidence that poorer households are also often larger than average and thus most prejudiced by 6 kilolitre cap. However, the City has not set its policy in stone. Instead, it has engaged in considerable research and continually refine its policies in the light of the findings of its research.'*

#### 4.1.9. Electricity Services

Though there is no explicit right to electricity, this right might be inferred from, the right to access to adequate housing, found in

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<sup>11</sup> *Ibid*

<sup>12</sup> *Mazibuko and Others v City of Johannesburg and Others (CCT 39/09) [2009] ZACC 28;*

section 26 (1) of the Constitution, as is the approach pursued in our right to adequate housing of the UN Committee on Economic, Social and Cultural Rights. The fact that the right to housing implies more than merely having a roof over your head as was discussed by the Constitutional Court in the *Grootboom* judgement<sup>13</sup> According to the Court, “ *the state’s obligation to provide adequate housing depends on the context, and may differ from province to province, from city to city, from rural to urban areas and from person to person, “ and while “some may need access to land and no more... some may need access to services such as water, sewage, electricity, and roads”.* (my emphasis). In terms of legislation, since the repeal of the Electricity Act 41 of 1987 by the Electricity Regulation Act of 2006, electricity services have been governed mainly by municipal bylaws. Most electricity bylaws stress equity consideration in electricity service provisions. In terms of policy, there has been a national Free Basic Electricity policy at national level, which had been formulated to assist impoverished households that could not afford electricity services.

The Electricity Regulation Act provides that a municipality, in exercising its power to reticulate electricity in terms of a licence, ‘must provide basic reticulation services free of charge or at a minimum cost to certain classes of end users within its available resources’. It is advisable that the municipality consider the directive in the Electricity Regulation Act and the Electricity Basic Services Support Tariff (*Free Basic Electricity*) Policy. While the Free Basic Policies emphasise the need for cost-effective provision of services, the Systems Act in section 4(2) (e) emphasises the duty of municipalities to;(e) Consult the local community about-

- (i) The level, quality, range and impact of municipal services provided by the municipality, either directly or through another service provided; and
- (ii) The available options for services delivery.

*for basic sanitation services is a safe, environmentally sound toilet that is “easy to keep clean, provides privacy and protection against weather, well ventilated, keeps smells to a minimum and prevents the entry and exit of flies and other disease-carrying pests.”*

Before options for providing free basic sanitation are finalised by the council, it is necessary to undertake a careful assessment of the service levels possible for providing free basic sanitation to farm dwellers, to understand and quantify affected households, to project costs at given levels of service and to assess suitable institutional arrangements. Precautionary measures must be implemented to ensure farm dwellers are not evicted after installation of these services.

<sup>13</sup> *Government of the Republic of South Africa and Others v Grootboom and Others* (CCT11/00) [2000] ZACC 19.

#### 4.1.11. Right to Housing

The National Housing Act, sets out the housing duties of municipalities;

Section 9(1) of the Housing Act outlines the duties of municipalities as follows;

*“(1) Every municipality must, as part of the municipality’s process of integrated development planning, take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to—*

*(a) ensure that— ....*

*(iv) services in respect of water, sanitation, electricity, roads, storm water drainage and transport are provided in a manner which is economically efficient.”*

By listing ‘services in respect of water, sanitation, electricity, roads, storm water drainage and transport’ the Housing Act confirms the centrality of the delivery of basic services to the housing function. These services fall squarely within the competences of local governments. De Visser (2003: 207) therefore argues *‘that access to land cannot be seen as separate from the right of access to housing. Neither can access to basic services, such as water and sewage removal be divorced from the right to housing.’*<sup>14</sup>

#### 4.1.12 Free Waste Removal Policy

The National Policy on Free Basic Refuse Removal services came into effect following the enactment of the Waste Act 59 of 2008. The Waste Act compels municipalities to put in place Waste Management Plans and provide containers for recyclables. In addition, the National Policy on Free Basic Refuse Removal services is linked to existing Indigent Policies for municipalities. A report by CSIR on Good Practices in Waste Management<sup>15</sup> emphasises that ‘provision should be made to provide households with receptacles, especially indigent households who cannot afford to pay for such containers’. This can also result in a job creation programme. National Treasury has made financial allocations to enable municipalities to implement this service. The policy provides however that; transparency in determining tariffs combined with reliable services will encourage payment for services;

#### 4.1.13 Jurisprudence

In *Blue Moonlight*<sup>16</sup> demonstrated a willingness to interrogate the claims of the City of Johannesburg that is was unable to

<sup>14</sup> De Visser, J (2003) ‘A perspective on local government’s role in realising the right to housing and the answer of the Grootboom judgment’ *Law Democracy and Development* 7(2) at 207.

<sup>15</sup> CSIR (2011) ‘Municipal waste management –good practices’ edition 1 , accessible at: [http://www.csir.co.za/nre/docs/Waste\\_Management\\_toolkit.pdf](http://www.csir.co.za/nre/docs/Waste_Management_toolkit.pdf)

<sup>16</sup> *City of Johannesburg Metropolitan Municipality v Blue Moonlight Properties 39 (Pty) Ltd and Another (338/10) (2011)ZASCA (30 March 2011)*

accommodate vulnerable occupiers who had been evicted from private land. The Court provided that;

*'In arriving at our conclusions we have been mindful of the doctrine of the separation of powers and the limits of judicial intrusion into the domains of other branches of government. We are, however, compelled to give effect to the rights being asserted before us and to the extent that this may take us into the City's administrative system, we are of the view that it is an intrusion that is mandated by the Constitution. In Minister of Health & Others v Treatment Action Campaign & Others<sup>17</sup> the Constitutional Court held:*

*'the primary duty of Courts is to the Constitution and the law, "which they must apply impartially and without fear, favour or prejudice". The Constitution requires the State to respect, protect, promote, and fulfil the rights in the Bill of Rights". Where State policy is challenged as inconsistent with the Constitution, Courts have to consider whether in formulating and implementing such policy the State has given effect to its constitutional obligations. If it should hold any given case that the State has failed to do so, it is obliged by the Constitution to say so. Insofar as that constitutes an intrusion into the domain of the Executive, that is an intrusion mandated by the Constitution itself.'*<sup>18</sup>

Jurisprudence is indicative the courts are willing to interrogate whether the executive, in giving effect to their constitutional obligations, has fulfilled the requirements set out in the reasonableness review.

The Court in *Mazibuko and Others v City of Johannesburg and Others*<sup>19</sup>, summarised the socio-economic jurisprudence and the duties it engenders for municipalities succinctly:

'Thus the positive obligations imposed upon government by the social and economic rights in our Constitution will be enforced by courts in at least the following ways:

- (a) If government takes no steps to realise the rights, the courts will require government to take steps.
- (b) If government's adopted measures are unreasonable, the courts will similarly require that they be reviewed so as to meet the constitutional standard of reasonableness.
- (d) The obligation of progressive realisation imposes a duty upon government continually to review its policies to ensure that the achievement of the right is progressively realised.<sup>101</sup>

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<sup>17</sup> *Minister of Health and Others v Treatment Action Campaign and Others (No 2) (CCT8/02) [2002] ZACC 15;*

<sup>18</sup> *Blue Moonlight*, at para 73.

<sup>19</sup> *Mazibuko and Others v City of Johannesburg and Others (CCT 39/09) [2009] ZACC 28;*



In *Joseph and Others v City of Johannesburg and Others*<sup>20</sup>, the Constitutional Court firmly located the relationship between municipalities and citizens within the domain of public law. The Court referred to;

“...the special cluster of relationships that exist between a municipality and citizens, which is fundamentally cemented by the public responsibilities that a municipality bears in terms of the Constitution and legislation in respect of persons living in its jurisdiction.’

In *Joseph*<sup>21</sup>, the Court dealt with the situation where a landlord had failed to pay the municipal account for the trading services consumed by his tenants, despite having received the fees from said tenants. The City of Johannesburg, without prior notice, terminated the electricity supply to the building on the basis that the owner had defaulted in payment and breached the contractual relationship between the City and himself. The City therefore argued that no relationship existed between it and the tenants in the absence of a contract. The Court established the firm principle that the City has a relationship with all consumers of public services which is founded on its public responsibilities. This judgment regulates the relationship between municipalities and consumers of services where third party intermediaries, like landowners, are party to the relationship

The Court, in *Residents of Joe Slovo Community, Western Cape v Thubelisha Homes and Others*<sup>22</sup> emphasised this principle by reiterating that the nature of the relationship which municipalities have with (vulnerable) citizens is “*different from the manner in which these relationships might be created by the common law, for example, through contract... They flow instead from an articulation of public responsibilities in relation to the achievement of guaranteed social and economic rights.*”

These judgments highlights that the relationship between consumers and municipalities is not founded on a contractual basis but is founded in the rights and duties that flow from the Constitution and legislation. The obligation to extend services to vulnerable occupiers is therefore not dependant on the ability to pay for those services or the relationship which occupiers may have with any third party such as landowners.

### **Conclusion**

Jurisprudence, the legislative and policy frameworks for the realisation of the socio-economic service delivery obligations of local government clearly bind the municipality in respect of vulnerable farm dwellers irrespective of whether they occupy private or public land.

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<sup>20</sup> *Joseph and Others v City of Johannesburg and Others* (CCT 43/09) (2009) ZACC 30, 2010 (3) BCLR 212(CC) 2010(4)SA55(CC) (9 October 2009).

<sup>21</sup> *ibid*

<sup>22</sup> *Residents of Joe Slovo Community, Western Cape v Thubelisha Homes and Others* (CCT 22/08) (2009) ZACC

**RECOMMENDED**

- (a) that a Service Level Agreement (SLA) be concluded with Cape Winelands District Municipality (CWDM) for the provision of basic services to indigent rural residents on farms in WC024;
- (b) that CWDM administers the assistance to indigent residents on farms in WC024 in terms of the CWDM's policy for the provision of basic services to Rural Dwellings;
- (c) that provision is made in the Stellenbosch Municipality's budget to allocate an amount of R500 000 for the 2016/17 financial year to provide these services.
- (d) that the SLA should provide for appropriate reporting and monitoring of the implementation; and
- (e) that the Municipal Manager be authorised to sign the SLA with CWDM.

**(ACTING MUNICIPAL MANAGER TO ACTION)**

# APPENDIX 1

**MINUTES OF A  
COUNCIL MEETING  
HELD ON  
25 FEBRUARIE/FEBRUARY 2016**

## CAPE WINELANDS DISTRICT MUNICIPALITY

COUNCIL MEETING  
THURSDAY, 25 FEBRUARY 2016 AT 11:00

## M I N U T E S

	PAGE	
C.1	OPENING	1
C.2	ELECTION OF ACTING SPEAKER, IF NECESSARY	2
C.3	APPLICATIONS FOR LEAVE OF ABSENCE	2
C.4	STATEMENTS AND COMMUNICATIONS BY THE SPEAKER	3
C.5	STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR	3
C.5.1	STATEMENTS AND COMMUNICATIONS BY COUNCILLOR D.A. HENDRICKSE ( <i>Verbatim</i> )	4
C.6	CONSIDERATION OF NOTICES OF MOTION	4
C.7	CONSIDERATION OF NOTICES OF QUESTIONS	4
C.8	CONSIDERATION OF MOTIONS OF EXIGENCY	4
C.9	MINUTES	
C.9.1	CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON THURSDAY, 28 JANUARY 2016 (ATTACHED)	4
C.9.2	REPORT BY THE MUNICIPAL MANAGER: ACTION MINUTES OF THE COUNCIL MEETING HELD ON THURSDAY, 28 JANUARY 2016	5
C.10	INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS	5
C.10.1	PRESENTATION: AGRI PARK (17/7/1/3)	5
C.11	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER	5
C.12	REPORT BY THE EXECUTIVE MAYOR: MAYORAL COMMITTEE MEETING HELD ON TUESDAY, 19 JANUARY 2016 (3/2/2/1)	6
<b>C.13</b>	<b>MATTERS FOR NOTIFICATION</b>	
C.13.1	NOTICE TO THE MAYORAL COMMITTEE: MINUTES OF A MEETING OF THE AUDIT COMMITTEE HELD ON TUESDAY, 20 OCTOBER 2015 (3/2/5/3)	8
C.13.2	PROVINCIAL TREASURY: CAPE WINELANDS FINAL SOCIO-ECONOMIC PROFILE 2015 (1/1/1 & 2/9/R)	11

C.13.3	QUARTERLY REPORT OF THE CAPE WINELANDS DISTRICT MUNICIPALITY AUDIT COMMITTEE CHAIRPERSON FOR THE SECOND QUARTER OF THE 2015/2016 FINANCIAL YEAR (3/2/5/3)	14
<b>C.14</b>	<b>MATTERS FOR CONSIDERATION</b>	
C.14.1	DRAFT 2014/2015 ANNUAL REPORT FOR THE CAPE WINELANDS DISTRICT MUNICIPALITY (CWDM) (10/1/2/1)	16
C.14.2	POLICY – PROVISION OF BASIC SERVICES FOR RURAL DWELLINGS (16/5/1/4)	23
C.14.3	REVISION OF BUDGET ESTIMATES: MUNICIPAL ADJUSTMENTS BUDGET FOR THE 2015/2016 FINANCIAL YEAR (5/1/1/9)	30
C.14.4	DRAFT 2016/2017, 2017 /2018 AND 2018/2019 MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) FOR THE CAPE WINELANDS DISTRICT MUNICIPALITY (CWDM) (5/1/1/10)	44
C.15	CONCLUSION	65

**KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT**

**RAADSVERGADERING  
DONDERDAG, 25 FEBRUARIE 2016 OM 11:00**

**NOTULE**

		BLADSY
R.1	OPENING	1
R.2	VERKIESING VAN WAARNEMENDE SPEAKER, INDIEN NODIG	2
R.3	AANSOEK OM VERLOF TOT AFWESIGHEID	2
R.4	VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER	3
R.5	VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER	3
R.5.1	MEDEDELINGS DEUR RAADSLID D.A. HENDRICKSE ( <i>Verbatim</i> )	4
R.6	OORWEGING VAN KENNISGEWINGS VAN MOSIES	4
R.7	OORWEGING VAN KENNISGEWINGS VAN VRAE	4
R.8	OORWEGING VAN MOSIES VAN DRINGENDHEID	4
R.9	NOTULE	
R.9.1	BEKRAGTIGING VAN DIE NOTULE VAN DIE RAADSVERGADERING GEHOU OP DONDERDAG, 28 JANUARIE 2016 (AANGEHEG)	4
R.9.2	VERSLAG DEUR DIE MUNISIPALE BESTUURDER: AKSIE NOTULE VAN DIE RAADSVERGADERING GEHOU OP DONDERDAG, 28 JANUARIE 2016	5
R.10	ONDERHOUDE MET OF VOORLEGGINGS DEUR AFVAARDIGINGS	5
R.10.1	VOORLEGGING: AGRI PARK (17/7/1/3)	5
R.11	DRINGENDE SAKE VOORGELê DEUR DIE MUNISIPALE BESTUURDER	5
R.12	VERSLAG DEUR DIE UITVOERENDE BURGEMEESTER : BURGE- MEESTERSKOMITEEVERGADERING GEHOU OP DINSDAG, 19 JANUARIE 2016 (3/2/2/1)	6
R.13	<b>SAKE VIR KENNISNAME</b>	
R.13.1	KENNISGEWING AAN DIE BURGEMEESTERSKOMITEE : NOTULE VAN 'N VERGADERING VAN DIE OUDITKOMITEE GEHOU OP DINSDAG, 20 OKTOBER 2015 (3/2/5/3)	8

R.13.2	PROVINSIALE TESOURIE: KAAPSE WYNLAND FINALE SOSIO-EKONOMIESE PROFIEL 2015 (1/1/1 & 2/9/R)	11
R.13.3	KWARTAALLIKSE VERSLAG VAN DIE VOORSITTER VAN DIE OUDIT-KOMITEE VAN DIE KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT VIR DIE TWEEDE KWARTAAL VAN DIE 2015/2016 FINANSIËLE JAAR (3/2/5/3)	14
<b>R.14</b>	<b>SAKE VIR OORWEGING</b>	
R.14.1	KONSEP 2014/2015 JAARVERSLAG VIR DIE KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT (KWDM) (10/1/2/1)	16
R.14.2	BELEID - VOORSIENING VAN BASIESE DIENSTE VIR LANDELIKE WONINGS (16/5/1/4)	23
R.14.3	HERSIENING VAN BEGROTINGSBERAMINGS: MUNISIPALE AANSUIWERINGSBEGROTING VIR DIE 2015/2016 FINANSIËLE JAAR (5/1/1/9)	30
R.14.4	KONSEP 2016/2017, 2017/2018 EN 2018/2019 MEDIUMTERMYNINKOMSTE-EN-UITGAWERAAMWERK (MTIUR) VIR DIE KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT (KWDM) (5/1/1/10)	44
R.15	AFSLUITING	65



**UMASIPALA WESITHILI SASECAPE WINELANDS**  
**INTLANGANISO YEBHUNGA**  
**NGOLWESINE, UMHLA WAMA-25 KUFEBRUWARI 2016 NGO-11.00**

**IMIZUZU**

	IPHEPHA
C.1	UKUVULA <span style="float: right;">1</span>
C.2	UKUNYULWA KUKASOMLOMO OBAMBELEYO, UKUBA KUYIMFUNOKO <span style="float: right;">2</span>
C.3	IZICELO ZOKUNGAYIZIMASI INTLANGANISO <span style="float: right;">2</span>
C.4	IINGXELO NONXIBELELWANO LUKASOMLOMO <span style="float: right;">3</span>
C.5	IINGXELO NONXIBELELWANO LUKASODOLOPHU <span style="float: right;">3</span>
C.5.1	IMBALELWANO EYENZIWA NGUCEBA D.A. HENDRICKSE ( <i>Verbatim</i> ) <span style="float: right;">4</span>
C.6	UKUQWALASELWA KWEZAZISO ZESINDULULO <span style="float: right;">4</span>
C.7	UKUQWALASELWA KWEZAZISO ZEMIBUZO <span style="float: right;">4</span>
C.8	UKUQWALASELWA KWEZINDULULO EZINGXAMISEKILEYO <span style="float: right;">4</span>
C.9	IMIZUZU
C.9.1	ULWAMKELO LWEMIZUZU YENTLANGANISO YEBHUNGA EBIBANJWE NGOLWESINE, UMHLA WESI-28 KUJANYUWARI 2016 (INCANYATHELISIWE) <span style="float: right;">4</span>
C.9.2	INGXELO ENIKEZELWA NGUMLAWULI KAMASIPALA: IMIZUZU YOMILISELO YENTLANGANISO EBIBANJWE NGOLWESINE, UMHLA WESI-28 KUJANYUWARI 2016 <span style="float: right;">5</span>
C.10	UDLIWANO-NDLEBE OKANYE INTETHO-NGXOXO NGOGUNYAZISO <span style="float: right;">5</span>
C.10.1	UNIKEZELO: I-AGRI PARK (17/7/1/3) <span style="float: right;">5</span>
C.11	IMICIMBI ENGXAMILEYO ENGENISWE NGUMLAWULI KAMASIPALA <span style="float: right;">5</span>
C.12	INGXELO EYENZIWA NGUSODOLOPHU WESIGQEBA: INTLANGANISO YEKOMITI KASODOLOPHU EBIBANJWE NGOLWESIBINI, UMHLA WE-19 KUJANYUWARI 2016 (3/2/2/1) <span style="float: right;">6</span>
C.13	<b>IMIBA YOKWAZISWA</b>
C.13.1	ISAZISO KWIKOMITI KASODOLOPHU: IMIZUZU YENTLANGANISO YEKOMITI YOPHENGULULO – ZINCWADI EBIBANJWE NGOLWESIBINI, UMHLA WAMA-20 KUOKTOBHA 2015 (3/2/5/3) <span style="float: right;">8</span>
C.13.2	ICANDELO LOLAWULO-MALI: IMBONAKALO YOKUGQIBELA YOQOQSHO LWENTLALO LWECAPE WINELANDS 2015 (1/1/1 & 2/9/R) <span style="float: right;">11</span>

C.13.3	INGXELO YARHOQO NGEKOTA KASIHLOLO WEKOMITI YOPHICOTHO-ZINCWADI YOMASIPALA WESITHILI SASECAPE WINELANDS ELUNGISELELWE IKOTA YESIBINI YONYAKA-MALI WAMA-2015/2016 (3/2/5/3)	14
<b>C.14</b>	<b>IMIBA EKUFUNKA IQWALASELWE</b>	
C.14.1	INGXELO YONYAKA EYILWAYO YOWAMA-2014/2015 ELUNGISELELWE UMASIPALA WESITHILI SASECAPE WINELANDS (10/1/2/1)	16
C.14.2	UMGAQO-NKQUBO – UBONELELO LWEENKOZO ZESISEKO OLULUNGISELELWE IINDAWO ZOKUHLALA ZASEMAPHANDLENI (16/5/1/4)	23
C.14.3	UKUHLAZIYWA KOQIKELELO LOHLAHLA LWABIWO-MALI: UHLAHLA LWABIWO-MALI OLULUNGELELANISIWEYO LUKAMASIPALA LONYAKA-MALI WAMA-2015/2016 (5/1/1/9)	30
C.14.4	UYILO LWESICWANGCISO-NKQUBO SENGENISO NENKCITHO (MTREF) SOWAMA-2016/2017, 2017/2018 KUNYE NOWAMA-2018/2019 (5/1/1/10)	44
C.15	ISIPHELO	65

## CAPE WINELANDS DISTRICT MUNICIPALITY

MINUTES OF THE COUNCIL MEETING OF THE CAPE WINELANDS DISTRICT MUNICIPALITY HELD ON THURSDAY, 25 FEBRUARY 2016 AT 11:30 IN THE COUNCIL CHAMBER, CAPE WINELANDS DISTRICT MUNICIPALITY, TRAPPES STREET, WORCESTER

**PRESENT**

(3/2/1/2)

### **COUNCILLORS**

Cllr. C. Meyer (Speaker)

Ald. C.A. de Bruyn (Executive Mayor)

Cllr. H.M. Jansen (Deputy Executive Mayor)

Cllr. J.J. Abrahams

Cllr. R.B. Arnolds

Cllr. G.J. Carinus

Cllr. A. Crombie

Cllr. C. Damens

Cllr. J.J. du Plessis

Cllr. Z.L. Gwada

Cllr. N.D. Hani

Cllr. D.A. Hendrickse

Cllr. J.K. Hendriks

Cllr. D.B. Janse

Cllr. X. Kalipa

Ald. (Dr.) N.E. Kahlberg

Cllr. B.J. Kriegler

Cllr. E.S.C. Matjan

Cllr. J. Matthee

Cllr. C. Mcako

Cllr. L.X. Mdemka

Cllr. J.S. Mouton

Cllr. L.W. Niehaus

Cllr. W.S. Nyamana

Cllr. S. Ross

Cllr. G. Stalmeester

Cllr. D. Swart

Cllr. M.S. Tayitayi

Cllr. J.R.F. Torr

Cllr. J.D.F. van Zyl

Cllr. (Dr.) H. von Schlicht

Cllr. M.H. Yabo

### **ABSENT**


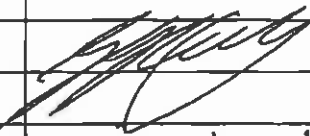

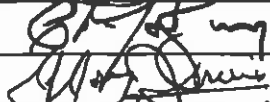

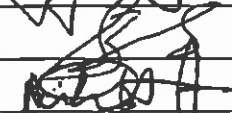

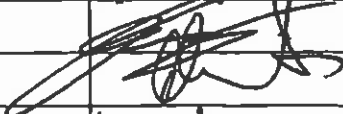
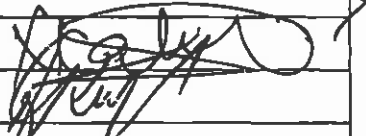
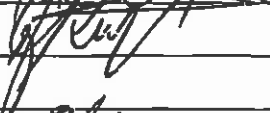
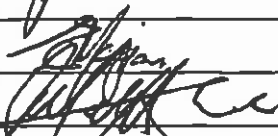
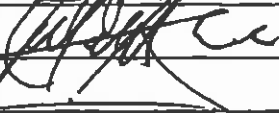
Cllr. A.F. Afrika

KAAPSE WYNLAND / CAPE WINELANDS  
DISTRIKSMUNISIPALITEIT / DISTRICT MUNICIPALITY


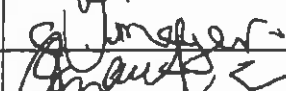
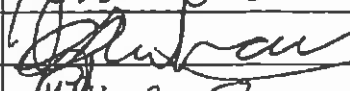
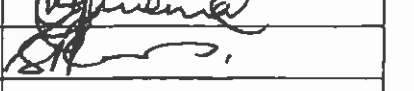

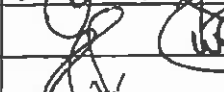
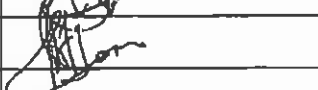
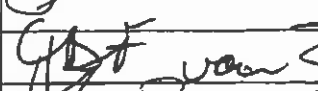
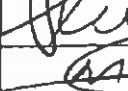
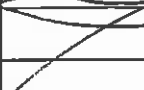
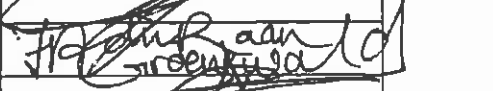











LYS VAN VERTEENWOORDIGERS : RAADSVERGADERING  
LIST OF REPRESENTATIVES : COUNCIL MEETING

25 FEBRUARIE/FEBRUARY 2016  
DATUM VAN VERGADERING  
DATE OF MEETING

11:00  
TYD / TIME  
WORCESTER

VERTEENWOORDIGER / REPRESENTATIVE	HANDTEKENING / SIGNATURE
ABRAHAMS, JJ	
AFRIKA, AF	
ARNOLDS, RB	R. ARNOLD
BRINK, CC	
BUSHWANA, NM	
CARINUS, GJ	
CHAABAN, WL	
CROMBIE, A	A. Crombie
CRONJE, JB	
DAMENS, C	
DE BRUYN, CA	
DU PLESSIS, JJ	
GWADA, ZL	
HANI, ND	
HENDRIKS, JK	
HENDRICKSE, DA	
JANSE, DB	D.B. Jansen
JANSEN, HM	H. Jansen
KAHLBERG, NE	N.E. Kahlberg
KALIPA, X	
KRIEGLER, BJ	
MARRAN, P	
MATJAN, ESC	
MATTHEE, J	
MCAKO, C	

2

VERTEENWOORDIGER / REPRESENTATIVE	HANDTEKENING / SIGNATURE
MDEMKA, LX	
MEYER, C	
MOUTON, JS	
NIEHAUS, LW	
NYAMANA, WS	
ROSS, S	
SIWAKAMISA, LN	
STALMEESTER, G	
SWART, D	
TAYITAYI, MS	
TORR, JRF	
VAN DER WESTHUIZEN, CC	
VAN ZYL, JDF	
VON SCHLICHT, H	
YABO, MH	
<b>AMPTENARE / OFFICIALS</b>	
MGAJO, M	
DU RAAN-GROENEWALD, FA	
SCHROEDER, CV	
VAN ECK, F	
BEUKES, EFC	
NEETHLING, WM	
NIEUWOUDT, BN	
SMIT, K	
HEATH, DA	
WILLEMSE, I	
ZEELIE, R	
✶ LEXH, MZ	
Smepiel J	
CJM Arangie	
W. MDCUSCH	

**OFFICIALS**

Mr. M. Mgajo (Municipal Manager)  
Ms. F.A. du Raan-Groenewald  
Mr. C.V. Schroeder  
Mr. F. van Eck  
Mr. E.F.C. Beukes  
Mr. M.J. Lesch  
Mr. B.N. Nieuwoudt  
Ms. K. Smit  
Ms. W.M. Neethling  
Mr. C.J.M. Arangie  
Mr. R. Zeelie  
Mr. D.A. Heath  
Ms. M. Mdludlu  
Ms. J. Swanepoel  
Ms. I. Willemse

**C.1 OPENING (3/2/1/2)**

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The Speaker welcomed all present.

Ms. F.A. du Raan-Groenewald opened the meeting with prayer.

**C.2 ELECTION OF ACTING SPEAKER, IF NECESSARY (3/2/1/2)**

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None.

**C.3 APPLICATION FOR LEAVE OF ABSENCE (3/2/1/2)**

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**COUNCILLORS**

Cllr. C.C. Brink  
Cllr. N.M. Bushwana  
Cllr. W.L. Chaaban  
Cllr. (Adv.) J.B. Cronje  
Cllr. P. Marran  
Cllr. L.N. Siwakamisa  
Cllr. C.C. van der Westhuizen

**OFFICIALS**

None.

**C.4 STATEMENTS AND COMMUNICATIONS BY THE SPEAKER (*Verbatim*)**  
**(3/2/1/3)**

---

Geagte Agbare Burgermeester  
Geagte Agbare Onderburgermeester  
Geagte Agbare Burgemeesterskomitee  
Geagte Agbare Hoofswep en lede van die Raad van KWDM  
Geagte Munisipale Bestuurder  
Geagte Uitvoerende Direkteure van die verskillende departemente  
Geagte Amptenare van verskillende departemente

Die volgende Raadslede word geluk gewens met hul verjaardae:

Verjaardag maand	Verjaardag	Naam van Raadslede
Februarie	11	Rdl. W.S Nyamana
	15	Rdl. J.J du Plessis
	16	Rdl. L.N. Siwakamisa

Die hoop word uitgespreek dat u die dag geniet het saam met u familie, vriende en kollegas. Ons wens u Gods rykste seën toe vir die jaar wat voorlê.

Ek wil ook graag van die geleentheid gebruik maak om die Munisipale Bestuurder geluk te wens met sy verjaarsdag op Vrydag, 26 Februarie 2016.

Weer eens baie dankie dat u as Raadslede te alle tye beskikbaar en sigbaar vir u verskeie gemeenskappe is.

Met dank.

**C.5 STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR**  
**(*Verbatim*)**  
**(3/2/1/3)**

---

It has come to my attention that Councillor W.L. Chaaban is absent for the third consecutive Council meeting and I want to request that the matter be investigated.

I also want to convey my appreciation to the Cape Winelands District Municipality (CWDM) and staff for their contribution to make the international cricket game at Boland Park on Wednesday, 18 February 2016 a success.

With regard to the 2016/2017 Budget, I want to confirm that funds will be made available to Local Municipalities in the area of the Cape Winealnds District Municipality (CWDM) for the hosting of cultural events. I believe this gesture will promote nation building in our District.

**C.5.1 STATEMENTS AND COMMUNICATIONS BY THE COUNCILLOR  
D.A. HENDRICKSE (*Verbatim*) (3/2/1/3)**

---

I want to take this opportunity to thank the Cape Winelands District Municipality (CWDM) for their support to the Stellenbosch and District Cricket Club who will be hosting a charity dinner on Friday, 26 February 2016 at the Stellenbosch Town Hall to raise funds for a indoor cricket facility at the Idas Valley sports grounds.

**C.6 CONSIDERATION OF NOTICES OF MOTION**

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None.

**C.7 CONSIDERATION OF NOTICES OF QUESTIONS**

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None.

**C.8 CONSIDERATION OF MOTIONS OF EXIGENCY**

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None.

**C.9 MINUTES**

**C.9.1 CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON  
THURSDAY, 28 JANUARY 2016 (3/2/1/6)**

---

**RESOLVED :**

That the minutes of the Council meeting held on Thursday, 28 January 2016 be taken as read and duly confirmed.



**C.9.2 REPORT BY THE MUNICIPAL MANAGER: ACTION MINUTES OF THE COUNCIL MEETING HELD ON THURSDAY, 28 JANUARY 2016 (3/2/1/6)**

---

**RESOLVED :**

That cognisance be taken of the action minutes of the Council meeting held on Thursday, 28 January 2016.

**C.10 INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS**

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**C.10.1 PRESENTATION: AGRI PARK (17/7/1/3)**

---

Mr. M. Mpeluza of Witzenberg Municipality is welcomed to the meeting.

**RESOLVED:**

That the matter be held in abeyance until a next meeting of Council.

**C.11 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER (3/2/2/1)**

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None.

**C.12 REPORT BY THE EXECUTIVE MAYOR: MAYORAL COMMITTEE MEETING  
HELD ON TUESDAY, 19 JANUARY 2016 (3/2/2/1)**

---

The following report outline the issues and decisions taken by the Mayoral Committee.

The relevant minutes that served before the Executive Mayor and Mayoral Committee on the date indicated have been distributed to all Councillors -

**1 MEETING HELD ON 19 JANUARY 2016**

**MATTERS OF WHICH COGNISANCE WERE TAKEN:**

**MC.6.1 CIRCULARS**

**MC.6.2 NOTIFICATION TO THE MAYORAL COMMITTEE: RESOLUTIONS BY THE EXECUTIVE MAYOR IN CONSULTATION WITH THE DEPUTY EXECUTIVE MAYOR IN TERMS OF THE SYSTEM OF DELEGATIONS APPROVED BY COUNCIL AT ITEM C.4.12 OF 15 JUNE 2011 (2/4/2)**

---

**RESOLVED:**

That cognisance be taken of the item that served before the Mayoral Committee.

**MC.6.3 REPORT ON THE ATTENDANCE OF THE INSTITUTE OF MUNICIPAL FINANCE OFFICERS (IMFO) ANNUAL CONFERENCE HELD FROM MONDAY, 5 OCTOBER 2015 TO WEDNESDAY, 7 OCTOBER 2015 AT EMPERORS PALACE, EKURHULENI (12/1/1/2)**

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**RESOLVED:**

That cognisance be taken of the item that served before the Mayoral Committee.

**MC.6.4 NOTICE TO MAYORAL COMMITTEE: MINUTES OF THE TRAINING COMMITTEE MEETING HELD ON WEDNESDAY, 21 OCTOBER 2015 (3/2/5/1)**

---

**RESOLVED:**

That cognisance be taken of the item that served before the Mayoral Committee.

- MC.6.5 DEPARTMENT: COMMUNITY DEVELOPMENT AND PLANNING SERVICES: RECOMMENDATIONS THAT EMANATED FROM THE WESTERN CAPE PROVINCIAL PARLIAMENT: SERVICE DELIVERY CLUSTER VISIT WEEK HELD FROM TUESDAY, 9 JUNE 2015 TO FRIDAY, 12 JUNE 2015 IN THE AREA OF THE CAPE WINELANDS DISTRICT MUNICIPALITY (CWDM) (10/2/6/3)**
- 

**RESOLVED:**

That cognisance be taken of the item that served before the Mayoral Committee.

- MC.6.6 SOUTH AFRICAN COUNCIL FOR THE AGED: AGE IN ACTION (11/4/3/2 & 17/10/3)**
- 

**RESOLVED:**

That cognisance be taken of the item that served before the Mayoral Committee.

- MC.6.7 UPGRADING OF SPORT FACILITIES (17/9)**
- 

**RESOLVED:**

That cognisance be taken of the item that served before the Mayoral Committee.

**MATTERS OF WHICH RESOLUTIONS WERE TAKEN:**

- MC.6.8 DEPARTMENT: TECHNICAL SERVICES: INFORMATION AND COMMUNICATION TECHNOLOGY REPORT FOR THE PERIOD OCTOBER 2015 TO DECEMBER 2015 (6/2/1/5)**
- 

**RESOLVED:**

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

- MC.7.1 DRAFT ANNUAL REPORT 2014/2015 (9/1/1)**
- 

**RESOLVED:**

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

- MC.7.2 REPORT ON THE MANAGEMENT OF CONTRACTS/ AGREEMENTS AND THE PERFORMANCE OF CONTRACTORS IN TERMS OF SECTION 116(2)(d) OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO. 56 OF 2003) (MFMA) FOR THE 2015/2016 FINANCIAL YEAR (1/1/1 & 5/1/19)**
- 

**RESOLVED:**

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

- MC.7.3 PROGRESS REPORT ON THE IMPLEMENTATION OF THE MSCOA (5/1/4)**
- 

**RESOLVED:**

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

**C.13 MATTERS FOR NOTIFICATION**

- C.13.1 NOTICE TO THE MAYORAL COMMITTEE: MINUTES OF A MEETING OF THE AUDIT COMMITTEE HELD ON TUESDAY, 20 OCTOBER 2015 (3/2/5/3)**
- R.13.1 KENNISGEWING AAN DIE BURGEMEESTERSKOMITEE : NOTULE VAN 'N VERGADERING VAN DIE OUDITKOMITEE GEHOU OP DINSDAG, 20 OKTOBER 2015 (3/2/5/3)**
- C.13.1 ISAZISO KWIKOMITI KASODOLOPHU: IMIZUZU YENTLANGANISO YEKOMITI YOPHENGULULO – ZINCWADI EBIBANJWE NGOLWESIBINI, UMHLA WAMA-20 KUOKTOBHA 2015 (3/2/5/3)**
- 

**PURPOSE OF SUBMISSION**

That Council take cognisance of the minutes of a meeting of the Audit Committee held on Tuesday, 20 October 2015.

**DOEL VAN VOORLEGGING**

Dat die Raad kennis neem van die notule van 'n vergadering van die Ouditkomitee gehou op Dinsdag, 20 Oktober 2015.

## **INJONGO YONGENISO**

Okokuba iBhunga liyithathele ingqalelo imizuzu yentlanganiso yeKomiti yoPhengululo-zincwadi ebibanjwe ngolwesiBini, umhla wama-20 ku-Oktobha 2015.

## **BACKGROUND**

At Item C.12 of 30 August 2001 Council resolved to establish an Audit Committee for the Cape Winelands District Municipality (CWDM).

\*\*\*

Included under separate cover as Annexure "A" is a copy of the minutes of a meeting of the Audit Committee held on Tuesday, 20 October 2015.

## **RECOMMENDATION BY MUNICIPAL MANAGER:**

That the Executive Mayor together with the Mayoral Committee consider to recommend to Council to take cognisance of the minutes of a meeting of the Audit Committee held on Tuesday, 20 October 2015.

## **AANBEVELING DEUR MUNISIPALE BESTUURDER:**

Dat die Uitvoerende Burgemeester saam met die Burgemeesterskomitee oorweging daaraan skenk om by die Raad aan te beveel om kennis te neem van die notule van 'n vergadering van die Ouditkomitee gehou op Dinsdag, 20 Oktober 2015.

## **INGCEBISO EVELA KUMLAWULI KAMASIPALA:**

Okokuba uSodolophu wesiGqeba kunye neKomiti kaSodolophu bacamgce ngokucebisa iBhunga okokuba liyithathele ingqalelo imizuzu yentlanganiso yeKomiti yoPhengululo-zincwadi ebibanjwe ngolwesiBini, umhla wama-20 kuOktobha 2015.

## **MAYORAL COMMITTEE: 12 FEBRUARY 2016: ITEM MC.7.3**

### **RESOLVED:**

That it be recommend to Council to take cognisance of the minutes of a meeting of the Audit Committee held on Tuesday, 20 October 2015, included with the agenda under separate cover as Annexure "A".

## **BURGEMEESTERSKOMITEE: 12 FEBRUARIE 2016: ITEM BK.7.3**

### **BESLUIT:**

Dat dit by die Raad aanbeveel word om kennis te neem van die notule van 'n vergadering van die Ouditkomitee gehou op Dinsdag, 20 Oktober 2015, ingesluit by die agenda onder aparte omslag as Bylae "A".

**IKOMITI KASODOLOPHU: UMHLA WE-12 KUFEBRUWARI 2016: UMBA MC.7.3**

**KUGQITYWE:**

Okokuba kucetyiswe kwiBhunga okokuba liyithathele ingqalelo imizuzu yentlanganiso yeKomiti yoPhengululo-zincwadi ebibanjwe ngolwesiBini, umhla wama-20 ku-Oktobha 2015, ibandakanywe phantsi kwephepha elilodwa njengeSihlomelo "A".

**RECOMMENDATION BY MAYORAL COMMITTEE:**

That Council take cognisance of the minutes of a meeting of the Audit Committee held on Tuesday, 20 October 2015, included with the agenda under separate cover as Annexure "A".

**AANBEVELING DEUR BURGEMEESTERSKOMITEE:**

Dat die Raad kennis neem van die notule van 'n vergadering van die Ouditkomitee gehou op Dinsdag, 20 Oktober 2015, ingesluit by die agenda onder aparte omslag as Bylae "A".

**INGCEBISO EVELA KUSODOLOPHU:**

Okokuba kucetyiswe kwiBhunga okokuba liyithathele ingqalelo imizuzu yentlanganiso yeKomiti yoPhengululo-zincwadi ebibanjwe ngolwesiBini, umhla wama-20 ku-Oktobha 2015, ibandakanywe phantsi kwephepha elilodwa njengeSihlomelo "A".

**COUNCIL MEETING: 25 FEBRUARY 2016: ITEM C.13.1**

**RESOLVED:**

That cognisance be taken of the minutes of a meeting of the Audit Committee held on Tuesday, 20 October 2015, included with the agenda under separate cover as Annexure "A".

**RAADSVERGADERING: 25 FEBRUARIE 2016: ITEM R.13.1**

**BESLUIT:**

Dat kennis geneem word van die notule van 'n vergadering van die Ouditkomitee gehou op Dinsdag, 20 Oktober 2015, ingesluit by die agenda onder aparte omslag as Bylae "A".

**INTLANGANISO YEBHUNGA: UMHLA WAMA-25 KUFEBRUWARI 2016:  
UMBA C.13.1**

**KUGQITYWE:**

Okokuba ingqalelo ithatyathelwe imizuzu yentlanganiso yeKomiti yoPhicotho-zincwadi ebibanjwe ngolwesiBini, umhla wama-20 kuOktobha 2015, ibandakanywe kwi-ajenda phantsi kwephepha elilodwa njengeSihlomelo "A".

- C.13.2 PROVINCIAL TREASURY: CAPE WINELANDS FINAL SOCIO-ECONOMIC PROFILE 2015 (1/1/1 & 2/9/R)**
- R.13.2 PROVINSIALE TESOURIE: KAAPSE WYNLAND FINALE SOSIO-EKONOMIESE PROFIEL 2015 (1/1/1 & 2/9/R)**
- C.13.2 ICANDELO LOLAWULO-MALI: IMBONAKALO YOKUGQIBELA YOQOQSHO LWENTLALO LWECAPE WINELANDS 2015 (1/1/1 & 2/9/R)**
- 

**PURPOSE OF SUBMISSION**

That Council take cognisance of the Socio-Economic Profile 2015 of the Cape Winelands District Municipality (CWDM).

**DOEL VAN VOORLEGGING**

Dat die Raad kennis neem van die Sosio-ekonomiese Profiel 2015 van die Kaapse Wynland Distriksmunisipaliteit (KWDM).

**INJONGO YONGENISO**

Okokuba iBhunga lithabathele ingqalelo imbonakalo yoQoqosho lweNtlalo lowama-2015 loMasipala wesiThili saseCape Winelands (CWDM).

**BACKGROUND**

\*\*\* Attached as Annexure "A" is a copy of the Socio-Economic Profile 2015 of the Cape Winelands District Municipality (CWDM) received from Provincial Treasury. The Socio-Economic Profile will assist the District Municipality with planning, budgeting and service delivery prioritization.

**IMPLICATIONS**

**PERSONNEL**

None.

*Comment prepared by: Ms. K. Smit*

## **LEGAL**

None.

*Comment prepared by: Ms. W.M. Neethling*

## **FINANCIAL**

None.

*Comment prepared by: Ms. F.A. du Raan-Groenewald*

## **TECHNICAL**

The Socio-Economic Report (SEP) gives information and data that is useful and assists the municipality with its planning processes. Through the Socio-Economic Report (SEP) one is able to get sense of the socio-economic status of the region. The data or the statistics presented in the profile are quite relevant and reflects the situation as known by the LED Unit of the CWDM. However, for economic development planning purposes there are gaps that have been identified in the SEP.

One of the key areas where we would like to see more data is on the issue of Skills Development. Currently the SEP does not refer to skills development but only educational outcomes. It would be quite useful for a SEP to contain an identification of areas of training as well as matching that to what industry needs. This becomes essential for any forward planning in economic development.

The SEP has not mentioned the migration patterns which is crucial information that the District needs for effective regional planning. It is important to check how the figures reported on a quarterly basis by Statistic South Africa in the Labour Force Survey reflect the migration patterns of the Cape Winelands region.

It is noted that the SEP forecast or projections are only done for a 5 year period. For long term planning we would like to see projections or forecast for at least 10 years especially when looking at population growth rate and life expectancy rate.

In conclusion the SEP and the information it presents is valuable and useful for the CWDM. It should be noted that Statistics South Africa has also started supporting and capacitating officials at the Municipalities which will allow better planning and access to reliable data and statistics.

*Comment prepared by: Mr. C.V. Schroeder*

The available snapshot on the data will be incorporated into the draft 2016/17 Revised Integrated Development Plan (IDP).



The information and analysis data contained in the Socio-Economic Profile 2015 will be used to compile the 4<sup>th</sup> Generation Integrated Development Plan (IDP) for 2017/18 – 2021/22.

*Comment prepared by: Mr. B.N. Nieuwoudt*

**RECOMMENDATION BY MUNICIPAL MANAGER:**

That Council take cognisance of the Socio-Economic Profile 2015 of the Cape Winelands District Municipality (CWDM) and that the available snapshot on the data will be incorporated into the draft 2016/2017 Revised Integrated Development Plan (IDP).

**AANBEVELING DEUR MUNISIPALE BESTUURDER:**

Dat die Raad kennis neem van die Sosio-ekonomiese Profiel 2015 van die Kaapse Wynland Distriksmunisipaliteit (KWDM) en dat die beskikbare data in die konsep 2016/2017 Hersiene Geïntegreerde Ontwikkelingsplan (GOP) opgeneem sal word.

**INGCEBISO EVELA KUMLAWULI KAMASIPALA:**

Okokuba iBhunga lithabathele ingqalelo iMbonakalo bowama-2015 boQoqosho lweNtlalo 2015 boMasipala wesiThili saseCape Winelands (CWDM) nento yokokuba sishwankathelo esikhoyo esingeenkcukacha zolwazi siya kudityaniswa kuyilo lohlaziyo lwe- IsiCwangciso esiHlangeneyo soPhuhliso (IDP)2016/2017.

**COUNCIL MEETING: 25 FEBRUARY 2016: ITEM C.13.2**

**RESOLVED:**

That cognisance be taken of the Socio-Economic Profile 2015 of the Cape Winelands District Municipality (CWDM) and that the available snapshot on the data will be incorporated into the draft 2016/2017 Revised Integrated Development Plan (IDP), attached as Annexure "A" to the agenda item.

**RAADSVERGADERING: 25 FEBRUARIE 2016: ITEM R.13.2**

**BESLUIT:**

Dat kennis geneem word van die Sosio-ekonomiese Profiel 2015 van die Kaapse Wynland Distriksmunisipaliteit (KWDM) en dat die beskikbare data in die konsep 2016/2017 Hersiene Geïntegreerde Ontwikkelingsplan (GOP) opgeneem sal word, aangeheg as Bylae "A" by die agenda-item.

**INTLANGANISO YEBHUNGA: UMHLA WAMA-25 KUFEBRUWARI 2016:  
UMBA C.13.2**

**KUGQITYWE:**

Okokuba ingqalelo ithatyathelwe iMbonakalo yoQoqosho lweNtlalo yowama-2015 yoMasipala wesiThili saseCape Winelands (CWDM) nento yokokuba sishwankathelo esikhoyo esingeenkcukacha zolwazi siya kudityaniswa kuyilo lohlahaziyo lwesiCwangciso esiHlangeneyo soPhuhliso (IDP) sowama-2016/2017, sincanyatheliswenjengeSihlomelo "A" kumba we-ajenda.

- C.13.3 QUARTERLY REPORT OF THE CAPE WINELANDS DISTRICT MUNICIPALITY AUDIT COMMITTEE CHAIRPERSON FOR THE SECOND QUARTER OF THE 2015/2016 FINANCIAL YEAR (3/2/5/3)**
- R.13.3 KWARTAALLIKSE VERSLAG VAN DIE VOORSITTER VAN DIE OUDIT-KOMITEE VAN DIE KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT VIR DIE TWEDE KWARTAAL VAN DIE 2015/2016 FINANSIËLE JAAR (3/2/5/3)**
- C.13.3 INGXELO YARHOQO NGEKOTA KASIHLOLO WEKOMITI YOPHICOTHO-ZINCWADI YOMASIPALA WESITHILI SASECAPE WINELANDS ELUNGISELELWE IKOTA YESIBINI YONYAKA-MALI WAMA-2015/2016 (3/2/5/3)**
- 

**PURPOSE OF SUBMISSION**

That Council take cognisance of the quarterly report of the Audit Committee Chairperson for the 2015/2016 financial year.

**DOEL VAN VOORLEGGING**

Dat die Raad kennis neem van die kwartaallikse verslag van die Voorsitter van die Ouditkomitee vir die 2015/2016 finansiële jaar.

**INJPNGP YONGENISO**

Okokuba iBhunga, lithabathele ingqalelo ingxelo yarhoqo ngonyaka kaSihlalo weKomiti yoPhicotho-zincwadi elengiselelwe unyaka-mali wama-2015/2016.

**BACKGROUND**

The Council at Item C.12 of 30 August 2001 resolved to establish an Audit Committee.

\*\*\*

Attached as Annexure "A" is a copy of the quarterly report of the Audit Committee Chairperson for the 2015/2016 financial year.

**RECOMMENDATION BY MUNICIPAL MANAGER:**

That Council take cognisance of the quarterly report of the Audit Committee Chairperson for the 2015/2016 financial year.

**AANBEVELING DEUR MUNISIPALE BESTUURDER:**

Dat die Raad kennis neem van die kwartaallikse verslag van die Voorsitter van die Ouditkomitee vir die 2015/2016 finansiële jaar.

**INGCEBISO EVELA KUMLAWULI KAMASIPALA:**

Okokuba Ibhunga, lithabathele ingqalelo ingxelo yarhoqo ngonyaka kaSihlalo weKomiti yoPhicotho-zincwadi elengiselelwe unyaka-mali wama-2015/2016.

**COUNCIL MEETING: 25 FEBRUARY 2016: ITEM C.13.3**

**RESOLVED:**

That cognisance be taken of the quarterly report of the Audit Committee Chairperson for the 2015/2016 financial year, attached as Annexure "A" to the agenda item.

**RAADSVERGADERING: 25 FEBRUARIE 2016: ITEM R.13.3**

**BESLUIT:**

Dat kennis geneem word van die kwartaallikse verslag van die Voorsitter van die Ouditkomitee vir die 2015/2016 finansiële jaar, aangeheg as Bylae "A" by die agenda-item.

**INTLANGANISO YEBHUNGA: UMHLA WAMA-25 KUFEBRUWARI 2016:  
UMBA C.13.3**

**KUGQITYWE:**

Okokuba ingqalelo ithatyathelwe ingxelo yarhoqo ngonyaka kaSihlalo weKomiti yoPhicotho-zincwadi elungiselelwe unyaka-mali wama-2015/2016, incanyatheliswe njengeSihlomelo "A" kumba we-ajenda.

- C.14. MATTERS FOR CONSIDERATION**
- C.14. MATTERS FOR CONSIDERATION**
- C.14.1 DRAFT 2014/2015 ANNUAL REPORT FOR THE CAPE WINELANDS DISTRICT MUNICIPALITY (CWDM) (10/1/2/1)**
- R.14.1 KONSEP 2014/2015 JAARVERSLAG VIR DIE KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT (KWDM) (10/1/2/1)**
- C.14.1 INGXELO YONYAKA EYILWAYO YOWAMA-2014/2015 ELUNGISELELWE UMASIPALA WESITHILI SASECAPE WINELANDS (10/1/2/1)**
- 

#### **PURPOSE OF SUBMISSION**

That Council consider to approve the draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM).

#### **DOEL VAN VOORLEGGING**

Dat die Raad oorweging daaraan skenk om die konsep 2014/2015 Jaarverslag vir die Kaapse Wynland Distriksmunisipaliteit (KWDM) goed te keur.

#### **INJONGO YONGENISO**

Okokuba iBhunga licinge ngokwamkela iNgxelo yoNyaka eYilwayo yowama-2014/2015 elungiselelwe uMasipala wesiThili saseCape Winelands (CWDM).

#### **BACKGROUND**

At Item C.13.1 of 28 January 2016 Council resolved that cognisance be taken of the draft Annual Report 2014/2015, included under separate cover in the agenda.

\*\*\* Attached as Annexure "A", is a copy of the draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM).

The draft Annual Report for 2014/2015 is tabled in Council for adoption in terms of section 46 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (Systems Act).

Section 121(2) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), stipulates that the purpose of an annual report is to provide a record of activities of municipality during the financial year, to provide a report on the performance against the budget for the financial year and to promote accountability to the local community for the decisions made throughout the year.

## COMMENT

In accordance with section 46 of the Systems Act –

- (a) The draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM) was advertised in the media for comments and representation.
- (b) The draft 2013/2014 Annual Report was also made available on the website of the Cape Winelands District Municipality (CWDM) and hard copies were also made available at the various offices of the Cape Winelands District Municipality (CWDM) for viewing.

No inputs from the public were received at the due date.

\*\*\* Attached as Annexure "B" is a copy of the advertisement.

\*\*\* Attached as Annexure "C" is a copy of the report on the draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM) by the Chairperson of the Audit Committee.

\*\*\* Attached as Annexure "D" is a copy of the report on the draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM) by the Chairperson of the Municipal Public Accounts Committee (MPAC).

## IMPLICATIONS

### PERSONNEL

None.

*Comment prepared by: Ms. K. Smit*

### FINANCIAL

None.

*Comment prepared by: Ms. F.A. du Raan-Groenewald*

### LEGAL

The preparation, tabling and adoption of the 2014/2015 Annual Report is done in terms of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) (Systems Act), quoted hereunder for ease of reference:

#### Section 46 (Annual performance reports)

- (1) A municipality must prepare for each financial year a performance report reflecting –

- (a) the performance of the municipality and of each external service provider during that financial year;
  - (b) a comparison of the performances referred to in paragraph (a) with targets set for and performances in the previous financial year; and
  - (c) measures taken to improve performance.
- (2) An annual performance report must form part of the municipality's annual report in terms of Chapter 12 of the Municipal Finance Management Act

The annual report of municipalities is governed by Chapter 12 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003). It is the statutory responsibility of the mayor to table the annual report in council for adoption within seven months after the end of the financial year. If the mayor fails in this responsibility the mayor must table in council written reasons for the failure and an explanation thereof.

The table below is a short summary of the Chapter 12 process:

ACTION	DEADLINE
The Mayor must within 7 months after the end of the financial year table the draft Annual Report in Council	31 January 2016
The Accounting Officer must publish the draft Annual Report	Immediately after tabling
The Accounting Officer must invite submissions	Immediately after tabling
The Accounting Officer must submit the draft Annual Report to the Auditor General, Provincial Treasury and the Provincial Department of Local Government	Immediately after tabling
Council must deal with the draft Annual Report within 9 months after the end of the financial year. Part of this process includes the drafting of an oversight report.	31 March 2016

In terms of section 121(1) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) every municipality must for each financial year prepare an annual report in accordance with Chapter 12 of the MFMA. The council of a municipality must within nine months after the end of a financial year deal with the annual report of the municipality in accordance with section 129.

According to section 121(2) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) the purpose of an annual report is-

- (a) To provide a record of the activities of the municipality during the financial year to which the report relates;
- (b) To provide a report on performance against the budget of the municipality for that financial year; and
- (c) To promote accountability to the local community for the decisions made throughout the year by the municipality.

Section 121(3) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) provides a list of what the annual report must include:

- (a) The annual financial statements of the municipality;
- (b) The Auditor General's audit report in terms of section 126(3) on those financial statements;
- (c) The annual performance report of the municipality prepared in terms of section 46 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);
- (d) The Auditor General's audit report in terms of section 45(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) on the results of the performance measurements;
- (e) An assessment by the accounting officer of any arrears on municipal taxes and service charges;
- (f) An assessment by the accounting officer of the municipality's performance of the municipality against the measurable performance objectives referred to in section 17(3)(b) for revenue collection from each revenue source and for each vote in the approved budget for the relevant financial year;
- (g) Particulars of any corrective action taken or to be taken in response to issues raised in the audit reports by the Auditor General;
- (h) Any explanations that may be necessary to clarify issues in connection with the financial statements;
- (i) Any other information as determined by the municipality;
- (j) Any recommendations of the municipality's audit committee; and
- (k) Any other information as may be prescribed

*Comment prepared by: Ms. W.M. Neethling*

**RECOMMENDATION BY MUNICIPAL MANAGER:**

That Council consider to -

- (a) Take cognisance of -
  - (i) The report of the Auditor-General on the financial statements of the Cape Winelands District Municipality (CWDM) for the year ended 30 June 2015 as contained in the draft Annual Report;
  - (ii) The report on the draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM) by the Chairperson of the Audit Committee, attached as Annexure "C" to the agenda item;
  - (iii) The report on the draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM) by the Chairperson of the Municipal Public Accounts Committee (MPAC), attached as Annexure "D" to the agenda item;
- (b) Approve the draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM), attached as Annexure "A" to the agenda item.

**AANBEVELING DEUR MUNISIPALE BESTUURDER:**

Dat die Raad oorweging daaraan skenk om —

- (a) Kennis te neem van –
  - (i) Die verslag van die Ouditeur-Generaal oor die finansiële state van die Kaapse Wynland Distriksmunisipaliteit (KWDM) vir die jaar geëindig 30 Junie 2015 soos vervat in die konsep Jaarverslag;
  - (ii) Die Voorsitter van die Ouditkomitee se verslag oor die konsep 2014/2015 Jaarverslag vir die Kaapse Wynland Distriksmunisipaliteit (KWDM), aangeheg as Bylae "C" by die agenda-item;
  - (iii) Die verslag oor die konsep 2014/2015 Jaarverslag vir die Kaapse Wynland Distriksmunisipaliteit (KWDM) deur die Voorsitter van die Munisipale Komitee oor Openbare Rekeninge (MKOOR), aangeheg as Bylae "D" by die agenda-item;
- (b) Die konsep 2014/2015 Jaarverslag vir die Kaapse Wynland Distriksmunisipaliteit (KWDM), aangeheg as Bylae "A" by die agenda-item, goed te keur.



**INGCEBISO EVELA KUMLAWULI KAMASIPALA:**

Okokuba iBhunga licinge -

(a) Ngokuthabatha ingqalelo -

- (i) Ingxelo yoMlawuli-Jikelele kwiingxelo zemali zoMasipala wesiThili saseCape Winelands (CWDM) ezilungiselelwe unyaka ophela ngomhla wama-30 kuJuni 2015 njengoko iqulathwe kwiNgxelo yoNyaka eyilwayo;
- (ii) Ingxelo equlunqiweyo kwiNgxelo yoNyaka eyilwayo yowama-2014/2015 elungiselelwe uMasipala wesiThili saseCape Winelands (CWDM) nguSihlalo weKomiti yoPhicotho-zincwadi, incanyathiselwe njengeSihlomelo "C" kumba we-ajenda;
- (iii) Ingxelo equlunqiweyo kwiNgxelo yoNyaka eyilwayo yowama-2014/2015 elungiselelwe uMasipala wesiThili saseCape Winelands (CWDM) nguSihlalo weKomiti yee-Akhawunti zoRhulumente kaMasipala (MPAC), incanyathiselwe njengeSihlomelo "D" kumba we-ajenda;

(b) Ulwamkelo lweNgxelo yoNyaka eyilwayo yowama-2014/2015 elungiselelwe uMasipala wesiThili saseCape Winelands (CWDM), lubandakanyiwe kwi-ajenda phantsi kwephepha elilodwa njengeSihlomelo "A".

**COUNCIL MEETING: 25 FEBRUARY 2016: ITEM C.14.1**

**RESOLVED:** That -

(a) Cognisance be taken of -

- (i) The report of the Auditor-General on the financial statements of the Cape Winelands District Municipality (CWDM) for the year ended 30 June 2015 as contained in the draft Annual Report;
  - (ii) The report on the draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM) by the Chairperson of the Audit Committee, attached as Annexure "C" to the agenda item;
  - (iii) The report on the draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM) by the Chairperson of the Municipal Public Accounts Committee (MPAC), attached as Annexure "D" to the agenda item;
- (b) The draft 2014/2015 Annual Report for the Cape Winelands District Municipality (CWDM), attached as Annexure "A" to the agenda item, be approved.

**RAADSVERGADERING: 25 FEBRUARIE 2016: ITEM R.14.1**

**BESLUIT:** Dat –

- (a) Kennis geneem word van –
- (i) Die verslag van die Ouditeur-Generaal oor die finansiële state van die Kaapse Wynland Distriksmunisipaliteit (KWDM) vir die jaar geëindig 30 Junie 2015 soos vervat in die konsep-Jaarverslag;
  - (ii) Die Voorsitter van die Ouditkomitee se verslag oor die konsep 2014/2015 Jaarverslag vir die Kaapse Wynland Distriksmunisipaliteit (KWDM), aangeheg as Bylae "C" by die agenda-item;
  - (iii) Die verslag oor die konsep 2014/2015 Jaarverslag vir die Kaapse Wynland Distriksmunisipaliteit (KWDM) deur die Voorsitter van die Munisipale Komitee oor Openbare Rekeninge (MKOOR), aangeheg as Bylae "D" by die agenda-item;
- (b) Die konsep 2014/2015 Jaarverslag vir die Kaapse Wynland Distriksmunisipaliteit (KWDM), aangeheg as Bylae "A" by die agenda-item, goedgekeur word.

**INTLANGANISO YEBHUNGA: UMHLA WAMA-25 KUFEBRUWARI 2016: UMBA C.14.1**

**KUGQITYWE:** Okokuba -

- (a) Ingqalelo ithatyathelwe -
- (i) Ingxelo yoMphicothi-zincwadi Jikelele kwiingxelo zemali zoMasipala wesiThili saseCape Winelands (CWDM) ezilungiselelwe unyaka ophela ngomhla wama-30 kuJuni 2015 njengoko iqulathwe kwiNgxelo yoNyaka eyilwayo;
  - (iii) Ingxelo equlunqiweyo kwiNgxelo yoNyaka eyilwayo yowama-2014/2015 elungiselelwe uMasipala wesiThili saseCape Winelands (CWDM) nguSihlalo weKomiti yoPhicotho-zincwadi, incanyathiselwe njengeSihlomelo "C" kumba we-ajenda, encanyatheliswe njengeSihlomelo "C" kumba we-ajenda;
  - (iii) Ingxelo equlunqiweyo kwiNgxelo yoNyaka eyilwayo yowama-2014/2015 elungiselelwe uMasipala wesiThili saseCape Winelands (CWDM) nguSihlalo weKomiti yee-Akhawunti zoRhulumente kaMasipala (MPAC), incanyathiselwe njengeSihlomelo "D" kumba we-ajenda;
- (b) Ingxelo yoNyaka eyilwayo yowama-2014/2015 elungiselelwe uMasipala wesiThili saseCape Winelands (CWDM) mayamkelwe, ibandakanyiwe kwi-ajenda phantsi kwephepha elilodwa njengeSihlomelo "A".

- C.14.2 POLICY – PROVISION OF BASIC SERVICES FOR RURAL DWELLINGS**  
(16/5/1/4)
- R.14.2 BELEID - VOORSIENING VAN BASIESE DIENSTE VIR LANDELIKE WONINGS**  
(16/5/1/4)
- C.14.2 UMGAQO-NKQUBO – UBONELELO LWEENKOZO ZESISEKO OLULUNGISELELWE IINDAWO ZOKUHLALA ZASEMAPHANDLENI**  
(16/5/1/4)
- 

#### **PURPOSE OF SUBMISSION**

That Council consider to approve the consolidated Policy for the Provision of Basic Services to Rural Dwellings.

#### **DOEL VAN VOORLEGGING**

Dat die Raad oorweging daaraan skenk om die gekonsolideerde Beleid vir die Voorsiening van Basiese Dienste vir Landelike Wonings goed te keur.

#### **INJONGO YONGENISO**

Okokuba iBhunga licamngca ngokwamkela uMgaqo-nkqubo olungiselelwe ukuBonelelwa kweeNkonzo zeSiseko kumaKhaya aseMaphandleni.

#### **BACKGROUND**

##### Policy for the Electrification of Rural Housing in the Area of the Cape Winelands District Municipality

Council has an existing policy for the electrification of rural housing in the area of the Cape Winelands District Municipality that was approved on 25 October 2012 under Item C.14.1. This policy makes provision for two different systems, namely, the solar electrical system (lighting) as well as the solar hot water system (solar geyser).

The applications for solar electrical systems have decreased to such an extent that more or less five units are applied for annually. It is therefore recommended that it be deleted from the proposed new policy. The applications for solar hot water systems have increased, as farm workers in general cannot afford electric geysers and therefore the solar hot water systems are very popular.

##### Policy for the provision of essential services in the rural area: Subsidy for provision and upgrading of water supply and sanitation at farm worker housing

The Council has an existing policy for the provision of essential services in the rural area: Subsidy for provision and upgrading of water supply and sanitation at farm worker housing that was approved under Item C.14.4 of 27 August 2009.

This policy makes provision for subsidies for running water over a basin within the house, the addition of a bathroom with flush toilet, provision of only a flush toilet or the provision of a Ventilated Improved Pit (VIP) toilet and has been implemented since its inception with great distinction.

## COMMENTS

The existing policy for the electrification of rural housing in the area of the Cape Winelands District Municipality is rather cumbersome in so far as practical and administrative processes are concerned and involves inter alia the following:

- The subsidy scheme must be advertised in the press;
- Approval for the subsidies are obtained and applicants informed;
- Tenders are called for and units are acquired;
- Relevant land owners must pay a deposit for the units and collect them;
- Relevant land owners must install the units;
- Installed units must be inspected by officials;
- 50% of the deposit paid by the land owner initially is reimbursed.

The administration process, which also includes tedious record keeping, can be simplified considerably by incorporating the current policy for the electrification of rural housing in the area of the Cape Winelands District Municipality with the policy for the provision of essential services in the rural area: Subsidy for provision and upgrading of water supply and sanitation at farm worker housing.

It is proposed that Council appropriates an amount of R4 500.00 as a subsidy for the installation of a solar hot water system, which is in line with the current policy.

The subsidy amount per property is limited to R36 000.00, i.e. approximately eight (8) units, which is in line with the current policy.

The outcome of the policy amendment for the solar hot water systems will be that:

- (a) Landowners will be responsible for the purchase and installation of solar hot water systems;
- (b) Landowners will be reimbursed with the subsidy amount after installation and inspection by officials;
- (c) Landowners will only have to complete one application form instead of two separate ones.

No changes are proposed to the principles and appropriations within the existing policy for the provision of essential services in the rural area: Subsidy for provision and upgrading of water supply and sanitation at farm worker housing.

\*\*\* The proposed amended Policy for the Provision of Basic Services to Rural Dwellings is attached hereto as Annexure "A".

## IMPLICATIONS

## PERSONNEL

None.

*Comment prepared by: Ms. K. Smit*

## LEGAL

Basic services, such as electricity, energy, water and sanitation are critical services to improve the lives of people. One of the key features of a developmental state is to ensure that all citizens – especially the poor and other vulnerable groups - have access to basic services.

With regard to energy, the Reconstruction and Development Programme (RDP) identified energy in 1994 as a 'basic need.

With regard to sanitation many households do not have access to basic sanitation and many health problems are associated with poor sanitation. One of the main causes of South Africa's sanitation problem is the lack of infrastructure (no toilets and no water for hand washing).

In terms of section 156(1)(a) of the Constitution of the Republic of South Africa, 1996, municipalities have executive authority with regard to and the right of administration of the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5. In terms of Part B of Schedule 4, "water and sanitation services limited to potable water supply systems and domestic waste water and sewage disposal systems" is one of the functions of municipalities.

In terms of section 152(1)(a) to (c) of the Constitution of the Republic of South Africa, 1996 the objects of local government are-

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

In addition to the above, subsection 152(2) of the Constitution of the Republic of South Africa, 1996 requires that "a municipality must strive, within its financial and administrative capacity, to achieve the objects set out in subsection (1)."

Furthermore, the White Paper on Basic Household Sanitation (DWAF, 2001) also emphasises the provision of a basic level of household sanitation to those areas with the greatest need.

As it is widely acknowledged, Local Government in South Africa has a critical role to play in South Africa's developmental processes and delivery of services to communities. To a large extent, the Constitution of the Republic of South Africa, 1996 mandates local authorities to ensure the provision of services to the communities in a very sustainable manner and municipalities in have been tasked with implementing the construction and maintenance of basic infrastructure, including water supplies, electrification, housing, sanitation and refuse collection.

*Comment prepared by: Ms. W.M. Neethling*

## **FINANCIAL**

Appropriation for the 2015/2016 budget has been made as follows:

<b>Project</b>	<b>Vote Number</b>	<b>Amount</b>
Infrastructure Rural Area (Renewable Electricity)	1 1330 5101	R1 400 000
Infrastructure Rural Area (Renewable Electricity) Farmers	1 1330 5102	R1 350 000
Subsidy: Water/Sanitation on Farms	1 1441 5210	R1 824 750

Should the proposed policy under discussion be approved, the above mentioned projects may be re-organised in the 2016/2017 to 2017/2018 IDP/Budget process.

*Comment prepared by: Ms. F.A. du Raan-Groenewald*

## **RECOMMENDATION BY MUNICIPAL MANAGER: That-**

- (a) The Executive Mayor together with the Mayoral Committee considers to recommend to Council to grant approval to consolidate the Policy for the Electrification of Rural Housing in the area of the Cape Winelands District Municipality with Council's Policy for the Subsidy for Provision and Upgrading of Water Supply and Sanitation at Farm Worker Housing and to be known as the Policy for the Provision of Basic Services to Rural Dwellings;
- (b) Authority be granted by Council to the Executive Mayor, Deputy Executive Mayor and Municipal Manager for the approval of applications received.

## **AANBEVELING DEUR MUNISIPALE BESTUURDER: Dat-**

- (a) Die Uitvoerende Burgemeester saam met die Burgemeesterskomitee oorweging daaraan skenk om by die Raad aan te beveel om goedkeuring te verleen om die Beleid vir die Elektrifisering van Landelike Wonings in die area van die Kaapse Wynland Distriksmunisipaliteit te konsolideer met die Raad se beleid vir die Subsidie vir Voorsiening en Opgradering van Watervoorsiening en Sanitasie by Plaaswerkerswonings om dan as die

Beleid vir die Voorsiening van Basiese dienste aan Landelike Wonings bekend te staan;

- (b) Magtiging deur die Raad verleen word aan die Uitvoerende Burgemeester, Uitvoerende Onderburgemeester en Munisipale Bestuurder vir die goedkeuring van aansoeke ontvang.

**INGCEBISO EVELA KUMLAWULI KAMASIPALA: Okokuba –**

- (a) Okokuba uSodolophu wesiGqeba kunye neKomiti kaSodolophu bacamngce ngokucebisa kwiBhunga okokuba linikezele ngemvume yokumanyanisa uMgaqo-nkqubo olungiselelwe ukufakwa koMbane kwiZindlu zasemaPhandleni ezikuMmandla woMasipala wesiThili saseCape Winelands kunye noMgaqo-nkqubo weBhunga olungiselelwe iNkxaso-mali yoBonelelo noHlaziyo loNikezelo lwaManzi noCoceko kwizindlu zaBasebenzi baseFama ukuze waziwe njengoMgaqo-nkqubo olungiselelwe uBonelelo lweenKonzo zeSiseko kwiZindlu zasema Phandleni.
- (b) Igunya linikezelwe kuSodolophu wesiGqeba, uSekela Sodolophu kunye noMlawuli kaMasipala lokokuba banike imvume kwizicelo ezamkelweyo.

**MAYORAL COMMITTEE: 12 FEBRUARY 2016: ITEM MC.7.2**

**RESOLVED:** That -

- (a) It be recommended to Council that approval be granted to consolidate the Policy for the Electrification of Rural Housing in the area of the Cape Winelands District Municipality with Council's Policy for the Subsidy for Provision and Upgrading of Water Supply and Sanitation at Farm Worker Housing and to be known as the Policy for the Provision of Basic Services to Rural Dwellings;
- (b) A workshop be arranged to be attended by all Councillors prior to the next Council meeting to be held on Thursday, 25 February 2016 in order to discuss the Policy for the Provision of Basic Services to Rural Dwellings.

**BURGEMEESTERSKOMITEE: 12 FEBRUARIE 2016: ITEM BK.7.2**

**BESLUIT:** Dat -

- (a) Dit by die Raad aanbeveel word om goedkeuring te verleen dat die Beleid vir die Elektrifisering van Landelike Wonings in die area van die Kaapse Wynland Distriksmunisipaliteit gekonsolideer word met die Raad se beleid vir die Subsidie vir Voorsiening en Opgradering van Watervoorsiening en Sanitasie by Plaaswerkerswonings en bekendstaan as die Beleid vir die Voorsiening van Basiese Dienste aan Landelike Wonings;

- (b) 'n Werkswinkel gereël word wat deur alle Raadslede bygewoon moet word voor die volgende Raadsvergadering wat op Donderdag, 25 Februarie 2016 gehou word ten einde die Beleid vir die Voorsiening van Basiese Dienste aan Landelike Wonings te bespreek.

**IKOMITI KASODOLOPHU: UMHLA WE-12 KUFEBRUWARI 2016: UMBA MC.7.2**

**KUGQITYWE:** Okokuba -

- (a) Kucetyiswe kwiBhunga imvume mayinikezelwe yokumanyanisa uMgaqo-nkqubo olungiselelwe ukufakwa koMbane kwiZindlu zasemaPhandleni ezikuMmandla woMasipala wesiThili saseCape Winelands kunye noMgaqo-nkqubo weBhunga olungiselelwe iNkxaso-mali yoBonelelo noHlaziyo loNikezelo lwaManzi noCoceko kwizindlu zaBasebenzi baseFama ukuze waziwe njengoMgaqo-nkqubo olungiselelwe uBonelelo lweeNkonzo zeSiseko kwiZindlu zasemaPhandleni;
- (b) Ucweyo lulungiselelwe phambi kweNtlangainso yeBhunga elandelayo ekufuneka izinyaswe ngooCeba phambi kwentlanganiso yeBhunga eya kubanjwa ngolwesiNe, umhla wama-25 kuFebruwari 2016 ukulungiselela ukuxoxwa koMgaqo-nkqubo olungiselelwe iNkxaso-mali yoBonelelo lweeNkonzo zeSiseko kwiZindlu zasemaPhandleni.

**RECOMMENDATION BY MAYORAL COMMITTEE:**

That Council consider to approve the Policy for the Provision of Basic Services to Rural Dwellings.

**AANBEVELING DEUR BURGEMEESTERSKOMITEE:**

Dat die Raad oorweging daaraan skenk om die Beleid vir die Voorsiening van Basiese Dienste aan Landelike Wonings goed te keur.

**INGCEBISO EVELA KWIKOMITI KASODOLOPHU:**

Okokuba iBhunga licamngce ngokwamkela uMgaqo-nkqubo yoBonelelo lweeNkonzo zeSiseko kwiZindlu zasemaPhandleni.

**COUNCIL MEETING: 25 FEBRUARY 2016: ITEM C.14.2**

**RESOLVED:** That -

- (a) The Policy for the Provision of Basic Services to Rural Dwellings, attached as Annexure "A" to the agenda item, be approved;
- (b) The Policy in (a) above be submitted to the District Co-ordinating Forum meeting as well as the District Municipal Managers Forum meeting that will both be held on Friday, 4 March 2016;



- (c) The Policy in (a) above be advertised with the draft 2016/2017, 2017/2018 and 2018/2019 Medium Term Revenue and Expenditure Framework (MTREF) of the Cape Winelands District Municipality (CWDM) for inspection and public comment.

**RAADSVERGADERING: 25 FEBRUARIE 2016: ITEM R.14.2**

**BESLUIT: Dat –**

- (a) Die Beleid vir die Voorsiening van Basiese Dienste aan Landelike Wonings, aangeheg as Bylae "A" by die agenda-item, goedgekeur word;
- (b) Die beleid in (a) hierbo voorgelê word aan die vergadering van die Distrikskoördineringsforum asook die vergadering van die Distrik-Munisipale Bestuurdersforum wat albei op Vrydag, 4 Maart 2016 gehou sal word;
- (c) Die beleid in (a) hierbo saam met die konsep 2016/2017, 2017/2018 en 2018/2019 Mediumtermyninkomste-en-Uitgaweraamwerk (MTIUR) van die Kaapse Wynland Distriksmunisipaliteit (KWDM) vir insae en openbare kommentaar geadverteer word.

**INTLANGANISO YEBHUNGA: UMHLA WAMA-25 KUFEBRUWARI 2016: UMBA C.14.2**

**KUGQITYWE: Okokuba -**

- (a) UMgaqo-nkqubo woBonelelo lweeNkonzo zeSiseko kwiZindlu zasemaPhandleni, oncanyatheliswe njengeSihlomelo "A" kumba we-ajenda, mawamkelwe;
- (b) UMgaqo-nkqubo oku-(a) ngasentla kufuneka ungeniswe kwiForam yesiThili yoLungelelwaniso ngokunjalo nakwintlanganiso yeForam yaBalawuli bakaMasipala besiThili eziya kuthi zombini zibanjwe ngolwesiHlanu, umhla wesi-4 kuMatshi 2016;
- (c) UMgaqo-nkqubo oku-(a) ngasentla uya kupapashwa kunye noyilo lwesiCwangciso seNgeniso neNkcitho sesiThuba esiPhakathi (MTREF) sowama-2016/2017, 2017/2018 nowama-2018/2019 soMasipala wesiThili saseCape Winelands (CWDM) ukulungiselela uhlolo namagqabantshitshi oluntu.

- C.14.3 REVISION OF BUDGET ESTIMATES: MUNICIPAL ADJUSTMENTS BUDGET FOR THE 2015/2016 FINANCIAL YEAR (5/1/1/9)**
- R.14.3 HERSIENING VAN BEGROTINGSBERAMINGS: MUNISIPALE AANSUIWERINGSBEGROTING VIR DIE 2015/2016 FINANSIËLE JAAR (5/1/1/9)**
- C.14.3 UKUHLAZIYWA KOQIKELELO LOHLAHLA LWABIWO-MALI: UHLAHLA LWABIWO-MALI OLULUNGELELANISIWEYO LUKAMASIPALA LONYAKA-MALI WAMA-2015/2016 (5/1/1/9)**
- 

#### **PURPOSE OF SUBMISSION**

That Council consider to approve an Adjustments Budget contemplated in terms of section 28(2)(b), (d) and (f) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) and Regulation 23(1) of the Municipal Budget and Reporting Regulations, 2008.

#### **DOEL VAN VOORLEGGING**

Dat die Raad oorweging daaraan skenk om 'n Aansuiweringsbegroting goed te keur, soos beoog ingevolge artikel 28(2)(b), (d) en (f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) en regulasie 23(1) van die Munisipale Begrotings- en Verslagdoeningsregulasies, 2008.

#### **INJONGO YONGENISO**

Okokuba iBhunga licamngce ngolwamkelo loHlahlo Lwabiwo-mali oluLungelelanisiweyo olucamngcwe ngokuhambelana necandelo 28(2)(b), (d) no- (f) loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) noMmiselo wama-23(1) woHlahlo Lwabiwo-mali lukaMasipala neMimiselo yokuNikwa kweNgxelo, yama-2008.

#### **BACKGROUND**

In terms of section 28 of the MFMA a council may at times have to consider a revision of its original budget as a result of material and significant changes in the collection of revenue, spending patterns, or projections thereof for the remainder of the financial year.

Section 28(4) of the MFMA stipulates that only the mayor may table an adjustments budget in the municipal council, but an adjustments budget in terms of section 28 (2)(b) to (g) may only be tabled within any prescribed limitations as to timing or frequency.

Section 28 of the MFMA provides as follows in respect of an adjustments budget:

- (b) Council may only appropriate additional revenue that has become available, but only to revise or accelerate spending programmes already budgeted for (multiple years);
- (d) A municipality may authorise the utilisation of projected savings in any vote for spending on another vote;
- (e) May authorise the spending of funds that were unspent at the end of the past financial year where the underspending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;
- (f) may correct any errors in the annual budget;
- (g) may provide for any other expenditure within a prescribed framework.

Section 28 (5) determines that when an adjustments budget is tabled, it must be accompanied by -

- (i) an explanation of how the adjustments affect the approved annual budget;
- (ii) appropriate motivations for material changes; and
- (iii) an explanation of the impact of any increased spending on current and future annual budgets.

Furthermore, regulation 23 of the Municipal Budget and Reporting Regulations, 2008 (published in Government Gazette No. 32141 on 17 April 2009), determined the timeframes for tabling of adjustments budgets as follows:

- (1) An adjustments budget referred to in section 28(2)(b), (d) and ( f ) of the MFMA may be tabled in the municipal council at any time after the mid-year budget and performance assessment has been tabled in the council, but not later than 28 February of the current year.
- (2) Only one adjustments budget referred to in sub-regulation (1) may be tabled in the municipal council during a financial year, except when the additional revenues contemplated in section 28(2)(b) of the MFMA are allocations to a municipality in a national or provincial adjustments budget, in which case sub-regulation (3) applies.

In terms of section 30 of the MFMA, the appropriation of funds in an annual or adjustments budget lapses to the degree in which those funds are unspent at the end of the financial year to which the budget relates, except, in terms of section 16(3), in the case of an appropriation for expenditure made for a period longer than that financial year. Section 16(3) stipulates that Council may approve money for capital expenditure for a period of not more than three financial years, provided that a separate appropriation is made for each of those financial years.

**PROPOSED REVISED BUDGET FEBRUARY 2016**

**Additional Income**

The following additional allocations were made to the Cape Winelands District Municipality (CWDM) by the Western Cape Provincial Government in November 2015 and were included in Adjustments budgets tabled to Council in terms of Regulation 23(3).

Provincial Gazette Extraordinary as 7494

- (i) ICT (Information Communication Technology) Control Audit R135 000
- (ii) mSCOA (municipal Standard Chart of Accounts) Implementation R50 000

Provincial Gazette Extraordinary as 7595

- (i) Performance Management Grant R120 000
- (ii) Greenest Municipality Competition R50 000

Department of Transport and Public Works for Road

- (i) Additional costs in respect of labour and for the procurement of services and materials R20 056 000

The following table illustrate expenditure per category taking into account all previous adjustments budgets as well as all the virements to date.

	*CURRENT BUDGET 2015/2016	PROPOSED ADJUSTMENTS BUDGET 2015/2016	SAVINGS/(INCREASE)
SALARIES, WAGES AND ALLOWANCES	196 897 076	200 770 956	-3 873 880
GENERAL EXPENSES	99 476 504	92 576 726	6 899 778
REPAIR AND MAINTENANCE WORK	54 306 990	56 891 790	-2 584 800
CONTRIBUTION TO FUNDS AND RESERVES	7 983 130	9 700 550	-1 717 420
PROJECTS	33 288 330	33 408 550	-120 220
DEPARTMENTAL CHARGES	56 763 943	48 425 980	8 337 963
DEPARTMENTAL RECOVERIES	-56 763 943	-48 425 980	-8 337 963
TOTAL EXPENDITURE	391 952 030	393 348 572	-1 396 542
GENERAL INCOME	-36 744 420	-36 744 420	-
CONTRIBUTIONS RECEIVED	-355 207 610	-356 604 152	1 396 542
TOTAL INCOME	-391 952 030	-393 348 572	1 396 542
DEFICIT / (SURPLUS) : COUNCIL	-	-	-

\*\*\* Included in the agenda under separate cover, the following Annexures:

- Annexure "A" Schedule B Adjustments Budget 2015/2016
- Annexure "B" 2015/2016 Adjustments Budget: Summary per vote
- Annexure "C" 2015/2016 Adjustments Budget: Capital
- Annexure "D" 2015/2016 Adjustments Budget: Projects
- Annexure "E" 2015/2016 Adjusted SDBIP
- Annexure "F" Mid-year Budget and Performance Assessment Report for the period 1 July 2015 to 31 December 2015 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003)

#### **COMMENT**

##### **Virements:**

Various other adjustments in terms of the Virement Policy of the Cape Winelands District Municipality, the utilisation of savings in one vote towards spending under another vote, were effected.

##### **Capital:**

A saving of R6 931 270 consist of the following:

##### Own funds:

Savings R7 177 220

##### External funds:

Various equipment (Roads) -R245 950

Due to oversight assets an amount of R245 950 were omitted from the original Roads Capital Budget. The mentioned assets are funded from the Roads budget and will not have a negative effect on Council's budget.

#### **IMPLICATIONS**

#### **PERSONNEL**

None.

*Comment prepared by: Ms. K. Smit*

## FINANCIAL

Financial Implications were addressed adequately in the contents of the item.

*Comment prepared by: Ms. F.A. du Raan-Groenewald*

## LEGAL

In terms of section 28 of die Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) a municipality may adopt an adjustments budget that has been prepared by the municipal manager and submitted to the mayor for consideration and submission to council for adoption. In terms of section 28 the Adjustments Budget:

- (a) may adjust the revenue and expenditure estimates downwards if there is material under-collection of revenue during the current year;
- (b) may appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;
- (c) may, within a prescribed framework, authorise unforeseeable and unavoidable expenditure recommended by the mayor of the municipality;
- (d) may authorise the utilisation of projected savings in one vote towards spending under another vote;
- (e) authorise the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably be foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;
- (f) may correct any errors in the annual budget;
- (g) may provide for any other expenditure within a prescribed framework;
- (h) An adjustments budget must be in the prescribed form;
- (i) Only the mayor may table an adjustments budget in the municipal council, but an adjustments budget in terms of subsection (2)(b) to (g) may only be tabled within any prescribed limitations as to timing or frequency;
- (j) When an adjustments budget is tabled, it must be accompanied by –
  - (i) an explanation how the adjustments budget affects the annual budget;
  - (ii) a motivation of any material changes to the annual budget;
  - (iii) an explanation of the impact of any increased spending on the annual budget and the annual budgets for the next two financial years;

- (iv) any other supporting documentation that may be prescribe;
- (k) Municipal tax and tariffs may not be increased during a financial year except when required in terms of a financial recovery plan.

*Comment prepared by: Ms. W.M. Neethling*

**RECOMMENDATION BY MUNICIPAL MANAGER:** That -

- (a) The Executive Mayor and Mayoral Committee take cognisance of the following -
  - (i) That the Accounting Officer submitted the Mid-year Budget and Performance Assessment Report for the period 1 July 2015 to 31 December 2015, as prepared in accordance with section 72 of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) to the Executive Mayor (Annexure "F");
  - (ii) That savings of R6 931 270 realised on the 2015/2016 Capital Budget;
- (b) The Executive Mayor together with the Mayoral Committee consider to recommend to Council to -
  - (i) Take cognisance of the Mid-year Budget and Performance Assessment Report for the period 1 July 2015 to 31 December 2015 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) (Annexure "F");
  - (ii) Approve the 2015/2016 Adjustments Budget attached as Annexures "A", "B", "C", "D" and "E" to the agenda item.

**AANBEVELING DEUR MUNISIPALE BESTUURDER:**

- (a) Dat die Uitvoerende Burgemeester en Burgemeesterskomitee kennis neem van die volgende –
  - (i) Dat die Rekenpligtige Beampte die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2015 tot 31 Desember 2015, soos opgestel ingevolge van artikel 72 van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA), aan die Uitvoerende Burgemeester voorgelê het (Bylae "F");
  - (ii) Dat besparings van R6 931 270 op die 2015/2016 Kapitaal-begroting gerealiseer is;

- (b) Dat die Uitvoerende Burgemeester saam met die Burgemeesterskomitee oorweging daaraan skenk om by die Raad aan te beveel om –
- (i) Kennis te neem van die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2015 tot 31 Desember 2015, soos bepaal in artikel 54(1)(f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) (Bylae "F");
  - (ii) Die 2015/2016 Aansuiweringsbegroting aangeheg as Bylae "A", "B", "C", "D" en "E" by die agenda-item, goed te keur.

**INGCEBISO EVELA KUMLAWULI KAMASIPALA:**

- (a) USodolophu wesiGqeba kunye neKomiti kaSodolophu bathabathele ingqalelo oku kulandelayo-
- (i) Okokuba iGosa eliNika iNgxelo lingenise iNgxelo yoHlahlo Lwabiwo-mali lwaPhakathi eNyakeni neyeMvavanyo zoMsebenzi ukulungiselela isithuba esiqala ngomhla woku-1 kuJulayi 2015 ukuya kumhla wama-31 kuDisemba 2015, ezilungiswe ngokuhambelana necandelo lama-72 loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kuSodolophu wesiGqeba (iSihlomelo "F");
  - (ii) Okokuba ulondolozo lwe-R6 931 270 luphunyezwekuHlahlo Lwabiwo-mali lweZakhiwo lowama-2015/2016;
- (b) USodolophu wesiGqeba kunye neKomiti kaSodolophu bacamngce ngokucebisa kwiBhunga okokuba –
- (i) Bathabathele ingqalelo iNgxelo yoHlahlo Lwabiwo-mali lwaPhakathi eNyakeni neyeMvavanyo zoMsebenzi ukulungiselela isithuba esiqala ngomhla woku-1 kuJulayi 2015 ukuya kumhla wama-31 kuDisemba 2015, ezilungiswe ngokuhambelana necandelo lama-72 loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kuSodolophu wesiGqeba (iSihlomelo "F");
  - (ii) Lamkele uHlahlo Lwabiwo-mali Olulungelelanisiweyo oluncanyatheliswe njengeZihlomelo "A", "B", "C", "D" kunye no-"E" kumba we-ajenda.



**MAYORAL COMMITTEE: 12 FEBRUARY 2016: ITEM MC.7.4**

**RESOLVED:** That -

(a) Cognisance be taken that -

- (i) The Accounting Officer submitted the Mid-year Budget and Performance Assessment Report for the period 1 July 2015 to 31 December 2015, as prepared in accordance with section 72 of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) to the Executive Mayor, included to the agenda item as Annexure "F";
- (ii) Savings of R6 931 270 realised on the 2015/2016 Capital Budget;

(b) It be recommended to Council that -

- (i) Cognisance be taken of the Mid-year Budget and Performance Assessment Report for the period 1 July 2015 to 31 December 2015 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), included to the agenda item as Annexure "F";
- (ii) The 2014/2015 Adjustments Operating Budget be amended to include the following:

Division: Fire Fighting Services:

Vote 1 1620 0119 Fire Fighting	R 1 000 000
Vote 1 1620 0132 Chemical foam	R 100 000
Vote 1 1620 0251 Oil and lubrications	R 50 000
Vote 1 1620 0253 Parts and accessories	R 400 000
Vote 1 1620 0374 Vehicle Repairs external	R 100 000

Division: Roads Management:

Materials Roads Department	R5 793 990
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- (iii) The 2015/2016 Adjustments Budget attached as Annexures "A", "B", "C", "D" and "E" to the agenda item, be approved.

**BURGEMEESTERSKOMITEE: 12 FEBRUARIE 2016: ITEM BK.7.4**

**BESLUIT:** Dat –

(a) Kennis geneem word dat –

- (i) Die Rekenpligtige Beampte die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2015 tot 31 Desember 2015, soos opgestel ingevolge van artikel 72 van die

Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) aan die Uitvoerende Burgemeester voorgelê het, ingesluit by die agenda as Bylae "F";

- (ii) Besparings van R6 931 270 op die 2015/2016 Kapitaalbegroting gerealiseer is;
- (b) Dit by die Raad aanbeveel word dat –
- (i) Kennis geneem word van die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2015 tot 31 Desember 2015, soos bepaal in artikel 54(1)(f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA), ingesluit by die agenda as Bylae "F";
  - (ii) Die 2014/2015 Aangesuiwerde Bedryfsbegroting gewysig word om die volgende in te sluit:

Afdeling: Brandbestrydingsdienste:

Begrotingspos 1 1620 0119 Brandbestryding	R 1 000 000
Begrotingspos 1 1620 0132 Chemiese skuim	R 100 000
Begrotingspos 1 1620 0251 Olie en smeermiddels	R 50 000
Begrotingspos 1 1620 0253 Onderdele en toebehore	R 400 000
Begrotingspos 1 1620 0374 Voertuigherstel ekstern	R 100 000

Afdeling: Paaiebestuur

Materiale Paaiedepartement R5 793 990

- (iii) Die 2015/2016 Aansuiweringsbegroting aangeheg as Bylae "A", "B", "C", "D" en "E" by die agenda-item, goedgekeur word.

**IKOMITI KASODOLOPHU: UMHLA WE-12 KUFEBRUWARI 2016: UMBA MC.7.4**

**KUGQITYWE: Okokuba -**

- (a) Ingqalelo ithatyathwe yokokuba -
  - (i) IGosa elinka iNgxelo lingenise iNgxelo yoHlahlo Lwabiwo-mali lwaPhakathi eNyakeni neNgxelo yoVavanyo loMsebenzi ukulungiselela isithuba esiqala ngomhla woku-1 kuJulayi 2015 ukuya kumhla wama-31 kuDisemba 2015, olulungiswe ngokuhambelana necandelo lama-72 loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kuSodolophu wesiGqeba, ibandakanywe kumba we-ajenda njengeSihlomelo "F";

- (ii) Ulondolozo lwe-R6 931 270 luphunyezwe kuHlahlo Lwabiwo-mali lweZakhiwo lowama-2015/2016;
- (b) Kucetyiswa kwiBhunga okokuba -
- (i) Ingqalelo mayithatyathelwe iNgxelo yoHlahlo Lwabiwo-mali lwaPhakathi eNyakeni neNgxelo yoVavanyo loMsebenzi ukulungiselela isithuba esiqala ngomhla woku-1 kuJulayi 2015 ukuya kumhla wama-31 kuDisemba 2015, njengoko ichazwe kwicandelo lama-54(1)(f) loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kuSodolophu wesiGqeba ebandakanywe kumba we-ajenda njengeSihlomelo "F";
- (ii) UHlahlo Lwabiwo-mali Olulungelelanisiweyo lowama-2014/2015 malungiswe ukuze lubandakanye oku kulandelayo:

ICandelo: liNkonzo zokuCima uMlilo:

IVoti 1 1620 0119 UkuCinywa koMlilo	R 1 000 000
IVoti 1 1620 0132 Ugwebu lwamaChiza	R 100 000
IVoti 1 1620 0251 IOyile nesithambiso	R 50 000
IVoti 1 1620 0253 Amalungu nezongezelelo	R 400 000
IVoti 1 1620 0374 Ukulungiswa kwezithuthi ngaphandle	R100 000

ICandelo: ULawulo lweeNdlela:

ISebe leMathiriyeli yeeNdlela R5 793 990

- (iii) UHlahlo Lwabiwo-mali Olulungelelanisiweyo oluncanyatheliswe njengeZihlomelo "A", "B", "C", "D" kunye no-"E" kumba we-ajenda malwamkelwe.

**ADDITIONAL COMMENTS**

Expenditure and Income of the Roads Agency Function must be increased with R5 793 990 to include additional funding for material.

Savings on the Capital Budget increased to R7 183 459. Expenditure in the amount of R400 000 was reclassified as Maintenance.

Taking into account all the proposed adjustments the Expenditure and Income per category will be as indicated in the following table:

	*CURRENT BUDGET 2015/2016	PROPOSED ADJUSTMENTS BUDGET 2015/2016	SAVINGS/(INCREASE)
SALARIES, WAGES AND ALLOWANCES	196 897 076	200 266 956	-3 369 880
GENERAL EXPENSES	99 476 504	93 920 626	5 555 878
REPAIR AND MAINTENANCE WORK	54 306 990	63 085 780	-8 778 790
CONTRIBUTION TO FUNDS AND RESERVES	7 983 130	9 700 550	-1 717 420
PROJECTS	33 288 330	31 753 550	1 534 780
DEPARTMENTAL CHARGES	56 763 943	48 425 980	8 337 963
DEPARTMENTAL RECOVERIES	-56 763 943	-48 425 980	-8 337 963
TOTAL EXPENDITURE	391 952 030	398 727 462	-6 775 432
GENERAL INCOME	-36 744 420	-36 329 320	-415 100
CONTRIBUTIONS RECEIVED	-355 207 610	-362 398 142	7 190 532
TOTAL INCOME	-391 952 030	-398 727 462	6 775 432
DEFICIT / (SURPLUS) : COUNCIL	-	-	-

**RECOMMENDATION BY MAYORAL COMMITTEE:**

That Council consider that -

- (a) Cognisance be taken of the Mid-year Budget and Performance Assessment Report for the period 1 July 2015 to 31 December 2015 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), attached as Annexure "F" to the agenda item;
- (b) The 2015/2016 Adjustments Budget, as amended, included in the agenda as Annexures "A", "B", "C" and "D" be approved;
- (c) The Cape Winelands District Municipality's (CWDM's) Service Delivery Business Implementation Plan 2015/2016 (CWDM SDBIP), as amended, included in the agenda under separate cover as Annexure "E", be approved.

**AANBEVELING DEUR BURGEMEESTERSKOMITEE:**

Dat die Raad oorweging daaraan skenk dat —

- (a) Kennis geneem word van die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2015 tot 31 Desember 2015, soos bepaal in artikel 54(1)(f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA), aangeheg as Bylae "F" by die agenda-item;

- (b) Die 2015/2016 Aansuiweringsbegroting, soos gewysig, ingesluit as Bylae "A", "B", "C" en "D" by die agenda, goedgekeur word;
- (c) Die Kaapse Wynland Distriksmunisipaliteit (KWDM) se Dienslewering- en Begrotingsimplementeringsplan 2015/2016 (KWDM DLBIP), soos gewysig, ingesluit onder aparte omslag as Bylae "E", goedgekeur word.

**INGCEBISO EVELA KWIKOMITI KASODOLOPHU:**

Okokuba iBhunga licamngce ngento yokokuba -

- (a) Ingqalelo mayithatyathelwe iNgxelo yoHlahlo Lwabiwo-mali lwaPhakathi eNyakeni neNgxelo yoVavanyo loMsebenzi ukulungiselela isithuba esiqala ngomhla woku-1 kuJulayi 2015 ukuya kumhla wama-31 kuDisemba 2015, njengoko ichazwe kwicandelo lama-54(1)(f) loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) ebandakanywe kumba we-ajenda njengeSihlomelo "F";
- (b) UHlahlo Lwabiwo-mali Olulungelelanisiweyo lowama-2015/2016 oluncanyathelisiweyo, njengoko lulungisiwe, olubandakanywe kumba we-ajenda njengeZihlomelo "A", "B", "C", kunye no-"D" malwamkelwe;
- (c) IsiCwangciso sowama-2015/2016 soMiliselo lokuNikezelwa kweNkonzo yoShishino (CWDM SDBIP), soMasipala wesiThili saseCape Winelands (CWDM) njengoko silungisiwe, sibandakanywe kwi-ajenda phantsi kwephepha elilodwa njengeSihlomelo "E", masamkelwe.

**COUNCIL MEETING: 25 FEBRUARY 2016: ITEM C.14.3**

**RESOLVED:** That -

- (a) Cognisance be taken of the Mid-year Budget and Performance Assessment Report for the period 1 July 2015 to 31 December 2015 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), attached as Annexure "F" to the agenda item;
- (b) The following additional revenue received for the 2015/2016 financial year in terms of section 28(2)(b) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) and regulation 23(3) of the Municipal Budget and Reporting Regulations, 2008, be approved:
  - (i) Internship Guidance and Co-ordination R350 000
  - (ii) District Funding Research Analysis R850 000

- (c) The following program which has been included in the 2015/2016 Operating Budget be added to the section 17(3)(j) list:

**LOCAL ECONOMIC DEVELOPMENT**

(i) INVESTMENT OPPORTUNITIES PROGRAMME

Breedekloof LTA R 25 000

- (d) The 2015/2016 Adjustments Budget, as amended, included in the agenda as Annexures "A", "B", "C" and "D, be approved;
- (e) The Cape Winelands District Municipality's (CWDM's) Service Delivery Business Implementation Plan 2015/2016 (CWDM SDBIP), as amended, included in the agenda, under separate cover as Annexure "E", be approved.

**RAADSVERGADERING: 25 FEBRUARIE 2016: ITEM R.14.3**

**BESLUIT:** Dat –

- (a) Kennis geneem word van die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2015 tot 31 Desember 2015, soos bepaal in artikel 54(1)(f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA), aangeheg as Bylae "F" by die agenda-item;
- (b) Die volgende bykomende inkomste wat vir die 2015/2016 finansiële jaar ingevolge artikel 28(2)(b) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) en regulasie 23(3) van die Munisipale Begrotings- en Verslagdoeningsregulasies, 2008 ontvang is, goedgekeur word.

(i) Leiding en Koördinerings van Internskap R350 000  
(ii) Navorsingsontleding oor Distriksbefondsing R850 000

- (c) Die volgende program wat by die 2015/2016 Bedryfsbegroting ingesluit is, by die artikel 17(3)(j)-lys gevoeg word:

**PLAASLIKE EKONOMIESE ONTWIKKELING**

(i) PROGRAM VIR BELEGGINGSGELEENTHEDE

Breedekloof PTV R 25 000

- (d) Die 2015/2016 Aansuiweringsbegroting, soos gewysig, ingesluit as Bylae "A", "B", "C" en "D by die agenda, goedgekeur word;

- (e) Die Kaapse Wynland Distriksmunisipaliteit (KWDM) se Dienslewering- en Begrotingsimplementeringsplan 2015/2016 (KWDM DLBIP), soos gewysig, ingesluit onder aparte omslag as Bylae "E", goedgekeur word.

**INTLANGANISO YEBHUNGA: UMHLA WAMA-25 KUFEBRUWARI 2016:  
UMBA C.14.3**

**KUGQITYWE: Okokuba -**

- (a) Ingqalelo mayithatyathelwe iNgxelo yoHlahlo Lwabiwo-mali lwaPhakathi eNyakeni neNgxelo yoVavanyo loMsebenzi elungiselelwe isithuba esiqala ngomhla woku-1 kuJulayi 2015 ukuya kumhla wama-31 kuDisemba 2015, njengoko ichazwe kwicandelo lama-54(1)(f) loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) ebandakanywe kumba we-ajenda njengeSihlomelo "F";
- (b) Ingeniso eyangezelelweyo elandelayo efunyenwe kunyaka-mali wama-2015/2016 ngokuhambelana necandelo lama-28(2)(b) loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) nomthetho wama-23(3) woHlahlo Lwabiwo-mali lukaMasipala neMimiselo yokuNikwa kweNgxelo, wama-2008, kufuneka yamkelwe:
- (i) Isikhokhelo senkqubo somqeshwa osafundayo noLungelelwaniso  
R350 000
- (ii) INkxaseo-mali yesiThili yoHlahlelo loPhando  
R850 000
- (c) Inkqubo elandelayo ethe yabandakanywa kuHlahlo Lwabiwo-mali lokuSebenza lowama-2015/2016 kufuneka idityaniswe kuluhlu lwecandelo 17(3)(j):

**UPHUHLISO LOQOQOSHO LWENGINQI**

(i) INKQUBO YAMATHUBA OTYALO-MALI

IBreedekloof LTA

R 25 000

- (d) UHlahlo Lwabiwo-mali Olulungelelanisiweyo lowama-2015/2016 oluncanyathelisiweyo, njengoko lulungisiwe, olubandakanywe kumba we-ajenda njengeZihlomelo "A", "B", "C", kunye no-"D" malwamkelwe;
- (e) IsiCwangciso sowama-2015/2016 soMiliselo lokuNikezelwa kweNkonzo yoShishino (CWDM SDBIP) soMasipala wesiThili saseCape Winelands (CWDM), njengoko silungisiwe, sibandakanywe kwi-ajenda phantsi kwephepha elilodwa njengeSihlomelo "E", masamkelwe.

- C.14.4 DRAFT 2016/2017, 2017/2018 AND 2018/2019 MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) FOR THE CAPE WINELANDS DISTRICT MUNICIPALITY (CWDM) (5/1/1/10)**
- R.14.4 KONSEP 2016/2017, 2017/2018 EN 2018/2019 MEDIUMTERMYNINKOMSTE-EN-UITGAWERAAMWERK (MTIUR) VIR DIE KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT (KWDM) (5/1/1/10)**
- C.14.4 UYILO LWESICWANGCISO-NKQUBO SENGENISO NENKCITHO YESITHUBA ESIPHAKATHI (MTREF) SOWAMA-2016/2017, 2017/2018 KUNYE NOWAMA-2018/2019 ESILUNGISELELWE UMASIPALA WESITHILI SASECAPE WINELANDS (CWDM) (5/1/1/10)**
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#### **PURPOSE OF SUBMISSION**

That Council consider to adopt the draft 2016/2017, 2017/2018 and 2018/2019 Medium Term Revenue and Expenditure Framework (MTREF) of the Cape Winelands District Municipality (CWDM) for inspection and public representations.

#### **DOEL VAN VOORLEGGING**

Dat die Raad oorweging daaraan skenk om die konsep 2016/2017, 2017/2018 en 2018/2019 Mediumtermyninkomste-en-Uitgaweraamwerk (MTIUR) van die Kaapse Wynland Distriksmunisipaliteit (KWDM) vir inspeksie en publieke vertoë goed te keur.

#### **INJONGO YONGENISO**

Okokubs iBhunga licamngce ngokwamkela uyilo lwesiCwangciso-nkqubo seNgeniso neNkcitho yesiThuba esiPhakathi (MTREF) sowama-2016/2017, 2017/2018 nesama-2018/2019 esilungiselelwe uMasipala wesiThili saseCape Winelands (CWDM) esilungiselelwe uhlolo, abameli boluntu iingcebiso namagqabantshintshi.

#### **BACKGROUND**

In terms of section 17 of the Local Government: Municipal Finance Management Act (Act No. 56 of 2003) (MFMA), Council must, for each financial year approve an annual budget for the municipality before the start of the financial year. In order for a municipality to comply with section 17(1) of the said Act, the mayor must table the annual budget at a council meeting at least 90 days before the start of the budget year.



Section 15 of the MFMA prescribes that a municipality may incur expenditure only:

*15(a) In terms of an approved budget; and*

*(b) Within the limits of the amounts appropriated for the different votes in an approved budget.*

The contents of the annual budget must consist of the following documents as prescribed in section 17 of the MFMA.

1. Realistically anticipated income and expenditure per vote for the budget year and the two financial years following the budget year;
2. Budget related policies of the Council (Tariff, Rates & Credit Control Policies);
3. Details of Council's investments for the budget year;
4. Details of all proposed service delivery agreements, including material amendments to existing service delivery agreements;
5. Particulars of any proposed allocations or grants by the municipality in terms of sections 67 and 17(3)(j) of the MFMA;
6. The proposed cost to the municipality for the budget year of the salary, allowances and benefits of political office bearers and senior managers;
7. Capital expenditure and projects envisioned within the budget year.

The 2016/2017, 2017/2018 and 2018/2019 MTREF is summarised as follows:

**Operating Budget:**

YEAR	EXPENDITURE (R)	INCOME (R)	SURPLUS(-) DEFICIT
2016/ 2017	385 473 000	-385 473 000	0
2017/ 2018	395 698 000	-395 698 000	0
2018/ 2019	400 560 000	-400 560 000	0

**Capital Budget:**

<b>YEAR</b>	<b>EXPENDITURE (R)</b>	<b>INCOME (R)</b>	<b>SURPLUS(-) DEFICIT</b>
2016/ 2017	17 944 360	-17 944 360	0
2017/ 2018	6 214 800	-6 214 800	0
2018/ 2019	8 526 500	-8 526 500	0

\*\*\*

Attached as Annexures "A" to "N" is a copy of the draft Medium Term Revenue and Expenditure Framework (MTREF) for the Cape Winelands District Municipality (CWDM) for the 2016/2017, 2017/2018 and 2018/2019 financial years as well as related documents as prescribed by the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA).

**COMMENT**

The IDP/Budget process for the 2016/2017 financial year was a consultative process – involving the Budget Steering Committee, Executive Directors, Senior Managers, Councillors and other stakeholders.

The MTREF (2016 – 2019) has been compiled in accordance with the budget growth guidelines determined by National Treasury. Personnel expenditure (Salaries, Wages and Allowances) increased by 7% for 2016/2017 and 5.5% for 2017/2018 and 2018/2019. The Budget Steering Committee, established in terms of the Budget and Reporting Regulations, 2008, comprehensively scrutinised the proposed MTREF.

The Inventory and Stores Management Policy was work shopped together with all the other budget related policies on 20 April 2015. The Service Provider had to do further research to finalise the policy, hence the policy could not be approved with the other budget related policies and is only submitted now to be approved, attached as part of Annexure "B".

Due to strict budgetary control and financial acumen management compiled a break even budget for the MTREF period.

**DECLARATION BY MANAGEMENT**

Management declare that they followed all guidelines prescribed by the relevant legislation during the budget process.

**RECOMMENDATION BY MUNICIPAL MANAGER:**

- (a) That the Executive Mayor together with the Mayoral Committee consider to recommend to Council to approve the draft 2016/2017, 2017/2018 and 2018/2019 Medium Term Revenue and Expenditure Framework (MTREF) of the Cape Winelands District Municipality (CWDM) as outlined in the attached Annexures for public participation:

- (i) The draft Medium Term Revenue and Expenditure Framework for the 2016/2017, 2017/2018 and 2018/2019 financial years as set out in Annexure "A";
  - (ii) Adjustments to the budget related policies submitted as Annexure "B";
  - (iii) Details of Council's investments as set out in Annexure "C";
  - (iv) Details of all proposed service delivery agreements, including material amendments to existing service delivery agreements as set out in Annexure "D";
  - (v) Adjustments to the current Integrated Development Plan (IDP) as set out in Annexure "E" under a separate cover;
  - (vi) Details of employment costs – salaries, allowances and benefits – of all political office-bearers, Councillors and senior managers of the Cape Winelands District Municipality (CWDM) as set out in Annexure "F";
  - (vii) Capital expenditure within the budget year as set out in Annexure "G";
  - (viii) Projects to be undertaken within the budget year as set out in Annexure "H";
  - (ix) Particulars of all proposed allocations and grants by the District Municipality in terms of section 67 of the MFMA, as set out in Annexure "I";
  - (x) Measurable performance objectives for revenue from each source and for each vote in the budget, taking into account the District Municipality's Integrated Development Plan (IDP) form part of Annexures "E" and "L".
  - (xi) Proposed Tariffs for the 2016/2017 financial year as set out in Annexure "K";
  - (xii) MSCOA project implementation plan submitted as Annexure "M".
- (b) Cognisance be taken-
- (i) That the draft 2016/2017 Service Delivery and Budget Implementation Plan (SDBIP) will be submitted to Council at the Council Meeting on Thursday, 25 February 2016 as Annexure "L";

- (ii) Of National Treasury (MFMA) Circular Number 78: Municipal Budget Circular for the 2015/2016 MTREF, attached as Annexure "N".

**AANBEVELING DEUR MUNISIPALE BESTUURDER:**

- (a) Dat die Uitvoerende Burgemeester saam met die Burgemeesterskomitee oorweging daaraan skenk om by die Raad aan te beveel dat die konsep 2016/2017, 2017/2018 en 2018/2019 Mediumtermyninkomste-en-Uitgaweraamwerk (MTIUR) van die Kaapse Wynland Distriksmunisipaliteit (KWDM) soos uiteengesit in die volgende aangehegte Bylaes goedgekeur word vir publieke deelname:
  - (i) Die konsep Mediumtermyninkomste-en-Uitgaweraamwerk vir die 2016/2017, 2017/2018 en 2018/2019 finansiële jare soos uiteengesit in Bylae "A";
  - (ii) Wysigings aan die begrotingsverwante beleide soos uiteengesit in Bylae "B";
  - (iii) Besonderhede van die Raad se beleggings soos uiteengesit in Bylae "C";
  - (iv) Besonderhede van alle voorgestelde diensleweringsooreenkomste, insluitend wesentlike wysigings aan bestaande diensleweringsooreenkomste soos uiteengesit in Bylae "D";
  - (v) Wysigings tot die Geïntegreerde Ontwikkelingsplan (GOP) soos uiteengesit in Bylae "E" onder aparte omslag;
  - (vi) Besonderhede van indiensnemingskoste – salarisse, toelaes en voordele – van alle politieke ampsdraers, Raadslede en senior bestuurders van die Kaapse Wynland Distriksmunisipaliteit (KWDM) soos uiteengesit in Bylae "F";
  - (vii) Kapitaaluitgawe in die begrotingsjaar soos uiteengesit in Bylae "G";
  - (viii) Projekte wat in die begrotingsjaar onderneem gaan word soos uiteengesit in Bylae "H";
  - (ix) Besonderhede van enige voorgestelde toewysings of toelaes deur die Distriksmunisipaliteit ingevolge artikel 67 van die *MFMA*, soos uiteengesit in Bylae "I";
  - (x) Vasstelbare prestasiedoelwitte vir inkomste uit elke bron en vir elke begrotingspos in die begroting, met inagneming van die Distriksmunisipaliteit se Geïntegreerde Ontwikkelingsplan (GOP) vorm deel van Bylaes "E" en "L";

- (xi) Tariwe soos voorgestel vir die 2016/2017 finansiële jaar soos uiteengesit in Bylae "K";
  - (xii) MSCOA projekimplimenteringsplan soos uiteengesit in Bylae "M".
- (b) Kennis geneem word :
- (i) Dat die konsep 2016/2017 Dienslewering- en Begrotingsimplementeringsplan (SDBIP), sal aan die Raad voorgelê word tydens die Raadsvergadering op Donderdag, 25 Februarie 2016 as Bylae "L";
  - (ii) Van Nasionale Tesourie (MFMA) Omsendbrief Nommer 78: Munisipale Begroting Omsendbrief vir die 2016/2017 MTIUR, aangeheg as Bylae "N".

**INGCEBISO EVELA KUMLAWULI KAMASIPALA:**

- (a) Okokuba uSodolophu wesiGqeba kunye neKomiti kaSodolophu bacamngce ngokucebisa kwiBhunga ukuba lamkele uyilo lwesiCwangciso-nkqubo seNgeniso neNkcitho yesiThuba esiPhakathi sowama-2016/2017, 2017/2018 kunye nowama-2018/2019 (MTREF) woMasipala wesiThili saseCape Winelands (CWDM) njengoko kuchaziwe kwiZihlomelo ukulungiselela ukuthatyathwa kwenxaxheba luluntu:
- (i) Uyilo lwesiCwangciso-nkqubo seNgeniso neNkcitho yesiThuba esiPhakathi seminyaka – mali yowama-2016/2017, 2017/2018 kunye nowama-2018/2019 njengoko kuthiwe thaca kwiSihlomelo "A";
  - (ii) Ulungelelwaniso kwimigaqo-nkqubo enxulumene nohlahlo lwabiwo-mali olungeniswe njengeSihlomelo "B";
  - (iii) linkcukacha zotyalo-mali lweBhunga njengoko luthiwe thaca kwiSihlomelo "C";
  - (iv) linkcukacha zazo zonke izivumelwano ezicetywayo zokunikezelwa kwenkonzo, kubandakanywa nezilungiso zemathiriyeli kwizivumelwano ezikhoyo zokunikezelwa kwenkonzo njengoko zithiwe thaca kwiSihlomelo "D";
  - (v) Ulungelelwaniso kwisiCwangciso esikhoyo esiHlangeneyo soPhuhliso (IDP) njengoko luthiwe thaca kwiSihlomelo "E" phantsi kwephepha elilodwa;
  - (vi) linkcukacha zendleko zengqesho – imivuzo, imali evunyelweyo nezibonelelo – bonke ababamba izikhundla zopolitiko, ooCeba kunye nabalawuli abaphezulu boMasipala wesiThili saseCape Winelands (CWDM) njengoko zithiwe thaca kwiSihlomelo "F";

- (vii) Inkcitho yezakhiwo kuhlalo lwabiwo-mali lonyaka njengoko luthiwe thaca kwiSihlomelo "G";
  - (viii) IiProjekti eziza kuqaliswa kuhlalo lwabiwo – mali lonyaka njengoko luthiwe thaca kwiSihlomelo "H";
  - (ix) Iinkcukacha zazo zonke izabelo neminikelo ecetywayo nguMasipala wesiThili ngokuhambelana necandelo lama-67 eMFMA, njengoko ithiwe thaca kwiSihlomelo "I";
  - (x) Iinjongo ezinokulinganiswa zomsebenzi ezilungiselelwe ingeniso evela kumthombo ngamnye olungiselelwe ivoti nganye kuhlalo lwabiwo-mali, kuthatyathelwa ingqalelo isiCwangciso esiHlangeneyo soPhuhliso (IDP) soMasipala wesiThili esiyinxalenye yeZihlomelo "E" kunye no-"L".
  - (xi) IMirhumo ecetywayo elungiselelwe unyaka-mali wama-2016/2017 njengoko ithiwe thaca kwiSihlomelo "K";
  - (xii) Isicwangciso somiliselelo lweprojekti yeMSCOA singenisiwe njengeSihlomeo "M".
- (b) Ingqwalasela kufuneka ithatyathelwe –
- (i) Uyilo lwesiCwangciso sokuNikezelwa kweNkonzo nokuMiliselwa koHlahlo Lwabiwo-mali sowama-2016/2017 (SDBIP) siya kungeniswa kwiBhunga kwiNtlanganiso yeBhunga eya kubanjwa ngolwesiNe, ngomhla wama-25 kuFebruwari 2016 njengeSihlomelo "L";
  - (ii) ISetyhula enguNombolo 78 yeCandelo loLawulo-mali leSizwe (MFMA): iSetyhula yoHlahlo Lwabiwo-mali elungiselelwe owama-2015/2016 MTREF, njengoko incanyatheliswe njengeSihlomelo "N".

**MAYORAL COMMITTEE: 12 FEBRUARY 2016: ITEM MC.7.5**

**RESOLVED:** That -

- (a) It be recommended to Council to adopt the draft 2016/2017, 2017/2018 and 2018/2019 Medium Term Revenue and Expenditure Framework (MTREF) of the Cape Winelands District Municipality (CWDM) as outlined in the attached Annexures for inspection and public representations:
  - (i) The draft Medium Term Revenue and Expenditure Framework for the 2016/2017, 2017/2018 and 2018/2019 financial years as set out in Annexure "A";
  - (ii) Adjustments to the budget related policies submitted as Annexure "B";

- (iii) Details of Council's investments as set out in Annexure "C";
- (iv) Details of all proposed service delivery agreements, including material amendments to existing service delivery agreements as set out in Annexure "D";
- (v) Adjustments to the current Integrated Development Plan (IDP) as set out in Annexure "E" under a separate cover;
- (vi) Details of employment costs – salaries, allowances and benefits – of all political office-bearers, Councillors and senior managers of the Cape Winelands District Municipality (CWDM) as set out in Annexure "F";
- (vii) Capital expenditure within the budget year as set out in Annexure "G";
- (viii) Projects to be undertaken within the budget year as set out in Annexure "H";

The following additional projects to be undertaken in terms of section 17(3)(j) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003):

(aa) Hosting of Cultural Events

Breede Valley Municipality	R300 000
Drakenstein Municipality	R300 000
Langeberg Municipality	R300 000
Stellenbosch Municipality	R300 000
Witzenberg Municipality	R300 000

(bb) Hosting of Events

Boland Cricket	R100 000
Boland Rugby	R100 000
Boland Soccer	R100 000

- (ix) Particulars of all proposed allocations and grants by the District Municipality in terms of section 67 of the MFMA, as set out in Annexure "I";
- (x) Measurable performance objectives for revenue from each source and for each vote in the budget, taking into account the District Municipality's Integrated Development Plan (IDP) form part of Annexures "E" and "L".
- (xi) Proposed Tariffs for the 2016/2017 financial year as set out in Annexure "K";

- (xii) MSCOA project implementation plan submitted as Annexure "M".
- (b) Cognisance be taken-
  - (i) That the draft 2016/2017 Service Delivery and Budget Implementation Plan (SDBIP) will be submitted to Council at the Council Meeting on Thursday, 25 February 2016 as Annexure "L";
  - (ii) Of National Treasury (MFMA) Circular Number 78: Municipal Budget Circular for the 2015/2016 MTREF, attached as Annexure "N".

**BURGEMEESTERSKOMITEE: 12 FEBRUARIE 2016: ITEM BK.7.5**

**BESLUIT: Dat -**

- (a) Dit by die Raad aanbeveel word om die konsep 2016/2017, 2017/2018 en 2018/2019 Mediumtermyninkomste-en-Uitgaweraamwerk (MTIUR) van die Kaapse Wynland Distriksmunisipaliteit (KWDM), aanvaar word vir inspeksie en publieke vertoë soos uiteengesit in die volgende aangehegte bylaes:
  - (i) Die konsep Mediumtermyninkomste-en-Uitgaweraamwerk vir die 2016/2017, 2017/2018 en 2018/2019 finansiële jare soos uiteengesit in Bylae "A";
  - (ii) Wysigings aan die begrotingsverwante beleide voorgelê as Bylae "B";
  - (iii) Besonderhede van die Raad se beleggings soos uiteengesit in Bylae "C";
  - (iv) Besonderhede van alle voorgestelde diensleweringsooreenkomste, insluitend wesentlike wysigings aan bestaande diensleweringsooreenkomste soos uiteengesit in Bylae "D";
  - (v) Wysigings aan die huidige Geïntegreerde Ontwikkelingsplan (GOP) soos uiteengesit in Bylae "E" onder aparte omslag;
  - (vi) Besonderhede van indiensnemingskoste – salarisse, toelaes en voordele – van alle politieke ampsdraers, Raadslede en senior bestuurders van die Kaapse Wynland Distriksmunisipaliteit (KWDM) soos uiteengesit in Bylae "F";
  - (vii) Kapitaaluitgawe in die begrotingsjaar soos uiteengesit in Bylae "G";
  - (viii) Projekte wat in die begrotingsjaar ondemeem gaan word soos uiteengesit in Bylae "H";



Die volgende bykomende projekte wat onderneem sal word ingevolge artikel 17(3)(j) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003):

(aa) Aanbieding van Kulturele Gebeure

Breede Vallei Munisipaliteit	R300 000
Drakenstein Munisipaliteit	R300 000
Langeberg Munisipaliteit	R300 000
Stellenbosch Munisipaliteit	R300 000
Witzenberg Munisipaliteit	R300 000

(bb) Aanbieding van Gebeure

Boland Krieket	R100 000
Boland Rugby	R100 000
Boland Sokker	R100 000

- (ix) Besonderhede van enige voorgestelde toewysings of toelaes deur die Distriksmunisipaliteit ingevolge artikel 67 van die MFMA soos uiteengesit in Bylae "I";
- (x) Vasstelbare prestasiedoelwitte vir inkomste uit elke bron en vir elke begrotingspos in die begroting, met inagneming van die Distriksmunisipaliteit se Geïntegreerde Ontwikkelingsplan (GOP), vorm deel van Bylae "E" en "L";
- (xi) Voorgestelde tariewe vir die 2016/2017 finansiële jaar soos uiteengesit in Bylae "K";
- (xii) MSCOA-projekimplimenteringsplan voorgelê as Bylae "M".

(b) Kennis geneem word –

- (i) Dat die konsep 2016/2017 Dienslewering- en Begrotings-implimenteringsplan (DLBIP) aan die Raad voorgelê sal word tydens die Raadsvergadering op Donderdag, 25 Februarie 2016 as Bylae "L";
- (ii) Van Nasionale Tesourie (MFMA) Omsendbrief Nommer 78: Munisipale Begroting Omsendbrief vir die 2015/2016 MTIUR, aangeheg as Bylae "N".

**IKOMITI KASODOLOPHU: UMHLA WE-12 KUFEBRUWARI 2016: UMBA MC.7.5**

**KUGQITYWE:** Okokuba -

- (a) Kucetyiswe kwiBhunga okokuba lamkele uyilo lwesiCwangciso-nkqubo seNgeniso neNkcitho yesiThuba esiPhakathi sowama-2016/2017, 2017/2018 kunye nowama-2018/2019 (MTREF) woMasipala wesiThili saseCape Winelands (CWDM) njengoko kuchaziwe kwiZihlomelo ezincanyathelisiweyo kwiZihlomelo ukulungiselela ukuthatyathwa kwenxaxheba luluntu:
- (i) Uyilo lwesiCwangciso-nkqubo seNgeniso neNkcitho yesiThuba esiPhakathi seminyaka – mali yowama-2016/2017, 2017/2018 kunye nowama-2018/2019 njengoko kuthiwe thaca kwiSihlomelo "A";
  - (ii) Ulungelelwaniso kwimigaqo-nkqubo enxulumene nohlahlo lwabiwo-mali olungeniswe njengeSihlomelo "B";
  - (iii) linkcukacha zotyalo-mali lweBhunga njengoko zithiwe thaca kwiSihlomelo "C";
  - (iv) linkcukacha zazo zonke izivumelwano ezicetywayo zokunikezelwa kwenkonzo, kubandakanywa nezilungiso zemathiriyeli kwizivumelwano ezikhoyo zokunikezelwa kwenkonzo njengoko zithiwe thaca kwiSihlomelo "D";
  - (v) Ulungelelwaniso kwisiCwangciso esikhoyo esiHlangeneyo soPhuhliso (IDP) njengoko luthiwe thaca kwiSihlomelo "E" phantsi kwephepha elilodwa;
  - (vi) linkcukacha zendleko zengqesho – imivuzo, imali evunyelweyo nezibonelelo – zabo bonke ababambe izikhundla zopolitiko, ooCeba kunye nabalawuli abaphezulu boMasipala wesiThili saseCape Winelands (CWDM) njengoko zithiwe thaca kwiSihlomelo "F";
  - (vii) Inkcitho yezakhiwo kuhlahlo lwabiwo-mali lonyaka njengoko luthiwe thaca kwiSihlomelo "G";
  - (viii) IiProjekti eziza kuqaliswa kuhlahlo lwabiwo – mali lonyaka njengoko luthiwe thaca kwiSihlomelo "H";

liprojekti ezangezelelweyo ezilandelayo eziza kuqaliswa ngokuhambelana necandelo 17(3)(j) loMthetho kaMasipala: uMthetho woLawulo-mali lukaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003):

(aa) Ukusingathwa kweMisitho yezeNkcubeko

UMasipala waseBreedeValley	R300 000
UMasipala waseDrakenstein	R300 000
UMasipala waseLangeberg	R300 000
UMasipala waseStellenbosch	R300 000
UMasipala waseWitzenberg	R300 000

(bb) Ukusingathwa kweMisitho

Boland Cricket	R100 000
Boland Rugby	R100 000
Boland Soccer	R100 000

- (ix) linkcukacha zazo zonke izabelo neminikelo ecetywayo nguMasipala wesiThili ngokuhambelana necandelo lama-67 eMFMA, njengoko ithiwe thaca kwiSihlomelo "I";
- (x) linjongo ezinokulinganiswa zomsebenzi ezilungiselelwe ingeniso evela kumthombo ngamnye olungiselelwe ivoti nganye kuhlalo lwabiwo-mali, kuthatyathelwa ingqalelo isiCwangciso esiHlangeneyo soPhuhliso (IDP) soMasipala wesiThili esiyinxalenye yeZihlomelo "E" kunye no-"L".
- (xi) IMirhumo ecetywayo elungiselelwe unyaka-mali wama-2016/2017 njengoko ithiwe thaca kwiSihlomelo "K";
- (xii) Isicwangciso somiliselelo lweprojekti yeMSCOA singenisiwe njengeSihlomeo "M".

(b) Ingqwalasela kufuneka ithatyathelwe –

- (i) Into yokokuba uyilo lwesiCwangciso sokuNikezelwa kweNkonzo nokuMiliselwa koHlahlo Lwabiwo-mali sowama-2016/2017 (SDBIP) siya kungeniswa kwiBhunga kwiNtlanganiso yeBhunga eya kubanjwa ngolwesiNe, ngomhla wama-25 kuFebruwari 2016 njengeSihlomelo "L";
- (ii) ISetyhula enguNombolo 78 yeCandelo loLawulo-mali leSizwe (MFMA): iSetyhula yoHlahlo Lwabiwo-mali elungiselelwe owama-2015/2016 MTREF, njengoko incanyatheliswe njengeSihlomelo "N".

### ADDITIONAL COMMENTS

Taking into account the proposals made at the Mayoral Committee and the Budget Steering Committee the operating budget as well as the capital budget will be adjusted as illustrated in the following tables:

#### Operating Budget:

YEAR	EXPENDITURE (R)	INCOME (R)	SURPLUS(-) DEFICIT
2016/ 2017	386 201 090	-386 201 090	0
2017/ 2018	396 131 000	-396 131 000	0
2018/ 2019	400 560 000	-400 560 000	0

#### Capital Budget:

YEAR	EXPENDITURE (R)	INCOME (R)	SURPLUS(-) DEFICIT
2016/ 2017	18 494 360	-18 494 360	0
2017/ 2018	6 164 800	-6 164 800	0
2018/ 2019	8 426 500	-8 426 500	0

**RECOMMENDATION BY MAYORAL COMMITTEE:** That -

\*\*\*

- (a) The draft 2016/2017, 2017/2018 and 2018/2019 Medium-Term Revenue and Expenditure Framework (MTREF) of the Cape Winelands District Municipality (CWDM) be adopted for inspection and public representations as outlined in the following attached Annexures:
- (i) The draft Medium Term Revenue and Expenditure Framework for the 2016/2017, 2017/2018 and 2018/2019 financial years as set out in Annexure "A";
  - (ii) New and amendments to the Budget Related Policies as set out in Annexure "B";
  - (iii) Details of Council's investments as set out in Annexure "C";
  - (iv) Details of all proposed service delivery agreements, including material amendments to existing service delivery agreements as set out in Annexure "D";
  - (v) Adjustments to the current Integrated Development Plan (IDP) as set out in Annexure "E";

- (vi) Details of employment costs – salaries, allowances and benefits – of all political office-bearers, Councillors and senior managers of the Cape Winelands District Municipality (CWDM) as set out in Annexure “F”;
  - (vii) Capital expenditure within the budget year as set out in Annexure “G”;
  - (viii) Projects to be undertaken within the budget year as set out in the adjusted Annexure “H”;
  - (ix) Particulars of all proposed allocations and grants by the District Municipality in terms of section 67 of the MFMA, as set out in Annexure “I”;
  - (x) Measurable performance objectives for revenue from each source and for each vote in the budget, taking into account the District Municipality’s Integrated Development Plan (IDP) form part of Annexures “E” and “L”.
  - (xi) Proposed tariffs for the 2015/2016 financial year as set out in Annexure “K”;
  - (xii) MSCOA project implementation plan submitted as Annexure “M”;
  - (xiii) The draft 2016/2017 Service Delivery and Budget Implementation Plan (SDBIP) as set out in Annexure “L”;
  - (xiv) Schedule of Service Delivery Standards as set out in Annexure “O”;
- (b) Cognisance be taken of National Treasury (MFMA) Circular Number 78: Municipal Budget Circular for the 2015/2016 MTREF, attached as Annexure “N”.

**AANBEVELING DEUR BURGEMEESTERSKOMITEE:** Dat –

\*\*\*

- (a) Die konsep 2016/2017, 2017/2018 en 2018/2019 Mediumtermyninkomste-en-Uitgaweraamwerk (MTIUR) van die Kaapse Wynland Distriksmunisipaliteit (KWDM), aanvaar word vir inspeksie en publieke vertoë soos uiteengesit in die volgende aangehegte bylaes:
- (i) Die konsep Mediumtermyninkomste-en-Uitgaweraamwerk vir die 2016/2017, 2017/2018 en 2018/2019 finansiële jare soos uiteengesit in Bylae “A”;
  - (ii) Nuwe en wysigings aan die begrotingsverwante beleide soos uiteengesit in Bylae “B”;

- (iii) Besonderhede van die Raad se beleggings soos uiteengesit in Bylae "C";
  - (iv) Besonderhede van alle voorgestelde diensleweringsooreenkomste, insluitend wesentlike wysigings aan bestaande diensleweringsooreenkomste soos uiteengesit in Bylae "D";
  - (v) Wysigings aan die huidige Geïntegreerde Ontwikkelingsplan (GOP) soos uiteengesit in Bylae "E";
  - (vi) Besonderhede van indiensnemingskoste – salarisse, toelaes en voordele – van alle politieke ampsdraers, Raadslede en senior bestuurders van die Kaapse Wynland Distriksmunisipaliteit (KWDM) soos uiteengesit in Bylae "F";
  - (vii) Kapitaaluitgawe in die begrotingsjaar soos uiteengesit in Bylae "G";
  - (viii) Projekte wat in die begrotingsjaar onderneem gaan word soos uiteengesit in die gewysigde Bylae "H";
  - (ix) Besonderhede van enige voorgestelde toewysings of toelaes deur die Distriksmunisipaliteit ingevolge artikel 67 van die MFMA soos uiteengesit in Bylae "I";
  - (x) Vasstelbare prestasiedoelwitte vir inkomste uit elke bron en vir elke begrotingspos in die begroting, met inagneming van die Distriksmunisipaliteit se Geïntegreerde Ontwikkelingsplan (GOP), vorm deel van Bylae "E" en "L";
  - (xi) Voorgestelde tariewe vir die 2015/2016 finansiële jaar soos uiteengesit in Bylae "K";
  - (xii) MSCOA-projekimplimenteringsplan voorgelê as Bylae "M";
  - (xiii) Die konsep 2016/2017 Dienslewering- en Begrotings-implimenteringsplan (DLBIP) soos uiteengesit in Bylae "L";
  - (xiv) Skedule van Diensleweringstandaarde soos uiteengesit in Bylae "O";
- (b) Kennis geneem word van Nasionale Tesourie (MFMA) Omsendbrief No. 78: Munisipale Begroting Omsendbrief vir die 2015/2016 MTIUR, aangeheg as Bylae "N".

**INGCEBISO EVELA KWIKOMITI KASODOLOPHU: Okokuba -**

\*\*\*

- (a) Okokuba kucetyiswe kwiBhunga okokuba lamkele uyilo lwesiCwangciso-nkqubo seNgeniso neNkcitho yesiThuba esiPhakathi sowama-2016/2017, 2017/2018 kunye nowama-2018/2019 (MTREF) woMasipala wesiThili saseCape Winelands (CWDM) njengoko kuchaziwe kwiZihlomelo ezincanyathelisiweyo kwiZihlomelo:
- (i) Uyilo lwesiCwangciso-nkqubo seNgeniso neNkcitho yesiThuba esiPhakathi seminyaka – mali yowama-2016/2017, 2017/2018 kunye nowama-2018/2019 njengoko kuthiwe thaca kwiSihlomelo "A";
  - (ii) Olutsha nolungiso lweMigaqo-nkqubo enxulumene noHlahlo Lwabiwo-mali olungeniswe njengeSihlomelo "B";
  - (iii) linkcukacha zotyalo-mali lweBhunga njengoko zithiwe thaca kwiSihlomelo "C";
  - (iv) linkcukacha zazo zonke izivumelwano ezicetywayo zokunikezelwa kwenkonzo, kubandakanywa nezilungiso zemathiriyeli kwizivumelwano ezikhoyo zokunikezelwa kwenkonzo njengoko zithiwe thaca kwiSihlomelo "D";
  - (v) Ulungelelwaniso kwisiCwangciso esikhoyo esiHlangeneyo soPhuhliso (IDP) njengoko luthiwe thaca kwiSihlomelo "E";
  - (vi) linkcukacha zendleko zengqesho – imivuzo, imali evunyelweyo nezibonelelo – zabo bonke ababambe izikhundla zopolitiko, ooCeba kunye nabalawuli abaphezulu boMasipala wesiThili saseCape Winelands (CWDM) njengoko zithiwe thaca kwiSihlomelo "F";
  - (vii) Inkcitho yezakhiwo kuhlalo lwabiwo-mali lonyaka njengoko luthiwe thaca kwiSihlomelo "G";
  - (viii) liProjekti eziza kuqaliswa kuhlalo lwabiwo – mali lonyaka njengoko luthiwe thaca kwiSihlomelo "H";
  - (ix) linkcukacha zazo zonke izabelo neminikelo ecetywayo nguMasipala wesiThili ngokuhambelana necandelo lama-67 eMFMA, njengoko ithiwe thaca kwiSihlomelo "I";
  - (x) linjongo ezinokulinganiswa zomsebenzi ezilungiselelwe ingeniso evela kumthombo ngamnye olungiselelwe ivoti nganye kuhlalo lwabiwo-mali, kuthatyathelwa ingqalelo isiCwangciso esiHlangeneyo soPhuhliso (IDP) soMasipala wesiThili esiyinxalenye yeZihlomelo "E" kunye no-"L";

- (xi) IMirhumo ecetywayo elungiselelwe unyaka-mali wama-2016/2017 njengoko ithiwe thaca kwiSihlomelo "K";
  - (xii) Isicwangciso somiliselelo lweprojekti yeMSCOA singenisiwe njengeSihlomeo "M";
  - (xiii) Uyilo lwesiCwangciso sokuNikezelwa kweNkonzo nokuMiliselwa koHlahlo Lwabiwo-mali sowama-2016/2017 (SDBIP) njengeSihlomelo "L";
  - (xiv) IShedyuli yeMigangatho yokuNikezelwa kweNkonzo njengoko ithiwe theca kwiSihlomelo "O";
- (b) Inggalelo kufuneka ithatyathelwe ISetyhula enguNombolo 78 yeCandelo loLawulo-mali leSizwe (MFMA): iSetyhula yoHlahlo Lwabiwo-mali elungiselelwe owama-2015/2016 MTREF, njengoko incanyatheliswe njengeSihlomelo "N".

**COUNCIL MEETING: 25 FEBRUARY 2016: ITEM C.14.4**

**RESOLVED:** That -

- (a) The draft 2016/2017, 2017/2018 and 2018/2019 Medium-Term Revenue and Expenditure Framework (MTREF) of the Cape Winelands District Municipality (CWDM) be adopted for inspection and public representations as outlined in the following attached Annexures:

- (i) The draft Medium Term Revenue and Expenditure Framework for the 2016/2017, 2017/2018 and 2018/2019 financial years as set out in Annexure "A";

The following be included in the draft 2016/2017 Operating Budget:

**Expenditure**

Item No. 1 1330 5151 Upgrade of Rural Roads (De Novo)  
R4.12million

**Income**

Item No. 1 1330 1997 Upgrade of Rural Roads (De Novo)  
R4.12million

- (ii) New and amendments to the Budget Related Policies as set out in Annexure "B";
- (iii) Details of Council's investments as set out in Annexure "C";



- (iv) Details of all proposed service delivery agreements, including material amendments to existing service delivery agreements as set out in Annexure "D";
  - (v) Adjustments to the current Integrated Development Plan (IDP) as set out in Annexure "E";
  - (vi) Details of employment costs – salaries, allowances and benefits – of all political office-bearers, Councillors and senior managers of the Cape Winelands District Municipality (CWDM) as set out in Annexure "F";
  - (vii) Capital expenditure within the budget year as set out in Annexure "G";
  - (viii) Projects to be undertaken within the budget year as set out in the adjusted Annexure "H";
  - (ix) Particulars of all proposed allocations and grants by the District Municipality in terms of section 67 of the MFMA, as set out in Annexure "I";
  - (x) Measurable performance objectives for revenue from each source and for each vote in the budget, taking into account the District Municipality's Integrated Development Plan (IDP) form part of Annexures "E" and "L";
  - (xi) Proposed tariffs for the 2015/2016 financial year as set out in Annexure "K";
  - (xii) MSCOA project implementation plan submitted as Annexure "M";
  - (xiii) The draft 2016/2017 Service Delivery and Budget Implementation Plan (SDBIP) as set out in Annexure "L";
  - (xiv) Schedule of Service Delivery Standards as set out in Annexure "O";
- (b) The National Treasury (MFMA) Circular Number 78: Municipal Budget Circular for the 2015/2016 MTREF, attached as Annexure "N", be adopted.

**RAADSVERGADERING: 25 FEBRUARIE 2016: ITEM R.14.4**

**BESLUIT:** Dat –

- (a) Die konsep 2016/2017, 2017/2018 en 2018/2019 Mediumtermyninkomste-en-Uitgaweraamwerk (MTIUR) van die Kaapse Wynland Distriksmunisipaliteit (KWDM), soos uiteengesit in die volgende aangehegte bylaes, vir insae en openbare vertoë goedgekeur word:

- (i) Die konsep Mediumtermyninkomste-en-Uitgaweraamwerk vir die 2016/2017, 2017/2018 en 2018/2019 finansiële jare soos uiteengesit in Bylae "A";

Die volgende by die konsep 2016/2017 Bedryfsbegroting ingesluit word:

**Uitgawes**

Item No. 1 1330 5151 Opgradering van Landelike Paaie (De Novo)  
R4.12miljoen

**Inkomste**

Item No. 1 1330 1997 Opgradering van Landelike Paaie (De Novo)  
R4.12miljoen

- (ii) Nuwe en wysigings aan die begrotingsverwante beleide soos uiteengesit in Bylae "B";
- (iii) Besonderhede van die Raad se beleggings soos uiteengesit in Bylae "C";
- (iv) Besonderhede van alle voorgestelde diensleweringsooreenkomste, insluitend wesentlike wysigings aan bestaande diensleweringsooreenkomste soos uiteengesit in Bylae "D";
- (v) Wysigings aan die huidige Geïntegreerde Ontwikkelingsplan (GOP) soos uiteengesit in Bylae "E";
- (vi) Besonderhede van indiensnemingskoste – salarisse, toelaes en voordele – van alle politieke ampsdraers, Raadslede en senior bestuurders van die Kaapse Wynland Distriksmunisipaliteit (KWDM) soos uiteengesit in Bylae "F";
- (vii) Kapitaaluitgawe in die begrotingsjaar soos uiteengesit in Bylae "G";
- (viii) Projekte wat in die begrotingsjaar onderneem gaan word soos uiteengesit in die gewysigde Bylae "H";

- (ix) Besonderhede van alle voorgestelde toewysings of toelaes deur die Distriksmunisipaliteit ingevolge artikel 67 van die MFMA soos uiteengesit in Bylae "I";
  - (x) Vasstelbare prestasiedoelwitte vir inkomste uit elke bron en vir elke begrotingspos in die begroting, met inagneming van die Distriksmunisipaliteit se Geïntegreerde Ontwikkelingsplan (GOP) vorm deel van Bylaes "E" en "L";
  - (xi) Voorgestelde tariewe vir die 2015/2016 finansiële jaar soos uiteengesit in Bylae "K";
  - (xii) MSCOA-projekimplementeringsplan voorgelê as Bylae "M";
  - (xiii) Die konsep 2016/2017 Dienslewering- en Begrotings-implementeringsplan (DLBIP), soos uiteengesit in Bylae "L";
  - (xiv) Skedule van Diensleweringstandaarde soos uiteengesit in Bylae "O";
- (b) Die Nasionale Tesourie (MFMA) Omsendbrief Nommer 78: Munisipale Begroting Omsendbrief vir die 2015/2016 MTIUR, aangeheg as Bylae "N", aanvaar word.

**INTLANGANISO YEBHUNGA: UMHLA WAMA-25 KUFEBRUWARI 2016:  
UMBA C.14.4**

**KUGQITYWE: Okokuba -**

- (a) Uyilo lwesiCwangciso-nkqubo seNgeniso neNkcitho yesiThuba esiPhakathi sowama-2016/2017, 2017/2018 kunye nowama-2018/2019 (MTREF) soMasipala wesiThili saseCape Winelands (CWDM) masamkelwe njengoko kuchaziwe kwiZihlommel ezincanyathelisiweyo ezilandelayo:

- (i) Uyilo lwesiCwangciso-nkqubo seNgeniso neNkcitho yesiThuba esiPhakathi seminyaka – mali lowama-2016/2017, 2017/2018 kunye nowama-2018/2019 njengoko kuthiwe thaca kwiSihlommel "A";

Oku kulandelayo kufuneka kubandakanywe kuyilo loHlahlo Lwabiwo-mali lokuSebenza lowama-2016/2017:

**Inkcitho**

Inombolo yomba 1 1330 5151 UHlaziyo lweeNdlala  
zaseMaphandleni (De Novo) izigidi ezi-R4.12

### Ingeniso

Inombolo yomba 1 1330 1997 UHlaziyo lweeNdlela zaseMaphandleni (De Novo) izigidi ezi-R4.12

- (ii) IMigaqo-nkqubo emitsha nelungisiweyo eNxulumene noHlahlo Lwabiwo-mali njengoko ithiwe thaca kwiSihlomelo "B";
- (iii) linkcukacha zotyalo-mali lweBhunga njengoko zithiwe thaca kwiSihlomelo "C";
- (iv) linkcukacha zazo zonke izivumelwano ezicetywayo zokunikezelwa kwenkonzo, kubandakanywa nezilungiso zemathiriyeli kwizivumelwano ezikhoyo zokunikezelwa kwenkonzo njengoko zithiwe thaca kwiSihlomelo "D";
- (v) Ulungelelwaniso kwisiCwangciso esikhoyo esiHlangeneyo soPhuhliso (IDP) njengoko luthiwe thaca kwiSihlomelo "E";
- (vi) linkcukacha zendleko zengqesho – imivuzo, imali evunyelweyo nezibonelelo – zabo bonke ababambe izikhundla zopolitiko, ooCeba kunye nabalawuli abaphezulu boMasipala wesiThili saseCape Winelands (CWDM) njengoko zithiwe thaca kwiSihlomelo "F";
- (vii) Inkcitho yezakhiwo kuhlalo lwabiwo-mali lonyaka njengoko luthiwe thaca kwiSihlomelo "G";
- (viii) IiProjekti eziza kuqaliswa kuhlalo lwabiwo – mali lonyaka njengoko luthiwe thaca kwiSihlomelo "H";
- (ix) linkcukacha zazo zonke izabelo neminikelo ecetywayo nguMasipala wesiThili ngokuhambelana necandelo lama-67 leMFMA, njengoko zithiwe thaca kwiSihlomelo "I";
- (x) linjongo ezinokulinganiswa zomsebenzi ezilungiselelwe ingeniso evela kumthombo ngamnye olungiselelwe ivoti nganye kuhlalo lwabiwo-mali, kuthatyathelwa ingqalelo isiCwangciso esiHlangeneyo soPhuhliso (IDP) soMasipala wesiThili esiyinxalenye yeZihlomelo "E" kunye no-"L".
- (xi) IMirhumo ecetywayo elungiselelwe unyaka-mali wama-2015/2016 njengoko ithiwe thaca kwiSihlomelo "K";
- (xii) Isicwangciso somiliselo lweprojekti yeMSCOA singenisiwe njengeSihlomeo "M";
- (xiii) Uyilo lwesiCwangciso sokuNikezelwa kweNkonzo nokuMiliselwa koHlahlo Lwabiwo-mali sowama-2016/2017 (SDBIP) esithiwe thaca njengeSihlomelo "L";

- (xiv) IShedyuli yeMigangatho yokuNikezelwa kweNkonzo njengoko ithiwe theca kwiSihlomelo "O";
- (b) ISetyhula enguNombolo 78 yeCandelo loLawulo-mali leSizwe (MFMA): iSetyhula yoHlahlo Lwabiwo-mali lukaMasipala elungiselelwe owama-2015/2016 MTREF mayamkelwe, njengoko incanyatheliswe njengeSihlomelo "N".

**C.15 CONCLUSION**

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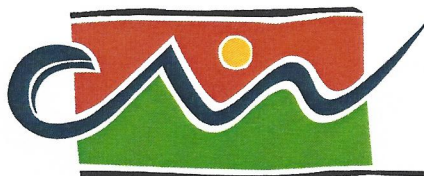
The agenda was concluded at 13:06.

CONFIRMED ON THIS DAY OF 2016.

SPEAKER

DAH/iw

# APPENDIX 2



# CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMIBUZO:  
TELEFOON/TELEPHONE/UMNXEBA:  
FAKS/FAX/IFEKSI:  
E-POS/E-MAIL/IE-MAIL:  
U VERW/YOUR REF/IREF YAKHO:  
ONS VERW/OUR REF/REF YETHU:

MR. M. MGAJO  
021-8885100  
021-887 3451  
admin@capewinelands.gov.za  
5/15/1/3/5

Alexanderstraat 46 Alexander Street  
☒ 100  
STELLENBOSCH  
7599

3 May 2016

FOR ATTENTION: MR RAYMOND ESAU By e-mail: Raymond.Esau@stellenbosch.gov.za

The Acting Municipal Manager  
Stellenbosch Municipality  
P.O. Box 17  
STELLENBOSCH  
7599

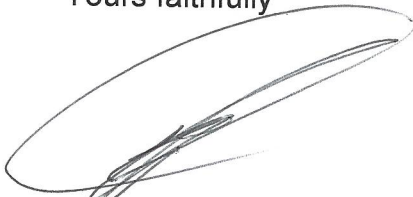
Sir

## REQUEST FOR ASSISTANCE TO INDIGENT RESIDENTS ON FARMS

- 1 Your e-mail dated 15 April 2016 addressed to mr. Ben Nieuwoudt requesting assistance to indigent residents on farms by the Cape Winelands District Municipality (CWDM), refers.
- 2 Please be advised that the matter was discussed at the Council meeting held on Thursday, 28 April 2016 (Item C.13.7) and it was resolved that:
  - (a) Cognisance be taken of the request received from the Administration of Stellenbosch Municipality for assistance to indigent residents on farms by the Cape Winelands District Municipality (CWDM) in terms of the District Municipality's Policy for the Provision of Basic Services to Rural Dwellings, be supported in principle;
  - (b) The cost pertaining to assistance to indigent residents on farms in terms of the Cape Winelands District Municipality's Policy for the Provision of Basic Services to Rural Dwellings in the area of Stellenbosch Municipality be quantified and agreed upon between the Cape Winelands District Municipality (CWDM) and Stellenbosch Municipality;

- (c) A Service Level Agreement pertaining to (a) above be entered into between the Cape Winelands District Municipality (CWDM) and Stellenbosch Municipality.
- 3 Should your Council concur with the matter the Cape Winelands District Municipality (CWDM) will be more than willing to render further assistance in this regard.

Yours faithfully

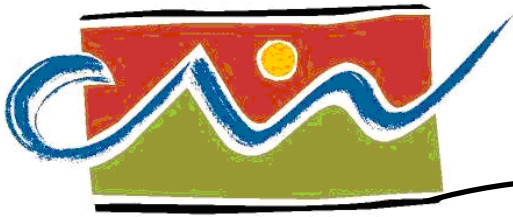


M. MGAJO  
MUNICIPAL MANAGER

DAH/iw



# APPENDIX 3



**CAPE WINELANDS DISTRICT**  
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

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**BELEID VIR DIE VOORSIENING VAN  
BASIESE DIENSTE AAN LANDELIKE  
WONINGS**

**ALGEMEEN:**

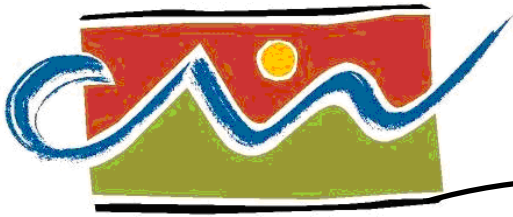
1. Die subsidieskema moet in die pers geadverteer word vir voornemende aansoekers.
2. Die subsidieskema moet as 'n aaneenlopende projek beskou word en enige oorblywende fondse moet van een finansiële jaar na die volgende finansiële jaar oorgedra word.
3. Besonderhede van enige subsidie-toekennings moet saam met die jaarlikse begroting ingevolge artikel 17(3)(j) van die MFMA voorgele word aan die Raad vir goedkeuring.
4. 'n Ooreenkoms moet met die suksesvolle aansoeker gesluit word rakende die instandhouding en gebruik van die geriewe.
5. Die subsidiestelsel moet gekoppel word aan 'n gesondheids- en higiënebewusmakings- en voorligtingsprogram.
6. Die ontvanger van die subsidie moet die werke binne tien (10) maande voltooi nadat hy/sy amptelik in kennis gestel is van die goedkeuring daarvan en mag voltooiing nie later as 30 Mei van die betrokke finansiële jaar geskied nie.
8. Die subsidie sal slegs uitbetaal word na suksesvolle voltooiing en aftekening van die werke.

**WATEROORSIENING EN SANITASIE:**

1. 'n Maksimum voordeel van R45 000 per plaas mag nie oorskry word nie.
2. Die onderstaande bedrae moet gebruik word as 'n basis vir die toekenning van die subsidie vir die voorsiening en opgradering van infrastruktuurdienste aan landelike wonings op plase tot 'n maksimum bedrag van R9 000 per huis:
  - 2.1 Lopende water oor wasbak R 2 000
  - 2.2. Aanbou van 'n badkamer met spoelsanitasie aan woning R 7 000
  - 2.3. Slegs voorsiening van 'n spoeltoiletgerief R 3 000
  - 2.4. Voorsiening van 'n VIP tipe toiletgerief R 3 000

**SONKRAG WARMWATERSTELSELS:**

1. Die onderstaande bedrae moet gebruik word as 'n basis vir die toekenning van die subsidie vir die voorsiening van sonkrag warmwaterstelsels aan landelike wonings op plase:
  - 1.1 Voorsiening van sonkrag warmwaterstelsel per woning R 4 500
  - 1.2. 'n Maksimum voordeel van R36 000 per plaas mag nie oorskry word gedurende 'n finansiële boekjaar nie.



**CAPE WINELANDS DISTRICT**  
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

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## **POLICY FOR THE PROVISION OF BASIC SERVICES TO RURAL DWELLINGS**

**GENERAL:**

1. The subsidy scheme must be advertised in the press for potential applicants.
2. The subsidy scheme must be regarded as a continuous project and any residual funds must be carried forward from one financial year to the next financial year.
3. Particulars of any subsidy allocation must be tabled with the annual budget in terms of section 17(3)(j) of the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003) to Council for approval.
4. An agreement must be concluded with the successful applicant regarding the maintenance and utilisation of the facilities.
5. The subsidy system must be linked to a health and hygiene awareness and guidance programme.
6. A completion period of ten (10) months must be maintained from the date of approval of an application and completion may not occur later than 30 May of each year.
7. The subsidy will only be payed out after the successful completion and signing off of works.

**WATER PROVISION AND SANITATION:**

1. A maximum benefit of R45 000 per farm may not be exceeded.
2. The under-mentioned amounts must be used as a basis for the allocation of the subsidy for the provision and upgrading of infrastructure services to rural dwellings on farms to a maximum amount of R9 000 per dwelling;
  - 2.1 Running water over basin R2 000
  - 2.2 Addition of a bathroom with flush toilet to a dwelling R7 000
  - 2.3 Provision of a flush toilet facility only R3 000
  - 2.4 Provision of a VIP toilet facility R3 000

**SOLAR HOTWATER SYSTEM:**

1. The under-mentioned amounts must be used as a basis for the allocation of the subsidy for the provision of solar hotwater systems to rural dwellings on farms:
  - 1.1 Provision of solar hotwater system per dwelling R4 500
  - 1.2 A maximum benefit of R36 000 per farm may not be exceeded during a financial year.

**5.1.3 HAND-OVER REPORT TO THE NEW COUNCIL**

*File number* : 1/1/1/1  
*Report by* : Acting Municipal Manager  
*Compiled by* : Director: Strategic & Corporate Services  
*Delegated Authority* : Council

**Strategic intent of item**

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

**1. PURPOSE OF REPORT**

To submit to Council a consolidated Hand-over Report as required in terms of MFMA Circular 78 (dd 2015-12-07) issued by National Treasury.

**2. BACKGROUND**

Section 6.5 of MFMA Circular 78 (dd 2015-12-07) issued by National Treasury contains the following guidelines in terms of the hand-over reports for the newly elected council:

*“The aim of the hand-over report is to provide the new councils important orientation information regarding the municipality, the state of its finances, service delivery and capital programme, as well as key issues that need to be addressed.*

*It is proposed that the hand-over report should include:*

- *An overview of the demographic and socio-economic characteristics of the municipality;*
- *An overview of the organisational structure of the municipality, with the names and numbers of senior managers;*
- *An overview of key municipal policies that councillors need to be aware of, and where they can obtain the full text of such policies;*
- *An overview of issues that still need to be addressed in relation to the municipality’s turnaround strategy;*
- *An overview of the municipality’s financial health, with specific reference to:*
  - *Its cash and investments, and its funding of commitments (Table A8);*
  - *Cash coverage of normal operations (see Supporting Table SA10);*

- *Creditors outstanding for more than 30 days, along with reasons for delayed settlement;*
- *Current collection levels and debtors outstanding for more than 30 days; and*
- *Extent of existing loans, and associated finance and redemption payments.*
- *The municipality's 2014/15 audit outcome, and its strategy to address audit issues;*
- *An overview of the provision of basic services, including plans to address backlogs;*
- *An overview of the state of the municipality's assets, with particular reference to the asset management plan, and repairs and maintenance requirements;*
- *A list of the main infrastructure projects planned for the 2016/17 budget and MTREF;*
- *A list of key processes requiring council input over the next six months, e.g. revision of the IDP, approval of specific policies etc. and*
- *Any other information deemed to be important.*

*In addition to the hand-over report, each new councillor should be given the municipality's revised IDP, the adopted 2016/17 budget, the mid-year budget and performance assessment report for 2015/16, and the latest monthly financial statement, and the annual report for 2014/15".*

### 3. KEY DOCUMENTS

Pursuant to the above guidelines, a **CONSOLIDATED HAND-OVER REPORT** as well as the following key documents were previously distributed:

- **IDP 2016/17**
- **2014/15 ANNUAL REPORT**
- **MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (2016/17 BUDGET)**
- **LATEST ANNUAL FINANCIAL STATEMENT**
- **MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT REPORT FOR 2015/16**

**NB: KINDLY NOTE THAT THE ABOVE SET OF DOCUMENTS WERE DISTRIBUTED AT THE 1<sup>st</sup> COUNCIL MEETING OF 2016-08-15.**

### RECOMMENDED

that cognisance be taken of the Hand-Over Report and its Appendices.

**(ACTING MUNICIPAL MANAGER TO ACTION)**

**1<sup>st</sup> COUNCIL MEETING: 2016-08-15: ITEM 7.3**

Councillor DA Hendrickse requested that this item be opened for discussion, rather than merely taking cognisance of its content.

**RESOLVED** (nem con)

that this matter stand over until a next Council meeting.

**(ACTING MUNICIPAL MANAGER TO ACTION)**

**FOR CONSIDERATION**



**5.1.4 PROPOSAL FOR AMENDMENT OF MUNICIPAL BOUNDARY***File number* : PL 222/112 S*Report by* : Director: Planning and Economic Development*Compiled by* : SPATIAL PLANNER (B HENNING)*Delegated Authority* : Council**Strategic intent of item**

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

**1. PURPOSE OF REPORT**

To enable Council to make an informed decision on the proposal to consider the exclusion of portion 112 of Farm 222, Stellenbosch from the Stellenbosch area of justification to enable inclusion into the City of Cape Town area of jurisdiction.

Council's decision will be submitted to the Demarcation Board. The proposal is **recommended to be supported**.

**2. BACKGROUND**

A proposal has been received by Terraplan Town & Regional Planners for the amendment of municipal boundary, the particulars of which is discussed below.

**3. DISCUSSION****Proposal**

The above proposal is made in terms of the Municipal Demarcation Act 27 of 1998 for an amendment of the municipal boundary. Stellenbosch Municipality must consider the exclusion of portion 112 of Farm 222, Stellenbosch from the area of justification to enable inclusion in to the City of Cape Town area of jurisdiction.

The land currently forms part of the redundant N7 road reserve near Bottelary Road.

The detail of the property concerned is included in the table below:

**Property Information**

<b>Farm number</b>	Farm No.222/112, Stellenbosch Division
<b>Location</b>	Bottelary Road, Stellenbosch See <b>APPENDIX 1</b> for Locality Plan

<b>Zoning/Zoning Scheme</b>	Agriculture Zone 1 / Section 8 Zoning Scheme Regulations
<b>Property size</b>	13.8276ha
<b>Owner</b>	Spotprops 48 (Pth) Ltd
<b>Applicant</b>	Terraplan Town & Regional Planners

### Legal requirements

#### Applicable laws and ordinances:

Municipal Demarcation Act 27 of 1998

### Public participation

The application was circulated to the following internal departments:

- 1) Property Services
- 2) Traffic Engineering
- 3) Civil Engineering

#### Comments from internal departments:

The **Department of Traffic Engineering** has no objection against the proposal.

The **Department Corporate Services (Property)** has no objection against the proposal subject to conditions (See **APPENDIX 2**).

The **Department of Civil Engineering Services** has no objection against the proposal subject to conditions (See **APPENDIX 3**).

### Planning Assessment

A proposal for rezoning and subdivision on Portions 86 and 112 of Farm 222 was submitted by Terraplan Town Planners.

Portion 86 of Farm 222 is located within the City of Cape Town municipal boundary and located within the City of Cape Town Urban Edge. It is earmarked for development in terms of the Cape Town Spatial Development Framework and Tygerberg District Plan.

Portion 112 of Farm 222 is located inside the Stellenbosch Municipal area, but situated some distance from the nearest recognised urban node and located outside the urban edge.

It is the intention of the developer to rezone the property from Agricultural Zone I to Subdivisional Area with the aim to develop group housing. The property is currently undeveloped and no longer required for road purposes and has become redundant.

The adjoining application as well as the application for rezoning and subdivision on this site has been lodged at the City of Cape Town. It is the intention of the developer to develop the two properties together if the proposal is considered positively.

If the portion of land remained in the jurisdiction area of Stellenbosch Municipality the application would not be supported as it is located

outside the urban edge. The applicant was therefore advised to submit both applications for residential development at City of Cape Town and apply for the adjustment of municipal boundary to incorporate the land into the City of Cape Town area of jurisdiction.

An application also needs to be submitted to the Demarcation Board for the amendment of the municipal boundary should Council support the proposal.

Access and bulk services would be provided from City of Cape Town and cannot be provided by Stellenbosch Municipality.

#### **4. LEGAL IMPLICATIONS**

Please refer to **APPENDIX 4** for comment from external legal advisors, STBB.

#### **5. FINANCIAL IMPLICATIONS**

The proposal was circulated to the Chief Financial Officer and the proposal is supported.

#### **RECOMMENDED**

that the proposal for an amendment of the municipal boundary in order to exclude Portion 112 of Farm 222 from the Stellenbosch area of jurisdiction and enabling the inclusion into the City of Cape Town area of jurisdiction be supported, and that the Municipal Manager be authorised to recommend same to the Municipal Demarcation Board.

#### **APPENDICES**

Appendix 1:	Locality plan
Appendix 2:	Comment from Department Corporate Services (Property)
Appendix 3:	Comment from Department of Civil Engineering Services
Appendix 4:	Comment from external legal advisors (STBB)

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

#### **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE: 2016-05-31: ITEM 6.1.3**

#### **RECOMMENDED**

that the proposal for an amendment of the municipal boundary in order to exclude Portion 112 of Farm 222 from the Stellenbosch area of jurisdiction and enabling the inclusion into the City of Cape Town area of jurisdiction be supported, and that the Municipal Manager be authorised to recommend same to the Municipal Demarcation Board.

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

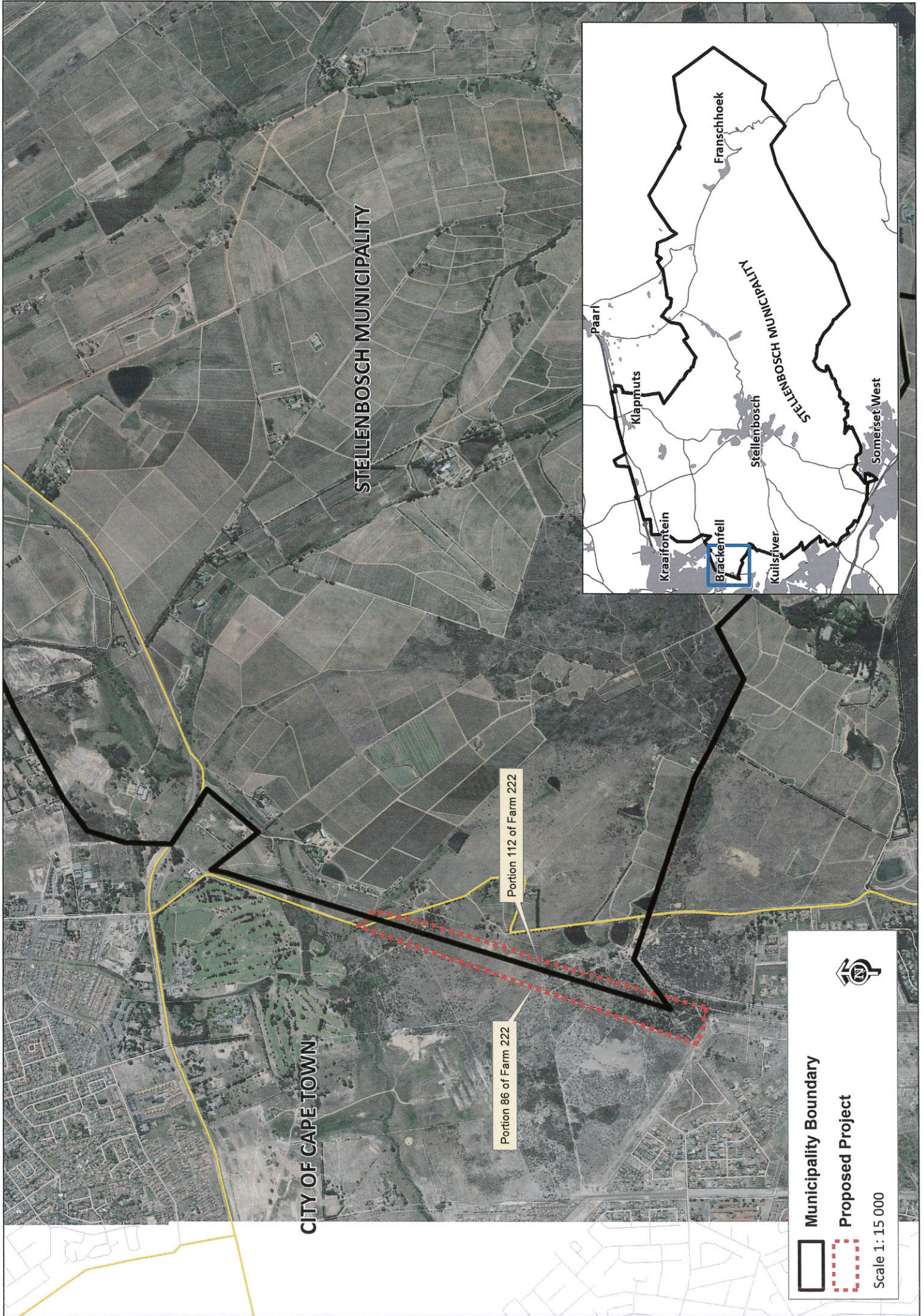
**MAYORAL COMMITTEE MEETING: 2016-06-10: ITEM 5.1.4****RECOMMENDED BY THE EXECUTIVE MAYOR**

that the proposal for an amendment of the municipal boundary in order to exclude Portion 112 of Farm 222 from the Stellenbosch area of jurisdiction and enabling the inclusion into the City of Cape Town area of jurisdiction be supported, and that the Municipal Manager be authorised to recommend same to the Municipal Demarcation Board.

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

**FOR CONSIDERATION**

# APPENDIX 1



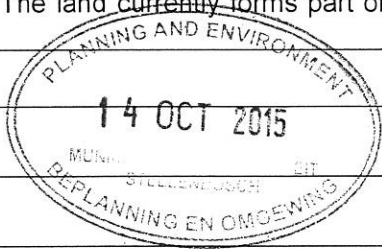
# APPENDIX 2

ERWYSING/REF: Farm 222/112 Stellenbosch      DATUM/DATE : 08 October 2015

**MEMO AAN :**

Director : Verkeers Ing / Traffic Engineer
Director : Ing en Tegn Dienste / Engineering Dep
Director : Elek Ing dienste/ Electrical Dept
Manager : Building Control
Director : Brandweerdienste / Fire Dept
<input checked="" type="checkbox"/> Director: Corporate Services
Manager: Spatial Planning & Heritage section ( <b>ENVIRONMENT &amp; SIGNAGE</b> ) Attn. S Van Der Merwe
Director : Gesondheidsdienste / Health Dept ( <b>Winelands health</b> )
Manager: Social Services (Community development)
Director: Parks

<b>Application</b>	The purpose of this proposal is to request Stellenbosch Municipality to consider the exclusion of portion 112 of Farm 222, Stellenbosch from their area of justification, to enable inclusion in to the City of Cape Town area of jurisdiction. The land currently forms part of the redundant N7 road reserve near Bottelary Road.
<b>Adres / Address</b>	Bottelary Road
<b>Aansoek Datum / Application Date</b>	18 August 2015
<b>Aansoeker / Applicant</b>	Terraplan Town and Regional Planners



Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die Beplanning- en Ontwikkelingskomitee vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien.

Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil oplê indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. In order to enable us to submit the application to the Planning and Development committee for consideration, we request that you supply us with your written comment, if any.

Please intercept between general comment on the merits of the application and any conditions that your department would like to lay on if the application has been approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op ..... **07 November 2015**  
 Please forward the memorandum by hand to me on or before:.....  
 (Datum/Date)

**U Von Molendorff**  
 For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

**ALGEMENE KOMMENTAAR:** .....

**GENERAL COMMENT:** *The application is supported. Please note, however that Stellenbosch Municipality cannot consider the application if it can only provide a grant to the Department of Social and Family Services 26 of the Local Government: Amendment Act, 2 of 27/1998.*

**VOORWAARDES/CONDITIONS**.....

<b>HANDTEKENING / SIGNATURE</b>	<b>DATUM / DATE</b>
<i>[Signature]</i>	<i>2015-10-14</i>

FILE NR: \_\_\_\_\_

SCAN NR: \_\_\_\_\_

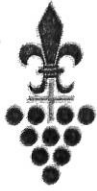
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COLLABORATOR NR: \_\_\_\_\_

390517



# APPENDIX 3



STELLENBOSCH MUNICIPALITY  
STELLENBOSCH · PNIEL · FRANSCHHOEK

# MEMORANDUM

DIREKTORAAT: INGENIEURSDIENSTE  
DIRECTORATE: ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development  
Att Aandag Ulrich von Molendorff  
From ▫ Van: Willem Pretorius (Development Services)  
Date ▫ Datum: 31/12/2015  
Our Ref ▫ Ons Verw: Farm 222/112 Stellenbosch  
Re ▫ Insake: Exclusion of portion 112 of Farm 222, Stellenbosch from our area of justification to enable inclusion in to the City of Cape Town area of jurisdiction.



The application for the request to exclude portion 112 of Farm 222, Stellenbosch from our area of justification to enable inclusion in to the City of Cape Town area of jurisdiction is APPROVED under the following conditions

**1. Water Supply**

Domestic water supply to be provided by the City of Cape Town.

**2. Waste Water and Sewage**

Waste water and sewage infrastructure and services to be provided by the City of Cape Town.

**3. Solid Waste**

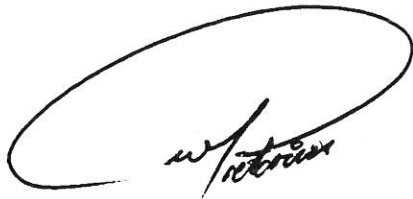
Solid waste must be removed from the site to a legal solid waste disposal site in accordance with the requirements of Section 20 of the Environmental Conservation Act 1989 (Act 73 of 1989).

**4. Stormwater**

Stormwater infrastructure and ground water run-off to be provided for by the City of Cape Town.

**5. Roads**

Entrance and exit from the premises to be finalized by the City of Cape Town and also in conjunction with the district roads engineer.

A handwritten signature in black ink, appearing to read 'W. Pretorius', enclosed within a large, hand-drawn oval.

**Willem Pretorius (Pr Eng, PMP)**  
**Manager: Development Services & Project Management**

W:\USERS\Willem\Memorandums\Memo Lupo 1080 Exclusion of portion 112 of Farm 222 Stellenbosch to COCT.doc

# APPENDIX 4

t: +27 (0) 21 850 6400  
 f: +27 (0) 21 852 1770  
 1st Floor, Dynarc Triangle, 13 Urtel Crescent  
 Somerset Mall, Somerset West  
 PO Box 327, Somerset Mall, 7137  
 DX 15 Somerset West Somerset West  
 Direct Line: +27 (0) 21 850 6400  
 GuanP@stbb.co.za | www.stbb.co.za

**THE STELLENBOSCH MUNICIPALITY**  
 Stellenbosch

Your Ref:

Our Ref: GP/AVR/AS

Date: 15 May 2016

Dear Sir / Madam

Re: **Legal implications: Proposal for amendment of municipal boundary**

1. The Stellenbosch Municipality (*"the Municipality"*) has requested us to provide external legal comments in respect to the possible legal implications of a proposal for amendment of the municipal boundary, as set out in a report with File No. PL222/112S (*"the report"*).
2. The report has as its purpose the elucidation of the proposal in order to enable Counsel to make an informed decision thereon and the report arrives at the conclusion that the proposal should be supported.
3. Of significance from a legal perspective, are the provisions of the Local Government: Municipal Demarcation Act, No. 27 of 1998 (*"the Act"*), which establishes the Municipal Demarcation Board (*"the Board"*). The functions of the Board are to determine municipal boundaries in accordance with the Act and other appropriate legislation enacted in terms of Chapter 7 of the Constitution of the Republic of South Africa, Act 108 of 1996 (*"the Constitution"*).
4. In terms of section 21 of the Act, the Board must:
  - 4.1. determine municipal boundaries in the territory of the Republic of South Africa; and
  - 4.2. may re-determine any municipal boundaries determined by it as set out above.
5. Section 21 of the Act further provides for the process to be followed in making such determination, which includes:

**Attorneys Notaries & Conveyancers**

**Directors:** Jonathan Steytler (Managing) | Stoffel Ackermann | Peter Arnot | Martin Bey | Jacques Bignaut | Darren Brander | Luthfeya Cassim | Tim Chase | Jacques Classen | Melanie Coetzee | Kevin Daniel | Thabisile Dlamini | Refqah Fataar Ho-Yee | Harry Friedland | Niel Grundlingh | Warren Hamer | Bev l'Ons-Raeburn | Roux Kemp | Gerhard Kotze | Belinda Lewis | Robert Mathlare | Corlene Mostert | Hennie Mouton | Martine Newman | Neil Parker | James Phillipson | Cris Riego de Dios | Martin Sheard | Roshana Solomon | Philip Steyn | Marilize Swart | Dumisani Tabata | June Theron | Annetjie van Rooyen | Percy van Staden | Ferdinand Verryn | Shereen Volks | Allan White

**Senior Associates:** M Botha | L De Gouveia | D Du Plessis | H Dyssel | H Ferreira | J Foxcroft | N Hayes | V W Jooste | D Starkey | N Stevens | L Sullivan | A Wiese

**Associates:** S Chettiar | J Greyling | J Hamers | N Mentoor | H Scudamore | T Smit | G Potgieter | A Van Vuuren | T Wainwright | B White | M Williams

**Executive Consultants:** Lizelle Kilbourn | Graham Liebenberg | Andy McPherson | Andre Swart | Colin Traub | Richard Volks

**Financial Manager:** Cullen Penny

Cape Town: 021 406 9100 | Bedfordview: 011 453 0577 | Centurion: 012 001 1546 | Claremont: 021 673 4700 | Fish Hoek: 021 784 1580 | Illovo: 011 219 6200 | Somerset Mall: 021 850 6400 | Stellenbosch: 021 001 1170 | Table View: 021 521 4000 | Tyger Valley: 021 943 3800 | Menlyn: 012 348 1682

Registration No: 1992/003316/21  
 VAT Reg No: 4670133877

- 5.1. publishing the determination or re-determination, as the case may be, in the relevant Provincial Gazette; and
  - 5.2. providing a mechanism for objections from members of the public.
6. In terms of section 23 of the Act, the Board is required to send particulars of the demarcation, or re-demarcation, to the Independent Electoral Commission (“*the IEC*”), who may further determine that the determination or re-determination will either take effect from the date determined by notice in the relevant Provincial Gazette by the MEC for Local Government in the province concerned or, should the IEC be of the view that a re-demarcation will affect the representation of voters within a council of any of the Municipalities affected thereby, such re-determination will only take effect from the date of the next election in the area concerned.
7. In terms of section 25 of the Act, the following factors are to be taken into account by the Board when determining or re-determining a municipal boundary:
- 7.1. the interdependence of the communities and economies affected thereby;
  - 7.2. the need for cohesive, integrated and unfragmented areas, including Metropolitan areas;
  - 7.3. the financial viability and administrative capacity of the Municipality to perform municipal functions effectively and efficiently;
  - 7.4. the need to share and redistribute financial and administrative resources;
  - 7.5. provincial and municipal boundaries;
  - 7.6. areas of traditional rural communities;
  - 7.7. existing and proposed functional boundaries, including magisterial districts, voting districts, health, transport, police and census enumerated boundaries;
  - 7.8. existing and expected and land use, social, economic and transport planning;
  - 7.9. the need for co-ordinated municipal, provincial and national programmes and services, including the need for the administration of justice and healthcare;
  - 7.10. topographical, environmental and physical characteristics of the area;
  - 7.11. the administrative consequences of the determination on:
    - 7.11.1. municipal creditworthiness;
    - 7.11.2. existing municipalities, the council members and staff; and

- 7.11.3. any other relevant matter;
  - 7.12. the need to rationalise the total number of municipalities within different categories and of different types to achieve the objectives of effective and sustainable service delivery, financial viability and macro-economic stability.
8. Before the Board considers any determination of a municipal boundary in terms of section 21 of the Act, it must, in terms of section 26 of the Act, publish a notice in a newspaper circulating in the area concerned which:
  - 8.1. states the Board's intention to consider the matter; and
  - 8.2. invites written representations and views from the public within a specific period.
9. When the Board publishes a notice, it must convey by radio or other appropriate means of communication, the content of the notice in that area concerned, as set out in section 26(2) of the Act. The Board is further compelled, in terms of section 26(3) of the Act, to send, by registered post, electronic means or by hand, a copy of the notice to:
  - 9.1. the MEC for Local Government in the province concerned;
  - 9.2. each municipality that will be affected by the Board's consideration of the matter;
  - 9.3. the Magistrate concerned if any magisterial district is affected; and
  - 9.4. the Provincial House of Traditional Leaders concerned, established by provincial legislation in terms of section 212(2)(a) of the Constitution, if the boundary of traditional authority is affected,and invite them to submit written representations or their views on the matter to the Board within the period determined in terms of the public notice.
10. In the premise, it is clear that the final decision in respect of the re-demarcation lies with the Board, but that the Municipality should consider its support or otherwise thereof against the background of the factors set out in paragraph 7 above.

Yours faithfully

**STBB | SMITH TABATA BUCHANAN BOYES**

**G Potgieter**

### 5.1.5 FINAL REPORT ON THE AUDIT OF LEGAL OCCUPATION OF PUBLIC RENTAL MUNICIPAL FLATS

*File number* : 8/1/4/2/3 x 17/4/1

*Compiled by* : *Manager: Housing Administration*

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

*Delegated Authority* : *Council*

#### **Strategic intent of item**

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

## 1. PURPOSE OF REPORT

To inform Council of the outcome of the survey conducted of all Public Rental Municipal Flats in terms of the Council resolution Item 9.3 of 24<sup>th</sup> June 2015.

## 2. BACKGROUND

During the 31<sup>st</sup> meeting of Council held on 24 June 2015, Councillor Biscoombe tabled a motion calling for:

- (i) a survey of every dwelling to establish whether the legal occupants are still living there;
- (ii) How many persons are currently occupying each unit and are they legally there. What steps would be put in place to rectify any illegality;
- (iii) Due to complaints lodged, what is currently being done between Housing Administration and Legal Department to attend to anti-social behaviour patterns with the view to removing these elements from Council premises.

## 3. DISCUSSION

### 3.1 SURVEY OF MUNICIPAL RENTAL UNITS

Following on the motion tabled by Councillor Biscoombe, the Housing Administration Department undertook a survey of all municipal rental stock.

The information received during the survey process was compared to the information on the records both Housing Administration and the



records of Finance Department. In the case of Cloetesville, these lists were also cross referenced with the information supplied by resident's committees.

### 3.2 LEGAL OCCUPANCY

The preliminary findings with regard to legal occupancy of the survey and the comparison of information obtained with the records of Finance Department are as follows:

AREA	Number Of Units	Legal Tenant Still In Occupation	Transfers Of Tenancy (Tenant Deceased)	Number Of Alleged Illegal Occupants
CLOETESVILLE				
Rhode Street	72	49	14	9
Kloof + Long Streets	132	102	14	16
Maisonettes	36	27	7	2
KAYAMANDI	146	85	5	56
LAP FLATS				
Lavanda	72	58	13	1
Aurora	72	60	12	0
Phyllaria	77	66	11	0

The Department is currently engaged with the process of interviewing all occupants where the tenant is deceased to determine whether this is a standard **transfer of tenancy** to the widow or a family member who formed part of the original household or whether the occupants should be considered as **illegal occupants**.

There are criteria set out in the approved council *Policy and Guidelines for the Allocation and Transfer of Tenancy of Municipal Rental Housing Stock* in terms of which this process is being conducted and the criteria will be strictly applied.

Likewise, Council has approved a **Policy for the Unlawful Occupation of Municipal Rental Housing** that is being used as a framework to determine how the alleged illegal occupants of the units will be handled. These families are also being interviewed and, in terms of this policy, occupants who comply with the criteria as set out in the policy will be considered for legalization whereas occupants who do not meet the criteria will be referred to Legal Services for eviction from the premises.

It should be emphasized that, only once the Department has conducted interviews with all the families concerned, will it be able to produce accurate figures as to the status of the households where the tenants are deceased and where there are illegal occupants living in the municipal flats.

### 3.3 PROGRESS WITH LEGAL ACTION AGAINST TRANSGRESSORS

To date this Department has referred 23 cases to the Legal Advisor for action to be taken against tenants/occupants for various lease infractions ranging from illegal occupation to anti-social behaviour/ drug trafficking. This is an on-going process and as and when this office becomes aware of lease infractions, the respective matters will be referred to the Legal Advisor for the necessary steps to be taken against occupants.

**Cloetesville: 7 cases**

**Kayamandi: 1 case**

**LAP: 9 cases**

**Staff Rental: 4 cases**

**Other (Eland/Hugo Streets): 2 cases**

The Legal Advisor is systematically referring the various matters to Attorneys. To date ten cases have been handed to various attorneys.

**RECOMMENDED**

that Council note the progress made with the audit of legal occupation of Public Rental Municipal Flats.

**(DIRECTOR: HUMAN SETTLEMENTS AND  
PROPERTY MANAGEMENT TO ACTION)**

**ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE  
MEETING: 2015-12-01: ITEM 5.1.1**

**RESOLVED (nem con)**

that a final report be submitted to Council via this Standing Committee.

**RECOMMENDED**

that Council note the progress made with the audit of occupation of Public Rental Municipal Flats.

**(DIRECTOR: HUMAN SETTLEMENTS AND  
PROPERTY MANAGEMENT TO ACTION)**

**MAYORAL COMMITTEE MEETING: 2016-01-27: ITEM 5.1.1**

**RECOMMENDED BY THE EXECUTIVE MAYOR**

that Council note the progress made with the audit of occupation of Public Rental Municipal Flats.

**(DIRECTOR: HUMAN SETTLEMENTS AND  
PROPERTY MANAGEMENT TO ACTION)**

**37<sup>TH</sup> COUNCIL MEETING: 2016-01-27: ITEM 7.7****RESOLVED** (nem con)

that Council note the progress made with the audit of occupation of Public Rental Municipal Flats.

**(DIRECTOR: HUMAN SETTLEMENTS AND  
PROPERTY MANAGEMENT TO ACTION)**

**FINAL REPORT BY THE DIRECTORATE HUMAN SETTLEMENTS AND  
PROPERTY MANAGEMENT**

**1. BACKGROUND**

During the **ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING: 2015-12-01: ITEM 5.1.1**, the meeting,

**RESOLVED** (nem con)

*that a final report be submitted to Council via this Standing Committee.*

**2. FINAL REPORT****2.1 FINDINGS OF SURVEY**

The department compared the findings of the survey with regard to legal occupancy of the rental units with information obtained with the records of Finance Department. Interviews were conducted with occupants of flats where there appeared to be discrepancies and detailed questionnaires were completed that enabled the department to make decisions regarding whether or not illegal occupants qualified for legalization.

The findings of the survey and the interviews are set out on the table below.

AREA	Number of units	Legal Tenant Still Occupying	Transfers of Tenancy To family member	Illegal tenant to be legalized	No response	Illegal
CLOETESVILLE Rhode Street	72	48	17	0	4	3
Kloof + Long Streets	132	104	19	1	3	5
Maisonettes	36	27	6	0	2	1
KAYAMANDI	146	87	23	10	14	12
LAP FLATS						

Lavanda	72	60	7		3	2
Aurora	72	63	8			1
Phyllaria	77	64	11			2

It was found that many of the cases of illegal occupation as listed above had already been identified by the department and processes had commenced for their eviction from the premises.

These relate to cases where the legal tenant either had never taken occupation of the flat allocated to them, or had placed other occupants in the flat or where the legal tenant was living elsewhere and the flat was being used for illicit/gang-related activity. The department will proceed with legal action in these cases, particularly where anti-social activities on the premises are causing problems within the community.

In most cases it was found that illegal occupants did not meet with criteria relating to the period of occupancy as set out in the Policy for the unlawful Occupation of Municipal Rental Housing: namely that an illegal occupant must have occupied the premises before the cut-off date of 2008 in order to qualify for legalization. This matter will be work shopped with the Portfolio Chairperson and other stakeholders and will be resubmitted to Council, if the need for amendment is upheld.

#### **RECOMMENDED**

that Council notes the findings of the audit of legal occupation of Public Rental Municipal Flats as set out in paragraph 2 of this final report.

**(DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY  
MANAGEMENT TO ACTION)**

#### **ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING: 2016-05-04: ITEM 5.1.3**

#### **RECOMMENDED**

that Council notes the findings of the audit of legal occupation of Public Rental Municipal Flats as set out in paragraph 2 of this final report.

**(DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY  
MANAGEMENT TO ACTION)**

**MAYORAL COMMITTEE MEETING: 2016-05-18: ITEM 5.1.3**

The Mayoral Committee was of the view that consideration ought to be given to strengthening the capacity of internal Legal Services in order that recurring matters of this nature could in future be adequately dealt with in-house. Ways of improving the level of efficiency in dealing with these matters administratively, as well as the related financial function, should also be explored.

**RECOMMENDED BY THE EXECUTIVE MAYOR**

that Council notes the findings of the audit of legal occupation of Public Rental Municipal Flats as set out in paragraph 2 of this final report.

**(DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY  
MANAGEMENT TO ACTION)**

**FOR CONSIDERATION**

**5.1.5 REPORT BACK ON WASTE WEEK (9-13 MAY 2016) FOR STELLENBOSCH MUNICIPALITY**

*File number* : 8/1/Engineering Services

*Report by* : Director: Engineering Services

*Compiled by* : Manager: Solid Waste Management

*Delegated Authority* : Council

***Strategic intent of item***

Preferred investment destination	<b>X</b>
Greenest municipality	<b>X</b>
Safest valley	<b>X</b>
Dignified Living	<b>X</b>
Good Governance	<b>X</b>

**1. PURPOSE OF REPORT**

The purpose of this submission is to provide feedback to Council on the lessons learnt from the inaugural Waste Week held, for noting and approval of the recommendations listed.

**2. BACKGROUND**

Stellenbosch Municipality's Solid Waste Management Department, together with Youth Jobs in Waste (also locally known as the Green Ants) hosted a Waste Week from 09 to 13 May 2016.

The Youth Jobs in Waste programme is a national programme initiated by the Department of Environmental Affairs (DEA), and the Western Cape implementing agent is Tedcor. Stellenbosch Municipality is one of the municipalities participating in this initiative, and this is the second phase of the national initiative. This phase is predominantly focused on education and awareness-raising pertaining to waste management.

As part of their education and awareness portfolio, the decision was taken in conjunction with the Solid Waste Management Department of this municipality to host a Waste Week, which included surveys undertaken, illegal dumping clean-ups, pledges and conducting a swop shop for waste material.

**3. DISCUSSION**

This report-back will feature on the three key activities, viz swop-shops held in Kayamandi, Franschoek and Klapmuts, illegal dumping clean-ups effected in the same three areas, as well as the surveys undertaken.

The Waste Week specifically focussed on education and awareness regarding waste management and minimisation. The following programme was followed:

Date	Location	Activities
09 May 2016	Kayamandi: In front of the Police Station, Masitandane Street	Swop shop, surveys and illegal dumping clean-up
10 May 2016	Klapmuts: Mandela City	Swop shop, surveys and illegal dumping clean-up
11 May 2016	Kayamandi: In front of the Police Station, Masitandane Street	Swop shop and pledge wall
12 May 2016	Franschhoek: Langrug	Swop shop, surveys and illegal dumping clean-up
13 May 2016	Klapmuts: Zenile Street	Swop shop and surveys

### ACTIVITY 1: SWOP SHOP

#### Background

A pop-up swop shop formed part of the daily activities. Each day upon arrival the swop shop was set up by the Green Ants by erecting a gazebo and laying three tables with quality goods that were collected prior to the waste week (see **APPENDIX A** for poster). The concept of the swop shop was then explained to onlookers encouraging them to bring any form of recycling to the pop-up shop in exchange for items available on the day. The news spread via word-of-mouth through the area encouraging others to participate. For education and awareness purposes, two rules regarding collection applied:

- 1) only bags that were filled to capacity with recycling would be accepted; and
- 2) only one type of recyclable material is allowed per bag, i.e. glass or plastic or paper/cardboard or and not a combination thereof.

Once a bag filled with recyclables was handed in, it was inspected by a Green Ant with the collector present. Should there be any problems with the amount or types of waste received, the collector would be educated as to why certain items cannot be accepted as part of that specific bag's contents. If necessary, the collector would be given back his bag to rectify the mistakes. No challenges were experienced in terms of dumping of half-filled bags.

#### Feedback

The success of the swop shop differed greatly with location and as such will be discussed per location.

In **Kayamandi** the concept did not appeal to the greater majority, although the children did partake. The residents did not like the idea of swapping recyclables for second hand clothes as they felt this is something that they should and/or could get for free. In total 81 bags of recycling was collected over two days by the community in Kayamandi, the breakdown of which is highlighted in **APPENDIX B**.

In **Klapmuts** the swop shop was a roaring success on both days in the different locations. Residents bought into the idea of exchanging recyclables for goods and many were seen returning with full bags multiple times. Participants even made plans to increase the amount of recycling that they can bring to the swop shop in one trip in innovative ways (as can be seen in the photo gallery, **APPENDIX C**). By the time the schools came out and the children became aware of the initiative, Klapmuts was buzzing with children picking up recycling from open spaces, between houses and in stormwater channels. By the end of the day, no more recycling could be seen littering the immediate vicinity. In total 416 bags of recycling was collected over two days in Klapmuts, the breakdown of which is highlighted in **APPENDIX B**.

In **Franschhoek**, this trial did not produce positive results. The residents were extremely hostile towards the team and felt that the swop shop goodies were owed to them and that they need not work for it. The well-being of the Green Ants was threatened to such an extent that they had to pack up and leave the area. However, before they left a total 50 bags of recycling were collected and swapped for goods by the community, the breakdown of which is highlighted in **APPENDIX B**.

### **Lessons Learnt**

Due to the success of this concept (especially in Klapmuts), it is recommended that a swop shop becomes a monthly institute within the Stellenbosch Municipal Region. There are multiple factors that negatively influenced the success of the swop shop in Kayamandi and Langrug including a lack of prior communication to the community and the unavailability of certain items which participants would value more such as non-perishable foods. In these areas this project could be a greater success if only children are allowed to partake, as is the case with the Gansbaai and Hermanus swop-shops. Alternatively, assistance is sought from Councillors and community representatives to communicate with the local community about the objectives of swop-shops prior to roll-out.

It is recommended that the pilot study continues in the area where the most positive feedback and public buy-in were received, namely Klapmuts. Once the programme has been well established there, and the success is replicated consistently, it can be rolled out to other areas.

## **ACTIVITY 2: ILLEGAL DUMPING CLEAN-UP**

### **Background**

An illegal dumping clean-up was executed by the Green Ants and 6 EPWP workers provided by Stellenbosch Municipalities' Area Cleaning Department in Kayamandi on 09 May 2016. A second clean-up was executed by the Green Ants and 6 EPWP workers in cooperation with local residents in Klapmuts on 10 May 2016.

### **Feedback**

In Kayamandi, residents did not actively partake in the illegal dumping clean-up and most of the work was done by the Area Cleaning Department. The Green Ants observed that the cleanliness of the area post clean-up did not result in a change of resident's behaviour - they



were not deterred from dumping on the same spot indicating a severe lack of environmental knowledge and general attitude towards their responsibility of keeping their environment clean. From this experience, the team concentrated on promoting small ideas and actions to spark change, such as possibilities for recycling, education regarding illegal dumping hazards and asking key questions to determine the motive for using the specific area as a dumping site.

The aim of Waste Week 2016 was to encourage residents to keep the environment clean (own responsibility) and for this reason the Green Ants created a pledge wall in front of the police station in Kayamandi with the help of willing community members. By placing their hand print on the pledge wall, they pledged to no longer use this area for dumping.

In Klapmuts residents were very happy with the initiative and the fact that the Municipality wants to help them live in a clean area. They actively participated in the clean-up effort and saw this as an opportunity to swap their collections for goods.

### **Lessons Learnt**

It is recommended that environmental-conscious community groups be established in these areas, and ensure that Personal Protective Equipment (PPE) is issued to any community member who would like to participate in the clean-up operations as this will spark their interest. It is also important that they are encouraged to partake by rewarding them with tokens of gratitude, which could be vouchers or food hampers.

### **ACTIVITY 3: SURVEYS**

#### **Background**

Consultation with the different communities was a key part of the programme. This included the completion of surveys and open dialogue with members of the public, determining what their needs are regarding solid waste management and establishing a list of reasons as to why illegal dumping is taking place. An example of the survey is attached as **APPENDIX C**.

#### **Feedback**

In Kayamandi and Franschhoek it was stated by the communities that they would prefer their own members handling the completion of the surveys as they felt a sense of interrogation and that jobs in their area should not be done by outsiders. In Klapmuts the community members were more willing to communicate with the Green Ants.

In Kayamandi 32 surveys were conducted and a further 29 and 9 in Klapmuts and Franschhoek respectively, adding up to 70 in total. 50% of the participants felt that there is a lack of skips and or waste containers in their immediate vicinity and 45% felt that Area Cleaning was not doing a proper job. It is evident that residents do not feel that they themselves are to blame for illegal dumping and/or littering.

**Lessons Learnt**

A modification of the survey is recommended to ensure that the right questions are asked with a specific end goal in mind. The survey has the power to understand the thoughts and hearts of the community when definite responses are triggered through the questions. The survey should also be written in all three official Western Cape languages; English, isiXhosa and Afrikaans.

**WASTE MINIMISATION**

In total, 1,220.5 kg of waste was collected equating to a landfill airspace saving of 48.94 m<sup>3</sup>. We value each m<sup>3</sup> of landfill airspace at R450.85, which means that R 22,064.59 worth of landfill airspace was saved during this week (refer to **APPENDIX B** for calculations).

This has been achieved with minimal effort and relatively low participation levels. It is also important to note that this is a 100% diversion from landfill as all of these items would have been landfilled.

It is important to keep the bigger picture in mind; by implementing an informal waste separation programme, the future conversion to a formal two bag system in these communities will go so much smoother as the foundation has already been built.

Stellenbosch Municipality sets out to identify plans and projects that could lead to more substantial diversion of waste from landfill and meet the recycling targets set by the National Waste Management Strategy (NWMS).

**RECOMMENDED**

- (a) that the content of this report be noted;
- (b) that the monthly waste awareness campaign to be instituted, integrating recycling collections, information gathering and waste education through mobile swap shops, be supported;
- (c) that this pilot project above be implemented in Klapmuts first, and then rolled out in other areas once the viability thereof has been proved;
- (d) that Councillors and Community Development Workers (CDWs) promote the campaign and communicate dates with the respective communities;
- (e) that regular donations of non-perishable goods from the wider WCO24 be encouraged through charities, churches and through official Stellenbosch Municipality communication to assist the swap shops; and
- (f) that Law Enforcement be on board to ensure the safety of the volunteers and goods on offer.

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

**ENGINEERING SERVICES AND HUMAN SETTLEMENTS COMMITTEE MEETING: 2016-06-01: ITEM 5.1.3****RECOMMENDED**

- (a) that the content of this report be noted;
- (b) that the monthly waste awareness campaign to be instituted, integrating recycling collections, information gathering and waste education through mobile swap shops, be supported;
- (c) that this pilot project above be implemented in Klapmuts first, and then rolled out in other areas once the viability thereof has been proved;
- (d) that Councillors and Community Development Workers (CDWs) promote the campaign and communicate dates with the respective communities;
- (e) that regular donations of non-perishable goods from the wider WCO24 be encouraged through charities, churches and through official Stellenbosch Municipality communication to assist the swap shops; and
- (f) that Law Enforcement be on board to ensure the safety of the volunteers and goods on offer.

**(ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)****MAYORAL COMMITTEE MEETING: 2016-06-10: ITEM 5.1.6****RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that the content of this report be noted;
- (b) that the monthly waste awareness campaign to be instituted, integrating recycling collections, information gathering and waste education through mobile swap shops, be supported;
- (c) that this pilot project above be implemented in Klapmuts first, and then rolled out in other areas once the viability thereof has been proved;
- (d) that Councillors and Community Development Workers (CDWs) promote the campaign and communicate dates with the respective communities;
- (e) that regular donations of non-perishable goods from the wider WCO24 be encouraged through charities, churches and through official Stellenbosch Municipality communication to assist the swap shops; and
- (f) that Law Enforcement be on board to ensure the safety of the volunteers and goods on offer.

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

# APPENDIX A

APPENDIX A: WASTE WEEK 2016 SWOP SHOP ITEMS REQUEST

**PLEASE DONATE** towards the **SWOP SHOP**

*We need your help!*

During the Waste Week we want to encourage the public to exchange their recyclables for items such as clothing and food. Please donate some of your unwanted clothes, stationery and food for this cause. Contact: Charlotte Cronjé (Extention 8216)

**Waste Week: 9 – 13 May 2016**



# **APPENDIX B**



**APPENDIX B: BREAKDOWN OF RECYCLING STREAMS**

LOCATION	BAGS OF PLASTIC COLLECTED	BAGS OF GLASS COLLECTED	BAGS OF CARDBOARD COLLECTED	BAGS OF TIN COLLECTED	TOTAL BAGS COLLECTED
KAYAMANDI DAY 1	54	5	1	0	60
KAYAMANDI DAY 2	20	1	0	0	21
<b>SUBTOTAL KAYAMANDI</b>	<b>74</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>81</b>
KLAPMUTS DAY 1	180	13	10	3	206
KLAPMUTS DAY 2	184	12	8	6	210
<b>SUBTOTAL KLAPMUTS</b>	<b>364</b>	<b>25</b>	<b>18</b>	<b>9</b>	<b>416</b>
FRANSCHHOEK	45	3	0	2	50
<b>SUBTOTAL FRANSCHHOEK</b>	<b>45</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>50</b>
<b>GRAND TOTAL</b>	<b>480</b>	<b>34</b>	<b>19</b>	<b>11</b>	<b>547</b>
<b>AVERAGE WEIGHT PER BAG</b>	<b>1.8 kg</b>	<b>8.1 kg</b>	<b>2.3 kg</b>	<b>3.4 kg</b>	
<b>TOTAL WEIGHT COLLECTED PER STREAM</b>	<b>864.0 kg</b>	<b>275.4 kg</b>	<b>43.7 kg</b>	<b>37.4 kg</b>	<b>1220.5 kg</b>
<b>Factor (kg /m<sup>3</sup>)</b>	<b>21.36</b>	<b>355.97</b>	<b>59.32</b>	<b>37.38</b>	
<b>m<sup>3</sup> airspace saved</b>	<b>40.44 m<sup>3</sup></b>	<b>0.77 m<sup>3</sup></b>	<b>0.73 m<sup>3</sup></b>	<b>1.00 m<sup>3</sup></b>	<b>48.94 m<sup>3</sup></b>

# APPENDIX C





APPENDIX C – PHOTO GALLERY



Photo 1 - 4: Kayamandi community member pledging for change – no more dumping in front of the police station!!!



Photo 5 – 7: Customers at the Klapmuts Swap shop



Photo 8 – 9: Innovative ways of transporting more waste in one trip

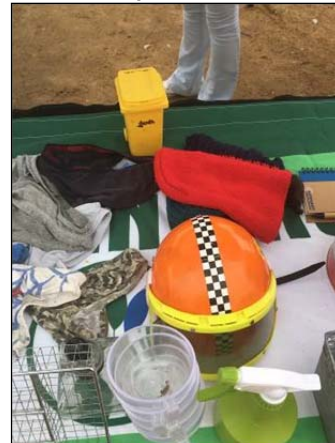


Photo 10 – 12: Swop shop goodies



Photo 13 – 14: Customers



Photo 15: Recyclables collected in two hours



Photo 16: Inspection of the waste



# APPENDIX D



## Survey on waste management/Questionnaire

1. Do you live close to this area? Yes / No

2. Is there a municipality skip collection point close to you? Yes / No

3. Why do you bring your waste here?

- a. Close to my house
- b. Far away from my home so that the smells/nuisances do not bother me
- c. Municipality skips are very far from my home/ not in my area.
- d. Skips are full
- e. Cannot rely on municipal collection
- f. Wheelie bins are full
- g. I am a backyard dweller without wheelie bin

4. What do you dump?

- a. Domestic / household waste
- b. Diapers
- c. Bulky waste (mattresses, fridges, couches etc.)
- d. Dead animals
- e. Garden waste
- f. Builders rubble
- g. All of the above

5. Does the nuisance bother you e.g. smells, flies and rats etc. Yes / No

6. Have you ever burnt the waste /set it alight? Yes / No

7. Does a dirty environment bother you? Yes / No

8. Are you aware that this is not the proper way to dispose of your waste? Yes / No

9. What do you think can be done by the community/ the municipality to improve the illegal dumping issue in your area?

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**6. REPORTS SUBMITTED BY THE MUNICIPAL MANAGER****6.1 NONE-DELEGATED MATTERS****6.1.1 COMMUNITY WORKS PROGRAM APPROVAL: 2016/17 AND BEYOND**

*File number* : 9/2/1/1/1/5

*Compiled by* : Director: Planning and Economic Development

*Report by* : Director: Planning and Economic Development

*Delegated Authority* : Council

***Strategic intent of item***

<i>Preferred investment destination</i>	X
<i>Greenest municipality</i>	X
<i>Safest valley</i>	X
<i>Dignified Living</i>	X
<i>Good Governance</i>	X

**1. PURPOSE OF REPORT**

To obtain Council's approval of the Community Works Program (CWP) for the 2016/17 financial year and subsequent years. Item is recommended for approval.

**2. BACKGROUND**

The Municipality faces specific challenges in consistently delivering services to the community as is obvious from the Integrated Development Plan (IDP) feedback. Certain functions cannot be executed as they fall outside of the mandate / functions of the Municipality, but communities struggle to understand the statutory distinctions. The CWP allows the Municipality to identify work in consultation with the local communities outside of its functional area and to execute same through labour based community initiatives.

The purpose of the program is to supplement people's existing livelihood strategies (i.e. allowing employment of under-employed and/or unemployed citizens) by offering a basic level of income security through work in identified communities. It is an on-going programme that does not replace any of the existing government social grant / job creation programs, e.g. the Expanded Public Works Program (EPWP).

Department of Cooperative Governance (DCoG) is the program sponsor. According to the program prescripts, it provides a bridging opportunity for unemployed, youth, disabled and others who are actively looking for employment opportunities, hence the limitation on only employing people two days of a week. The program provides them with

needed / extra income to support them in their search for full-time or part-time employment. Program participants also have to do community work, to avoid travel and other costs and thus contributing to improvements in their own communities.

The program gives participants a maximum of two days a week employment, i.e. eight days a month, or 100 days a year at R81,00 / day for labourers. CWP sites have to be established in marginalised economic areas, rural and urban, where unemployment and community needs are high. From and by the participants, supervisors, administrators and storekeepers are elected, who earn R105,00 / day and who may work four days a week. Initially this CWP will only provide 500 opportunities for Stellenbosch, whereas the typical program employs 1 000 opportunities. Should the program be implemented successfully, then, within two years, the municipality can expect a program providing 1 000 opportunities.

The DCoG, through its regional agents, undertakes overall management and contracting, with the assistance of the local municipality. Implementing Agents (IA's) contracted by DCoG roll out the program at local level. The IA is appointed to develop the site, provide financial, logistics and project management, while building local capacity through partnerships with local non-governmental organisations (NGO) and community-based organisations (CBO's). It is thus clearly not a municipal program with municipal projects. It is a community based program focused on projects highlighted in and by communities in the IDP, facilitated by the Municipality.

The IA's also work with the community and other stakeholders to identify "useful work" that will benefit the community as a whole, i.e. the projects that have to respond to the IDP needs / priorities.

### **3. DISCUSSION**

#### **3.1. Structure:**

The CWP is structured at municipal level in two tiers, namely the labourers and the supervisors, storekeepers and administrators, with a local representative committee (LRC) to identify the "useful work" and then oversee the execution with the municipal and IA representatives.

#### **3.2. Funding the CWP**

The CWP is funded from the national budget. Wages have been set at R81 a day and R105 a day for supervisors, based on the wage-contribution approved in the national budget for the non-state sector of EPWP. Wages are paid directly into workers' bank accounts through the implementing agency, i.e. not the municipality. The number of days any participant may work in the program is limited, in order to make sure that more people benefit from the programme. In practice, it offers two days of work per week (or the monthly equivalent), which adds up to a maximum of 100 days of work for a participant spread throughout the year.

The CWP prioritises labour-intensive activities and 65% of the money at site level goes to the workers. This ratio requires partnerships with other players to co-resource or co-fund activities with high material inputs. The initial allocation to Stellenbosch provides for the following (in rounded figures):

- 3.2.1. R4,7 million in wages;
- 3.2.2. R451 000,00 for training;
- 3.2.3. R258 000,00 for tools and equipment; and
- 3.2.4 R580 000,00 for personal protective equipment.

Before any participant can start work, they must be registered, and approved by DCoG on the Management Information System (MIS). In order to register and be approved on the MIS, a would-be participant needs to provide the Site Administrator with an ID document; an original bank statement which is not older than 3-months, and which has a bank stamp on it; complete a Registration form and sign a Contract Agreement. Recruitment occurs primarily off the municipal unemployed database.

Data is captured on the MIS and verified by the Implementing Agent, who then submits it to the DCoG for payment purposes. Wages are only paid into a valid bank account belonging to a participant, and not to someone else's bank account. The rule of no work, no pay applies.

### **3.3. What kind of work is provided?**

The local community where the site is located is actively involved in identifying 'useful work' they believe is needed in their area. 'Useful work' is defined as an activity that contributes to the public good. The work responds to priorities set at a local level and focuses on labour-intensive activities, linked to the IDP projects, goals and programs. These include planting and cultivating food gardens at clinics, schools, churches and in household plots; home-based care; developing recreation spaces and sporting facilities; environmental rehabilitation; general maintenance work, including the cleaning of schools, as well as other tasks to support schools and community safety.

### **3.4. Who can apply for enrolment in the CWP?**

The programme is targeted at poor, unemployed and underemployed men and women. The programme strongly identifies with the needs of women, youth and people with disabilities, and ensures that they are not excluded.

At a local Municipal level, there will be a Local Reference Committee (LRC) that advises and supports the implementation of the Community Work Programme. This structure ensures that there is a work plan for CWP participants, and that key stakeholders within the municipality and sector departments work with the implementing agencies in supporting the programme.



Political champion for CWP serving on the LRC needs to be appointed by Council when approving the implementation of the program at Stellenbosch Municipality.

### **3.5. Wards:**

Communities are actively involved in identifying 'useful work' needed in local areas. For this purpose, the following is proposed:

- 3.5.1. Home based care: Wards 1 - 6; 8; 9; 12 – 15; 16 and 18.
- 3.5.2. School maintenance: Wards 4; 19; 20.
- 3.5.3. ECD support (administration and learner support): Wards 1 – 4; 8; 12 - 15; 16 and 18.
- 3.5.4. Food gardening: Wards 1; 2; 3; 4; 5.
- 3.5.5. Cleaning and maintenance of libraries and community halls: All wards.
- 3.5.6. Support to Grant-in-Aid recipients: Proposed program to support Grant-in-Aid recipients in all wards.
- 3.5.7. Parks, open space and recreational area maintenance: Wards 1 - 6; 8; 10; and 12 – 21.
- 3.5.8. Cemetery maintenance: Wards 1; 2; 4; and 11.
- 3.5.9. River maintenance: Wards 1 - 6; 8; 10; and 12 – 21.
- 3.5.10. Public garden and tree maintenance: Wards 1 - 6; 8; 10; and 12 – 21.
- 3.5.11. Area cleaning and tidiness: Wards 1 - 6; 8; 10; and 12 – 21.

It should be noted that the programme cannot be implemented in all wards mentioned above at the same time. The above-mentioned wards are wards where projects will be considered and implemented based on project readiness, the availability of funds, the capacity of resources and the strategic objective and priorities of Council.

Should Grant-in-Aid recipients or other non-governmental organisations accommodate CWP beneficiaries, then these organisations need to be trained and skilled to participate in the program and sign the necessary commitments and agreements to ensure best use is made of the assistance.

### **3.6. Projects:**

The actual projects need to be identified and agreed to with the local project committees, to ensure that people are employed where the communities feel that the best benefit can be derived. Given that it is an election year, these programs and projects cannot be defined in time for the money to be spent, which is March 2017.

In view of the special circumstances, the wards and the broad project definitions are recommended. The participants and the exact project locations and definitions can be refined through community participation in the different wards following on the Council decision to accept the CWP and to assist in its management and administration.

**4. FINANCIAL IMPLICATION**

The estimated overall costs to administer the program from the Stellenbosch Municipality will not exceed R1,0 million (salary, allowances and contributions to operational aspects). In exchange, the municipal communities can benefit from R5,0 million in new investment and on-going services, doubling to R10,0 million if the initial stages of the program can be implemented successfully.

**5. CONCLUSION**

From the above it is obvious that the Municipality and the residents will benefit from the CWP. The municipal financial implications are limited to supporting functions and ensuring that the implementing agents are given the information and guidance required to make a success of a significant investment.

**RECOMMENDED**

- (a) that the Municipality participates in the CWP as an initiative to provide additional employment opportunities to local residents as a safety net in projects to be aligned to the IDP;
- (b) that the Department: Local Economic Development, EPWP Coordinator also be designated as the CWP Coordinator to participate in all the relevant activities required in terms of the program;
- (c) that the Portfolio Chairperson for Planning and Economic Development also be designated as the council representative on the CWP Local Representative Committee; and
- (d) that the projects listed in paragraph 3.5 above be accepted as the projects for the initial phase of the CWP.

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

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**6.1.2 MFMA SECTION 116(3) – PROPOSAL TO EXTEND THE INTEGRATED ZONING SCHEME CONTRACT**

*File number* : 1/1/1/40

*Compiled by* : SPLUMA Compliance Officer (Town Planner)

*Report by* : Director: Planning & Economic Development

*Delegated Authority* : Council

**Strategic intent of item**

<i>Preferred investment destination</i>	<b>X</b>
<i>Greenest municipality</i>	<b>X</b>
<i>Safest valley</i>	<b>X</b>
<i>Dignified Living</i>	<b>X</b>
<i>Good Governance</i>	<b>X</b>

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**1. PURPOSE OF REPORT**

To obtain Council approval for the extension of the contract of the service provider to perform additional work in respect of the Integrated Zoning Scheme (IZS).

**2. BACKGROUND**

A zoning scheme is a legal document that records all land use rights on properties within the area of jurisdiction of a municipality. The purpose of a zoning scheme is to allocate rights to a property with respect to:

- (i) the use which may be conducted from the property;
- (ii) the extent to which buildings may be developed on the property; and
- (iii) any other related matters, eg heritage, parking, etc.

In 2012 Stellenbosch Municipality embarked on a project to prepare an Integrated Zoning Scheme (IZS) for Stellenbosch Municipality (WC024). This project was aimed at standardising, reviewing and addressing the main shortcomings of the various “legacy” zoning and scheme regulations of earlier administrations. These older schemes, amongst other, include Franschhoek, Stellenbosch, Kayamandi and rural area which regulated land in different ways. Amongst others the Municipality has no delegation to consider land use planning applications in Kayamandi under the existing old zoning scheme applicable to the area.

**3. DISCUSSION**

The drafting of a Zoning Scheme for Stellenbosch Municipality was done in terms of the requirements of the Land Use Planning Ordinance, 15 of 1985 (LUPO). The draft IZS was adopted by Council at its 16<sup>th</sup> meeting dated 2013-10-24 (Item 8.8).

Due to legislative changes in 2013 (promulgation of SPLUMA) and the Land Use Planning Act (LUPA), 2014, a revised legal process had to be initiated to finalise the IZS. In terms of these two pieces of legislation the municipality now have full responsibility for land use planning in its area of jurisdiction. It should embark on a process in terms of the Local Government: Municipal Systems Act, 2000 (Act 21 of 2000) to compile a by-law to regulate the administrative processes of the integrated municipal zoning scheme.

A service provider was appointed prior to legislative changes in 2013. Various engagements between the council and officials were held. It became clear that the project will not be completed by the initial completion date (December 2016).

**3.1 An extension to the contract is therefore required to include the following additional tasks into the scope of work:**

- 3.1.1 Resolution of all issues raised in departmental comments, including one-on-one meetings to resolve and discuss with the relevant officials, including write-up of scheme and incorporation into GIS maps;
- 3.1.2 inter-departmental one day workshops to finalise the IZS for Stellenbosch with the focus on:
  - (a) an overview of the regulatory framework and new legislation;
  - (b) history of the project and process followed;
  - (c) SDF and IDP and other laws and the relationship with the zoning scheme;
  - (d) old zones/new zones:
    - (i) conventional residential zones
    - (ii) incremental residential zones
    - (iii) high density residential zones
    - (iv) community zones
    - (v) business use zones
    - (vi) industrial use zones
    - (vii) open space, recreational and conservation zones
    - (viii) utility and transport
    - (ix) overlay zones
  - (e) new zoning maps – how do the conversions work; and
  - (f) overview of public participation process and further comment procedures;
- 3.1.3 integration and alignment of the UDS/SDF/IDP strategic objectives and IZS;
- 3.1.4 facilitation and presentation at workshop for officials and councillors, including printing of plans; and;
- 3.1.5 workshop write-up and presentation material.

It is estimated that the project will be concluded by June 2017.

**3.2 Reasons for the delay in concluding the project include the following:**

- (a) the Spatial Planning Land Use Management Act, 2013 was only enacted in July 2015 as well as the Land Use Planning Act, 2014

- in August 2015. The late promulgation of these Acts effectively delayed the project start;
- (b) the Planning Department followed a more extensive inter-departmental comment process, which took longer than originally set out in the scope of works;
  - (c) this process highlighted a number of issues which has led to the need for an additional interdepartmental workshop which was not included for in the scope of works and which will lead to additional revision to the draft by-law document;
  - (d) the outcomes of the workshop will also lead to amendments to the zoning map in GIS; and
  - (e) it would not have been prudent to advertise the by-law on an Integrated Zoning Scheme for public comment in the run-up to the local government elections in August. Permission to advertise can only be obtained at the earliest in October 2016 once the portfolio committees have been constituted. This means the earliest possible conclusion date for this project is June 2017.

A quote for the above-mentioned additional work to be performed is outlined in the attached **APPENDIX 1**. As no provision in the budget has been made for the additional work, it is proposed that the Administration be commissioned to make budgetary provision in this regard through the adjustment budget process.

### **3.3 Prescriptive provisions of Section 116(3) of the Municipal Finance Management Act, 56 of 2003**

In light of the reasons for extension, Council may authorise the extension into the MFMA section 116(3) which reads:

- (3) *A contract or agreement procured through the supply chain management policy of the municipality or municipal entity may amended by parties, but only after-*
  - (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 the intention to amend the contract arrangement; and*
    - (ii) *has been invited to submit representations to the municipality or municipality entity.*

### **4. LEGAL DEPARTMENT**

None required.

### **5. FINANCIAL IMPLICATION**

Financial Services support the item.

### **RECOMMENDED**

- (a) that Council takes note of the prescriptive provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, 56 of 2003 enabling local government institutions to amend contracts with service providers under certain conditions, being:

- (i) the reasons for the proposed extension of the contract have been submitted to Council for consideration;
  - (ii) the public was given reasonable notice of the intention to amend and extend the contract;
  - (iii) the public has been invited to make submissions to the municipality;
- (b) that permission be granted to advertise in local newspapers in terms of Section 116(3)(b) of the MFMA for comments to extend the contract of June 2015 until June 2017 with reasons mentioned in this report; and
- (c) that the Administration be commissioned to make budgetary provision during the adjustment budget process to the amount of R105 000 (excluding vat) for the additional work.

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

# APPENDIX 1

**STELLENBOSCH DEVELOPMENT MANAGEMENT SCHEME**  
**PROGRESS REPORTING AND INVOICING**

DATE: 16/06/14

WORK BREAKDOWN STRUCTURE - KEY DELIVERABLES AND SUBTASKS		Summary of meetings + time	Cost (R)	% complete	Total Invoiced
<b>1</b>	<b>Project initiation</b>				
i)	Meeting to finalise scope and approach	3 meetings	R 6,000.00	100.00%	R 6,000.00
ii)	Draft notice to inform of commencement + translation	±0.5 day	R 2,100.00	100.00%	R 2,100.00
iii)	Motivation to department - no IGSC	hour	R 1,000.00	100.00%	R 1,000.00
iv)	Inception report	±1day	R 5,000.00	100.00%	R 5,000.00
<b>2</b>	<b>Redraft IZS In terms of new legislation + amendments required by Planning Department</b>				
i)	Research new legislation	±2 days	R 12,000.00	100.00%	R 12,000.00
ii)	Identify proposed amendments required in response to legislative changes	±1 day	R 8,000.00	100.00%	R 8,000.00
iii)	Workshops with Planning Department on required amendments x2.5	±2.5 days	R 36,100.00	100.00%	R 36,100.00
iv)	Research proposed amendments suggested during workshops	±2 days	R 16,000.00	100.00%	R 16,000.00
v)	Incorporate all proposed amendments into Final Draft scheme & overlays documents	±3 days	R 31,400.00	100.00%	R 31,400.00
vi)	Circulate to Director + planners for comments + assimilate comments	1 meeting + 2.5 days	R 24,000.00	100.00%	R 24,000.00
vii)	Technical editing and word processing of document	±3 days	R 13,200.00	100.00%	R 13,200.00
<b>3</b>	<b>Additional Workshop with Departments (2 day workshop)</b>	R 105,000.00	not approved yet		
i)	Research topics and prepare workshop material	±3-4 days			
ii)	Workshop admin, invitations and arrangements, catering, travelling				
iii)	Workshop attendance and facilitation (@P-AT+EL)	2 days			
iv)	Minutes of workshop and write-up	±2 days			
v)	New overlay zone -incorporate and GIS work	±3-4 days			
<b>3</b>	<b>Linguistic editing and translation into Afrikaans &amp; Xhosa</b>				
i)	Professional linguistic editing of English version of document	hours	R 1,100.00	100.00%	R 1,100.00
	Linguistic editing (english version) ± 100 pages @R200 per page		R 20,000.00	100.00%	R 20,000.00
ii)	Arrange translations (Afrikaans & IsiXhosa)	hours	R 1,100.00	100.00%	R 1,100.00
	Afrikaans Translation ±100 pages @ R500 per page		R 55,000.00		R 0.00
	Xhosa Translation ± 100 pages @ R500 per page		R 55,000.00		R 0.00
iii)	Checking & editing of Afrikaans translation document	±1.5 days	R 8,400.00	100.00%	R 8,400.00
<b>4</b>	<b>Prepare draft item for permission from Council to advertise</b>				
i)	Draft agenda item report for submission to full Council	± 0.5 days	R 3,200.00	100.00%	R 3,200.00
ii)	Prepare and make presentation to full Council	1x meeting + 1 days	R 10,000.00	100.00%	R 10,000.00
<b>5</b>	<b>Public Participation &amp; Stakeholder engagement</b>				
i)	Engage with targeted stakeholders before finalising proposed amended draft	2 meetings + 1 day	R 8,200.00	100.00%	R 8,200.00
ii)	Draft advertisement & arrange placement with municipal admin officials (30-60 Days)	± 0.5 days	R 1,650.00	100.00%	R 1,650.00
iii)	Written notifications (draft notice & arrange postage)	± 0.5 days	R 2,200.00	100.00%	R 2,200.00
iv)	Liaise with Provincial Government + Dept Agri	2 meetings	R 6,000.00	100.00%	R 6,000.00
v)	Summarise all comments received	± 2 days	R 16,000.00	100.00%	R 16,000.00
vi)	Stakeholder meeting with commenting parties	1 meeting	R 4,000.00	100.00%	R 4,000.00
vii)	Decide on Final changes with planners + Director	1 meeting	R 4,000.00	100.00%	R 4,000.00
viii)	Incorporate all comments into document	±1 day	R 8,000.00	100.00%	R 8,000.00
ix)	Translations of corrected document	hours	R 1,100.00	100.00%	R 1,100.00
x)	Arrange Final Notice (30 days) (if required by legal process)	± 0.5 days	R 2,200.00		R 0.00
<b>6</b>	<b>Resubmit final Scheme to full Council for adoption (incl presentation)</b>				
i)	Finalise all reports and scheme	± 1 day	R 4,200.00	100.00%	R 4,200.00
ii)	Prepare presentation and make presentation at full Council meeting	1x meeting + 1 day	R 12,200.00	100.00%	R 12,200.00
iii)	Obtain full council approval for scheme	hours	R 1,550.00		R 0.00
iv)	Arrange publication in Provincial Gazette	hours	R 1,100.00		R 0.00
<b>7</b>	<b>Updating GIS cadastral and zoning information and capture all decisions from 2012 to promulgation date</b>				
<b>7.1</b>	<b>Effect initial correction of GIS structural defects</b>				
i)	Merge current database into one database (fix unioning errors)	± 3 days	R 10,000.00		R 0.00
ii)	Eliminate duplicate properties (fix unioning errors)	± 3 days	R 10,000.00		R 0.00
iii)	Ensure zoning is allocated to all properties (±600 erven)	± 3 days	R 15,000.00		R 0.00
iv)	Ensure no overlapping erven and no 2 properties are queried	± 3 days	R 10,000.00		R 0.00
<b>7.2</b>	<b>Updating the zoning register with all decisions</b>				
i)	Obtain Cadastral information from SG and identify all new erven	± 1.5 days	R 5,000.00		R 0.00
ii)	Allocate zoning in terms of IZS + capture departures & consents	± 8 days	R 37,200.00		R 0.00
iii)	Circulate to planners for final comment + info (corrections + lapsed zoning)	1 meeting + 5 days	R 29,700.00		R 0.00
v)	Provide zoning map in compatible format (Arch GIS, PDF + Viewer)	± 2 days	R 6,000.00		R 0.00
<b>8</b>	<b>Training sessions for staff &amp; Councillors</b>				
i)	Prepare training material	± 2.5 days	R 18,500.00	25.00%	R 4,625.00
ii)	Training session: nominated planning staff x2	2x session	R 8,500.00		R 0.00
iii)	Training session: Members of Planning & Development Committee + Council x1	1x session	R 4,000.00		R 0.00
<b>DISBURSEMENTS included in tender total</b>					
Sundry disbursements (eg traveling, printing, workshops etc)			R 19,500.00		R 15,000.00
<b>Total</b>			<b>R 180,400</b>		<b>R 285,775.00</b>



**6.2 DELEGATED MATTERS**

NONE

**7. REPORTS SUBMITTED BY THE EXECUTIVE MAYOR****7.1 NON-DELEGATED MATTERS**

NONE

**7.2 DELEGATED MATTERS**

NONE

**8. MOTIONS AND QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER**

NONE

**9. CONSIDERATION OF MOTIONS OF EXIGENCY**

NONE

**10. MATTER/S TO BE CONSIDERED IN-COMMITTEE**

NONE