STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2023-02-10

MAYORAL COMMITTEE MEETING

WEDNESDAY, 2023-02-15 AT 10:00

TO The Executive Mayor, Ald G Van Deventer

The Deputy Executive Mayor, Cllr J Fasser

COUNCILLORS R Adams

Z Dalling

R du Toit
P Johnson
J Joon

L Nkamisa

C van Wyk

J Williams

Notice is hereby given that a Mayoral Committee Meeting will be held via **MS Teams** on **Wednesday, 2023-02-15 at 10:00** to consider the attached agenda.

EXECUTIVE MAYOR, ALD GM VAN DEVENTER

CHAIRPERSON

AGENDA

MAYORAL COMMITTEE MEETING

2023-02-15

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Confirmation of Minutes: Mayoral Committee : 2023-01-19

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2023-01-19

MINUTES

MAYORAL COMMITTEE MEETING:

2023-01-19 AT 10:00

MINUTES

MAYORAL COMMITTEE MEETING

2023-01-19

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PRESENT: Executive Mayor, Ald GM Van Deventer **(Chairperson)**

Councillors: R Adams
R du Toit (Ms)
P Johnson
J Joon
L Nkamisa
C van Wyk (Ms)
J Williams

Also Present: Councillor P Crawley (Chief Whip)
Speaker Q Smit
W Petersen (MPAC Chairperson)

Officials: Municipal Manager (G Mettler (Ms))
Director: Corporate Services (A de Beer (Ms))
Acting Director: Community & Protection Services (A van de Merwe)
Director: Planning and Economic Development (A Barnes)
Director : Infrastructure Services (S Chandaka)
Chief Financial Officer (K Carolus)
Senior Administration Officer (B Mgcushe (Ms))

****

1.	**OPENING AND WELCOME**

The Chairperson, Executive Mayor welcomed everyone present at the first Mayoral Committee Meeting of the new year and officially open this year for Council business and hopefully as the Council and officials we will work well together to serve the residents of WC024.

2.	**COMMUNICATION BY THE CHAIRPERSON**

NONE

3.	**DISCLOSURE OF INTERESTS**

NONE

4.	**APPLICATIONS FOR LEAVE OF ABSENCE**

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

Deputy Mayor, Cllr J Fasser – 19 January 2023

Z Dalling (Ms) – 19 January 2023

5.	CONFIRMATION OF PREVIOUS MINUTES

The minutes of the Mayoral Committee Meeting held on 2022-11-16 were **confirmed as correct without any amendments.**

6.	STATUTORY MATTERS

6.1	TABLING OF THE DRAFT ANNUAL REPORT 2021/22

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **19 January 2023**

1. SUBJECT: TABLING OF THE DRAFT ANNUAL REPORT 2021/22

2. PURPOSE

(a) To table to Council the Draft Annual Report 2021/22 for consideration and to be released for public comment.

(b) Furthermore, it is also the purpose of this submission, after the adoption of the Draft Annual Report 2021/22 by the Council, to refer the Draft Annual Report 2021/22 to the Municipal Public Accounts Committee (MPAC) to fulfil the role of an Oversight Committee and to make a recommendation to Council as contemplated in terms of Section 129(1) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA).

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Annual Report must be tabled, by the Executive Mayor, within 7 months after the end of the financial year. The Draft Annual Report must be made public and the Municipal Manager must invite the public to provide input into the draft report. It has become a practice that the MPAC also invites the public to make verbal representations at meetings where the report is being discussed.

A schedule with proposed dates for the MPAC meetings is also attached hereto as **ANNEXURE A.** Council resolved that MPAC has, as part of its terms of reference, the role to sit as the Oversight Committee to consider the Draft Annual Report 2021/22.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-01-19: ITEM 6.1

(a) that Council takes note of the Draft Annual Report 2021/22;

(b) that Council takes note that the Municipal Manager will make the Draft Annual Report 2021/22 public for comment on the official website of the Stellenbosch Municipality, the local print media and at the offices of the municipality for 21 days; that the commencement

of the public participation process will be the date the Draft Annual Report 2021/22 is published on the municipal website;

(c) that Council refers the Draft Annual Report 2021/22 (ANNEXURE B) to the MPAC to consider the Draft Annual Report 2021/22 and to make a recommendation to Council as contemplated in terms of Section 129(1) of the MFMA;

(d) that Council takes note of the proposed dates for the MPAC meetings where the Draft Annual Report 2021/22 will be discussed, as detailed in ANNEXURE A hereto. These dates are subject to change. Final dates will be published on the municipality's website and in the local media;

(e) that Council approves the MPAC's mandate to co-opt two members of the public with expertise in specific fields to assist and advise the MPAC; and

(f) that Council approves that the co-opted members can be remunerated in line with the recommendations of National Treasury Regulation in this regard.

Rates for additional nominated community members as per Treasury Regulation 20.2.2. The once-off preparation tariff was used as a guide since the National Treasury does not have guidance in that regard. Consultation must take place to decide if the rate will remain the same.

Tariff	Number of co-opted Members	Not exceeding no. of hours	Remuneration
Per-hour tariff for attendance of meeting as a member	2	45 hours	R 327.00 per hour
Once-off Tariff for duties performed in preparation	2	6 hours	R 1 500 (for six hours)

6.2	MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2022/2023

Collaborator No: 742566
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 January 2023

1. SUBJECT:MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2022/2023

2. PURPOSE

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

3. DELEGATED AUTHORITY

FOR NOTICE BY MUNICIPAL COUNCIL

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

4. EXECUTIVE SUMMARY

This report provides the progress made by the Municipality in terms of the Service Delivery Budget and Implementation Plan (SDBIP) for the period 1 July 2022 to 31 December 2022.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-01-19: ITEM 6.2

(a) that Council take note of the report and more specifically the assessment and forecasts contained in the report,

(b) that Council take note that an Adjustments Budget will be tabled to Council as a result of the following:

- the appropriation of additional allocations received and increased realistically anticipated revenue during the financial year;

-the reprioritization of projects in line with being completed by the communicated cut-off dates to facilitate year- end preparation;

(c) that Council notes the performance of the Municipality against the set objectives contained in Section 2; and

(d) that the Accounting Officer attend to ensuring that Directors put the necessary corrective measures in place to ensure that projects are managed proactively in a bid to ensure that Council meet its strategic objectives contained in the Service Delivery and Budget Implementation Plan and to report on same at the end of quarter.

6.3	MFMA SECTION 52 REPORTING UP TO DECEMBER 2022

Collaborator No: 742564
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 January 2023

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO DECEMBER 2022

2 PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the budget; financial and service delivery budget implementation plan by the Municipality for quarter 2 of the 2022/23 financial year.

3. DELEGATED AUTHORITY

THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL

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

"*The mayor of a municipality—*

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

4. EXECUTIVE SUMMARY

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

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

This report provides the overall performance of the Municipality for the period 1 October 2022 to 31 December 2022.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-01-19: ITEM 6.3

that Council notes Section 52 Report (including quarterly performance report) – Second Quarter.

FOR FURTHER DETAILS CONTACT:

NAME	**Monique Steyl**
POSITION	***Senior Manager Financial Management Services***
DIRECTORATE	***Financial Services***
CONTACT NUMBER	***021 – 808 8512***
E-MAIL ADDRESS	***Monique.Steyl@stellenbosch.gov.za***
REPORT DATE	***DECEMBER 2022***

6.4	MID-YEAR ADJUSTMENTS BUDGET FOR 2022/2023

Collaborator No: 742566
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 January 2023

1. SUBJECT: MID-YEAR ADJUSTMENTS BUDGET FOR 2022/2023

2. PURPOSE

To table the adjustments budget as envisaged by section 28 of the Municipal Finance Management Act (Act No.56 of 2003), for the 2022/2023 financial year, for approval. The Western Cape Adjustments Appropriation Act, 2022, was enacted on 21 December 2022 and arising from this, grant allocations were amended for Stellenbosch Municipality, for the 2022/23 financial year.

3. DELEGATED AUTHORITY

Approval is required by the Municipal Council.

4. EXECUTIVE SUMMARY

Attached as **APPENDIX 1** is an executive summary by the Accounting Officer.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-01-19: ITEM 6.4

(a) that the Adjustments Budget for 2022/2023 as will be amended per the discussions with the Executive Mayor and set out in the **APPENDIX 1**, that will be tabled at Council, be approved;

(b) that the list of capital projects be adjusted over the MTREF (2022/2023), as set out in the tabled **APPENDIX 1**;

(c) that that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 2**, be approved; and

(d) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

FOR FURTHER DETAILS CONTACT:

NAME	**MONIQUE STEYL**
POSITION	***SENIOR MANAGER: FINANCIAL MANGEMENT SERVICES***
DIRECTORATE	***FINANCIAL SERVICES***
CONTACT NUMBERS	***021 808 8512***
E-MAIL ADDRESS	***Monique.Steyl@stellenbosch.gov.za***
REPORT DATE	***11 January 2022***

DIRECTOR: FINANCIAL SERVICES

6.5	REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2022/23

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **19 January 2023**

1. SUBJECT: REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2022/23

1. PURPOSE

To obtain Council's approval for the revisions made to the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2022/23.

2. DELEGATED AUTHORITY

Council

3. EXECUTIVE SUMMARY

The TL SDBIP 2022/23 was approved by the Executive Mayor on 22 June 2022. It is common practice for a municipality, as provided for in the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), to review its performance indicators and targets after approving the adjustments budget.

All the necessary changes, which must be deleted and or amended, are indicated with a strikethrough and an underline respectively (for ease of reference). It should be noted that the TL SDBIP 2022/23 is the in-year plan of the municipality, and amendments made to the TL SDBIP 2022/23 must be read in conjunction with the Integrated Development Plan (IDP). Therefore, changes made to the Revised TL SDBIP 2022/23 are considered to be made in the IDP as well.

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

b) KPI001- The target date was moved from 31 March 2023 to 31 May 2023. The target date was revised in line with available resources to realistically achieve the planned target.

c) KPI004- The target was adjusted from 80% to 75%. The target was revised in line with available resources to realistically achieve the planned target.

d) KPI014- The target was adjusted from 75% to 70%. The target was revised in line with available resources to realistically achieve the planned target.

e) KPI060- The wording of the deliverable was amended.

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

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-01-19: ITEM 6.5

(a) that the Revised TL SDBIP 2022/23 be approved;

(b) that the Revised TL SDBIP 2022/23 be published on the Municipal Website; and

(c) that the Revised TL SDBIP 2022/23 be submitted to:

ii. Internal Audit Unit (for notification);
iii. Department of Local Government: Western Cape;
iv. Provincial Treasury: Western Cape;
v. Auditor General of South Africa; and
vi. National Treasury.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8025
E-MAIL ADDRESS	mm@stellenbosch.gov.za
REPORT DATE	12 January 2023

6.6	**OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 2 (01 OCTOBER 2022 – 31 DECEMBER 2022)**

Collaborator No: 742557
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 January 2023

1. SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 2 (01 OCTOBER 2022 – 31 DECEMBER 2022)

2. PURPOSE

To submit to Council a report for the period 01 October 2022 – 31 December 2022 on the implementation of Council's Supply Chain Management Policy. The report covers the performance of the various delegated functions and the implementation thereof.

3. FOR DECISION BY MUNICIPAL COUNCIL

Section 6 (3) & 4 of the SCM Policy 2022/2023, determines that the Accounting Officer must within 10 days at the end of each quarter; submit a report on the implementation of the SCM Policy to the Executive Mayor. This report must be made public in accordance with section 21A of the Municipal Systems Act (32 of 2000).

4. EXECUTIVE SUMMARY

On a quarterly basis the Accounting Officer must submit a report on the implementation of the Supply Chain Management Policy to the Executive Mayor. In terms of the SCM Regulations and Council's SCM Policy the SCM unit has been delegated to perform powers and functions that related to the procurement of goods and services, disposal of goods no longer needed, the selection of contractors to aid in the provision of municipal services.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-01-19: ITEM 6.6

(a) that Council approves this report and Annexure A attached to the report, and

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

FOR FURTHER DETAILS CONTACT:

NAME	*Bentley Louw*
POSITION	*Acting Senior Manager: Supply Chain Management*
CONTACT NUMBERS	*021 808 8588*
E-MAIL ADDRESS	*Bentley.Louw@stellenbosch.gov.za*
DIRECTORATE	*Financial Services*
REPORT DATE	*12 January 2023*

6.7	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR DECEMBER 2022

Collaborator No: 742555
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 January 2023

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR DECEMBER 2022

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2022/2023 to report the deviations to Council.

3. DELEGATED AUTHORITY

Council

FOR NOTING.

4. EXECUTIVE SUMMARY

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2022/2023) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during December 2022.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-01-19: ITEM 6.7

that Council notes the deviations as listed for the month of December 2022.

FOR FURTHER DETAILS CONTACT:

NAME	Bentley Louw
POSITION	***Acting Senior Manager: Supply Chain Management***
DIRECTORATE	***Financial Services***
CONTACT NUMBERS	***021 808 8588***
E-MAIL ADDRESS	***Bentley.Louw@stellenbosch.gov.za***
REPORT DATE	03 January 2022

7.	**CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER]**

7.1	**PROTECTION SERVICES: (PC:)**

NONE

7.2	**YOUTH, SPORTS AND CULTURE: [PC: CLLR R ADAMS]**

NONE

7.3	**CORPORATE SERVICES: (PC: CLLR L NKAMISA)**

NONE

7.4	FINANCIAL SERVICES: (PC: CLLR P JOHNSON)

7.4.1	MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JULY 2022 – 31 DECEMBER 2022 MFMA S116(2)(d) REPORT

Collaborator No: 742558
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 January 2023

1. SUBJECT: MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JULY 2022 – 31 DECEMBER 2022 MFMA S116(2)(d) REPORT

2. PURPOSE

To report in accordance with MFMA, Section 116(2)(d) on the management of contracts or agreements and the performance of contractors.

3. DELEGATED AUTHORITY

(FOR DECISION BY MUNICIPAL COUNCIL, EXECUTIVE MAYOR AND MAYORAL COMMITTEE, PORTFOLIO COMMITTEE, EXECUTIVE MANAGEMENT, ETCETERA)

None

4. EXECUTIVE SUMMARY

The report indicates the performance of service providers who were active on contracts secured by means of a competitive bidding process for the period 01 July 2022 to 31 December 2022.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-01-19: ITEM 7.4.1

that the MFMA S116(2)(d) report for the management of contracts or agreements and contractor performance from 01 July 2022 to 31 December 2022 be noted.

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	***Senior Manager: Supply Chain Management***
DIRECTORATE	***Financial services***
CONTACT NUMBERS	***021 808 8588***
E-MAIL ADDRESS	***Dalleel.Jacobs@stellenbosch.gov.za***
REPORT DATE	***12 January 2023***

7.5	**HUMAN SETTLEMENTS: (PC: CLLR J FASSER)**

NONE

7.6	**INFRASTRUCTURE SERVICES : (PC : CLLR Z DALLING)**

NONE

7.7	**PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J JOON)**

NONE

7.8	**PLANNING :(PC: CLLR C VAN WYK)**

NONE

7.9	**LOCAL ECONOMIC DEVELOPMENT AND TOURISM:(PC: CLLR R DE TOIT)**

NONE

7.10	**RURAL MANAGEMENT: (PC: CLLR J WILLIAMS)**

NONE

7.11	MUNICIPAL MANAGER

7.11.1	ADOPTION OF THE DRAFT STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2022/23 FINANCIAL YEAR

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **19 January 2023**

1. SUBJECT: ADOPTION OF THE DRAFT STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2022/23 FINANCIAL YEAR

2. PURPOSE

To submit the Draft Strategic and Operational Risk Register for the 2022/23 financial year for Council approval.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Municipal Governance best practice as well the Municipal Finance Management Act (MFMA), Act 56 of 2003, requires municipalities to have an effective risk management mechanism to stay abreast of prevalent risks and to determine the risk appetite. To ensure effectiveness, a municipality must focus its attention and resources on the areas of most significant risk and concern to stakeholders. To this end, Stellenbosch Municipality has undertaken the practice of adopting a Strategic and Operational Risk Register which identifies strategic and operational risk at a corporate level to ensure that risks which could hamper service delivery and the strategic objectives are identified and linked to appropriate actions to mitigate the risks.

Due to the changing dynamics in the external environment with impact municipal services, amendments to the Strategic and Operational Risk Register were necessitated to ensure that the municipalities remain appropriately responsive to the risk environment.

The Stellenbosch Municipality is committed to effective risk management to achieve the municipality's vision, service delivery, and strategic objectives and to ensure appropriate outcomes for the community.

To ensure continuous alignment with all the strategic processes, the register is submitted to council with the adjustment budget.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-01-19: ITEM 7.11.1

that Council adopts the amended Strategic and Operational Risk Register for the 2022/23 financial year.

8.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR

NONE

9.	URGENT MATTERS

9.1	IDENTIFICATION OF LAND FOR EMERGENCY HOUSING

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **19 January 2023**

1. SUBJECT: IDENTIFICATION OF LAND FOR EMERGENCY HOUSING

2. PURPOSE

A report identifying land for emergency housing served before Council on 2017-10-25: Item 7.3.2. The item is attached for reference purposes as **ANNEXURE 1**.

At the meeting it was resolved to arrange for a special workshop to discuss the issues contained in the report.

The purpose of this report is to provide feedback of the workshop, to resubmit the agenda item as per paragraph (c) of the decision and to propose a way forward.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

WORKSHOP RE EMERGENCY HOUSING

Council resolved at the meeting of 2017-10-25: Item 7.3.2

"(a) that in order to understand and agree on the uncertainties (as listed in paragraph 7 of the report), it is proposed that a workshop be held amongst the relevant municipal directorates and Ward Councillors, to:

(i) discuss, agree and formulate a response to the questions listed in paragraph 7;

(ii) determine criteria for the selection of suitable emergency housing sites;

(b) That the Director: Planning & Economic Development be mandated to coordinate the aforementioned workshop; and

(c) That after the workshop envisaged in (a) above, the item be resubmitted to Council for consideration."

Subsequent to the above resolution a workshop was held on Monday, 13 November 2017 in Council Chambers. At the workshop it was agreed that councillors, and particularly ward councillors, will identify suitable land for emergency housing within their wards and that the

land so identified will be brought under the attention in writing to the Speaker within 14 days of the workshop.

No proposal was received during this period or since the workshop. Hence no new land for emergency housing was included in this report.

EXECUTIVE MAYORAL COMMITTEE: 2023-01-19: ITEM 9.1

RESOLVED

that this item be referred to all the respective section 80 committees for their input and the clustering of the joint section 80 committees to consider the proposals and make recommendations to the Executive mayor will be determined in consultation with the Executive Mayor.

FOR FURTHER DETAILS CONTACT:

NAME	**Johru Robyn**
POSITION	***Manager: Informal Settlements***
DIRECTORATE	***Planning and Economic Development***
CONTACT NUMBERS	***021- 808 8460***
E-MAIL ADDRESS	***Johru.robyn@stellenbosch.gov.za***
REPORT DATE	***17.01.2023***

10.	**MATTERS TO BE CONSIDERED IN-COMMITTEE**

The meeting adjourned at 11:05

CHAIRPERSON: ……

DATE: ……

Confirmed on ……

6.	**STATUTORY MATTERS**

6.1	**FEBRUARY ADJUSTMENTS BUDGET FOR 2022/2023**

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **15 February 2023**

1. SUBJECT: FEBRUARY ADJUSTMENTS BUDGET FOR 2022/2023

2. PURPOSE

To table the adjustments budget as envisaged by section 28 of the Municipal Finance Management Act (Act No.56 of 2003), for the 2022/2023 financial year, for approval.

The adjustments budget emanates from an additional Emergency Municipal Loadshedding Relief Grant allocation to the amount of R6 175 000, received from Western Cape Provincial Government (Department of Local Government, Environmental Affairs and Development Planning).

3. DELEGATED AUTHORITY

Approval is required by the Municipal Council.

4. EXECUTIVE SUMMARY

Attached as **APPENDIX 1** is an executive summary by the Accounting Officer.

5. RECOMMENDATIONS

(a) that the Adjustments Budget for 2022/2023 as set out in **APPENDIX 1**, be approved;

(b) that that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 2**, be approved; and

(c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

6. DISCUSSION / CONTENTS

6.1. Background/ Legislative Framework

In terms of section 28 (2)(b) of the Municipal Finance Management Act:

"(2) An adjustments budget—

(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;

According to regulation 23 (3) of the Municipal Budget and Reporting Regulations:

"23. (3) If a national or provincial adjustments budget allocates or transfers additional revenues to a municipality, the mayor of the municipality must, at the next available council meeting, but within 60 days of the approval of the relevant national or provincial adjustments budget, table an adjustments budget referred to in section 25(2)(b) of the Act in the municipal council to appropriate these additional revenues"

6.2 Discussion

Capital Adjustments Budget

Council approved an Amended Capital Budget for the 2022/2023 financial year amounting to R 372 534 141 in January 2023. Details of the proposed adjustments are reflected in **APPENDIX 1**.

Operational Adjustment Budget

The Amended Operating Revenue Budget for the 2022/2023 financial year amounted to R 2 203 523 097 in January 2023. These adjustments budget effectively changes the amended budget by means of the inclusion of an Emergency Municipal Loadshedding Relief Grant.Details of the proposed adjustments are reflected in **APPENDIX 1**.

Operational Expenditure Budget

Council adopted an Amended Operating Expenditure Budget for the 2022/2023 financial year amounting to R 2 119 664 545 in January 2023. No amendments have been made on the Operational Expenditure Budget.

6.4 Legal Implications

The item is compliant with the relevant legislative framework.

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

Item 8.4 Mid-year Adjustments Budget 2022/2023 - tabled in the 10th Meeting of Council on 30 January 2023.

6.7 Risk Implications

None

6.8 Comments from Senior Management:

Inputs from all Directorates were incorporated into the adjustments budget.

Attachments

Appendix 1 - Budget documentation
Appendix 2 - Adjustments budget 22/23 (B-schedule)
Appendix 3 - Quality certificate

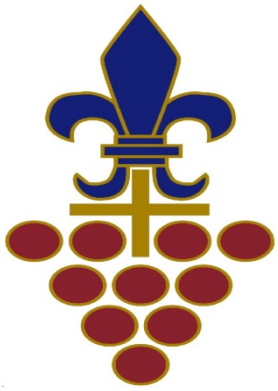
Appendix 4 – Letter: Western Cape Government 2022/23 Emergency Municipal Loadshedding Relief Grant Allocation: Stellenbosch Municipality

FOR FURTHER DETAILS CONTACT:

NAME	**MONIQUE STEYL**
POSITION	***SENIOR MANAGER: FINANCIAL MANGEMENT SERVICES***
DIRECTORATE	***FINANCIAL SERVICES***
CONTACT NUMBERS	***021 808 8512***
E-MAIL ADDRESS	***Monique.Steyl@stellenbosch.gov.za***
REPORT DATE	***10 February 2023***

DIRECTOR: FINANCIAL SERVICES

The contents of this report have been discussed with the Portfolio Committee Chairperson and the Councillor agrees with the recommendations.



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SPECIAL ADJUSTMENTS BUDGET DOCUMENTATION

February 2023

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APPENDIX 1

ADJUSTMENTS BUDGET

1. Mayor's Report

Additional allocation from Provincial Government: 2022/23 Emergency Municipal Load Shedding Relief Grant Allocation

The increased frequency of stages 4 to 6 load shedding is having a major impact on several municipalities' ability to effectively provide basic services. Prolonged periods of load shedding have caused significant interruptions in the supply of potable water and sanitation services to citizens in various municipalities. Premised on the impact of loadshedding and the forecasted increased frequency and severity of loadshedding, with stage 4 expected to be the norm in 2023, urgent intervention is required.

Given the Department of Local Governments' mandate to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions, several initiatives are being undertaken with the aim of assisting municipalities to manage and mitigate the impact of sustained load shedding on their citizens. The most critical and emergency initiative to mitigate this impact, is the acquisition of back-up generators at key water and wastewater infrastructure installations, which will assist in preventing interruptions or a collapse in basic services.

The Minister of Local Government, Environmental Affairs and Development Planning, Mr Bredell has written to the Minister of Finance and Economic Opportunities, Ms Wenger, in terms of Section 25 of the Public Finance Management Act (Act No.l of 1999) (PFMA), applying for the authorisation of funds as an emergency and immediate response to mitigate the impact of the prolonged loadshedding on municipal water and sanitation services.

Gazetting of Allocations

The adjustment budget in terms of section 28 (2) (b) and (c) of the MFMA emanates from an additional conditional grant allocation to Stellenbosch Municipality, for the Emergency Municipal Loadshedding Relief Grant to the amount of R6 175 000, received from Western Cape Provincial Government (Department of Local Government, Environmental Affairs and Development Planning).

2. Resolutions

(a) that the Adjustments Budget for 2022/2023 as set out in **APPENDIX 1**, be approved;

(b) that that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 2**, be approved; and

(c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

3. Executive Summary

Additional Allocations from Provincial Government

The Minister of Local Government, Environmental Affairs and Development Planning, Mr Bredell has written to the Minister of Finance and Economic Opportunities, Ms Wenger, in terms of Section 25 of the Public Finance Management Act (Act No.l of 1999) (PFMA), applying for the authorisation of funds as an emergency and immediate response to mitigate the impact of the prolonged loadshedding on municipal water and sanitation services. Accordingly, an amount of R6 175 000 has been allocated to your Municipality. (See Appendix 4: Letter from Western Cape Provincial Government (Department of Local Government, Environmental Affairs and Development Planning).

The breakdown of the additional allocation is as follows:

Additional Allocations				
Grants	**Type**	**Approved Budget**	**Adjustments**	**Adjustments Budget**
Emergency Municipal Load Shedding Relief Grant Allocation	Capital	-	6 175 000	6 175 000
		-	**6 175 000**	**6 175 000**

The increase in conditional grants and additional allocation will affect the operational revenue budget as follows:

Directorate	**Approved Budget**	**Adjustments**	**Adjustments Budget**
Municipal Manager	- 550 000	-	-550 000
Planning & Development Services	-20 611 707	-	-20 611 707
Community and Protection Services	-164 480 939	-	-164 480 939
Infrastructure Services	-1 457 443 050	-6 175 000	-1 463 618 050
Corporate Services	-9 691 061	-	-9 691 061
Financial Services	-550 746 341	-	- 550 746 341
Total Revenue	**-2 203 523 097**	**-6 175 000**	**-2 209 698 097**

The additional allocation will not affect the operational expenditure budget.

The increase in conditional grants and additional allocation will affect the capital budget as follows:

Directorate	**2022/2023 Approved Budget**	**Adjustments**	**2022/2023 Adjustments Budget**
Municipal Manager	40 000	-	40 000
Planning & Development Services	12 665 281	-	12 665 281
Community and Protection Services	29 774 773	-	29 774 773
Infrastructure Services	290 468 879	6 175 000	296 643 879
Corporate Services	37 708 208	-	37 708 208
Financial Services	1 877 000	-	1 877 000
TOTALS	**372 534 141**	**6 175 000**	**378 709 141**

The increase in conditional grants and additional allocations will affect the total budget as follows:

Directorate	Operating Revenue Budget	Operating Expenditure Budget	Capital Budget	Total Budget
Municipal Manager	-550 000	26 015 794	40 000	26 055 794
Planning & Development Services	-20 611 707	85 666 333	12 665 281	98 331 614
Community and Protection Services	-164 480 939	435 402 212	29 774 773	465 176 984
Infrastructure Services	-1 463 618 050	1 258 386 849	296 643 879	1 555 030 728
Corporate Services	-9 691 061	220 759 869	37 708 208	258 468 077
Financial Services	-550 746 341	93 433 488	1 877 000	95 310 488
Total Revenue	**-2 209 698 097**	**2 119 664 545**	**378 709 141**	**2 498 373 686**

4. Adjustments Budget Tables

In accordance with the Budget and Reporting Regulations, the following compulsory schedules are attached (Appendix 2) reflecting the composition and detail of the adjustments budget:

Table name	Table reference
Adjustments Budget Summary	B1
Adjustments Budget Financial Performance by standard classification	B2
Adjustments Budget Financial Performance by vote	B3
Adjustments Budget Financial Performance	B4
Adjustments Budget Capital Expenditure by vote and funding	B5
Adjustments Budget Financial Position	B6
Adjustments Budget Cash Flows	B7
Cash backed reserves/ Accumulated surplus reconciliation	B8
Asset Management	B9
Basic Service Delivery Measurement	B10

Other supporting documentation (Supporting Schedules)

The following other supporting schedules (SB1 – SB19) are attached on Appendix 2. In accordance with the Budget and Reporting Regulations.

Table Name	Table reference
Supporting detail to 'Budgeted Financial Performance'	SB1
Supporting detail to 'Financial Position Budget'	SB2
Adjustments to the SDBIP	SB3
Adjustments to the budgeted performance indicators & benchmarks	SB4
Social, economic & demographic statistics & assumptions	SB5
Funding measurement	SB6
Transfers & grant receipts	SB7
Expenditure on transfers & grant programme	SB8
Reconciliation of transfers, grant receipts and unspent funds	SB9
Transfers & grants made by the municipality	SB10
Councillor & staff benefits	SB11
Monthly revenue & expenditure (vote)	SB12
Monthly revenue & expenditure (standard classification)	SB13
Monthly revenue & expenditure	SB14
Monthly cash flow	SB15
Monthly capital expenditure (vote)	SB16
Monthly capital expenditure (standard classification)	SB17
Capital expenditure on new assets by asset class	SB18a
Capital expenditure on renewal of existing assets by asset class	SB18b
Expenditure on repairs & maintenance by asset class	SB18c
Depreciation by asset class	SB18d
List of capital programmes & projects affected by the adjusted budget	SB19

5. Adjustments Budget Assumptions

The adjustments budget is based on the assumption that the full amount, as per the letter received from Department Local Government, will be received and spent in the current financial year.

6. Adjustments Budget Funding

The capital, operational, provincial and national grants and allocations are affected as follows:

	2022/2023 Approved Budget	2022/2023 Adjustments Budget	%
Capital Budget	372 534 141	378 709 141	2%

Funding	2022/2023 Approved Budget	%	2022/2023 Adjustments Budget	%
Own Funding				
Capital Replacement Reserve	151 326 558	41%	151 326 558	40%
Development Contribution	13 269 883	4%	13 269 883	4%
External Funding				
External Loans	94 368 337	25%	94 368 337	25%
National Grants	99 191 820	27%	99 191 820	26%
Provincial Grants	14 377 543	4%	20 552 543	5%
	372 534 141		**378 709 141**	

7. Adjustments to Capital Budget

The revised capital expenditure budget per vote is as follows:

Directorate	2022/2023 Approved Budget	Adjustments	2022/2023 Adjustments Budget
Municipal Manager	40 000	-	40 000
Planning & Development Services	12 665 281	-	12 665 281
Community and Protection Services	29 774 773	-	29 774 773
Infrastructure Services	290 468 879	6 175 000	296 643 879
Corporate Services	37 708 208	-	37 708 208
Financial Services	1 877 000	-	1 877 000
TOTALS	**372 534 141**	**6 175 000**	**378 709 141**

The Emergency Municipal Loadshedding Relief Grant will be utilised for the purchase of generators to combat the impact of loadshedding.

The detailed list of the adjustments made is as follows:

	Projects	*Approved Budget 2022/2023*	*Adjustment 2022/2023*	*Adjusted Budget 2022/2023*	*Motivation*
Infrastructure Services		**-**	**6 175 000**	**6 175 000**	
Electrical Services		**-**	**6 175 000**	**6 175 000**	
	Alternative Energy	-	6 175 000	6 175 000	Funding aligned with the additional Emergency Municipal Load Shedding Relief Grant Allocation received.
TOTAL - Capital		**-**	**6 175 000**	**6 175 000**	

8. Adjustments to Operational Revenue

The revised operating income budget per vote is as follows:

Directorate	Approved Budget	Adjustments	Adjustments Budget
Municipal Manager	550 000	-	550 000
Planning & Development Services	20 611 707	-	20 611 707
Community and Protection Services	164 480 939	-	164 480 939
Infrastructure Services	1 457 443 050	6 175 000	1 463 618 050
Corporate Services	9 691 061	-	9 691 061
Financial Services	550 746 341	-	550 746 341
Total Revenue	**2 203 523 097**	**6 175 000**	**2 209 698 097**

The detailed list of the adjustments made is as follows:

Department	Description	Approved Budget	Adjustment	Adjusted Budget	Motivation
Infrastructure Services					
Electrical Services	Emergency Municipal Load Shedding Relief Grant Allocation	-	6 175 000	6 175 000	Adjust budget in line with the additional Emergency Municipal Load Shedding Relief Grant Allocation received.
Sub Total: Infrastructure Services		**-**	**6 175 000**	**6 175 000**	
Total		**-**	**6 175 000**	**6 175 000**	

APPENDIX 2

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ADJUSTMENTS BUDGET TABLES

APPENDIX 3

Municipal Manager's Quality Certification

The quality certificate signed by the Accounting Officer is attached on Appendix 3.

APPENDIX 3

QUALITY CERTIFICATE

I, Geraldine Mettler, municipal manager of Stellenbosch Municipality, hereby certify that the adjustments budget and supporting documentation have been prepared in accordance with the Municipal Finance Management Act and the regulations made under the Act, and that the adjustments budget and supporting documentation are consistent with the Integrated Development Plan of the Municipality.

Name: Geraldine Mettler

Municipal Manager of Stellenbosch Municipality

Signature _____

Date: February 2023

Western Cape Government

Department of Local Government
Office of the Head of Department
Mr G Paulse
Graham.Paulse@westerncape.gov.za | Tel: +27 21 483 4999

File Reference: WCG-2023-01-30-6155096

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599
Per email: municipal.manager@stellenbosch.gov.za; Raydine.Wenn@stellenbosch.gov.za

Dear Ms Mettler

2022/23 EMERGENCY MUNICIPAL LOAD SHEDDING RELIEF GRANT ALLOCATION: STELLENBOSCH MUNICIPALITY

The increased frequency of stages 4 to 6 load shedding is having a major impact on several municipalities' ability to effectively provide basic services. Prolonged periods of load shedding have caused significant interruptions in the supply of potable water and sanitation services to citizens in various municipalities. Premised on the impact of loadshedding and the forecasted increased frequency and severity of loadshedding, with stage 4 expected to be the norm in 2023, urgent intervention is required.

Given the Department of Local Governments' mandate to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions, several initiatives are being undertaken with the aim of assisting municipalities to manage and mitigate the impact of sustained load shedding on their citizens. The most critical and emergency initiative to mitigate this impact, is the acquisition of back-up generators at key water and wastewater infrastructure installations, which will assist in preventing interruptions or a collapse in basic services.

The Minister of Local Government, Environmental Affairs and Development Planning, Mr Bredell has written to the Minister of Finance and Economic Opportunities, Ms Wenger, in terms of Section 25 of the Public Finance Management Act (Act No.1 of 1999) (PFMA), applying for the authorisation of funds as an emergency and immediate response to mitigate the impact of the

prolonged loadshedding on municipal water and sanitation services. Accordingly, an amount of **R6 175 000** has been allocated to your Municipality for the acquisition of back-up generators as reflected in the table below:

Category	District Municipality	Demarcation code	Municipality	2022/23 Allocation R'000
B	DC2	WC024	Stellenbosch	6,175
			Total	6,175

The grant conditions which the Municipality is responsible for, are as follow:

- The procurement and placement/installation of the generators.
- Ensuring the generators are secured against vandalism.
- The effective operation and maintenance of the generators.
- Funding of all ancillary costs associated with the generators (i.e.: maintenance, diesel, etc) over its life span.
- The provision of a monthly report on the progress of the procurement and expenditure of the generators.
- The allocated funding is required to be spent by 30 June 2023.
- Compliance with the conditions stipulated in the Transfer Payment Agreement.

I have furthermore assigned dedicated Project Managers to support Municipalities with the implementation of this project, who will be in contact with you to ensure that all required paperwork, including a Transfer Payment Agreement, is completed, and vetted as a matter of urgency. Once returned, the transfer process will proceed.

Given the urgency of the work, I encourage you to commence immediately with the procurement processes, which include, amongst others, the drafting of specifications while the above-mentioned administrative processes continue.

Yours Sincerely

Mr G Paulse
HEAD OF DEPARTMENT
Date: 2023 | 01 | 31

www.westerncape.gov.za
9th Floor, 80 St Georges Mall, Waldorf Building, Cape Town, 8001 | Private Bag X9076, Cape Town, 8000.

6.2	**MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JANUARY 2023**

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **15 February 2023**

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JANUARY 2023

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2022/2023 to report the deviations to Council.

3. DELEGATED AUTHORITY

Council

FOR NOTING.

7. EXECUTIVE SUMMARY

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2022/2023) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during January 2023.

8. RECOMMENDATIONS

that Council notes that there are no deviations listed for the month of January 2023.

9. DISCUSSION / CONTENTS

9.1. Background/Legislative Framework

The regulation applicable is as follows:

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

Deviation from and ratification of minor breaches of, procurement processes

36. (1) A supply chain management policy may **allow the accounting officer**—
(*a*) To **dispense with the official procurement processes** established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only—
(i) in an emergency;
(ii) if such goods or services are produced or available from a single provider only;
(iii) for the acquisition of special works of art or historical objects where specifications are difficult to compile;
(iv) acquisition of animals for zoos; or
(v) in any other exceptional case where it is impractical or impossible to follow the official procurement processes; and
(*b*) to ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.

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

9.2. Discussion

Reporting the deviations as approved by the Accounting Officer for January 2023:

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

None

6.3 Legal Implications

The regulation applicable is:

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

6.4 Financial Implications

As per approved budget

6.5 Staff Implications:

No additional staff implications

6.6 Previous / Relevant Council Resolutions:

Council notes this compliance report monthly.

6.7 Risk Implications

That the market may not be tested.

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

The risks are addressed through submission of the report.

6.8 Comments from Senior Management:

The item was not circulated for comment except to Municipal Manager

6.8.1 Municipal Manager

Supports the recommendation.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	***CFO***
DIRECTORATE	***Finance***
CONTACT NUMBERS	***021 808 8528***
E-MAIL ADDRESS	***Kevin.Carolus@stellenbosch.gov.za***
REPORT DATE	02 February 2023

7.	**CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER]**

7.1	**PROTECTION SERVICES: (PC:)**

NONE

7.2	**YOUTH, SPORTS AND CULTURE: [PC: CLLR R ADAMS]**

7.2.1	**FUTURE USE OF ERF 235, VAN DER STEL SPORT COMPLEX, STELLENBOSCH**

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **15 February 2023**

1. SUBJECT: FUTURE USE OF ERF 235, VAN DER STEL SPORT COMPLEX, STELLENBOSCH

2. PURPOSE

To provide Council with a brief summarization of the comments/inputs received from the public regarding the future use of Van der Stel Sport Complex.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

At the 29TH COUNCIL MEETING: 2019-07-24 a resolution was taken that Council notes that the Community Services Department will commence with the process to develop an alternative management model for the Van Der Stel Sport facility.

During the 8TH COUNCIL MEETING: 2022-10-26 OF STELLENBOSCH MUNICIPALITY, Council approved the information statement for public inputs in respect of Erf 235, known as VAN DER STEL SPORT COMPLEX, Stellenbosch.

5. RECOMMENDATIONS

(a) that Council notes the comments/ inputs received from the community.

(b) that Council mandates the Department Community Services to compile specifications for the management of the Van der Stel Sport Complex by a management company.

6. DISCUSSION / CONTENTS

6.1 Discussion

The item that served before council on the 26th of October 2022 provides a detailed background information (Annexure C).

Council approved the information statement and the statement was advertised on 14 November 2022, with a closing date of 15 December 2022. To execute this council decision the first step is to compile and advertise an INFORMATION \STATEMENT, requesting the public for their comments/inputs on the proposed action. (**ANNEXURE A**)

An information statement in relation to erf 235, currently known as Van Der Stel Sport Complex, Stellenbosch, was advertised in the media on 14 November 2022, with the closing date of 15 December 2022, requesting the public to provide inputs as part of the Public Participation Process. (See **ANNEXURE B**)

Comments/ inputs from fourteen residents/ organistations were received. Annexure E provides the details of all comments/ inputs received. Most of the comments received were concerns, but with very little recommendations for the future use of the facility.

SET OF PRINCIPLES

The department compiled a set of principles. These guidelines will be applicable to any future negotiations with any interested party to manage the facility. These principles include the following:

a) The main use of the facility will be for sport related activities, as per the current status.

b) The sport clubs /codes that are currently making use of the facility will still have access, with the same benefits/tariff structure as decided by the Van der Stel Sports Council.

c) The existence and role function of the Van der Stel Sports Council will still be the prerogative of the clubs that is currently utilizing the facility.

d) The community will continue to have access to the facility, as per the current situation.

e) The facility will not be privatized. Council wants to appoint a company to manage the facility on behalf of Stellenbosch Municipality.

f) Any decisions taken by the management company will be in conjunction within and approval of Stellenbosch Municipality.

g) The rights of sport clubs will be protected.

SUMMARY OF THE COMMENTS / INPUTS RECEIVED

ANNEXURE E is the detailed comments received.

Although most of the comments received is generic in nature one of the comments received, from Stellenbosch Academy of Sport, indicated their full support for the strategy of the Stellenbosch Municipality. They envisage that Van der Stel Sports Grounds can become the Home of Stellenbosch Football Club (SFC). (See **ANNEXURE D**)

Other comments include:

a) The decision by Council is not in the best interest of the residents of Stellenbosch.

b) Concerns that the appointing company can do as it wishes.

c) Objection against the advertising of a tender.

d) Lack of consultation with the broader community

e) Possible increase in membership fees.

f) This planned agreement is in conflict with will make the implementation of the planned restructuring of central Stellenbosch, between Andringa street and Pappegaaiberg – Adam Tas Corridor Local Special Development Framework.

g) Any usage or development must be in line with the Adam Tas Corridor principles and decisions.

h) The benefits of such an agreement must outweigh the long-term risk and cost.

i) The Information Statement does not make any mention of the Hybrid Sports Facility Management Plan, which indicate that the model is based on direct agreements between Stellenbosch and sports councils.

j) The Van der Stel Sports Council must manage the facility.

k) Does the municipality consider a rental agreement for the whole erf or a portion?

l) The Municipality wants to privatize the Van der Stel Sports Complex.

m) That there was no engagement with the Van der Stel Sports council on the planned actions.

n) Outside entity must have a profit goal to have any interest in the facility.

o) Reducing cost for the municipality means increasing costs for the sports bodies utilizing the facility.

p) No detail provided as to the limits and rules that will be set for a private entity.

q) The proposal is viewed as privatization of the facility.

RESPONSE REGARDING COMMENTS / INPUTS RECEIVED

a) The Information Statement is an invitation for the public to provide inputs and make recommendations.

b) The rights of the current sport clubs/users will be protected in any future agreement.

c) The principles that form part of the Adam Tas Corridor in relation to the Van der Stel Sports grounds will be honored. There will be no changes to the Adam Tas Corridor principles.

d) Although the taxi rank and parking area, that is currently leased to Medi Clinic, forms part of erf 235, these two areas will not form part of any agreement. Only the sport related fields and facilities will form part of any future discussions.

e) The Information Statement clearly refers to sport facilities and not the taxi rank or the parking area.

f) Any new development must adhere to the approved municipal zoning scheme.

g) There will be a profit margin for the managing company, but the profit will not be at the expense of sport clubs using Van der Stel. The model will be designed that a portion of the profit will be utilized to upgrade/maintain other municipal sport facilities.

h) There was extensive engagement with the Van der Stel Sports council, where the process and intent were discussed in detail. The Sports Council was advised to put a proposal forward.

i) No assets will be transferred.

ALIGNMENT WITH ADAM TAS CORRIDOR PRINCIPLES (ATC)

In the Relevant Landowners Plans for the ATC (table 4) the comment is made that Stellenbosch Municipality has no definite plans for Van der Stel, but the opportunity and to rationalize existing use – accommodating a broader range of sporting facilities and associated uses and existing in management sustainability – has been mooted. The proposed managing of the facility is in line with the above comment.

The proposed future managing of the Van der Stel Sports facility is in line with the five key design ideas of the ATC.

It is important to mention that there will be no changing of the current zoning of erf 235.

6.1 Financial Implications

The financial implication for Stellenbosch Municipality will be a saving on maintenance costs for the Van der Stel Sports Facility due to the fact that any agreement will stipulate that the management company will be responsible for the maintenance of the facility.

6.3 Legal Implications

The recommendation in this report complies with Council's policies and all applicable legislation.

6.4 Staff Implications

The recommendation has no staff implications for the municipality.

6.5 Previous / Relevant Council Resolutions

29TH COUNCIL MEETING: 2019-07-24: ITEM 12.2

RESOLVED (majority vote)

that Council notes that the Community Services Department will commence with the process to develop an alternative management model for the Van Der Stel Sport facility, in consultation with the SSRA.

6.6 Risk Implications

The agreement between Stellenbosch municipality and a managing company will address the potential risks for the municipality. The Community Services Department will ensure that all financial and legal compliance regulations are adhered to.

ANNEXURES

Annexure A: ADVERTISEMENT of Official Notice of Information Statement In relation to Erf 235, Van der Stel Sport Complex, Stellenbosch
Annexure B: Information Statement
Annexure C: Report to Council, Requesting Approval if the Information Statement
Annexure D: Comments receive from STELLENBOSCH ACADEMY OF SPORT
Annexure E: Comments received on the advertisement.

FOR FURTHER DETAILS CONTACT:

NAME	**Albert Van Der Merwe**
POSITION	**Senior Manager: Community Services**
DIRECTORATE	**Community and Protection Services**
CONTACT NUMBERS	**021 808 8165**
E-MAIL ADDRESS	**Albert.vanderMerwe@stellenbosch.gov.za**
REPORT DATE	**26 January 2023**

ANNEXURE A

STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

OFFICIAL NOTICE:
INFORMATION STATEMENT IN RELATION TO ERF 235, CURRENTLY KNOWN AS VAN DER STEL SPORT COMPLEX, STELLENBOSCH

1. PURPOSE

To provide the prescribed information in terms of regulation 34 and 35 of the Asset Transfer Regulations, published in terms of Section 168 of the Local Government: Municipal Finance Act (R878, 22 August 2008), to the public to provide input on during the Public Participation Process.

2. BACKGROUND

Stellenbosch Municipality is the owner of Erf 235 on which Van Der Stel Sport Complex is situated.

Stellenbosch Municipality is currently managing the facility. The facility is fully fenced and consists of 2 rugby fields, 1 soccer field, 2 cricket fields, 1 hockey field and 1 swimming pool. Other facilities on the premises include a pavilion with a seating capacity of 1250, toilets, cloak rooms, function rooms, clubhouse, storeroom, and a demarcated parking area.

Also situated on Erf 235 is Stellenbosch Bowling Club as well as Stellenbosch Tennis and Squash Clubs.

3. DISCUSSION

3.1 Public Participation Process

Before the Council can make a final decision whether rights to municipal property can be transferred, the Municipal Manager must first conduct a public participation process in terms of the Asset Transfer Regulations, Regulation 35.

3.2 Information Statement

In terms of Regulation 35, when the Municipal Manager makes the proposal to grant the relevant long term right(s) for the potential leasing of the Van der Stel Facility, the Information Statement referred to in Regulation 34 must be publicly advertised.

In terms of Regulation 34 an Information Statement must consist of the following:

a) the reason for the proposal to grant a long-term right to use, control or manage the relevant capital asset.
b) any expected benefit to the municipality that may result from the granting of the right.

c) any expected proceeds to be received by the municipality from the granting of right; and

d) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.

3.2.1 Reason(s) for the proposal to grant a long term right to use, control or manage the Van der Stel Sport Facility

a) The daily management and maintenance of the various municipal sport facilities requires dedicated maintenance staff and maintenance funds to ensure the operational viability of these facilities. Currently, the Stellenbosch Municipality does not have the required operational infrastructure to deliver this standard of service.

b) The proper maintenance of the Van der Stel Sport Facility is in the best interest of Council and the Stellenbosch Sport Community.

c) The management and utilisation of the sport facility as a centre of service excellence to the sport and business industries presents the municipality with an opportunity to make the Van der Stel facility self-sustainable in terms of its maintenance requirements as well as additional infrastructure investment as and when required.

d) A professionally managed facility has the potential to attract new customers, new sport codes and international sport tourists to Stellenbosch.

3.2.2 Expected benefits to the municipality that may result from the granting of the rights

a) The management and development of the Van der Stel Sports facility will result in savings on maintenance costs and staff, while at the same time providing the broader Stellenbosch Community with a world class sport facility.

b) The optimal utilization of the properties may produce additional income for the municipality which may enable the municipality to repair and maintain the properties to an acceptable standard.

c) The professional management of this facility may attract potential investors.

d) Possible capital investment will improve the facility and raise the service offerings to potential customers.

e) A professional management company will be appointed.

f) The facility will have the ability to attract world class sport men and women.

g) A facility of international standard will attract more sport tourists to Stellenbosch.

h) An income at Van der Stel sport facility will be generated that can be used to upgrade and maintain other sports facilities within Stellenbosch (WC024).

3.2.3 Expected proceeds to be received by the Municipality form the granting of the rights

a) The municipality will receive a monthly market-related rental income for the properties and negotiate a profit-sharing agreement on non-sport events and activities
b) Community-based sport will be guaranteed access to the improved sport infrastructure at Van der Stel.
c) Economic activities will be encouraged and stimulated.
d) There will be an opportunity to stimulate sport tourism.

3.2.4 Expected gain or loss that will be realised or incurred by the municipality arising from the granting of the rights

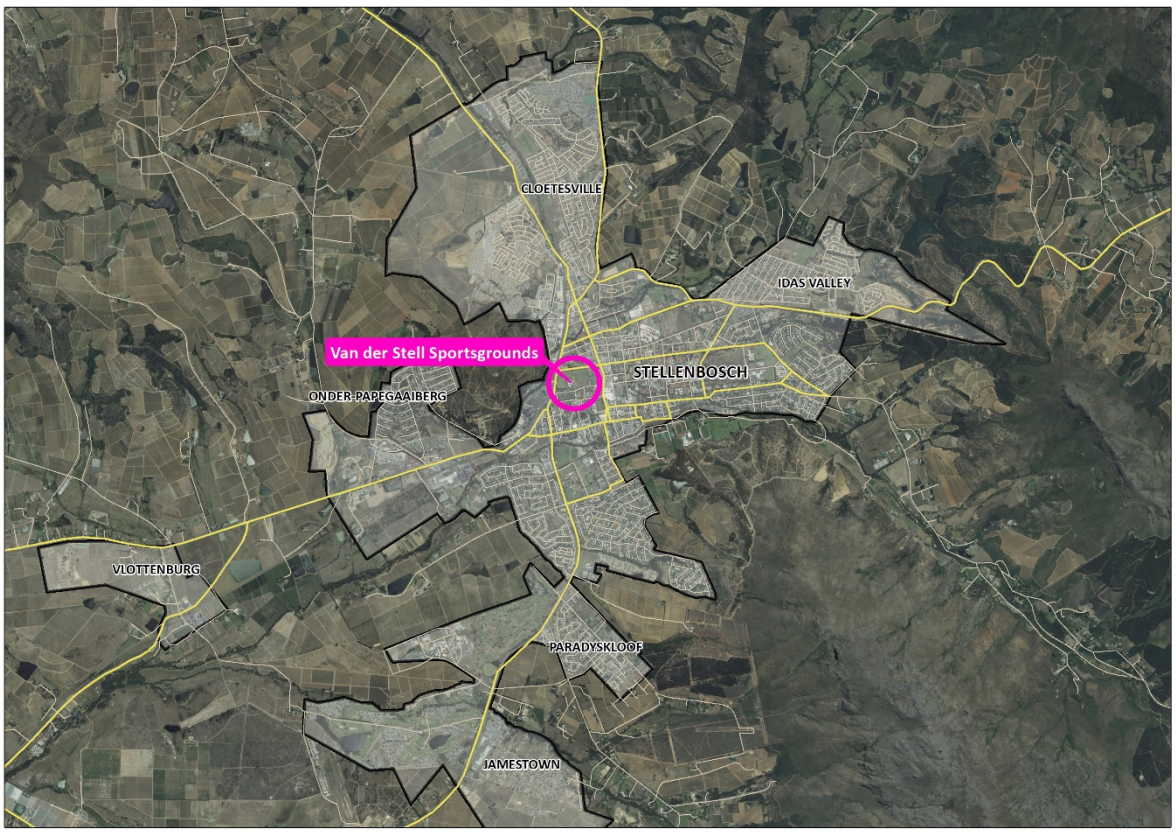
a) Valuable assets in the ownership of the municipality will be upgraded at no or a reduced cost to the municipality.

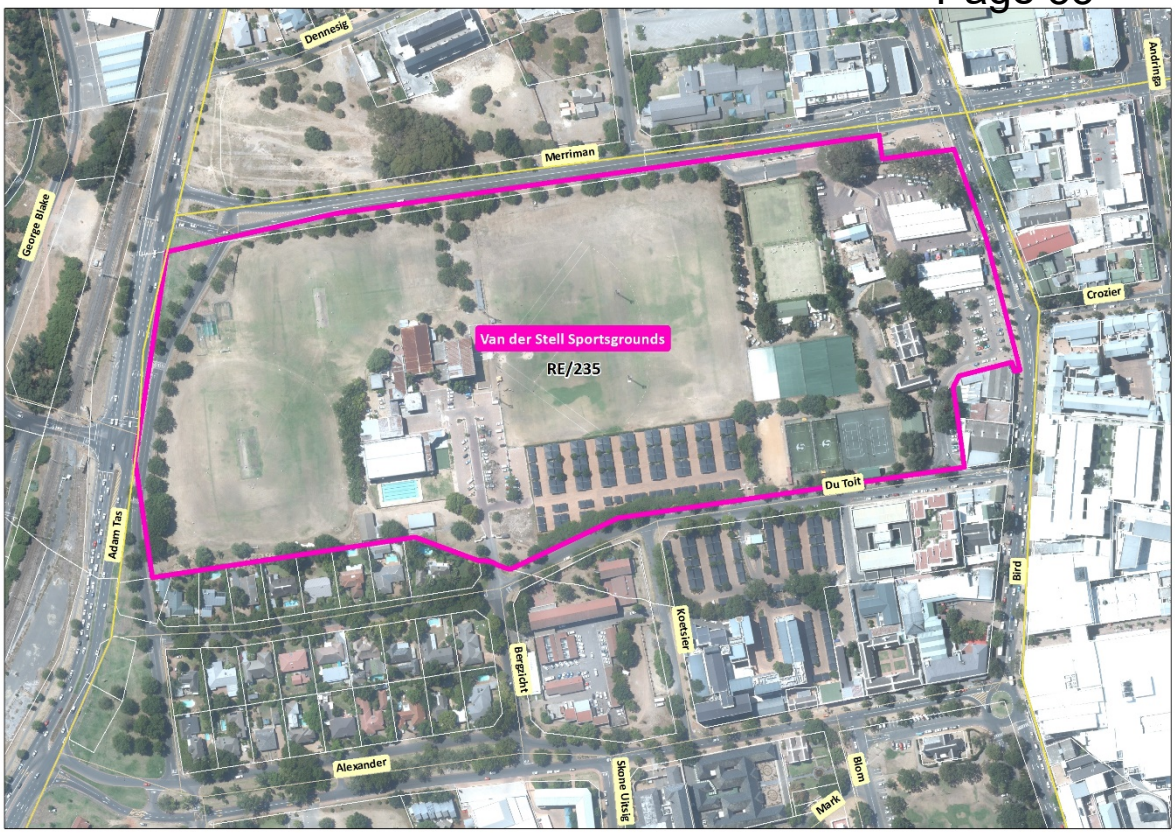
b) The buildings will be properly and adequately maintained in accordance with acceptable standards, at no cost to the municipality.

c) Less financial pressure on the municipality's capital and operating budgets.

d) Stimulus of economic activities for the sport community.

3.3 Location and context





3.4 Public comment invited

The public are invited to provide input/comment to the municipality on the proposal to enter into a lease agreement (with a suitable entity) to use the Van der Stel Sport Complex for the primary function of Sport but also for other events with the aim and optimal use of the buildings on site.

Comment must reach the offices of the Municipality on or before **09 December 2022** and must be addressed to the Municipal Manager. Comments can be sent via email to Municipal.Manager@stellenbosch.gov.za or delivered to the 3rd Floor, Main Office Building, 17 Plein Street, Stellenbosch.

Any queries can be directed to Mr Albert van der Merwe at (021) 808 8164 or via email at Albert.vandermerwe@stellenbosch.gov.za.

GERALDINE METTLER **DATE: 14 NOVEMBER 2022**
MUNICIPAL MANAGER: STELLENBOSCH MUNICIPALITY

ANNEXURE B

STELLENBOSCH
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OFFICIAL NOTICE

INFORMATION STATEMENT IN RELATION TO ERF 235, CURRENTLY KNOWN AS VAN DER STEL SPORT COMPLEX, STELLENBOSCH

1. PURPOSE

To provide the prescribed information in terms of regulation 34 and 35 of the Asset Transfer Regulations, published in terms of Section 168 of the Local Government: Municipal Finance Act (R878, 22 August 2008), to the public to provide input on during the Public Participation Process.

2. BACKGROUND

Stellenbosch Municipality is the owner of Erf 235 on which Van Der Stel Sport Complex is situated. Stellenbosch Municipality is currently managing the facility. The facility is fully fenced and consists of 2 rugby fields, 1 soccer field, 2 cricket fields, 1 hockey field and 1 swimming pool. Other facilities on the premises include a pavilion with a seating capacity of 1250, toilets, cloak rooms, function rooms, clubhouse, storeroom, and a demarcated parking area.

Also situated on Erf 235 is Stellenbosch Bowling Club as well as Stellenbosch Tennis and Squash Clubs.

3. DISCUSSION

3.1 Public Participation Process

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3.2 Information Statement

In terms of Regulation 35, when the Municipal Manager makes the proposal to grant the relevant long term right(s) for the potential leasing of the Van der Stel Facility, the Information Statement referred to in Regulation 34 must be publicly advertised.

In terms of Regulation 34 an information Statement must consist of the following:

a) the reason for the proposal to grant a long-term right to use, control or manage the relevant capital asset.
b) any expected benefit to the municipality that may result from the granting of the right.
c) any expected proceeds to be received by the municipality from the granting of right; and
d) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.

3.2.1 Reason(s) for the proposal to grant a long term right to use, control or manage the Van der Stel Sport Facility

a) The daily management and maintenance of the various municipal sport facilities requires dedicated maintenance staff and maintenance funds to ensure the operational viability of these facilities. Currently, the Stellenbosch Municipality does not have the required operational infrastructure to deliver this standard of service.
b) The proper maintenance of the Van der Stel Sport Facility is in the best interest of Council and the Stellenbosch Sport Community.
c) The management and utilisation of the sport facility as a centre of service excellence to the sport and business industries presents the municipality with an opportunity to make the Van der Stel facility self-sustainable in terms of its maintenance requirements as well as additional infrastructure investment as and when required.
d) A professionally managed facility has the potential to attract new customers, new sport codes and international sport tourists to Stellenbosch.

3.2.2 Expected benefits to the municipality that may result from the granting of the rights

a) The management and development of the Van der Stel Sports facility will result in savings on maintenance costs and staff, while at the same time providing the broader Stellenbosch Community with a world class sport facility.
b) The optimal utilization of the properties may produce additional income for the municipality which may enable the municipality to repair and maintain the properties to an acceptable standard.
c) The professional management of this facility may attract potential investors.
d) Possible capital investment will improve the facility and raise the service offerings to potential customers.
e) A professional management company will be appointed.
f) The facility will have the ability to attract world class sport men and women.
g) A facility of international standard will attract more sport tourists to Stellenbosch.
h) An income at Van der Stel sport facility will be generated that can be used to upgrade and maintain other sports facilities within Stellenbosch (Wc024).

3.2.3 Expected proceeds to be received by the Municipality form the granting of the rights

a) The municipality will receive a monthly market-related rental income for the properties and negotiate a profit-sharing agreement on non-sport events and activities
b) Community-based sport will be guaranteed access to the improved sport infrastructure at Van der Stel.
c) Economic activities will be encouraged and stimulated.
d) There will be an opportunity to stimulate sport tourism.

3.2.4 Expected gain or loss that will be realised or incurred by the municipality arising from the granting of the rights

a) Valuable assets in the ownership of the municipality will be upgraded at no or a reduced cost to the municipality.
b) The buildings will be properly and adequately maintained in accordance with acceptable standards, at no cost to the municipality.
c) Less financial pressure on the municipality's capital and operating budgets.
d) Stimulus of economic activities for the sport community

3.3 Location and context





3.4 Public comment invited

The public are invited to provide input/comment to the municipality on the proposal to enter into a lease agreement (with a suitable entity) to use the Van der Stel Sport Complex for the primary function of Sport but also for other events with the aim and optimal use of the buildings on site.

Comment must reach the offices of the Municipality on or before 15 December 2022 and must be addressed to the Municipal Manager. Comments can be sent via email to Municipal.Manager@stellenbosch.gov.za or delivered to the 3rd Floor, Main Office Building, 17 Plein Street, Stellenbosch.

Any queries can be directed to Mr Albert van der Merwe at (021) 808 8164 or via email at Albert.vandermerwe@stellenbosch.gov.za.

GERALDINE METTLER
MUNICIPAL MANAGER:

DATE: 14 NOVEMBER 2022
STELLENBOSCH MUNICIPALITY

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AMPTELIKE KENNISGEWING:

INLIGTINGSVERKLARING IN VERBAND MET ERF 235, TANS BEKEND AS VAN DER STEL SPORTKOMPLEKS, STELLENBOSCH

1. DOEL

Om die voorgeskrewe inligting ingevolge regulasies 34 en 35 van die Bateoordragregulasies, gepubliseer ingevolge Artikel 168 van die Wet op Plaaslike Regering: Munisipale Finansies (R878, 22 Augustus 2008), aan die publiek te verskaf om insette te lewer tydens die Openbare Deelname proses.

2. AGTERGROND

Stellenbosch Munisipaliteit is die eienaar van Erf 235 waarop Van Der Stel Sportkompleks geleë is. Stellenbosch Munisipaliteit bestuur tans die fasiliteit. Die fasiliteit is ten volle omheen en bestaan uit 2 rugbyvelde, 1 sokkerveld, 2 krieketvelde, 1 hokkieveld en 1 swembad. Ander geriewe op die perseel sluit 'n paviljoen met 'n sitplek van 1250, toilette, kleedkamers, funksie lokale, klubhuis, stoorkamer en 'n afgebakende parkeerarea in.

Ook geleë op Erf 235 is Stellenbosch Rolbalklub sowel as Stellenbosch Tennis- en Muurbalklubs.

3. BESPREKING

3.1 Proses vir openbare deelname

Voordat die Raad 'n finale besluit kan neem of regte op munisipale eiendom oorgedra kan word, moet die Munisipale Bestuurder eers 'n openbare deelnameproses ingevolge die Bateoordragregulasies, Regulasie 35, uitvoer.

3.2 Inligtingverklaring

Ingevolge Regulasie 35, wanneer die Munisipale Bestuurder die voorstel maak om die relevante langtermynreg(te) vir die potensiële verhuring van die Van der Stel sportfasiliteit toe te staan, moet die inligtingsverklaring waarna in Regulasie 34 verwys word, in die openbaar geadverteer word.

Ingevolge Regulasie 34 moet 'n inligtingsverklaring uit die volgende bestaan:

a) Die rede vir die voorstel om 'n langtermynreg(te) te toe te staan om die betrokke kapitaalbate te gebruik, te beheer of te bestuur.
b) Enige verwagte voordeel vir die munisipaliteit wat mag voortspruit uit die toekenning van die reg.
c) Enige verwagte opbrengs wat deur die munisipaliteit uit die verlening van reg ontvang sal word; en
d) Enige verwagte wins of verlies wat deur die munisipaliteit gerealiseer of aangegaan sal word as gevolg van die toekenning van die reg.

3.2.1 Rede(s) vir die voorstel om 'n langtermyn gebruikersreg toe te staan om die Van der Stel Sportfasiliteit te gebruik, te beheer of te bestuur

a) Die daaglikse bestuur en instandhouding van die verskillende munisipale sportfasiliteite vereis toegewyde instandhoudingspersoneel en instandhoudingsfondse om die operasionele lewensvatbaarheid van hierdie fasiliteite te verseker. Tans beskik die Stellenbosch Munisipaliteit nie oor die vereiste operasionele infrastruktuur om hierdie standaard van diens te lewer nie.
b) Die behoorlike instandhouding van die Van der Stel Sportfasiliteit is in die beste belang van die Raad en die Stellenbosch Sportgemeenskap.
c) Die bestuur en benutting van die sportfasiliteit as 'n sentrum van uitnemende diens aan die sport- en sakebedrywe bied aan die munisipaliteit 'n geleentheid om die Van der Stel sportfasiliteit selfonderhoudend te maak ten aanse van sy instandhoudingsvereistes sowel as bykomende infrastruktuurinvestering, soos en wanneer nodig.
d) 'n Professioneel bestuurde fasiliteit het die potensiaal om nuwe kliënte, nuwe sportkodes en internasionale sportbeoriste na Stellenbosch te lok.

3.2.2 Verwagte voordele vir die munisipaliteit wat mag voortspruit uit die toekenning van die regte

a) Die bestuur en ontwikkeling van die Van der Stel sportfasiliteit sal besparings op instandhoudingskoste en personeel tot gevolg hê, en terselfdertyd die breër Stellenbosch gemeenskap van 'n wêreldklas sportfasiliteit voorsien.
b) Die optimale benutting van die eiendomme kan addisionele inkomste vir die munisipaliteit lewer wat die munisipaliteit in staat kan stel om die eiendomme op 'n aanvaarbare standaard te herstel en in stand te hou.
c) Die professionele bestuur van hierdie fasiliteit kan potensiële beleggers lok.
d) Moontlike kapitaalinvestering sal die fasiliteit verbeter en die diensaanbiedinge aan potensiële kliënte verhoog.
e) 'n Professionele bestuursmaatskappy sal aangestel word.
f) Die fasiliteit sal die vermoë hê om wêreldklas sportmanne en -vroue te lok.
g) 'n Fasiliteit van internasionale standaard sal meer sporttoeriste na Stellenbosch lok.
h) 'n Inkomste by Van der Stel sportfasiliteit sal gegenereer word wat gebruik kan word om ander sportfasiliteite binne Stellenbosch op te gradeer en in stand te hou (Wc024).

3.2.3 Verwagte opbrengs wat deur die Munisipaliteit ontvang sal word uit die toekenning van die regte

a) Die munisipaliteit sal 'n maandelikse markverwante huurinkomste vir die eiendomme ontvang en 'n winsdelingsooreenkoms oor nie-sportgeleenthede en aktiwiteite onderhandel
b) Gemeenskapsgebaseerde sport sal toegang tot die verbeterde sportinfrastruktuur by Van der Stel gewaarborg word.
c) Ekonomiese aktiwiteite sal aangemoedig en gestimuleer word. Daar sal 'n geleentheid wees om sporttoerisme te stimuleer.

3.2.4 Verwagte wins of verlies wat deur die munisipaliteit gerealiseer sal word as gevolg van die toekenning van die regte

a) Waardevolle bates in die eienaarskap van die munisipaliteit sal opgegradeer word teen geen of 'n verminderde koste vir die munisipaliteit.
b) Die geboue sal behoorlik en voldoende onderhou word in ooreenstemming met aanvaarbare standaarde, sonder enige koste vir die munisipaliteit.
c) Minder finansiële druk op die munisipaliteit se kapitaal- en bedryfsbegrotings.
d) Stimulus van ekonomiese aktiwiteite vir die sportgemeenskap.

3.3 Ligging en konteks





3.4 Publieke kommentaar

Die publiek word genooi om insette/kommentaar aan die munisipaliteit te lewer oor die voorstel om 'n huurooreenkoms (met 'n geskikte entiteit) aan te gaan om die Van der Stel sportkompleks te gebruik vir die primêre funksie van sport, maar ook vir ander geleenthede met die doel en optimale gebruik van die geboue op die terrein.

Kommentaar moet die kantore van die Munisipaliteit bereik voor of op 15 Desember 2022 en moet aan die Munisipale Bestuurder gerig word. Kommentaar kan per e-pos aan Municipal.Manager@stellenbosch.gov.za gestuur word of by die 3de Vloer, Hoofkantoor, Pleinstraat 17, Stellenbosch afgelewer word.

Enige navrae kan gerig word aan Mnr Albert van der Merwe by (021) 808 8164 of per e-pos by Albert.vandermerwe@stellenbosch.gov.za.

GERALDINE METTLER
MUNISIPALE BESTUURDER

DATUM: 14 NOVEMBER 2022
STELLENBOSCH MUNISIPALITEIT

Ukestad Nursery

ANNEXURE C

13.6	REQUESTING PUBLIC INPUT ON THE FUTURE USE OF ERF 235, VAN DER STEL SPORT COMPLEX, STELLENBOSCH

Collaborator No:
IDP KPA Ref No: Strategic Focus Area 2
Meeting Date: 26 October 2022

1. SUBJECT: APPROVAL OF THE INFORMATION STATEMENT FOR ERF 235, VAN DER STEL SPORT COMPLEX, STELLENBOSCH

2. PURPOSE

To request approval for the information statement for public input in respect of Erf 235, known as VAN DER STEL SPORT COMPLEX, Stellenbosch.

3. DELEGATED AUTHORITY

The Municipal Council.

4. EXECUTIVE SUMMARY

At the 29TH COUNCIL MEETING: 2019-07-24 a resolution was taken that Council notes that the Community Services Department will commence with the process to develop an alternative management model for the Van Der Stel Sport facility.

The following reasons form part of the decision to develop an alternative management model for the Van der Stel Sport facility.

4.1 Reason(s) for proposal to grant a long term right to use, control or manage the relevant capital asset

4.1.1 Due to the high number of sport facilities managed by Stellenbosch Municipality and the challenges that arise because of limited funds to do necessary maintenance, these facilities are not properly maintained and is in various states of disrepair and is being over-utilized.

4.1.2 The maintenance of all property is an operational requirement with significant financial implications. Sport facilities require constant and specialist maintenance with enormous budgetary implications.

4.1.3 The proper maintenance of this facility is in the best interest of Council.

4.1.4 The financially sustainable use of this facility can significantly reduce the repair and maintenance costs, but also the running costs in terms of utilities, security, insurances, etc.

4.1.5 Currently Stellenbosch Municipality does not have the capacity, funding and expertise to develop this facility to its full protentional.

4.2 Expected benefits to the municipality that may result from the granting of the right

4.2.1 Van der Stel Sports facility is valuable, and value does not necessarily reduce over time; - proper maintenance of these properties will therefore be a benefit to the municipality.

4.2.2 The optimal utilization of the properties may produce additional income for the municipality which may enable the municipality to repair and maintain the properties to an acceptable standard.

4.2.3 The management of this facility can attract potential investors.

4.2.4 Possible capital investment will improve the facility.

4.2.5 A professional management company will be appointed.

4.2.6 The facility will have the ability to attract world class sportsmen and -women.

4.2.7 A facility of international standard will attract tourists to Stellenbosch.

4.2.8 An income at Van der Stel sport facility will be generated that can be used to upgrade and maintain other sports facilities within Stellenbosch (WC024).

4.3 Expected proceeds to be received by the Municipality form the granting of the right

4.3.1 The municipality will receive a monthly market-related rental income for the properties.

4.3.2 The community and sporting communities will benefit.

4.3.3 Economic activities will be encouraged and stimulated.

4.3.4 There will be an opportunity to stimulate sport tourism.

4.4 Expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right

4.4.1 Valuable assets in the ownership of the municipality will be upgraded at no or a reduced cost to the municipality.

4.4.2 The buildings will be properly and adequately maintained in accordance with acceptable standards at no cost to the municipality.

4.4.3 Less financial pressure on the municipality's capital and operating budgets.

4.4.4 Stimulus for economic activities for, and by the sport fraternity.

5. RECOMMENDATION

that Council approve the information statement for public input in respect of Erf 235, known as VAN DER STEL SPORT COMPLEX, Stellenbosch. See Annexure 1.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Ownership

Stellenbosch Municipality is the owner of Erf 235 on which the Van Der Stel Sport Complex is situated.

6.1.2 Current Situation

There is a sports council at the facility that represent all the sports codes that is situated at Van der Stel Sports Complex. Currently there is no agreement in place between the sports council and Stellenbosch municipality. The Sport section of Stellenbosch Municipality is currently maintaining the facility.

6.2 Discussion

6.2.1 Future management of the facility

Council have to decide on the future use and management of the facility. The facility has the potential to be developed into an international sports hub in Stellenbosch. Due to capacity constrains the department is of the opinion that this potential will only be realized if the management of the facility is outsourced.

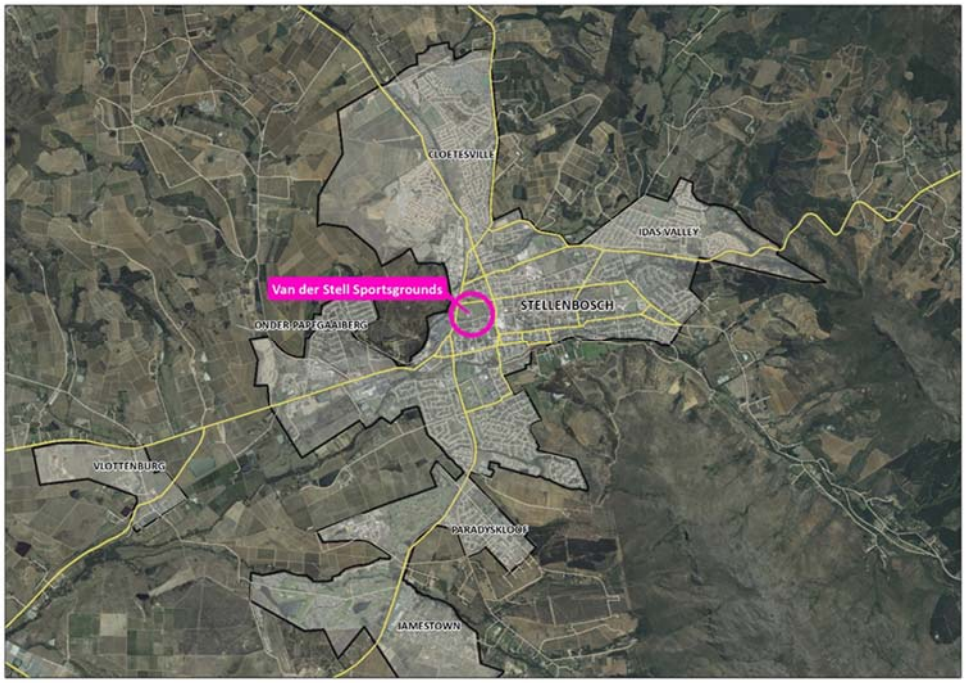
6.2.2 Facilities on site

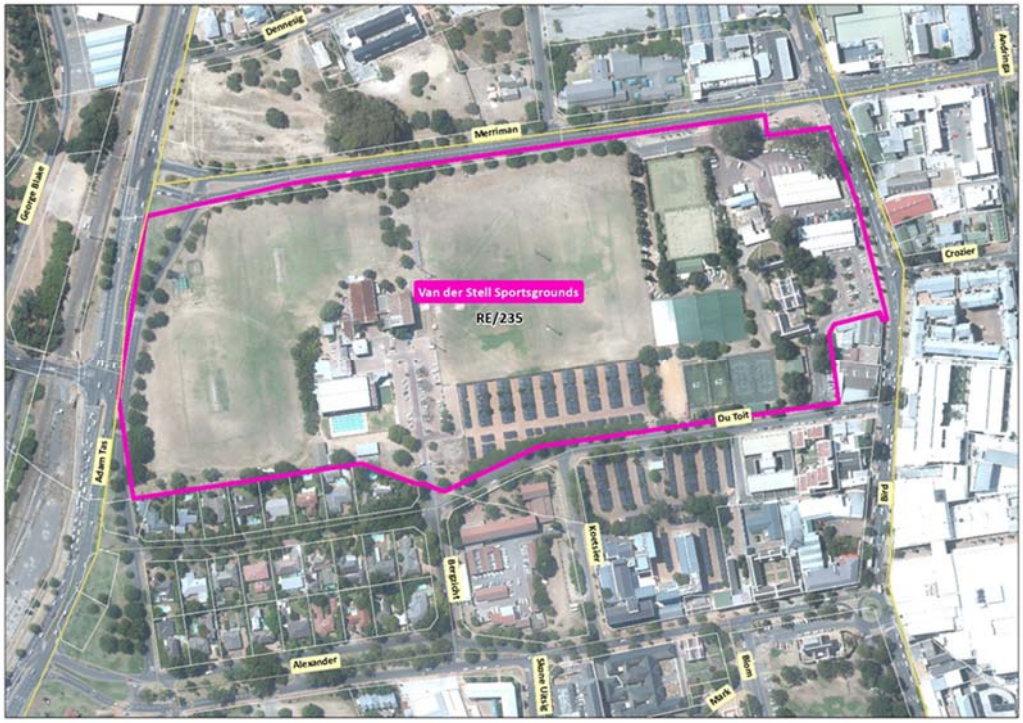
The facility is fully fenced and consists of 2 rugby fields, 1 soccer field, 2 cricket fields, 1 hockey field and 1 swimming pool. Other facilities on the premises include a pavilion with a seating capacity of 1250, toilets, cloak rooms, function rooms, clubhouse, storeroom, office space and a demarcated parking area.

Also situated on Erf 235 is Stellenbosch Bowling Club, Squash Club as well as Van der Stel Tennis Club. With reference to the tennis club the municipality has sign a User Agreement with Tennis Word Foundation for the use and managing of the facility.

6.2.3 Access

Access to the facility is currently form one entrance, namely from Bergzicht street. The Bowling club and the tennis facility has their own entrances and does not make use of the main entrance.





6.2.4 Legal requirements

Depending on which model Council is considering various sections/regulations of the Municipal Finance Act, no 56 of 2003, (MFMA), the Asset Transfer Regulations (ATR) and the municipality's Policy on the management of Council owned property, will apply.

6.2.4.1 Disposal of fix properties

6.2.4.1.1 Municipal Finance Management Act (MFMA)

In terms of the Section 14 of the MFMA, "*A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.*

(2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public—

(a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and

(b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

(3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.

(4) Municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council.

(5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111".

6.2.4.1.2 Asset Transfer Regulations (ATR) In terms of Regulation 5 of the ATR ***"****(1) A municipality may transfer or dispose of a non-exempted capital asset only after—*

(a) the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and

(b) the municipal council—

(i) has made the determinations required by section 14(2)(a) and (b) and

(ii) has as a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

(2) Sub regulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value capital asset" (i.e. in excess of R50M)".

6.2.4.1.3 Policy on the Management of Council owned property

In terms of paragraph 7.2.3 (general principles pertaining to the disposal of immovable property), of the policy;
"*Before alienating Immovable property or rights in Immovable property the Municipality shall be satisfied that alienation is the appropriate methodology and that reasonable economic, environmental and social return cannot be derived whilst ownership of the Immovable property or Property rights is retained by the Municipality*".

Further in terms of paragraph 8 of the policy:
" 8.1 Before an Immovable property is declared as surplus, and earmarked for disposal or the awarding of rights, it must first be assessed for its most appropriate use.

8.2 The most appropriate use for a surplus property is one which achieves an optimum balance between the following three key elements of sustainable development:

(a) the protection of ecological processes and natural systems;

(b) the optimum financial return to and economic development of the municipal area; and

(c) the enhancement of the cultural, economic, physical and social wellbeing of people and communities.

8.3 The three elements of sustainability will apply to all surplus Immovable Properties, however their significance and the relationships between them will vary for individual Immovable Properties.

8.4 In determining the most appropriate use of surplus properties, regard should be given to:

(a) Spatial development framework(s);

(b) Regional plans;

(c) Sectoral studies/plans;

(d) Government policies;

(e) Relevant legislation; and

(f) The views of interested and affected parties.

8.5 Where appropriate, opportunities should be provided for community involvement in the assessment process".

Further, Subsequent to determining the most appropriate use of a property and after the Municipality has decided that the Immovable property could be disposed of, or that rights may be awarded, the method of disposal or method of awarding rights should be determined".

In terms of paragraph 9.1 the Municipality may use any of the following methods, depending on the circumstances pertaining the specific Immovable property:

a) Tender process

b) Auction

c) Call for proposals (will include a tender process)

6.2.4.2 Granting of rights to use, Control or Manage a Capital asset

6.2.4.2.1 Asset Transfer Regulations (ATR)

In terms of Regulation 34, a municipality may grant a right to use, control or manage a capital asset only after:

"1)a) The accounting officer has, in terms of Regulation 35, concluded a public participation process regarding the proposed granting of the right; and

b) The municipal Council has approved in principle that the right may be granted.

2) Sub-regulation (1)(a) must be complied with only if:

a) the capital asset in respect of which the proposed right is to be granted has a value in excess of R10m; and

b) a long-term right is proposed".

In considering options Council must treat the property as a property that falls within this category valued in excess of R10M.

"3)a) Only a Municipal Council may authorise the public participation process referred to in sub-regulation (a)

b) a request to the Municipal Council for the authorisation of a public participation process must be accompanied by an Information Statement, stating:*

i) the reason for the proposal to grant a long term right to use, control or manage the relevant capital asset;

ii) any expected benefit to the municipality that may result from the granting of the right;

iii) any expected proceeds to be received by the municipality from the granting of the right; and

iv) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right".

Council must consider its options and decide on the future management of the property. Only after Council had decided on a way forward, an Information Statement will be prepared and submitted with a further item.

6.3.1 Staff Implications

The staff implications will be determined by the management model Council adopts.

6.4 Legal Implication

Discussed under 6.2.4

6.5 Financial Implication.

The financial implications will be determined by the management model Council adopts.

6.6 Previous / Relevant Council Resolutions

29TH COUNCIL MEETING: 2019-07-24: ITEM 12.2

RESOLVED (majority vote)

that Council notes that the Community Services Department will commence with the process to develop an alternative management model for the Van Der Stel Sport facility, in consultation with the SSRA;

6.7 Risk Implications

There will be a risk implication for the municipality. Mitigations measures will be design and part of the model that is decided on.

6.8 Comments from Senior Management

Supported by Senior Management that input from the public be obtained on the possible future management.

ANNEXURES:

Annexure 1: Information statement in relation to Erf 235, currently known as Van Der Stel Sport Complex, Stellenbosch

FOR FURTHER DETAILS CONTACT:

NAME	***Albert van der Merwe***
POSITION	***Senior Manager Community Services***
DIRECTORATE	***Community and Protection services***
CONTACT NUMBERS	***021 808 8165***
E-MAIL ADDRESS	***albert.vandermerwe@stellenbosch.gov.za***
REPORT DATE	***20 October 2022***

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

INFORMATION STATEMENT IN RELATION TO ERF 235, CURRENTLY KNOWN AS VAN DER STEL SPORT COMPLEX, STELLENBOSCH

1. PURPOSE

To provide the prescribed information in terms of regulation 34 and 35 of the Asset Transfer Regulations, published in terms of Section 168 of the Local Government: Municipal Finance Act (R878, 22 August 2008), to the public to provide input on during the Public Participation Process.

2. BACKGROUND

Stellenbosch Municipality is the owner of Erf 235 on which Van Der Stel Sport Complex is situated.

Stellenbosch Municipality is currently managing the facility. The facility is fully fenced and consists of 2 rugby fields, 1 soccer field, 2 cricket fields, 1 hockey field and 1 swimming pool. Other facilities on the premises include a pavilion with a seating capacity of 1250, toilets, cloak rooms, function rooms, clubhouse, storeroom, and a demarcated parking area.

Also situated on Erf 235 is Stellenbosch Bowling Club as well as Stellenbosch Tennis and Squash Clubs.

3. DISCUSSION

3.1 Public Participation Process

Before the Council can make a final decision whether rights to municipal property can be transferred, the Municipal Manager must first conduct a public participation process in terms of the Asset Transfer Regulations, Regulation 35.

3.2 Information Statement

In terms of Regulation 35, when the Municipal Manager makes the proposal to grant the relevant long term right(s) for the potential leasing of the Van der Stel Facility, the Information Statement referred to in Regulation 34 must be publicly advertised.

In terms of Regulation 34 an Information Statement must consist of the following:

a) the reason for the proposal to grant a long-term right to use, control or manage the relevant capital asset.
b) any expected benefit to the municipality that may result from the granting of the right.
c) any expected proceeds to be received by the municipality from the granting of right; and
d) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.

3.2.1 Reason(s) for the proposal to grant a long term right to use, control or manage the Van der Stel Sport Facility

a) The daily management and maintenance of the various municipal sport facilities requires dedicated maintenance staff and maintenance funds to ensure the operational viability of these facilities. Currently, the Stellenbosch Municipality does not have the required operational infrastructure to deliver this standard of service.

b) The proper maintenance of the Van der Stel Sport Facility is in the best interest of Council and the Stellenbosch Sport Community.

c) The management and utilisation of the sport facility as a centre of service excellence to the sport and business industries presents the municipality with an opportunity to make the Van der Stel facility self-sustainable in terms of its maintenance requirements as well as additional infrastructure investment as and when required.

d) A professionally managed facility has the potential to attract new customers, new sport codes and international sport tourists to Stellenbosch.

3.2.2 Expected benefits to the municipality that may result from the granting of the rights

a) The management and development of the Van der Stel Sports facility will result in savings on maintenance costs and staff, while at the same time providing the broader Stellenbosch Community with a world class sport facility.

b) The optimal utilization of the properties may produce additional income for the municipality which may enable the municipality to repair and maintain the properties to an acceptable standard.

c) The professional management of this facility may attract potential investors.

d) Possible capital investment will improve the facility and raise the service offerings to potential customers.

e) A professional management company will be appointed.

f) The facility will have the ability to attract world class sport men and women.

g) A facility of international standard will attract more sport tourists to Stellenbosch.

h) An income at Van der Stel sport facility will be generated that can be used to upgrade and maintain other sports facilities within Stellenbosch (WC024).

3.2.3 Expected proceeds to be received by the Municipality form the granting of the rights

a) The municipality will receive a monthly market-related rental income for the properties and negotiate a profit-sharing agreement on non-sport events and activities
b) Community-based sport will be guaranteed access to the improved sport infrastructure at Van der Stel.
c) Economic activities will be encouraged and stimulated.
d) There will be an opportunity to stimulate sport tourism.

3.2.4 Expected gain or loss that will be realised or incurred by the municipality arising from the granting of the rights

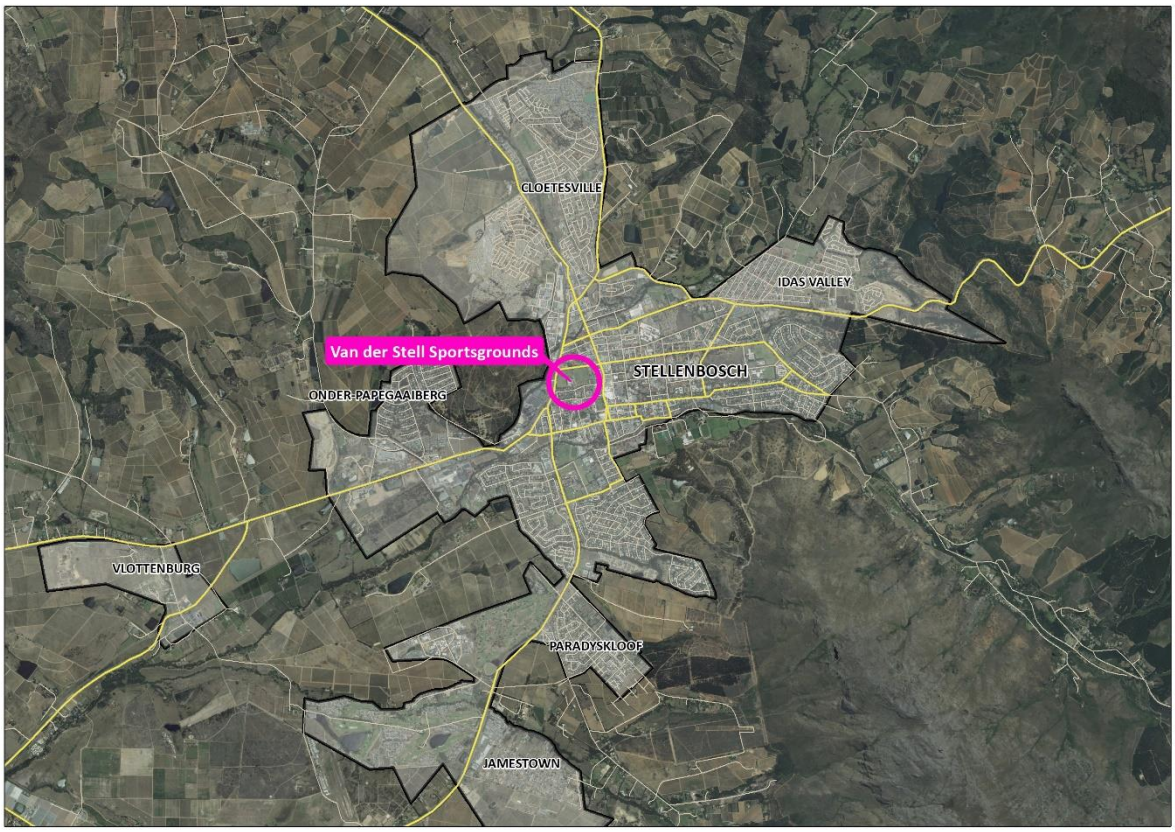
a) Valuable assets in the ownership of the municipality will be upgraded at no or a reduced cost to the municipality.

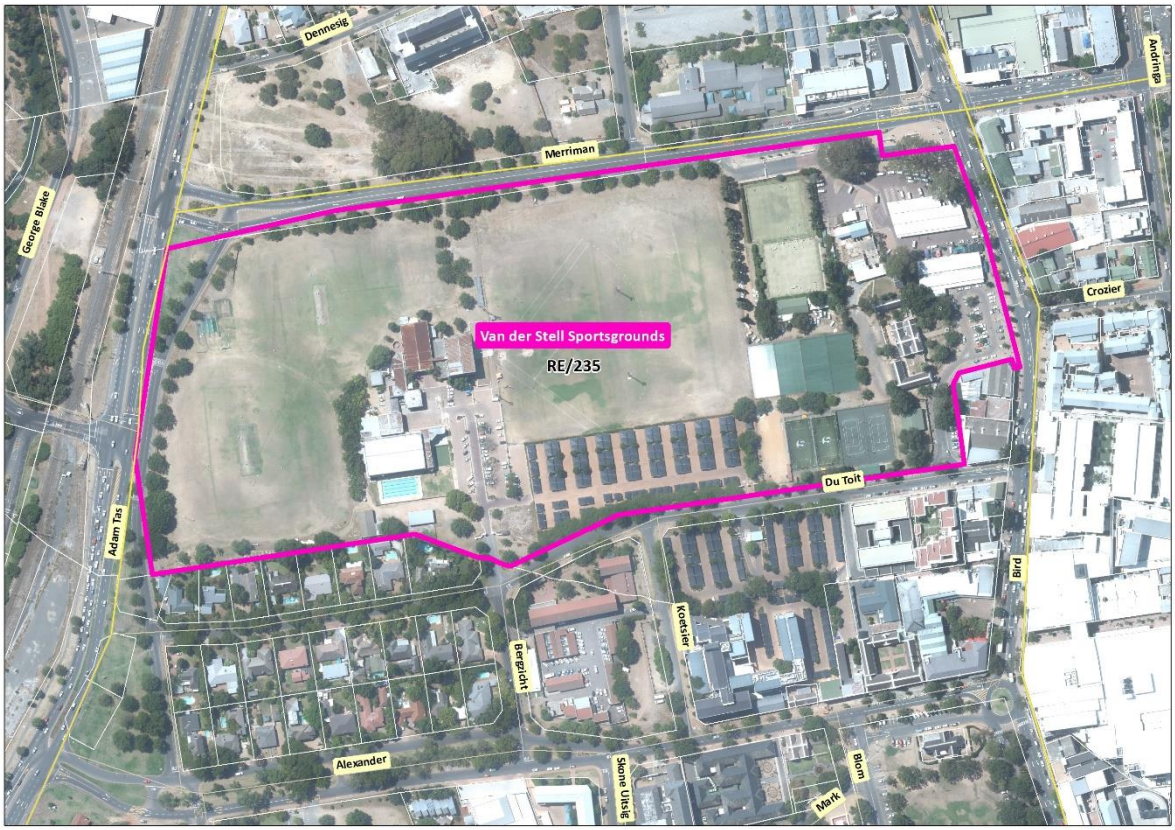
b) The buildings will be properly and adequately maintained in accordance with acceptable standards, at no cost to the municipality.

c) Less financial pressure on the municipality’s capital and operating budgets.

d) Stimulus of economic activities for the sport community.

3.3 Location and context





3.4 Public comment invited

The public are invited to provide input/comment to the municipality on the proposal to enter into a lease agreement (with a suitable entity) to use the Van der Stel Sport Complex for the primary function of Sport but also for other events with the aim and optimal use of the buildings on site.

Comment must reach the offices of the Municipality on or before _____ and must be addressed to the Municipal Manager. Comments can be sent via email to the Municipal.Manager@stellenbosch.gov.za or delivered to the 3rd Floor, Main Office Building, 17 Plein Street, Stellenbosch.

Any queries can be directed to Mr Albert van der Merwe at tel nr. (021) 808 8165 or via email at Albert.vanderMerwe@stellenbosch.gov.za

ANNEXURE D

Stellenbosch
Academy of Sport

For Attention: **Geraldine Mettler**
Municipal Manager, Stellenbosch Municipality

2 December 2022

COMMENT ON OFFICIAL NOTICE IN RELATION TO VAN DER STEL SPORT COMPLEX

Dear Geraldine

We take note of the **Official Notice published by the Municipality on 14 November 2022** whereby the Public is invited to participate in the potential granting of long-term rights by the Municipality to site 235, known as Van der Stel Sport Complex (VDS).

Thank you for the invitation provided to the public in this regard. VDS is certainly a landmark in Stellenbosch with over 100 years of rich sport history and we are therefore fully **supportive of your strategy** to establish it as a "world class sport facility for the broader community". We believe that both **Stellenbosch Academy of Sport** (SAS) and the **Stellenbosch Football Club** (SFC) are perfectly suited to assist the Municipality in achieving its stated objectives and benefits for this facility.

We support sport at all levels, whether it is mass participation in amateur sport or high-performance sport at the professional level and will **propose a multi-faceted and focused model for the use of the iconic VDS complex that will benefit all levels of sport and have a transformative impact on Stellenbosch and the surrounding dorpies in years to come.**

We envisage VDS in future as the **Home of SFC**, incorporating our Youth Academy, a Sport High School catering for talented previously disadvantaged individuals across sport codes and numerous events and activities that will promote social cohesion and a healthy lifestyle. We intend addressing many current challenges with our proposed model, including the fact that our Towns professional football club does not have a "home" and that our local schools regularly have to travel to Daljosaphat for their athletics events. We will invest significant capital funding to upgrade the current site, including the establishment of the school, sport offices, a tartan athletics track, and potentially a purpose-built stadium. The on-site parking currently being used by Mediclinic could remain as such but utilized on event and match days at VDS. We are confident that our team of professionals can operate and maintain the facility to the highest standards, allowing the Municipality to re-assign its current resources tied up at VDS elsewhere.

We **believe that this re-shaping of the VDS facility can be catalytic for the Town and fully integrated into the IDP and Adam Tas Corridor project**. We look forward to discussing this with you and having the opportunity to provide you with a formal Proposal in the near future.

Kind Regards,

Robert Benadie
Chief Executive Officer | SAS and SFC

Need more info? **Visit www.sastraining.co.za**

1 Krige Street, Stellenbosch
Western Cape, South Africa, 7600

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F: +27 (0)21 882 9740

PO Box 456, Stellenbosch
Western Cape, South Africa, 7599

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VAT No.: 4780257236

Directors: F Knoetze PR Louw
PA Kotze J Hanekom J Van Wyk
RM Benadie

ANNEXURE E

ANNEXURE E

NO.	COMMENTS RECEIVED ON THE INFORMATION STATEMENT IN RELATION TO ERF 235, CURRENTLY KNOWN AS VAN DER STEL SPORT COMPLEX, STELLENBOSCH		
	PERSON	**INSTITUTION**	**COMMENTS**
1.	Chris Bekker	Member of Van Der Stel Sports Club	Geliewe hiermee kennis te neem van my beswaar teen die voorgestelde planne met betrekking tot die Van Der Stel sportgronde. As 'n inwoner en belasting betaler van die gemeenskap, en as lid van die Van der Stel Sportsklub ag ek dit onsinnig dat die bate wat aan die munisipaliteit behoort en indirek tot voordeel van die belasting betaler beskikbaar behoort te wees, nou aan 'n privaat instansie uitkontrakteer word om te doen soos hy gepas sien. Ons ag die voorstel ook nie in die beste belang van die inwoners nie. Dit is onaanvaarbaar en ons klub is oop vir gesprekke indien met betrekking tot die uitkontraktering van individuele klubs.
2.	Luzelle Serfontein	Unknown	We hereby object to the tender that was put out for the sale if the above property on the basis of a lack of consultation with the broader community.
3.	Jenny Channing	Unknown	The notice about the granting of the lease as published in the Eikestad nuus sounds very positive. Sadly there is no mention of how the existing clubs will be affected. It would be beneficial if all concerned could meet and ask questions before any decision is taken. I hope some thought will be given to holding such a meeting as van Der Stel Sports Club has provided and still provides many young people of the entire Stellenbosch community with opportunities to take part in a wide variety of sporting activities.
4.	Anneke de Kock	Omgewingskonsultante-Jonkershoekbosboustasie	**Kommentaar op : Voorgestelde privatisering van die Van der Stel-sportgeriewe** Met verwysing na die voorbladartikel in Eikestadnuus (ESN) van 8 Desember 2022 getiteld "***Van der Stel-sportterrein - Vrae oor Privatisering***". Hiermee wil ek as Stellenbosser reeds vir verskeie dekades die volgende kommentaar lewer. ***Heelwat van die huidige gebruikers sal moontlik weens verhoogde kostes van hul sportgeriewe ontneem word,*** Soos bekend besit die Universiteit sowel as die plaaslike skole groot eiendomme waarvan groot gedeeltes vir sport benut kan word. Daar is egter heelwat mense wat op Stellenbosch woon en/of werk wat nie toegang tot genoemde sport-fasiliteite het nie. Hoofsaaklik weens die kostes daaraan

			verbonde om daar lidmaatskap te bekom of omdat dit eksklusief deur die skole of universiteit benut word Dus maak baie Stellenbossers tans gebruik van die meer-bekostigbare ruimtes van die Van der Stel-sportterrein. Die voorgestelde privatisering en uitbreiding van geriewe te Van der Stel (met verwagte hoër kostes in die toekoms) word verwag om baie van die huidige gebruikers te ontneem van die gebruik van hierdie eiendom om hul sport te beoefen. Skynbaar is die Stellenbosch Munisipaliteit tans nie in staat daartoe om hul eie sportgeriewe by die Van der Stel-sportterrein suksesvol te bestuur nie. Heel moontlik weens gebrek aan kundigheid en/of goeie toesighouding en/of voldoende befondsing vanaf die Stellenbosch Munisipaliteit. Ek is van oortuiging dat daar tog sekerlik na ander oplossings gesoek kan word sonder om hierdie waardevolle munisipale eiendom te privatiseer. Privatisering sal beslis - weens verhoogde kostes - veroorsaak dat baie van die huidige gebruikers in die toekoms ontneem sal word van sportgeriewe. ***Publieke deelname aan die end van die jaar is onaanbaarbaar en in werklikheid uiters slinks!*** Soos verskeie Stellenbossers teenoor my opgemerk het word nou die bekende strategie gevolg van publieke deelname oor of naby die kers-vakansie. Dis ‘n tyd van die jaar wanneer byna almal gemoeid is met afronding van die jaar se werk. Dit kan dus verwag word dat hierdie kans om kommentaar te lewer dalk nie benut sal word nie. Veral nie deur huidige gebruikers en sportkodes nie. ***Streef daarna om die bestuur van die terrein te verbeter*** Die oplossing is tog duidelik **beter en toegeweide bestuur van die geriewe**! En nie om die eiendom weg te neem van die die deel van die sportgemeendkap wat tans daar hul sport beoefen nie! Soos genoem in die ESN-voorbladartikel sal ‘n professioneel-bestuurde fasiliteit die potensiaal bied om nuwe kliënte en sportsoorte na Stellenbosch te lok. Die munisipalteit behoort self beter te beplan en die opknapping self te doen. Dit sal dan nie nodig wees om verskeie plaaslike sportklubs daar weg te wys omdat die huidige bestuur duidelik nie tans die mas kan opkom nie! Wat van ‘n wedstryd waar die publiek gevra word vir insette vanaf die publiek oor die toekoms van die Van der Stel-sportterrein? ***Hierdie huidige publieke deelname bereik nie al die huidige gebruikers nie*** Wat veral tans onrusbarend is, is dat die munisiteit nie al die huidige rolspelers met ander woorde die huidige gebruikers, betrek nie. En selfs diegene wat bewus is van die Munisipaliteit se beoogde privatisering is nog totaal in die duister oor wat nou eintlik aangaan, en wat beplan word vir die toekomstige gebruik van die eiendom nie. In Engels “the sky is the limit”wat die moontlikhede betref! Om die fasiliteite op die mees volhoubare en koste-effektiewe manier te bestuur en te benut behoort na gestrewe te word. En dit

			dan vir die gebruik van die hele gemeenskap van Stellenbosch. Veral al die lede van die huidige sportklubs wat die terrein tans benut moet aangemoedig word om hul insette en voorstelle aan die munisipaliteit te stuur as deel van die proses. En die Munisipaliteit moet besef dat die eiendom nie ten beste vir die dorp van nut sal wees as dit slegs met die oog op die (1) ontslae raak van verantwoordelikheid en (2) die insamel van huurgeld moet dien in die toekoms nie. ***Watter beheer sal die munisipaliteit in die toekoms nog hê oor die tipe gebruik van die eiendom?*** Stellenbosch Munisipaliteit is skynbaar sterk daarop ingestel om vir 'n buite instansie die gebruik van die eiendom te verpand. En dit in ruil daarvoor dat wat ookal daar ontwikkel sal word niks vir die munisipaliteit sal kos nie. Maar wat skrikwekkend is, is dat die nuwe gebruikers dan moontlik vrye teuels sal kry om 'n onvanpaste ontwikkeling daar te plaas wat nie vir al die inwoners van Stellenbosch tot nut sal wees nie. Wat sal die gevolg byvoorbeeld wees as 'n toekomstige onvanpaste ontwikkeling dalk skadelik vir die inwoners van die dorp, en veral die omringende gebruike, sal wees? Dink byvoorbeeld aan 'n ontwikkeling wat dobbelgeriewe insluit? En of 'n kroeg-fasiliteit wat oop is vir die publiek. Die huidige klein kroegie is vir lede alleen. Daar is werklik, behalwe van verlies aan sportgeriewe, oneindige (heel moontlik onvanpaste) moontlikhede waarnatoe 'n ontwikkeling daar sal kan gaan! Ek vertrou dat u bostaande bekommernisse in ag sal neem gedurende u beloofde publieke deelname.
5.	Prof. H Eggers	Secretary: Friends of Stellenbosch Mountain	Comment and objection to proposed long-term lease of Erf 235 (van der Stel) in whole or in part 15 December 2022 Interest in application: The locus standi of FSM in environmental, transport and town planning matters in Stellenbosch is long established. FSM has been active in Stellenbosch since 2008 and a SARS-accredited Public Benefit Organisation. Reason for comments: The proposed long-term lease would seriously impede or even make impossible the sustainable restructuring of the central Stellenbosch urban area between Andringa Street and Papegaaiberg, including the Adam Tas Corridor and the old Stellenbosch business centre. 1. Friends of Stellenbosch Mountain (FSM) objects to the proposed long term lease of the "Van Der Stel Sports Complex" (VDS) in its entirety and strongly recommends that the entire proposal be withdrawn immediately. 2. Various short-term leases are currently in place for parts of Erf 235 (van der Stel,

			"VDS"), and we have no objection in principle to short-term leases. Any long-term lease, however, would obstruct and complicate the crucial town planning and restructuring issues and resulting decisions which must be made for this area. These issues include: 2.1 Council has already approved the Adam Tas Corridor (ATC), a game-changing initiative which will create a highly desirable package of developments in the area immediately west of Erf 235. The ATC project is a major step towards transitoriented development (railway, public transport, NMT) and densification, as required by law. 2.2 It is obvious that the new town core taking shape in the ATC must establish strong links to connect to the existing town centre around Bird Street and the university. Erf 235 is exactly such a link. 2.3 In particular, there must be a strong mobility link between the railway station and adjacent modal interchange which will form part of the new ATC complex in the west, and the Bergzicht Taxi Rank and surrounding municipal land in the east. Merriman Road forms part of that strong mobility link, but its current capacity will have to be augmented at a future date by an eastwards extension of the light FSM Comments on Erf 235 (vd Stel) 2022-12-15 Page 1 of 9 rail system whose first phase is being planned to run westwards and northwards from Stellenbosch railway station. 2.4 The strip of land between the railway line and Papegaaiberg Nature Reserve is narrow. Crucial parts of the road system (consisting of Adam Tas Rd, the R44, Merriman Rd and George Blake Rd) will have to be redesigned and realigned, and a major modal interchange is needed at the station, in exactly this area. NMT bridges have to be built over these roads. All of these will need space also east of the R44, ie on the western extremities of Erf 235. 3. The Municipal Spatial Development Framework clearly sees the Van Der Stel complex as part of the strategic planning. The long-term lease proposal is therefore also in conflict with the strategic thinking of the MSDF. 4. In summary, the success or the failure of the entire central town structure between Andringa Street and Papegaaiberg depends on the long-term availability of the land taken up by Erf 235 and other nearby erven. 5. The conclusion of a long-term lease agreement with regard to Erf 235 would

			obstruct and perhaps even render impossible this restructuring in all the aspects set out above. A long-term lease agreement on any part of Erf 235 would de facto sabotage central town planning. 6. We now repeat the above arguments in the language of the Municipal Finance Management Act (MFMA) and the associated MFMA Asset Transfer Regulations: 6.1 Any perceived "benefit" which purportedly would result to Stellenbosch Municipality from a long-term lease agreement would be far outweighed by the long-term costs and risks associated with a long-term lease. 6.2 It would be very costly to reverse any lease agreement should the need for the van der Stel land arise later. In the long term, there is therefore no net financial benefit associated with a long-term lease but rather the prospect of significant financial loss. 6.3 By contrast, the direct economic or financial benefit which would be derived from such a lease would be minimal. 6.4 A long-term lease would also entail significant risk, for example by risking protracted litigation should Stellenbosch Municipality want to resile from such a lease agreement when this land is needed to link ATC with the town centre. 7. The conclusion of a long-term lease would be irrational under these circumstances. 8. Benefit, loss and risk not properly taken into account For the reasons set out above, we contend that the conclusion of a long-term lease agreement at this stage would be in contravention of section 36 of the MFMA Asset Transfer Regulations of 2008 as follows: MFMA Regulation 36 Comment The municipal council must, when considering . . . approval . . . take into account: (a) whether the capital asset may be required for the municipality's own use during the period for which the right is to be granted; As set out, it is likely that this municipal asset of Erf 235 will be required for its own municipal use in the next few years FSM Comments on Erf 235 (vd Stel) 2022-12-15 Page 2 of 9 (b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private

			sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality; The economic and/or financial benefits likely to accrue to the municipality for sports-related activities will be minimal compared to the likely loss and damage suffered by the premature granting of a long-term lease (c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality's interests; A long-term lease would increase the legal and financial risks associated with the future necessity to utilise the land of Erf 235 for urban restructuring purposes. (f) the interests of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community As set out, the municipality's own interests are also not served by the proposed lease. The interests of the local community include both those of current sports teams and those who would benefit from the planned mobility, education and centrally-located housing for which Erf 235 would be ideal. 9. Information statement vague and deficient 9.1 The Information Statement (IS) fails to make a distinction between "Erf 235" on the one hand and the "Van der Stel Sport Complex" on the other. It merely lists some of the sports facilities in Section 2 (BACKGROUND). It fails to even mention that Erf 235 encompasses not only these sports facilities, but also the Bergzicht Taxi Ranks, an adjacent parking and historical buildings. 9.2 The IS is completely silent on these other parts of Erf 235. It would seem that they will not be included in the proposed lease, but then the IS fails to specify the boundaries between the leased area and those other facilities which would be excluded. The IS is therefore insufficient to judge the matter. 9.3 We have already pointed out the crucial role of the Bergzicht Taxi Ranks as a critical modal interchange and future public transport hub. It is quite possible that it may have to be expanded in future. The Information Statement has not taken this possible future westwards expansion of the Bergzicht facility into account. This constitutes an additional risk as defined by Regulation 36(c). 9.4 The IS does not even mention the MSDF. Again, the author of this proposal seems quite ignorant of the town planning context or even the existence of the MSDF. 10. Private enterprise will maximise private profit, not public benefit Any private enterprise willing to enter into a long-term lease agreement with Stellenbosch Municipality would do so with a profit motive. There is no doubt that, to

			generate such profits, the lessee will have to increase access and sublease prices, plus possible major additional building developments such as restaurants etc. These price increases would disadvantage the poor and benefit the rich. That is the message sent to the public by Stellenbosch Municipality by this proposal. The van der Stel sports complex has for decades been central to upliftment and of direct benefit of the poorer sections of society. It should not become yet another exclusive country club-style facility. FSM Comments on Erf 235 (vd Stel) 2022-12-15 Page 3 of 9 11. "Sports tourism" is mentioned in the Information Statement. This, too, sends the message that profits are considered more important than the well-being of the local sportsmen, who would have to compete for the facilities with rich overseas tourists. 12. Section 3.2.3 on the "expected proceeds" is unacceptably vague. There is not even an estimate of the kinds of financial benefits which could be expected. No judgement on "benefits" is possible based on these vague statements. 13. Important information missing: Appendix Bshows the single page which constitutes Item 13.6 of the agenda of the Council meeting of 26 October 2022. This means that the public at large has no insight into what was actually presented to Council before the resolution was taken. As the Information Statement itself was vague as shown above, the process of public participation was not effective or truthful. 14. Inconsistency with approved "Hybrid Sport Facilities Management Plan" The proposal for a long-term lease is furthermore inconsistent with the Hybrid Sport Facilities Management Plan, which was tabled and approved by Council just a few months earlier, in May 2022: see Appendix A. That management model is based on direct agreements between Stellenbosch Municipality and the individual sports councils. The Information Statement is therefore misleading since it makes no mention of the HSFM Plan at all, nor does it explain why a plan and policy which was submitted just months ago should suddenly now be turned on its head. FSM Comments on Erf 235 (vd Stel) 2022-12-15 Page 4 of 9 A Hybrid Sport Facilities Management Plan AGENDA 5TH MEETING OF THE COUNCIL 2022-05-25 OF STELLENBOSCH MUNICIPALITY 11.2.3 PROGRESS REPORT ON THE IMPLEMENTATION OF THE ADOPTED HYBRID SPORT FACILITIES MANAGEMENT MODEL (PLAN) FOR STELLENBOSCH

			MUNICIPALITY (WC024) Collaborator No: IDP KPA Ref No: Good Governance Meeting Date: 18 and 26 May 2022 1. SUBJECT: PROGRESS REPORT ON THE IMPLEMENTATION OF THE ADOPTED HYBRID SPORT FACILITIES MANAGEMENT MODEL (PLAN) FOR STELLENBOSCH MUNICIPALITY (WC024) 2. PURPOSE 2.1 To inform Council on the progress that has been made on the implementation of the adopted Hybrid Sport Facilities Management Model (Plan) for Stellenbosch Municipality (WC024). 2.2 To inform Council of the presentation that was used to illustrate to Sport Councils the key and fundamental focal points of the new adopted Hybrid Sport Facilities Management Model (Plan) for Stellenbosch Municipality (WC024). 2.3 To inform Council of the first draft Use Agreement that will be workshopped with individual Sport Councils. 3. DELEGATED AUTHORITY Council 4. EXECUTIVE SUMMARY Since the approval of the Hybrid Model (SFMP) for implementation by Council, the Department: Community Services engaged with all 15 area sport councils individually to explain and retrieve input and comments on the new facilities management plan. During these engagements the replacement of the formal Lease Agreement with a revised <Use Agreement= was explained in detail to the various sport council representatives. 5. RECOMMENDATION that Council takes note of the progress report. 6. DISCUSSION 6.1 BACKGROUND AND DISCUSSION When sport councils were met individually the Hybrid Facilities Management Plan was defined as an approach which allows the municipality to take better control of the management, maintenance, and development of municipal sport facilities. The plan allows for opportunity to conclude partnership or management agreements

			with recognized and structured sport clubs, sport institutions and sport organizations in compliance with the Municipal Finance Management Act, Systems Act and additional/ specific criteria. Page 1801 FSM Comments on Erf 235 (vd Stel) 2022-12-15 Page 5 of 9 AGENDA 5TH MEETING OF THE COUNCIL 2022-05-25 OF STELLENBOSCH MUNICIPALITY Individual sport councils will enter into Use Agreements with Stellenbosch Municipality instead of Lease Agreements and the following standard generic clauses will appear in all Use Agreements to be entered into with sport councils. (a) Any sub-leasing of municipal sport facilities or part there-of, is only valid after discussion with and formal approval by Stellenbosch Municipality. In terms of the Sub-leasing agreement, the municipality forms an integral part of the agreement as the property owner. (b) All income/revenue generated from property sub-leasing agreements and major non-league events, or major sport/social events shall be divided into three components, namely: 1. Sport Council Revenue 2. Sport Development & Maintenance Ukey (Finance Department) 3. Municipal Utilities Ukey (Finance Department) NB: The percentage allocation between the three components will be negotiated with the various sport councils based on the unique features and conditions of the facility in question. NB: All income/revenue generated through normal club league fixtures of the various sport codes will remain 100% that of the club/ Sport. (c) The Sport Council must submit a quarterly financial report to the municipality of all income generated during the period. The report should also include outstanding maintenance requirements and general management challenges faced by the stakeholders. (d) The Sport Council must appoint a Facility Committee consisting of a representative from each of the sport codes that use the sport facility. The Facility Committee must ensure that all maintenance issues are directed to the office of the Manager Sport & Halls for action. Records of these will also form

			part of the Quarterly Financial Report. All sport councils have been engaged with and the Department: Community Services will revisit each sport council with the draft Use Agreement for input and finalisation. These meetings will be concluded in May 2022. 6.2 FINANCIAL IMPLICATIONS There are no additional financial implications for the initial implementation of the Hybrid Sport Facility Management Plan. However, the effective implementation of the plan in subsequent years will necessitate additional financial resources for physical and human resource requirements. 6.3 LEGAL IMPLICATIONS The recommendations comply with all applicable legislation. 6.4 STAFF IMPLICATIONS There are no staff implications for the initial implementation of the Hybrid Sport Facility Management Model. However, the effective implementation of the plan in subsequent years will necessitate additional human resources. Page 1802 FSM Comments on Erf 235 (vd Stel) 2022-12-15 Page 6 of 9 AGENDA 5TH MEETING OF THE COUNCIL 2022-05-25 OF STELLENBOSCH MUNICIPALITY 6.5 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS 6.5.1 June 2016 – Current Sports Plan was adopted by Council: 4.2 14TH COUNCIL MEETING: 2017-11-29: ITEM 7.9.1: RESOLVED (majority vote with abstentions) *(a) that Council approves the terms and conditions of the rental agreements for each category;* *(b) (b)that Council approves the proposed rental tariffs for each Sport Council category and that these tariffs be reviewed annually;* *(c) that the Lease Agreements be approved for a one-year period with an annual review; should the lessee not fulfill the obligations in terms of the lease agreement, the sporting facility will fall back to Council;* *(d) that once the lease agreements have been signed with the entities, the outstanding debts will be submitted to Council for consideration of writing off those debts; and* *(e) that Van der Stel's lease agreement stand over until their investigation has been*

			finalized. 6.5.2 Resolutions taken by the Stellenbosch Municipal Council on 24 July 2019: *(a) Approved MOU between the SSRA and Stellenbosch Municipality for a period of 6 months;* *(b) That a new lease agreement be concluded between Stellenbosch Municipality and Van der Stel Sport Council, with a specific clause prohibiting any sub-leasing without the written approval of the Stellenbosch Municipality;* *(c) That the Community Services Department (Sport Section) reviews the Municipal Facilities Management Model and relevant Sport Policy in consultation with the SSRA;* *(d) That a forensic audit be done of the financial and operational systems in operation at the Van der Stel Sport Club;* *(e) That the Community Services Department commence with the development of an alternative Facilities Management Model, in consultation with the SSRA;* *(f) That a separate report on the outstanding debt of Area Sport Councils be submitted to Council.* 6.5.3 39TH COUNCIL MEETING: 2020-11-25: ITEM 13.11 *RESOLVED (majority vote)* *(a) that Council takes note of the Report: Sport Facility Management Model (Annexure 1);* *(b) that Council takes note of the three Sport Facility Management Model Options (I, II and III).* *(c) that Council approves Option III, Hybrid Model, for implementation; and* *(d) that Council mandates the Community Services Department to start with the phased-in implementation of the approved Sport Facility Management Model, with immediate effect.* Page 1803 FSM Comments on Erf 235 (vd Stel) 2022-12-15 Page 7 of 9 AGENDA 5TH MEETING OF THE COUNCIL 2022-05-25 OF STELLENBOSCH MUNICIPALITY RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2022-05-18: ITEM 7.2.3 that Council takes note of the progress report.

			ANNEXURES Annexure A: The Hybrid Facilities Management Plan Presentation Annexure B: The first draft Use Agreement FOR FURTHER DETAILS CONTACT: *NAME Albert van der Merwe* *POSITION Manager: Community Services* *DIRECTORATE Community and Protection Services* *CONTACT NUMBERS 021 808 8165* *E-MAIL ADDRESS Albert.vandermerwe@stellenbosch.gov.za* *REPORT DATE May 2022* Page 1804 FSM Comments on Erf 235 (vd Stel) 2022-12-15 Page 8 of 9 B Empty page of Council agenda of 26 October 2022 103 AGENDA 8TH MEETING OF THE COUNCIL 2022-10-26 OF STELLENBOSCH MUNICIPALITY 13.6 REQUESTING PUBLIC INPUT ON THE FUTURE USE OF ERF 235, VAN DER STEL SPORT COMPLEX, STELLENBOSCH Collaborator No: IDP KPA Ref No: Good Governance and Compliance Meeting Date: 26 October 2022 KINDLY NOTE: THIS ITEM WILL BE DISTRIBUTED UNDER SEPARATE COVER IN DUE COURSE Page 1246 FSM Comments on Erf 235 (vd Stel) 2022-12-15 Page 9 of 9
6.	Lawson Eksteen	Stellenbosch Hospital-Cape Winelands Disctrict (Family Physician)	Ek wil graag my ondersteuning gee aan van der stel sportgronde om behou te word vir die kleiner sport gemeenskappe van stellenbosch. Dit is wat ons as n gemeenskap in stellenbosch benodig en dat die vanderstel klub die gronde moet kan bestuur.
7.	Rica Le Roux	Medi Clinic	With reference to the official notice related to Erf 235, received Thursday, 8 December 2022, can you please provide us with some clarity on the below -

			- According to the notice, the municipality considers a rental agreement applicable to the whole / a portion of the Van der Stel Sport complex. - This is of a great concern for Mediclinic as the previously owned BAT building has been purchased with the understanding that a long term renewal can be negotiated between the Stellenbosch Municipality and Mediclinic, after the expiry date of 31 October 2023. - On the 9th November 2022 an email has been sent for the attention of Mr Mgogoshe to confirm Mediclinic's intention to renew the lease agreement for a further 20 year period. We also requested the municipality to consider the possibility to sell the property, with no feedback in this regard. - On the 15th November 2022, Mr Mgogoshe confirmed that our request will be submitted for Council consideration early 2023 and that the outcome will be communicated immediately. - The publication of the official notice was therefore totally unexpected and a serious concern. Herewith also an alternative option for consideration - should the municipality decided to proceed with the privatisation of the Van der Stel Sport complex / agree to a long term rental agreement, can the parking area be excluded from this process with a separate lease agreement between the municipality and Mediclinic related to the parking area or if there is no other option, can the privatisation / long term agreement be subject to a long term rental agreement in terms of the parking area. Kindly indicate should you need any further information from us. Also, please indicate should we need to submit an official application / document to support the above request. Your assistance and advice will be much appreciated.
8.	Pieter Lotz	M3 Human Capital Management	

			As Management and the elected Council of Van der Stel and its subsidiaries, we reserve our rights and write this letter without prejudice to any rights or obligations arising from current or future correspondence with you. As a collective group of citizens of the greater Stellenbosch area, we hereby would like to again, request suitable consultative time with the Municipality relating to the unilateral implementation of the long-term leasing of the facilities to an unrelated and unknown party. The decision that was taken by you as the board on an unusual manner leaves the members of the community at the point of disgust and disappointment. You are embarking on an uninformed and very uncertain journey, which will be detrimental to the harmony and cooperation of the very citizens that you represent. As the elected mayoral committee and Municipal Board, the importance of the duty to consult in any democratic structure, is governed by the rule of law and democracy. You have failed toward this obligation. The Chief Justice of South Africa addressed the rationale behind the consultative process in the case of *Electronic Media Network Ltd v e.tv (Pty) Ltd. 7 Mogoeng CJ* and said that: "Consultation, as distinct from negotiations geared at reaching an agreement, is not a consensus-seeking exercise." Within the context of national policy development, it must mean that a genuine effort is being made to obtain views of industry or sector role-players and the public. In other words, a genuine and objectively satisfactory effort must be made to create a platform for the solicitation of views that would enable a policymaker to appreciate what those being consulted think or make of the major and incidental aspects of the issue or policy under consideration. People or entities must be left to express themselves freely on as wide a range of issues, pertinent to a policy proposal, as possible.

The standpoints of interested parties, who want to have their views taken into account, must thus be allowed to reach a policymaker. But consultation fulfils a role that is fundamentally different from negotiation.

In addition to the foregoing, consultation, particularly in relation to national policy development, "is not an inconsequential process or a sheer formality"; rather, it exists "to facilitate a festival of ideas that would hopefully provide some enlightenment on the stakeholders' major perspectives so that policy-formulation is as informed as possible" for the good of the society as a whole.

The citizens of the Stellenbosch Drakenstein communities are not objectively and within reasonable standards, satisfied in the effort to consultation by the Municipality.

To quote John Steenhuisen – DA Leader, on 16 November 2022 he wrote on the DA's website:

> *"We want people to know that we care enough to do the hard work of considering not just the immediate, but also the longer-term consequences of decisions, and how they will impact not just specific groups, but everyone. We care enough to propose good ideas and call out bad ones, even if it makes us unpopular at the time."*

Van der Stel Sports Facilities and affiliated sport codes, range from a variety of sports including a diverse range of involved, active and positive citizens participating in their communities through sport.

We hereby would like to refer to your policy document: Asset Transfer Policy:

"21.1 In respect of non-exempted disposals, sections 14(1) to (5) of the MFMA, as well as well as Chapter 2 of the MATR, which provides the framework for the implementation of these aspects of section 14 of the MFMA, must be complied with. In terms of section 14(1) to (5) of the MFMA, the municipality may transfer or permanently dispose of such property only after the following requirements are met:

21.1.1 a public consultation process as set out in regulations 5(1)(a) and (2) of the MATR must be undertaken in case of a high-value capital asset;

21.1.2 the municipality, in a meeting open to the public, must have decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and

21.1.3 the municipality must have considered the fair market value of the asset and the economic and community value to be received in exchange for the asset."

We have fair reason to believe that you have not acted in line with clause 21.1.1 and 21.1.2 of your Asset Transfer Policy.

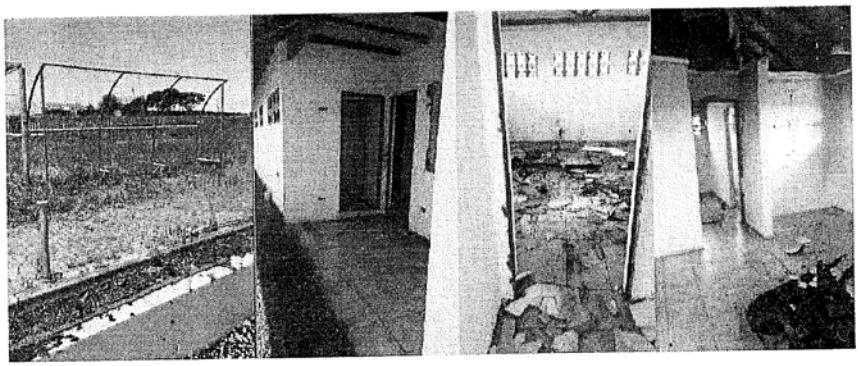
Mrs Mayor – Gesie van Deventer publicly claims to live by the motto:

"Life is like a ladder, and no-one has climbed a ladder with his hands in his pockets."

We herewith make our final call on the Mayor Gesie van Deventer, Drakenstein Municipality to take your hands out of your pockets, roll up your sleeves and become a member of a festival of consultative discussions which will lead to decisions, that the communities that have elected you, deserve and need.

Many of our respected members and related communities we serve as Club Presidents, Incumbents, and representatives, have argued for a referral to the Public Protector and the launch of a Public Campaign against the lack of fairness and respect shown by the Municipality during this process.

It was our own fear that members will individually start showcasing their disgust with the DA run Municipality.

			The recent video footage showcasing the poor state in which the Municipality provides us with basic maintenance and management of infrastructure has been viewed by 1.2k members of the public in 3 days. We are saddened to inform you that you have lost control over the situation.  Until we meet, we formally object to the implementation of your intended transfer of the long-term right(s) of the potential leasing of the Van der Stel Facility. We are more than open to participate and share our reasons to why this intended plan, based on your official notice of November 14th 2022 is unsustainable. We look forward to fruitful, open and transparent consultation with you. Yours in good faith, On behalf of the Van der Stel Board Haydn Trollip

9.	Prof Sugnet Lubbe	Centre for multi-Dimensional Data Visualisation – Stellenbosch Universiteit	The Municipal Manager It is with great concern that I object to the proposal to enter into a lease agreement (with a suitable entity) to use the Van der Stel Sport Complex. In short, it is the function of the municipality to provide equal and fair access for all residents to the facilities in the community. An outside entity will undoubtably have some profit goal. Currently the van der Stel facilities belong to the community (through the management of the elected representatives in the municipality) and fees should cover the upkeep of the facilities. An outside entity will similarly have to cover the maintenance costs, but in order to make a profit the community will be burdened with higher fees to use their own community facilities. The role of the municipality is to manage the community facilities on their behalf, not to burden the community with additional costs that benefits and outside party. Specifically, I would like to comment on the follow aspects of the proposal: ***3.2.1 Reason(s) for the proposal to grant a long term right to use, control or manage the Van der Stel Sport Facility*** *a) The daily management and maintenance of the various municipal sport facilities requires dedicated maintenance staff and maintenance funds to ensure the operational viability of these facilities. Currently, the Stellenbosch Municipality does not have the required operational infrastructure to deliver this standard of service.* The use of the facilities does not come for free. Club fees are paid and should be used to fund the dedicated maintenance staff required to ensure the operational viability of these facilities. *b) The proper maintenance of the Van der Stel Sport Facility is in the best interest of Council and the Stellenbosch Sport Community* This speaks for itself, but only the community, through electing administrative representatives known as the municipality, has the best interests of the facilities at heart. As mentioned before, an outside entity must have a profit goal to have any interest in the facilities. *c) The management and utilisation of the sport facility as a centre of service excellence to the sport and business industries presents the municipality with an opportunity to make the Van der Stel facility self-sustainable in terms of its maintenance requirements as well as additional infrastructure investment as and when required.*

			Again, only the community itself, through the municipality, has self-sustainability as goal, outside entities will have an additional profit margin as goal. *d) A professionally managed facility has the potential to attract new customers, new sport codes and international sport tourists to Stellenbosch.* Stellenbosch is in the fortunate position of having an excellent university with world class sports facilities embedded in the DNA of the town. For this reason, the town is already internationally known as a sport tourist destination, bringing a valuable economic contribution to the town as a whole. It is unlikely that any additional facilities on the van der Stel premises will outshine the current facilities already available in Stellenbosch. The purpose and function of the municipal sports grounds is to provide the ENTIRE community with access to suitable facilities. ***3.2.2 Expected benefits to the municipality that may result from the granting of the rights*** *a) The management and development of the Van der Stel Sports facility will result in savings on maintenance costs and staff, while at the same time providing the broader Stellenbosch Community with a world class sport facility.* The outsourcing of the management and development of the van der Stel facility will place the costs of utilizing the community's own facilities outside the financial scope of the most vulnerable in the community. World class facilities is already available through the university at world class costs. *b) The optimal utilization of the properties may produce additional income for the municipality which may enable the municipality to repair and maintain the* *properties to an acceptable standard.* Any additional income will simply come from the community having to pay exorbitant fees to use their own sports facilities. *c) The professional management of this facility may attract potential investors.* Unless it is a specific philanthropic investment, investors all have profit goals that will simply place the utilization of the facilities outside the reach of those who cannot afford private facilities in the first place. *d) Possible capital investment will improve the facility and raise the service offerings to potential customers.*

			At what cost? Making the utilization of the facilities exclusive to the financial elite? *e) A professional management company will be appointed.* Is the role of the municipality not to be the community representatives, elected to manage the community's facilities on their behalf? Any outside company will have its own profit as primary goal. *f) The facility will have the ability to attract world class sport men and women.* *g) A facility of international standard will attract more sport tourists to Stellenbosch.* Stellenbosch is in the fortunate position of having an excellent university with world class sports facilities. The town is already internationally known as a sport tourist destination, bringing a valuable economic contribution to the town as a whole. It is unlikely that any additional facilities on the van der Stel premises will outshine the current facilities already available in Stellenbosch. The purpose and function of the municipal sports grounds is to provide the ENTIRE community with access to suitable facilities. *h) An income at Van der Stel sport facility will be generated that can be used to upgrade and maintain other sports facilities within Stellenbosch (WC024).* Again, income is only generated by charging fees higher than necessary to cover the operational viability of these facilities. The higher such fees, the larger proportion of the most vulnerable part of the community is excluded from utilizing these community facilities. ***3.2.3 Expected proceeds to be received by the Municipality form the granting of the rights*** *a) The municipality will receive a monthly market-related rental income for the properties and negotiate a profit-sharing agreement on non-sport events and activities* The income to the municipality will simply have to be funded by the community paying higher fees for utilizing the facilities. In addition, the community members will be burdened with funding the profit margin of the middleman (the outside company renting the property). *b) Community-based sport will be guaranteed access to the improved sport infrastructure at Van der Stel.* *c) Economic activities will be encouraged and stimulated.* Only at the additional costs to community-based sport bodies having to fund the improvements as well as the management company's profit through higher fees.

			d) There will be an opportunity to stimulate sport tourism. Since Stellenbosch is already internationally well-known as a sport tourism destination with the world class facilities available in the town, further tourism growth MIGHT only be realised through truly excessive fee charges to community-based sport bodies currently utilizing the facilities. This will definitely place the use of the facilities outside the financial reach of the largest part of the community. ***3.2.4 Expected gain or loss that will be realised or incurred by the municipality arising from the granting of the rights*** *a) Valuable assets in the ownership of the municipality will be upgraded at no or a reduced cost to the municipality.* *b) The buildings will be properly and adequately maintained in accordance with acceptable standards, at no cost to the municipality.* *c) Less financial pressure on the municipality's capital and operating budgets.* Reduced cost to the municipality simply implies increased cost to the community-based sport bodies utilizing the facilities. *d) Stimulus of economic activities for the sport community.* Larger costs to utilize the community's own sporting facilities will stifle community-based sport bodies and definitely NOT stimulate their economic growth. I urge you to reconsider the current proposal. In the light of being the elected guardians of the community's assets and facilities, it is the duty of the municipality to make the community's current facilities as accessible as possible to ALL community members, rather than outsource its duties to outside parties who simply want to profit from the community.
10.	Dirk Schreuder	Unknown	It is of concern that no detail is provided as to the limits and rules that will be set to a private entity, once management is handed over. There has been no public participation to this effect, meaning there is complete lack of clarity as to what this private entity may or may not do. If privatised, the grounds could become very expensive, or favour certain sports and elbow out smaller sport codes. It should remain a community facility which is accessible, and affordable to all. Please advise as to why there is no disclosure on the limits and rules set, should a private entity take over the management of Van der Stel Sport Complex.

11.	Genevieve Theron	Unknown	I am writing as a member of the Stellenbosch community in response to the municipalities proposal to transfer the Van Der Stel sports grounds to a private lease agreement. I would like to object to this process on the grounds that communication with the broader community as well as the individual clubs affected has been severely lacking. The community members that make use of the grounds have not yet been included in the consideration of the tender. The potential benefits and drawbacks of this change in management should be thoroughly discussed with all community members involved. The Van der Stel sports complex represents one of the few options available in Stellenbosch for sports clubs to come together and practice the activities which bring many health benefits and joy to community members.
12.	Elzabi Van Wyk	Unknown	We are very concerned that the privatisation of the grounds may mean that the sports facility might favour specific sport codes, or that the facilities may become too expensive for membership. Therefore we would like the municipality to guarantee that current sports will continue to be able to be part of and use the facility as they are currently. Obviously everyone would like the facilities to be upgraded and be managed better, but this solution may also be found with a hybrid model between the sport club and the municipality. Or various smaller entities for different parts of the sports complex, to ensure that there is not one party that can take over without checks and balances. We would like much more clarity, and discussion, particularly with the Van der Stel council, the current sport clubs and their members to ensure that it is clear what the implications of the privatisation will be, before such a tender is put out or awarded. It must also be ensured that the grounds are not developed for business interests, but must remain a community sports facility that serves all the surrounding communities <u>equally</u>.
13.	Hannes van Zyl	Stellenbosch resident Member of Corridor Interim Steering Committee	8 December 2022- **Response to Stellenbosch Municipality's Information Statement in Eikestadnuus of 17 November 2022, in relation to Erf 325, currently known as the Van der Stel Sports Complex, Stellenbosch.**

			Dear MM Geraldine Mettler, This letter is in response to the Stellenbosch Municipality's Information Statement published in Eikestadnuus on 17 November 2022, requesting public comments on the above matter. Members of the Interim Corridor Steering Committee, who have worked very closely with you for the past four years as partners of Stellenbosch Municipality in conceptualising and supporting the development of the Adam Tas Corridor, have forwarded your advertisement to me. I, therefore, have also consulted with them in drafting this letter. • We welcome the Municipality's intention to maximise the considerable public potential of Van der Stel. • We also comment on the process you have embarked on in Section 168 of the Local Government: Municipal Finance Management Act, noting some possible risks and recommending ways the Municipality should consider dealing with them. **Context** Stellenbosch Municipality declared the Corridor a catalytic project in the Municipal Spatial Development Framework and the Integrated Development Plan in November 2019. More recently, in November 2022, the Council approved a Local Spatial Development Framework (LSDF) for the Corridor and signed a Memorandum of Understanding with development stakeholders. The work on the Corridor and the supporting thinking received support from experts in various fields as work of the highest quality and a rare response to shared national, provincial, and local government objectives across many sectors of life. There is also widespread public support in Stellenbosch for the Corridor and all its socioeconomic and developmental goals. Van der Stel is a critical precinct in the Corridor. It can unlock further opportunities across the Corridor and areas nearby. Spatially, it also is the precinct that must facilitate and enable critical connections between the western and eastern sectors of Stellenbosch, widening opportunity in the town as a whole. If done right, the link between the Corridor and the Stellenbosch town centre will unlock enormous value for the town and its residents. **Right to use control and manage Van der Stel** In its present form and use, Van der Stel does not achieve its full potential as a sports complex, central precinct, and a potential link between the Corridor and the surrounding town. It is a precinct that must be steered and developed with purpose. • Therefore, we support the initiative to grant rights, attract investors, and establish better use for a long-neglected part of town. 1 **Process gaps** Firstly, as published in Eikestadnuus, the Municipal Information Statement refers correctly to the Local Government Municipal Finance Management Act and the Asset Transfer

			Regulations. However, we note three riks and concerns: • We suggest you include the Corridor, its LSDF, and associated processes (as Council-approved policy instruments) in the Municipal Information Statement. These policy instruments should inform the envisaged nature and form of a redeveloped Van der Stel. Leaving out reference to the Corridor and the LSDF in your Information Statement could make the reader doubt whether the Municipality will also act following these Council-approved policy instruments. The LSDF, as approved by Council, and in the background work leading up to the LSDF, there are specific recommendations for planning and developing the area and its constituent parts. The Western Cape Economic Development Partnership (WCEDP) has started a process to give effect to these. • The second set of concerns relates to the approved LSDF. The LSDF covers principles for the development across all the Corridor precincts, including considerations in balance in use, public access, continuity, and so on. The approved LSDF implies that Van der Stel should be planned as a whole and include meaningful access in perpetuity to enhance new public facilities. This precinct should also allow the bridging between the town's eastern and western sectors and a future central public transport interchange, which would link the Corridor and the town. These principles are not restrictive and could allow what you seem to have in mind to improve Van der Stel. It should also unlock other longer-term projects and significant value for the town. Essentially, the guidelines you have approved imply that every precinct must be a balanced development which supports the whole. This approach is also a prerequisite for grant funding and loans from the Development Bank or international funds that could help early phases of infrastructure development. • Thirdly, we would caution against advancing the same approach as you chose now in future as it will likely not assist in sustaining the considerable public support behind the Corridor. The support from the public for the Corridor LSDF was substantial and possibly unique in the history of Stellenbosch. Van der Stel emerged from the LSDF public consultation process as a precinct where public expectations will be high. Partners in the process and the public will expect openness, joint work, and adherence to the planning directives contained in the LSDF. By following a limited approach, the Municipality and you may also unintentionally create unnecessary public risk for the entity to which you will grant the development and management rights. **Next Steps** To ensure continued public support, the Municipality should position the proposed granting of rights for future use of Van der Stel within the context of the Corridor LSDF policy framework and related commitments and agreements. It also implies the Municipality should share information with Corridor partners, including the not-yet disbanded Interim steering committee and WCEDP. These are natural

			allies for the Municipality in a process like this. The Steerco work of the past years was critical for securing broad public support for the Corridor. The Municipality should act to ensure ongoing public support for efforts to maximise the potential of Van der Stel and for future proposals in the Corridor.

7.3	**CORPORATE SERVICES: (PC: CLLR L NKAMISA)**

7.3.1	**POSSIBLE DISPOSAL OF ERF 4810 (3 SWAWELAAN) STELLENBOSCH**

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **15 February 2023**

1. SUBJECT: POSSIBLE DISPOSAL OF ERF 4810 (3 SWAWELAAN) STELLENBOSCH

2. PURPOSE

To inform Council that the previous sale was not concluded and to request to consider the disposal of erf 4810, Stellenbosch again through an auction.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

In May 2021 three properties being erven 4810 and 4811 (3 and 3A Swawelaan) as well as 6 Tinktinkie Street) were sold on auction as per a decision made by the Municipal council. Before the auctions the properties were used as rental properties for council employees and were vacant for a long period. When the employment contracts of the previous lessees ended, it was resolved not to lease the properties again to employees before a new council policy on allocation of rental housing to employees has been approved.

Stellenbosch Municipality is currently the registered owner of the three erven. Erven 4811 and 4812 are currently in the process of being transferred to the purchasers from the auction. Before transfer can take place the subdivision of the other erf needs to be finalised. In terms of the Council resolution the buyers are responsible for the costs of subdivision and the transferring attorney of one of the buyers will be dealing with the subdivision registration with the assistance from the Municipality.

Erf 4810 was however not sold since the purchaser did not pay the deposit for the property.

The property not worth more than R10 million. The general valuation recorded in 2021 was R1, 926,000.00 (One million nine hundred and twenty-six thousand rand) and it was sold at the auction for R2, 150,000.00 (Two million one hundred and fifty thousand rand).

After the auction StellCare indicated that they are interested to purchase the property for an orphanage. They were contacted on more than one occasion to make an offer so that offer can be brought to council for consideration. After contacting them again in the beginning of February 2023, they indicated they do not have the funds available to purchase the property. The municipality must pay a security company to provide security and it no longer has any purchase for the Municipality.

The provisions of the Asset transfer regulations were followed before the first auction took place and there is no need to repeat the process. The municipality has in the meantime appointed a service provider on tender to do auctions for the municipality.

5. RECOMMENDATIONS

(a) that Council confirms that the property is not needed to provide minimum services as required in terms of the asset transfer regulations.

(b) that Council approves the disposal of the erf by public auction to the highest bidder at the auction at a market related price with a reserve set price determined not less than the price reached at the previous auction;

(c) that the buyer be responsible for the payment of the costs for the transfer of the erf from the mother erf (3721);

(d) that the municipality request a certificate of registered title as the property have not been registered as separate titles;

(e) that the new buyer be requested to take occupation of the erven as soon as warranties have been provided, but not later than 30 days after the warranties was provided;

(f) that the Municipal Manager be authorised to conclude the sale agreement after the auction provided that the sale price is not lower than the reserve price; and

(g) that the risk be transferred to the buyer on taking occupation.

6. DISCUSSION / CONTENT

6.1 Background

Council has already discussed the history of the property and made a decision on selling the property on auction with the other two properties. In the instance of this specific property the only reason it is being put on auction again is because the previous purchaser was not able to pay the deposit as required.

6.2. DISCUSSION

6.2.1 Location and context

The property is located in the town ship in Stellenbosch known as “Onder Papegaaiberg”. Council owns several properties in this area that was allocated to employees in the past. As the property is currently vacant and have been vacant for a long time it has been vandalised quite badly and a lot of complaints were received.

6.2.2 Property description

3 Swawelaan (erf 4810) – 987 vierkante meter (appendix 2.1)







Street view from google street view of Swawelaan 3

6.2.3 Ownership

The ownership of the property vests with Stellenbosch Municipality by virtue of Title Deed T280/1972. Sub-division of Erf 3721 was registered in terms of Ordinance 33 of 34 in 1970. STBB attorneys are investigating if this is still a valid sub-division and if not we will have to apply for sub-division of the property before registration can take place. The municipality will request a certificate of registered titles and the new buyer will have to register the property from the mother erf (3721) at their own costs. See copy of Windeed record attached as **APPENDIX 1.**

6.2.4 Legal Framework

6.2.4.1: Municipal Finance management act, no 56 of 2003 (MFMA)

In terms of section 14(1) of the MFMA *"a municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services."*

Further, in terms of sub-section (2*)" a municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public—*

(a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and

(b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset."

In terms of subsection (5) *"any transfer of ownership of a capital asset in terms of subsection (2) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section111."*

6.2.4.2 Municipal Asset Transfer Regulations (ATR)

In terms of Regulation 5 of the ATR :-

"1) A municipality may transfer or dispose of a non-exempted capital asset only after—

(a) the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and

(b) the municipal council—

(i) has made the determinations required by section 14(2)(a) and (b) and*

(ii) has as a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

*(2)Sub-regulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value *capital asset.** i.e. in excess of R50M.

6.2.4.3 Property Management Policy

In terms of par.7.2.1of the policy, "***unless otherwise provided for in this policy****, the disposal of Viable Immovable property shall be effected-*

(a) by means of a process of ***public competition****; and*

(b) ***at market value*** *except when the public interest or the plight of the poor demands*

Further, in terms of par.7.2.3, before alienating Immovable property or rights in Immovable property the Municipality shall be satisfied that ***alienation is the appropriate methodology and that reasonable economic, environmental and social return cannot be derived whilst ownership of the Immovable property or Property rights is retained by the Municipality****.*

In term of par.9.1 of the Policy, the Municipality may use any of the following methods, depending on the circumstances pertaining the specific Immovable property:

a) The type of a formal tender may vary, depending on the nature of the transaction:

i) Outright tender may be appropriate where the Immovable property ownership is not complex, and the Municipality is seeking obligations to be placed on the successful tenderer which are clear and capable of specification in advance.

ii) Qualified tenders/call for proposals will be appropriate where the Immovable property ownership position is complex or the development proposals for the Immovable property are insufficiently identified or otherwise incapable of detailed specification at the pre-tender stage.

iii) Call for proposals on a build-operate transfer (B.O.T) basis will be used if a developer is required to undertake the construction, including the financing, of a facility on Municipal-owned land, and the operation and maintenance thereof. The developer operates the facility over a fixed term during which it is allowed to charge facility users appropriate fees, rentals and charges not exceeding those proposed in its bid or as negotiated and incorporated in the contract, to enable the developer to recover its investment and operating and maintenance expenses in the project. The developer transfers the facility to the municipality at the end of the fixed term.

b) The nature of the formal tender process is that a legally binding relationship is formed between the parties when the Municipality accepts a tender in writing. It is essential therefore, that every aspect of the disposal is specified in the tender documents. The tender documents could include a contract for sale or lease which could be completed with the tenderer's details, the tender price and be signed by the tenderer. A binding legal agreement is created upon the acceptance in writing of a tender by the Municipality.

c) Such a process may, depending on the nature of the transaction, include a two-stage or two- envelope bidding process (proposal call) in terms of which only those bidders that meet the pre-qualification criteria specified in the first stage are entitled to participate in the second stage.

6.2.4.4 Public Auction

a) Disposal by public auction may be appropriate where there is no obvious potential purchaser and where speed and the best price can be obtained by auction.

b) The decision to dispose of Immovable property by way of public auction must be recorded in writing and must include-

(i) the reasons justifying a disposal by public auction;

(ii) the reserve price, if any, for the auction;

(iii) the authority for a staff member to attend the auction and to act on behalf of the Municipality.

c) The contract for sale or lease must be ready for exchange at the auction.

d) The binding contract will be made on the acceptance of the highest bid providing it has reached the reserve price. Contracts for the sale or lease will immediately be signed and exchanged.

e) The terms and conditions of each auction shall be determined on a project-by-project basis, appropriate to the specific characteristics and attributes of the Immovable property, and to the Municipality's strategic objectives.

f) Where the services of an auctioneer are utilised, the auctioneer's commission shall be payable by the successful bidder and shall not form part of the financial offer to the Municipality.

6.3 Financial Implications

The disposal is recommended on market related prices set as a reserved price. The municipality will have to pay an auctioneer.

6.4 Legal Implications

See par. 6.2.5 (*supra*)

6.5 Staff Implications

No additional staff implications.

6.6 Previous / Relevant Council Resolutions

SPECIAL COUNCIL MEETING: 2021-06-23: ITEM 8.1.1

RESOLVED (nem con)

(a) that Council approves of the disposal of the 3 erven to the bidders that bid the highest at the auction and accept the highest bids on the erven as indicated;

(b) that the Municipal Manager be authorised to conclude the sale agreements;

(c) that the municipality request a certificate of registered titles as the properties have not been registered as separate titles;

(d) that the new buyers register the property from the mother erf (3721) at their own costs;

(e) that the bidders be requested to take occupation of the erven as soon as the warranties have been provided, but not later than 30 days of this decision; and

(f) that the risk be transferred to the buyers on occupation of the erven.

38TH COUNCIL MEETING: 2020-10-28: ITEM 11.2.4

RESOLVED (majority vote)

(a) that Erf 4810, Erf 4811 and Erf 4812 Stellenbosch, be identified as land not needed to Provide the minimum of basic services;

(b) that Council approves the disposal of the 3 erven by public auction at a market related price with a reserve set price determined by a valuation;

(c) that the Municipal Manager be authorised to conclude the sale agreements after the auction, provided that the sale prices are not lower than the reserve price; and

(d) that the three erven be disposed of to different buyers.

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

Cllrs FT Bangani-Menziwe (Ms); C Moses (Ms); RS Nalumango; N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

6.7 Risk Implications

Addressed in the item.

6.8 Comments from Senior Management

Supports the auctioning of the property.

6.8.1 Municipal Manager:

Supports the recommendations.

ANNEXURES: **Appendix 1: Windeed erf 3721**

FOR FURTHER DETAILS CONTACT:

NAME	**Annalene de Beer**
POSITION	***Director***
DIRECTORATE	***Corporate Services***
CONTACT NUMBERS	***021-8088018***
E-MAIL ADDRESS	***Annalene.deBeer@stellenbosch.gov.za***
REPORT DATE	***06-02-2023***

APPENDIX 1

Printed: 2020/10/13 12:54

WinDeed Database Deeds Office Property

windeed
A LexisNexis® Product

STELLENBOSCH, 3721, 0 (CAPE TOWN)

GENERAL INFORMATION

Date Requested	2020/10/13 12:53
Deeds Office	CAPE TOWN
Information Source	WINDEED DATABASE
Reference	-

Activated SearchInsure Activated

PROPERTY INFORMATION

Property Type	ERF
Erf Number	3721
Portion Number	0
Township	STELLENBOSCH
Local Authority	STELLENBOSCH MUN
Registration Division	STELLENBOSCH RD
Province	WESTERN CAPE
Diagram Deed	T17656/1948
Extent	6128.0000SQM
Previous Description	-
LPI Code	C06700220000372100000

OWNER INFORMATION

Owner 1 of 1

Type	LOCAL AUTHORITY
Name	MUN STELLENBOSCH
ID / Reg. Number	-
Title Deed	T280/1972
Registration Date	1972/01/10
Purchase Price (R)	UNKNOWN
Purchase Date	-
Share	0.00
Microfilm	0000000000
Multiple Properties	NO
Multiple Owners	NO

ENDORSEMENTS (1)

#	Document	Institution	Amount (R)	Microfilm
1	I91/1970LG	-	UNKNOWN	0000000*

HISTORIC DOCUMENTS

No documents to display

DISCLAIMER

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7.4	**FINANCIAL SERVICES: (PC: CLLR P JOHNSON)**

NONE

7.5	**HUMAN SETTLEMENTS: (PC: CLLR J FASSER)**

NONE

7.6	**INFRASTRUCTURE SERVICES : (PC : CLLR Z DALLING)**

NONE

7.7	**PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J JOON)**

7.7.1	**IDAS VALLEY / BOTMASKOP NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN (FEBRUARY 2023)**

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **15 February 2023**

1. SUBJECT: IDAS VALLEY / BOTMASKOP NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN (FEBRUARY 2023)

2. PURPOSE

The Idas Valley / Botmaskop Nature Area[1] Environmental Management Plan (EMP) (February 2023) (**ANNEXURE A**) has been prepared to establish a distinct vision and overarching goal for the management of the subject area in context off, and giving effect to, the relevant legislation and associated regulations.

Following the Council resolution of August 2022 (included under section 6.6 below) a draft version of this document was advertised for public comment for a period of 21 days (**ANNEXURE B**). Comment received during this period (**ANNEXURE C**) has been considered (**ANNEXURE D**) resulting in the above document herewith presented to Council for approval.

3. DELEGATED AUTHORITY

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

4. EXECUTIVE SUMMARY

The Idas Valley / Botmaskop Nature Area (NA) is located on the north-western boundary of Stellenbosch town, above Idas Valley. The Idas Valley portion of the NA is located north of the Helshoogte pass on the way to Pniel. Botmaskop is located south of the road, against the mountain side, as one exists Stellenbosch driving up the Helshoogte pass. The NA covers an area of ±425 ha of which the Idas Valley area consist of 335 ha. The area is mainly bordered by farmland, the urban area of Idas Valley to the south-west and the mountainous natural landscape towards the Jonkershoek Mountains in the south. The relevant property is municipal owned land zoned for agricultural use. Most of the area has been used for forestry purposes at some point. The Idas Valley Dam(s), which provides Stellenbosch town with potable water, is located within the NA.

Because of the area's location (close proximity relative to Stellenbosch- and other towns as well as the City of Cape Town), its topography, scenic quality and past use it is currently utilized for a number of purposes. These include:

Outdoor recreation: Having been a forestry area in the past the NA consists of a network of old service roads. The Old Helshoogte pass also cuts through the area. This infrastructure and the attributes of the area mentioned above makes the Idas Valley / Botmaskop NA a popular destination for cyclers, runners and hikers.

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[1] A **nature area** has no formal environmental protection status or proclamation as opposed to a **nature reserve** that has been declared as such in terms of, for example, the National Environmental Management: Protected Areas Act, 57 of 2003.

Wood making: The NA is invaded, partly due to its use as forest area in the past, by a number of alien vegetation species ranging from plants to mature trees. This provides a resource to local contractors collect firewood. Each year a number of permits (issued as per the Council approved tariff structure) that allows this activity within the Idas Valley area are issued by the Municipality. In terms of these permits the felling of trees are prohibited. Fallen- or trees felled by the Municipality is allowed to be processed.

Cultural / Agricultural use: The NA have, over the past 10 – 15 years, accommodated a number of uses associated with cultural rituals, tribal initiations and agriculture or plot farming.

Events: The Idas Valley / Botmaskop NA is the subject of numerous event applications, mainly associated with mountain-biking or trail-running.

Filming: The Municipality, from time-to-time, receives applications for filming or photoshoots within its nature areas, including the Idas Valley / Botmaskop NA.

Water provision: In the centre of the area are two catchment dams and associated Municipal infrastructure that plays an important role in providing Stellenbosch town with potable water. The use and maintenance of this infrastructure is important to make sure that water service delivery to the relevant dependant areas is provided.

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

5. RECOMMENDATION

that Council approves the Idas Valley / Botmaskop Nature Area Environmental Management Plan (February 2023) as the document to guide the management of the Idas Valley / Botmaskop Nature Area.

6. DISCUSSION / CONTENTS

8.1 Background

As stated above the Idas Valley / Botmaskop NA are utilised for a number of uses. Apart from maintaining the area for such uses the area requires substantive management and resources to maintain it as Municipal property and asset. Main functions in this regard include alien clearing, firebreak management, general upkeep and security. In addition to addressing these issues, the proposed EMP also seek to manage the following primary threats to the NA:

Inappropriate Fire Regime: The Fynbos vegetation in the Idas Valley / Botmaskop NA requires a fire regime that provides for high intensity fires at intervals that range from 8 to 20 years, occurring in late-summer (i.e. February-March).

Over-utilisation by visitors: the Idas Valley / Botmaskop NA is a particularly attractive natural area and provides for a broad spectrum of recreation opportunities. It is, subsequently, a popular attraction for eco-tourists and sports persons practicing specific nature-related activities. Main potential problems in this regard include pollution, trampling of plants, disturbing of animals, soil compaction leading to unnatural erosion, and degradation of the social environment. It is imperative that the carrying capacity (both social and ecological) of the NA is not exceeded by visitors.

Alien Plan Infestation: The infestation of Fynbos areas by alien plants is known to be a primary threat to biodiversity in general (mainly due to habitat fragmentation) and catchment dynamics. In the latter regard, it is important to note that Fynbos has unique intrinsic water conservation capabilities and subsequently plays a critical role in the maintenance of the natural *water cycle*. In order to sustain the fundamentally important catchment function of the Idas Valley / Botmaskop NA it is, therefore, imperative to implement integrated eradication programs for alien plants.

Security (access control): The Idas Valley / Botmaskop NA is a large area that is a challenge to secure.

Pollution: The NA is a target for illegal dumping from time to time and regular clean-up of general pollution / waste is required.

Cultural / Agricultural use: As stated above the NA have, over the past years, accommodated a number of uses associated with cultural rituals, tribal initiations and agriculture or plot farming. Although these uses have an important role to play in die local-community and society it does not always align with applicable legislation, the broader vision of the NA and use as a conservation area utilised for a range of recreation uses.

The core value of the Idas Valley / Botmaskop NA is the ecosystem goods and -services it provides to the area and its surroundings. It is also important that the area be managed in a way (especially from an alien plant management point of view) that will maximize water run-off to the Idas Valley Dams and the surrounding areas. It is therefore important that it be managed in a manner that addresses the challenges listed above, a manner that maximizes the value of Idas Valley / Botmaskop NA's resources and ensure sustainability.

6.2 Discussion

The Idas Valley / Botmaskop NA EMP (February 2023) has been prepared to establish as distinct vision and overarching goal for the management of the Idas Valley / Botmaskop NA in context off, and giving effect to, the relevant legislation and associated regulations. The EMP consist of management strategies and guidelines for the management of the area under the following themes:

- Administration
- Environmental Protection
- Land Use Management
- Environmental Auditing

Following the Council resolution of August 2022, a draft version of the Idas Valley / Botmaskop NA EMP (February 2023) was advertised for public comment for a period of 21 days. The following comment was received:

Submitted by:	**Representing:**	**Date**
Jacques Steyn		19/10/2022
Annemarie Ferns	Councillor - Ward 7	20/10/2022
Maxwell Delminie		24/10/2022
Nathalie Ammann	Rozendal Guest Farm	26/10/2022
Andrea Marent-Hegewisch	Resident – Ward 7	27/10/2022
Bertus Swanepoel	Resident – Ward 7	27/10/2022

The Department: Environmental Management's response to these respondent's input is included under **Annexure D**.

8.3 Financial Implications

The management of the Idas Valley / Botmaskop NA is included in the budget of the Department: Community Services, Section: Environmental Management.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions

The 7TH Council Meeting: 2022-08-24: Item 13.1 Reseolved (nem con):

(a) that Council approves the advertisement of the draft Idas Valley / Botmaskop Nature Area Environmental Management Plan (May 2022) for a period of 21 days for public input; and

(a) that the inputs received during the above public participation process be worked into a final Idas Valley / Botmaskop Nature Area Environmental Management Plan to be presented to Council for approval.

6.7 Risk Implications

This report addresses risk implications for the Municipality.

6.8 Comments from Senior Management

The Item and a copy of the Draft Idas Valley / Botmaskop Nature Area Environmental Management Plan (May 2022) were sent to all directors on 13 May 2022 for input by 27 May 2022. No feedback was received.

ANNEXURES

Annexure A: Idas Valley / Botmaskop Nature Area Environmental Management Plan (February 2023)

Annexure B: Eikestad News Advert

Annexure C: Public Input Received

Annexure D: Response Report

FOR FURTHER DETAILS CONTACT:

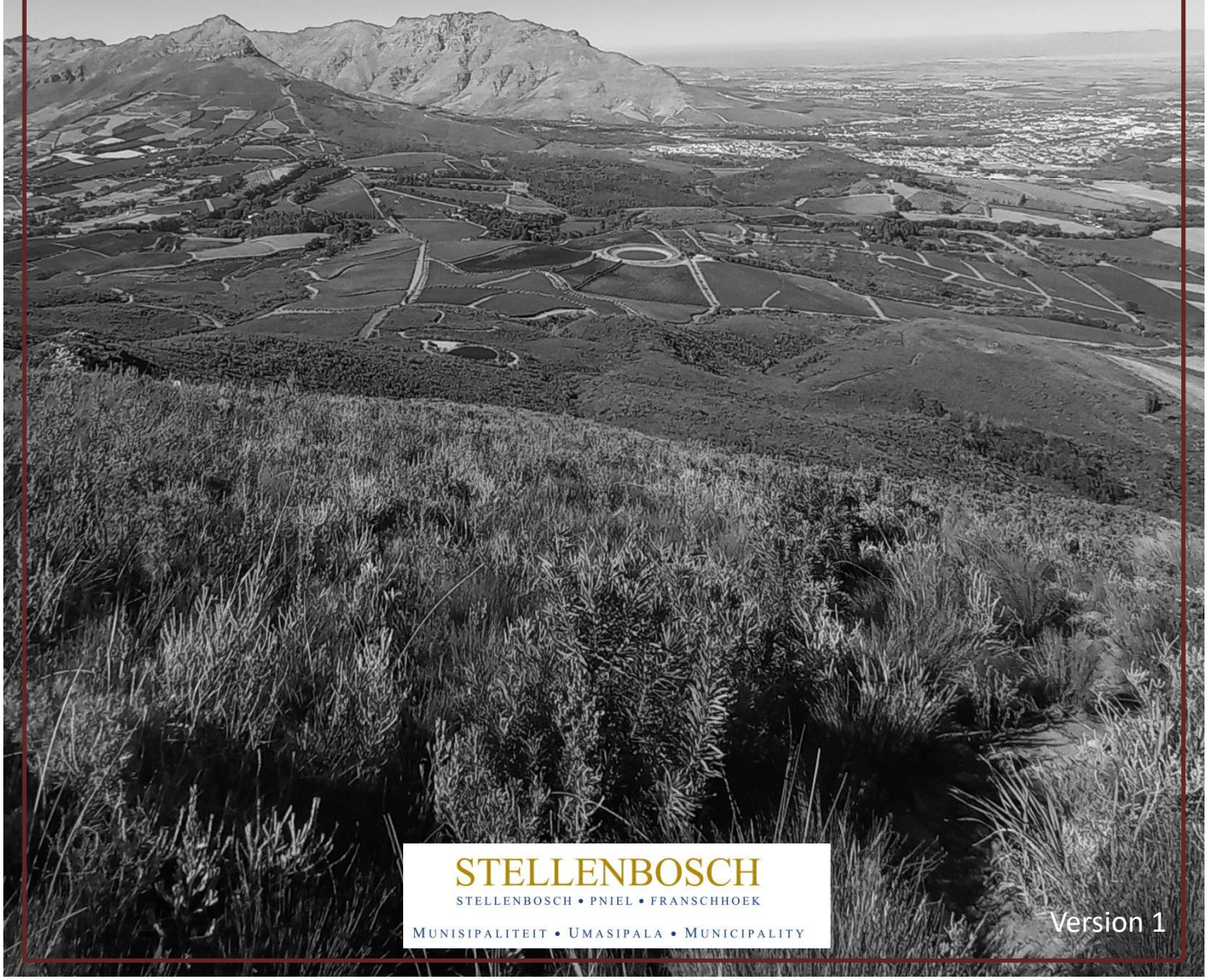
NAME	**Schalk van der Merwe**
POSITION	**Environmental Planner**
DIRECTORATE	**Community and Protection Services**
CONTACT NUMBERS	**021 808 8679**
E-MAIL ADDRESS	**schalk.vandermerwe@stellenbosch.gov.za**
REPORT DATE	**30 January 2023**

ANNEXURE A

IDAS VALLEY / BOTMASKOP NATURE AREA

ENVIRONMENTAL MANAGEMENT PLAN

February 2023



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ABBREVIATIONS

CBA	Critical Biodiversity Area
DEA&DP	Department of Environmental Affairs and Development Planning
DEA	National Department of Environmental Affairs
DAFF	Department of Agriculture, Forestry and Fisheries
DWS	National Department of Water and Sanitation
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
FPA	Fire Protection Association in terms of the National Veld and Forest Fire Act
GIS	Geographical Information System
IDP	Municipal Integrated Development Plan
MOU	Memorandum of Understanding
NEMA	National Environmental Management Act
NA	Nature Area
NFEPA	National Freshwater Ecosystem Priority Area
NPAES	National Protected Area Expansion Strategy
NSBA	National Spatial Biodiversity Assessment
PA	Protected Area
SAHRA	South African Heritage Resources Agency
SDF	Municipal Spatial Development Framework
UNESCO	United Nations Educational, Scientific and Cultural Organisation

1. INTRODUCTION

1.1 PURPOSE

The purpose of this Environmental Management Plan (EMP) is to establish a distinct vision and overarching goal for the management of the Idas Valley / Botmaskop Natura Area (from heron referred to as the Idas Valley / Botmaskop NA or simply the NA) in context of the relevant legislation and associated regulations. Accordingly, the primary aims of this EMP include the following:

1. Facilitating the rehabilitation and long-term management of the Idas Valley / Botmaskop NA.
2. Promotion of a conservation ethos in the minds of the people of the area and the general public with the objective to create a shared responsibility to maintain the health, diversity and productivity of the area in a spirit of stewardship and caring.
3. Implementation of management practices that will benefit current and future generations.
4. Provision of sustainable outdoor recreational opportunities in the area.
5. Ensuring that future growth and development proposals for Stellenbosch are compatible with the vision, goals and objectives for the area and associated ecological systems.

1.2 VISION

In order to balance the management requirements of the Idas Valley / Botmaskop NA with the aspirations of all stakeholders and the place-specific environmental, social and economic constraints, the following vision is set for the area:

<u>To manage and protect the Idas Valley / Botmaskop Nature Area as a sustainable and safe area which is recognised and valued for its environmental integrity and community-supporting functions.</u>

1.3 OVERARCHING GOAL

The over-arching goal of the Idas Valley / Botmaskop NA is to contribute towards environmental sustainability and the conservation of biodiversity as a prerequisite for the latter. This EMP builds on the recognition that for biodiversity conservation to succeed, the maintenance of environmental integrity (as defined by ecological, economic and social criteria) must be one of the primary determinants of land-use planning and management.

Sustainability, under present circumstances, cannot be achieved without any form of management intervention and such intervention has to be financed to a significant extent. Accordingly, sustainable development projects or use within the area should ideally contribute towards the required financing of management activities in a spirit of partnership.

The CSIR (2002) states that sustainable development should *improve the state of any given situation.* Sustainable development requires a long-term, integrated, systems approach pertaining to economic, environmental and social issues. Fostering a strong sense of community and building partnerships and consensus among key stakeholders are important elements of sustainable development (CSIR, 2002). The International Union for the Conservation of Nature (IUCN) defined sustainable development as '*development that meets the needs of the present generations without compromising the ability of future generations to meet their own needs*'.

The International Institute for Sustainable Development (IISD) (1995) states that sustainable development occurs at the intersection of three global imperatives, namely *human well-being, environmental integrity* and *economic efficiency*. The interactive model of sustainability illustrates that sustainable development occurs where the three imperatives interact within an 'interactive zone' (Figure 1). Development outside this 'interactive zone' will not be sustainable. Mebratu (1998).[1] The EMP builds on the following understanding of the three global imperatives:

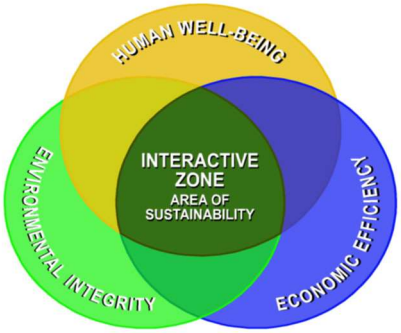


Figure 1: The interactive model of sustainability (Adapted from Mebratu, 1998).

1.3.1 Human Well-Being

Human well-being refers to both *material* and *spiritual* well-being. Material well-being refers to the absence of poverty. Spiritual well-being *inter alia* refers to the absence of inequality and being in a position to obtain new powers, emotionally, intellectually and physically and to be able to play a meaningful role in promoting and achieving sustainable development. It is recognised that the Idas Valley / Botmaskop NA has a significant impact on the well-being of the people of Stellenbosch and surroundings in terms of a number of important aspects.

1.3.2 Environmental Integrity

Environmental integrity refers to the relative '*wholeness*' of the environment. 'Environment' is defined as the aggregate of all external conditions and influences affecting the life of an organism. Environmental integrity is determined by the *value* of the environment or place (natural or human-made), with specific reference to its intrinsic, systemic, and/or instrumental value. The EMP builds on the recognition that the human-made environment is located within and 'contained' by the natural environment. The manner in which human settlements are developed, therefore, has an immense impact on the quality and integrity of the environment as a totality. It is therefore imperative that the human-made environment be planned, designed and developed in a manner that will ensure the maintenance of the values referred to above (i.e. intrinsic, systemic, and/or instrumental value). From a natural environmental perspective, ecological integrity is a key factor in the sustainable development equation. Ecological integrity *inter alia* requires that biodiversity is protected and essential ecological processes and services (e.g. water yield and quality, soil conservation, decomposition, etc.) are maintained. *Environmental health* is the key to sustainable development. The primary threat to environmental health is fragmentation of community-supporting ecosystems. Fragmentation generally leads to a cycle of environmental degradation, which subsequently influences the well-being of the dependent communities.

1.3.3 Economic Efficiency

Economic efficiency is understood as *the optimisation of benefit at the lowest cost*. It includes the innovative and efficient use of available resources. The Idas Valley / Botmaskop NA is an important public resource that has to be managed for the benefit of all concerned and in terms of best-practice management strategies in order to ensure efficiency.

[1] Mebratu, D. 1998: Sustainability and sustainable development: Historical and conceptual overview. *Environmental Impact Assessment and Review*, 18:493-520.

1.4 GUIDING PRINCIPLES

It is important that the following principles guide future management of the Idas Valley / Botmaskop NA:

a) Precautionary principle: The precautionary principle refers to actions on issues considered to be uncertain. The principle is used by policy makers to justify discretionary decisions in situations where there is the possibility of harm from making a certain decision when extensive scientific knowledge on the matter is lacking. Precaution may be defined as *caution in advance* or *caution practised in the context of uncertainty*. The precautionary principle is an expression of a need by decision-makers to anticipate harm before it occurs.

b) Causal principle: This principle indicates that default responsibility for rectification or mitigation of any particular impact rests with the entity which directly caused such impact. While the more well-known polluter pays principle is a subcategory of this, the causal principle applies not just to pollution but more generally to all impacts.

c) Integration principle: The Integration principle refers not only to the cooperation between different social bodies, but also to the integration of different physical, biological and social realities and issues pertaining to a particular geographic area.

d) Cooperation principle: Government as well as the private sector, non-governmental organisations and science all need to be involved to ensure sustainability. Successful long-term environmental management requires that all role players to act cooperatively to achieve a common goal.

1.5 MANAGEMENT OBJECTIVES

Further to achieving the above listed goals, the management objections for Idas Valley / Botmaskop NA are the following:

a) Water conservation through the conservation of the catchment area with the aim of providing the optimal sustainable stream-flow or yield of high-quality water to the Idas Valley Dam and lower lying areas.

b) Nature conservation by managing the area in accordance with ecologically acceptable principles and practices.

c) Outdoor recreation by creating opportunities for place specific, sustainable, suitable environmental use and low intensity outdoor use.

d) Cultural activities that are in line with place specific characteristics of the area, that are sustainable and that does not pose un-manageable risk.

e) Tourism and job-creation through partnership with local partners.

f) Providing opportunities for research that would benefit nature conservation and environmental management in general.

1.6 ADAPTIVE MANAGEMENT

The preparation of this management plan has been undertaken based on the guiding principles of adaptive management, which is a structured, iterative process in which decisions are made using the best available information, with the aim of obtaining better information through monitoring of performance (Figure 2). In this way, decision making is aimed at achieving the best outcome based on current understanding, whilst accruing the information needed to improve future management. Adaptive management can lead to revision of a part or if necessary the whole management plan.



Figure 2: Adaptive Management Cycle (Management Strategy Evaluation, 2009)

Adaptive management enables landowners and managers to:

a) learn through experience;
b) take account of, and respond to, changing factors that affect the NA;
c) develop or refine management processes; and
d) adopt best practices and new innovations in biodiversity conservation management.

2. LOCATION AND EXTENT

2.1 LOCATION

The Idas Valley / Botmaskop NA is situated within Stellenbosch Municipality (the Municipality) on the north-western boundary of Stellenbosch town, just above (to the north, north-east and east of) Idas Valley (Figure 3). The Idas Valley portion of the NA is located north of the Helshoogte pass on the way to Pniel. Botmaskop is located south of the road, against the mountain side, as one exists Stellenbosch driving up the Helshoogte pass.

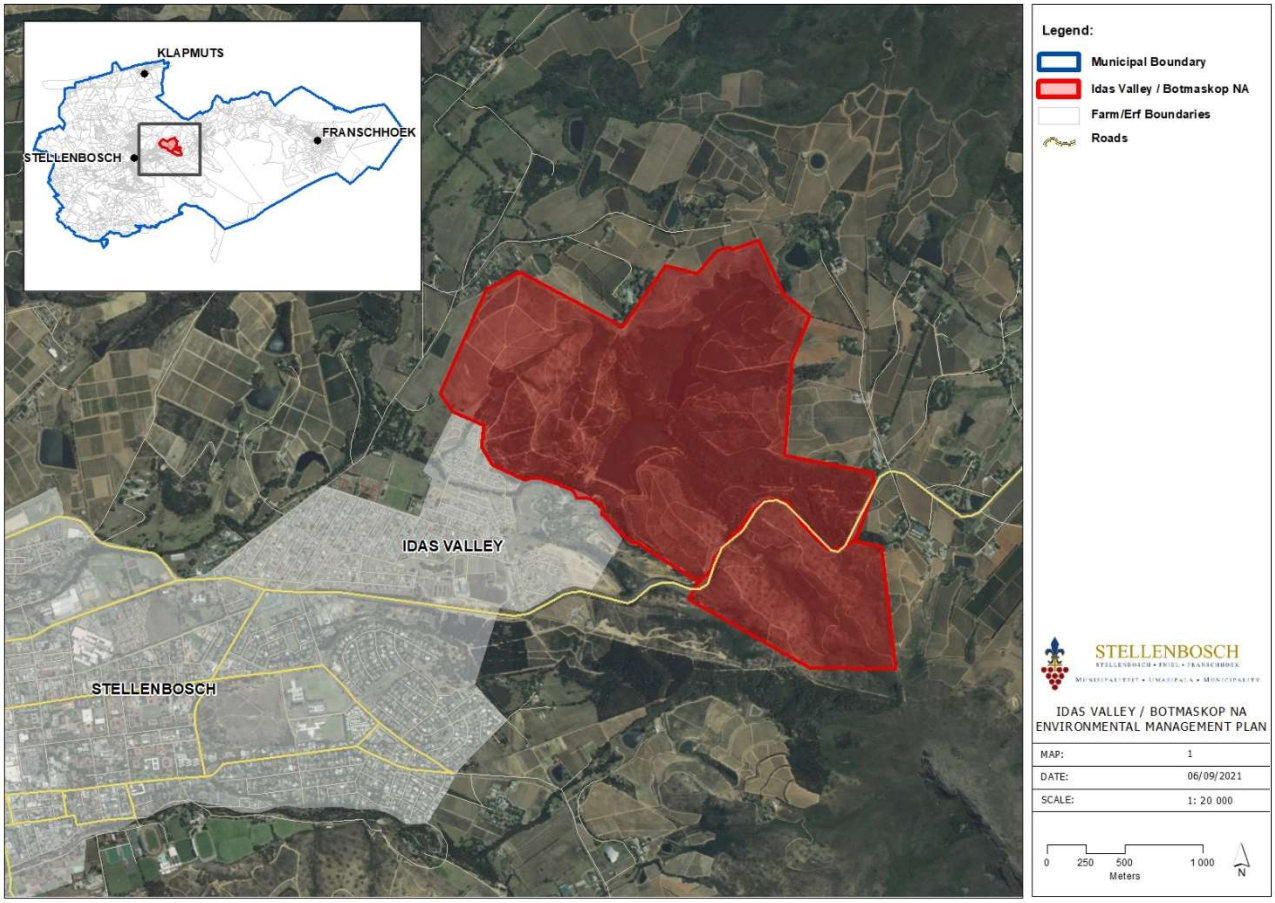


Figure 3: Idas Valley / Botmaskop NA in context of Stellenbosch town.

The NA covers an area of ±425 ha of which the Idas Valley area consist of 335 ha. The area is mainly bordered by farmland, the urban area of Idas Valley to the south-west and the mountainous natural landscape towards the Jonkershoek Mountains in the south.

The relevant property is municipal owned land and zoned for agricultural use. The largest portion of the area has been used for forestry purposes at some point. The Idas Valley Dam(s), which provides Stellenbosch town with potable water, is located within the NA.

2.2 LANDSCAPE PERSPECTIVE

Stellenbosch Municipality forms part of the Cape Winelands Biosphere Reserve (CWBR) which was approved by United Nations Educational, Scientific and Cultural Organization (UNESCO) and included in the World Network of Biosphere Reserve in 2007. The Idas Valley / Botmaskop NA forms

part of a system of nature and / or protected areas that collectively form the core and buffer areas of the CWBR. This system is based upon the principle that a system of protected areas is a key element of any strategy to maintain biodiversity and ecosystem functions on a larger regional scale. It is imperative that such a system be designed and managed to represent and protect the diversity of ecological processes, communities, species and gene pools (Global Biodiversity Strategy, 1992).

Various protected areas in the proximity of the Idas Valley / Botmaskop NA include Papegaaiberg Nature Reserve, Jan Marais Nature Reserve, Jonkershoek Conservancy, Bottelary Hills Renosterveld Conservancy, Hottentots-Holland Nature Reserve, Koopmanskloof Private Nature Reserve and Simonsberg Nature Reserve (Figure 4).

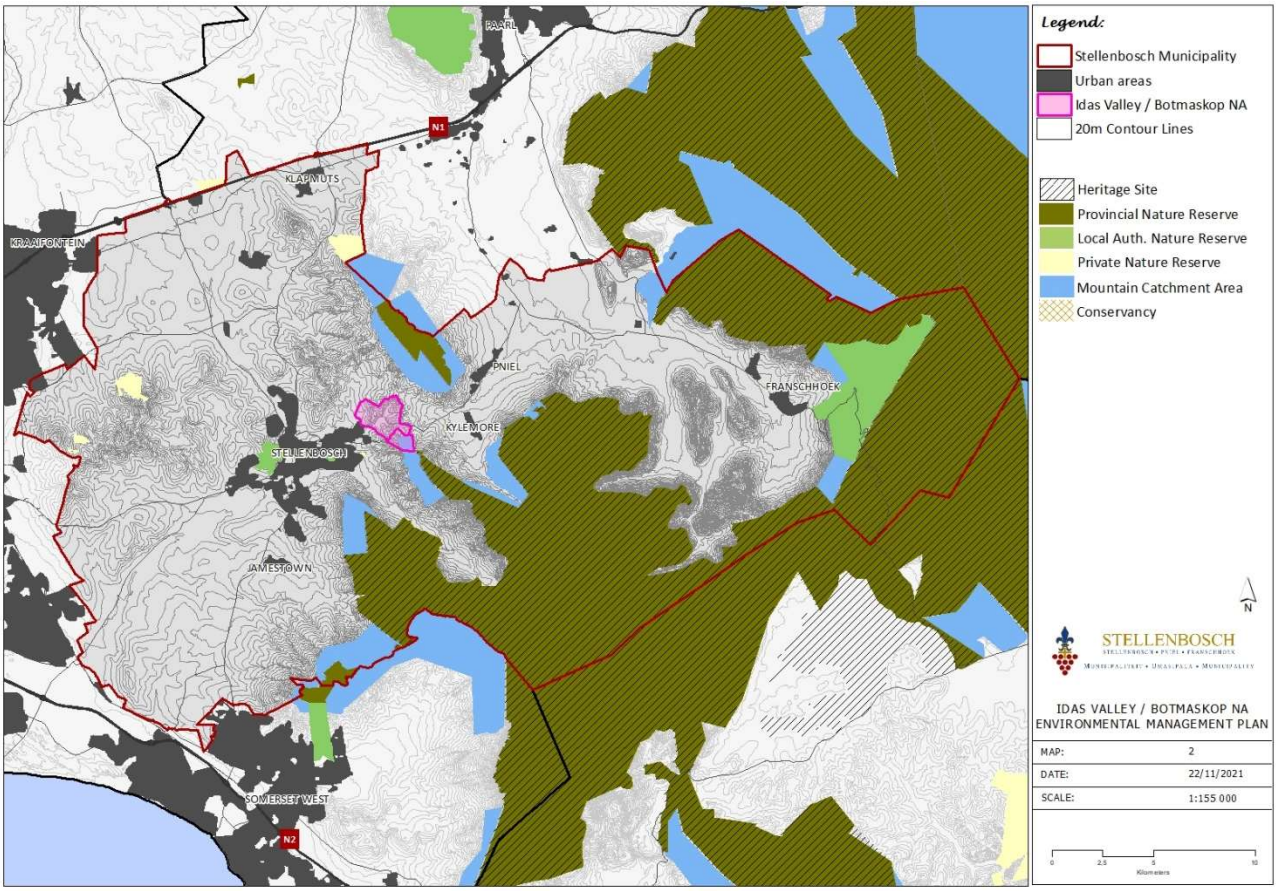


Figure 4: Idas Valley / Botmaskop NA in context of surrounding protected areas

2.3 PROPERTY INFORMATION

As mentioned above, the Idas Valley / Botmaskop NA consists of an area of approximately 425 ha, comprising of the following properties:

Table 1: Idas Valley / Botmaskop NA properties.

Property	Size (ha)
Portion 1 of Farm 169	20.5
Portion 1 of Farm 135	3.5
Portion 2 of Farm 135	0.1

Remainder of Farm 171	8.9
Remainder of Farm 170	15.5
Portion 1 of Farm 165	120.1
Remainder of Farm 119	237.7
Portion 4 of Farm 119	5.0
Portion 7 of Farm 119	3.5
Portion 8 of Farm 119	9.0

Most of these properties are located to the north of the Helshoogte Road, or the Idas Valley portion of the NA (Figure 5).

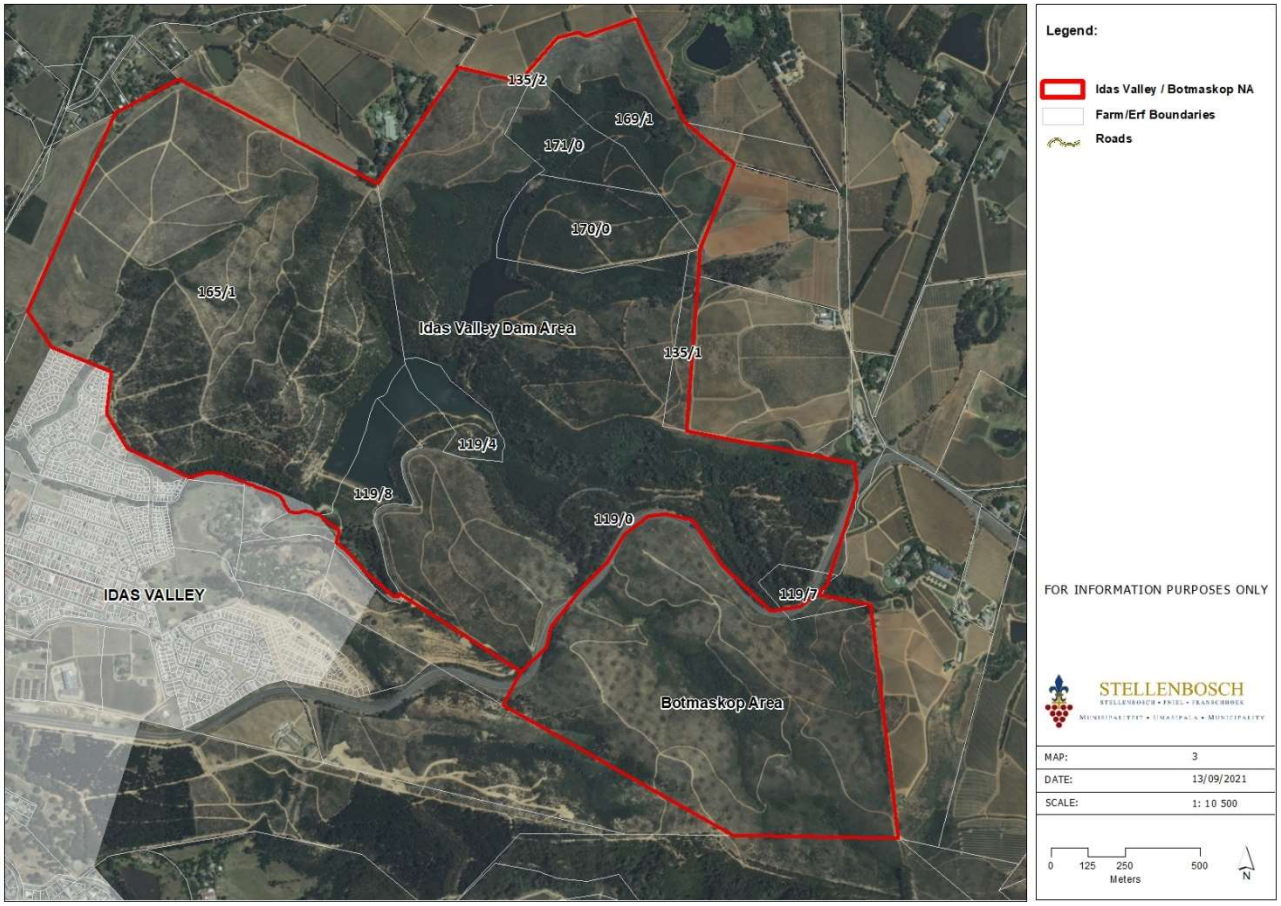


Figure 5: Property description.

3. LAND USES

3.1 WATER PROVISION

In the centre of the area are two catchment dams and associated Municipal infrastructure that plays an important role in providing Stellenbosch town with potable water. The use and maintenance of this infrastructure is important to make sure that water service delivery to the relevant dependant areas is provided in a sustainable manner over the long-term.

Maintenance of the NA, especially from an alien plant management point of view, will play a major role in improving water run-off from the dam's immediate surrounding areas and drainage corridors.

3.2 OUTDOOR RECREATION

Having been a forestry area in the past the NA consists of a network of old service roads. The Old Helshoogte pass also cuts through the area (Figure 6). Given the scenic qualities of the area, the existing road network en proximity to Stellenbosch and surrounding local communities the Idas Valley / Botmaskop NA is a popular recreational use area used by cyclers, runners and hikers.

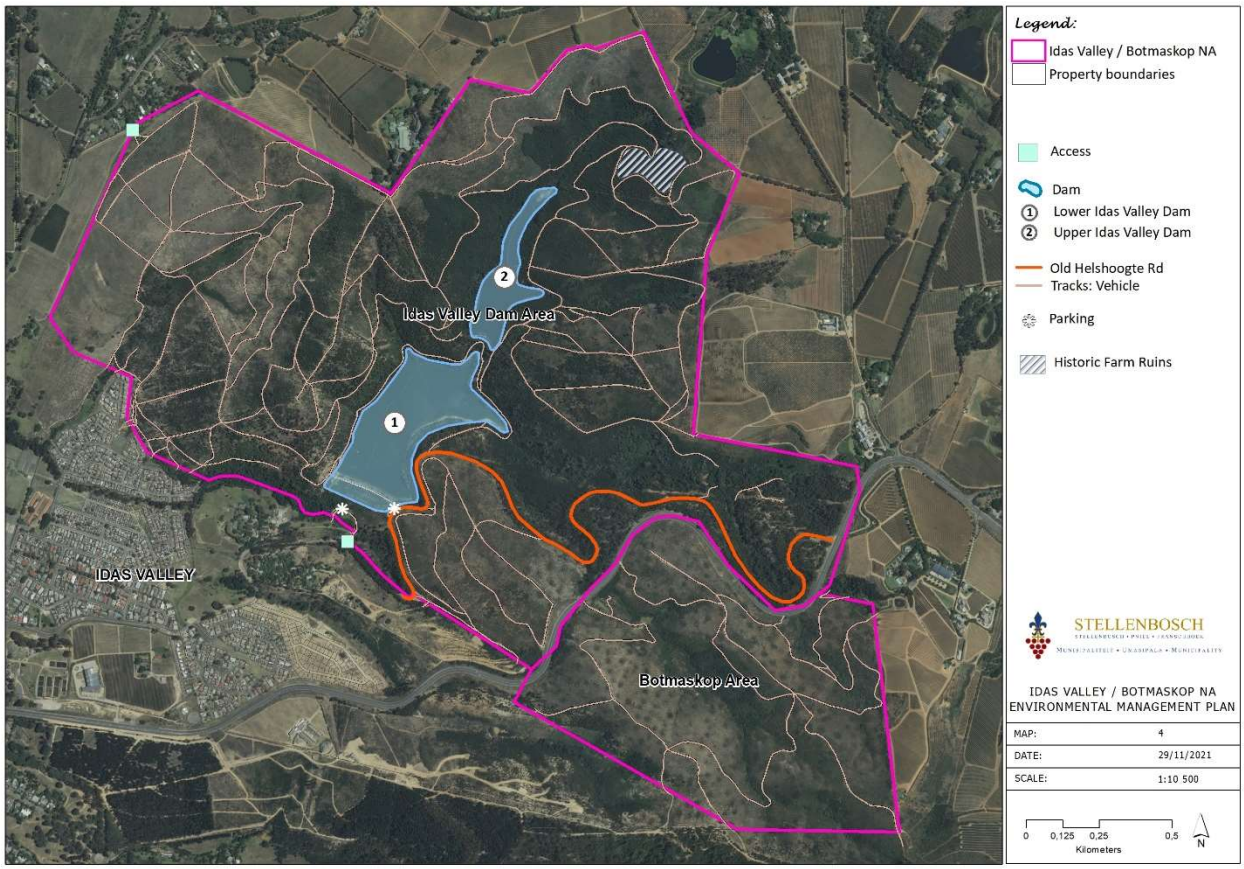


Figure 6: Existing infrastructure within the Idas Valley / Botmaskop NA.

3.3 OTHER USES

Other uses in the NA include the following:

Wood making: The NA is invaded, partly due to its use as forest area in the past, by a number of alien vegetation species ranging from plants to mature trees. This provides a resource to local contractors collect firewood. Each year a number of permits (issued as per the Council approved tarrif structure) that allows this activity within the Idas Valley area are issued by the Municipality. In terms of these permits issued the felling of trees are prohibited. Fallen- or trees felled by the Municipality is allowed to be processed.

Rastafarians: The Municipality have allowed the Rastafarian community to conduct religious activity as well as some gardening within a selected location within the NA.

Initiations: For more than a decade selected locations within the NA have been used for the annual initiations conducted by a number of African groups such as the Xhosa's and Basutu's. During these initiations the sections of the NA is closed to the public.

Events: The Idas Valley / Botmaskop NA is the subject of numerous event applications, mainly associated with mountain-biking or trail-running.

Filming: The Municipality, from time-to-time, receives applications for filming or photoshoots within its nature areas, including the Idas Valley / Botmaskop NA.

4. PHYSICAL DESCRIPTION

4.1 CLIMATE

Stellenbosch Municipality has a typically Mediterranean climate. Summers are dry and warm to hot. Daytime temperatures range from 24°C to 35°C, with some February and March days rising to over 40°C. A south easterly wind often blows in summer bringing cooler air from the nearby coast. Winter is typically wet, windy and cold with daytime temperatures range from 10°C to 20°C. Rain is brought with north westerly winds. Stellenbosch normally receives about 673mm of rain per year. Snow is usually seen a couple of times in winter on the surrounding mountains. Spring and autumn daytime temperatures hover in the 20°C's.

4.2 TOPOGRAPHY, GEOLOGY AND SOIL

The Idas Valley / Botmaskop NA differs quite dramatically with low gullies (200m above see-level), rising hills all the way up towards Simonsberg Mountain in the Botmaskop area (600m above see-level). The area drains into the existing catchment dams and into the Krom River below (Figure 7).

The higher lying areas of Idas Valley / Botmaskop NA is dominated with rock with little to no soil. The lower lying, or western portion of the Idas Valley / Botmaskop NA consist of red and yellow freely drained mesotropic to eutropic soils (Figure 8).

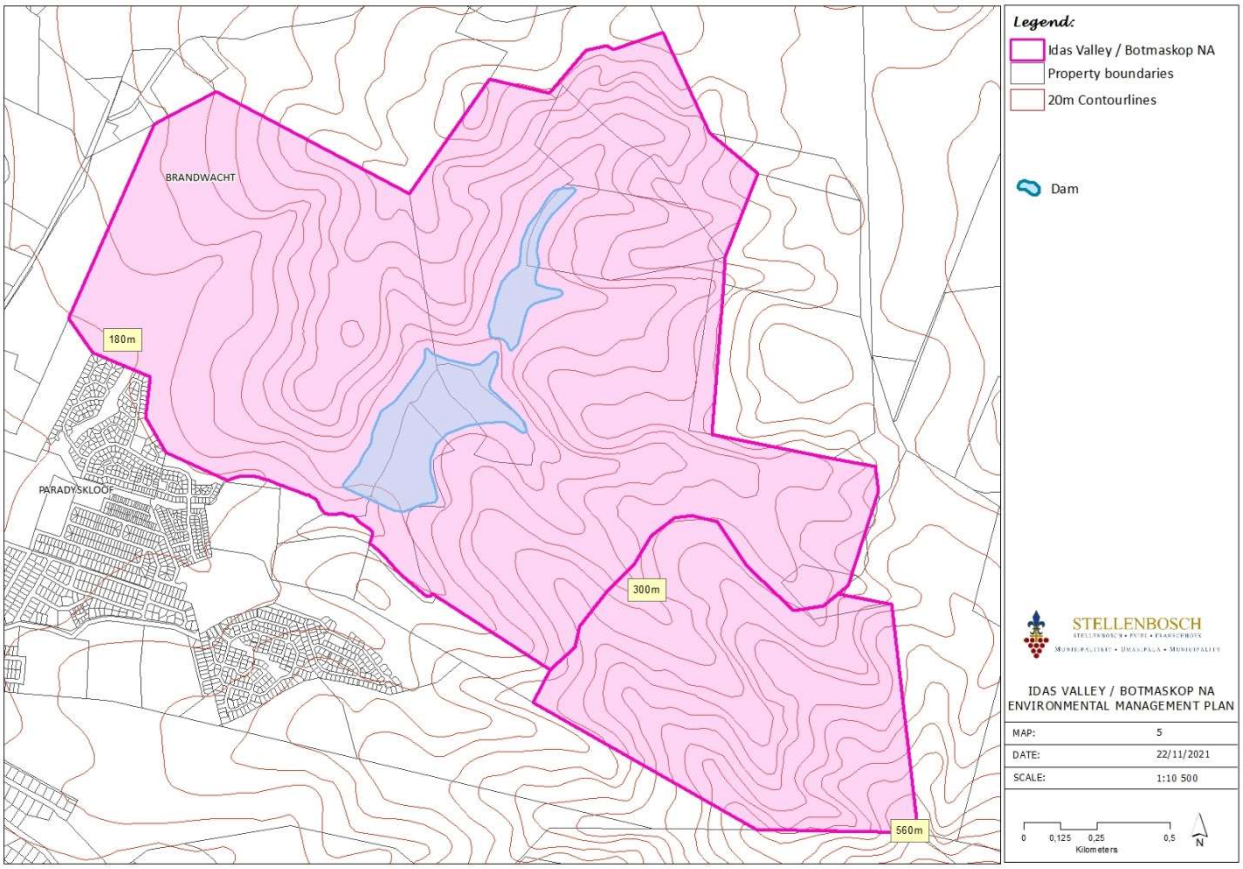


Figure 7: Idas Valley / Botmaskop NA topography

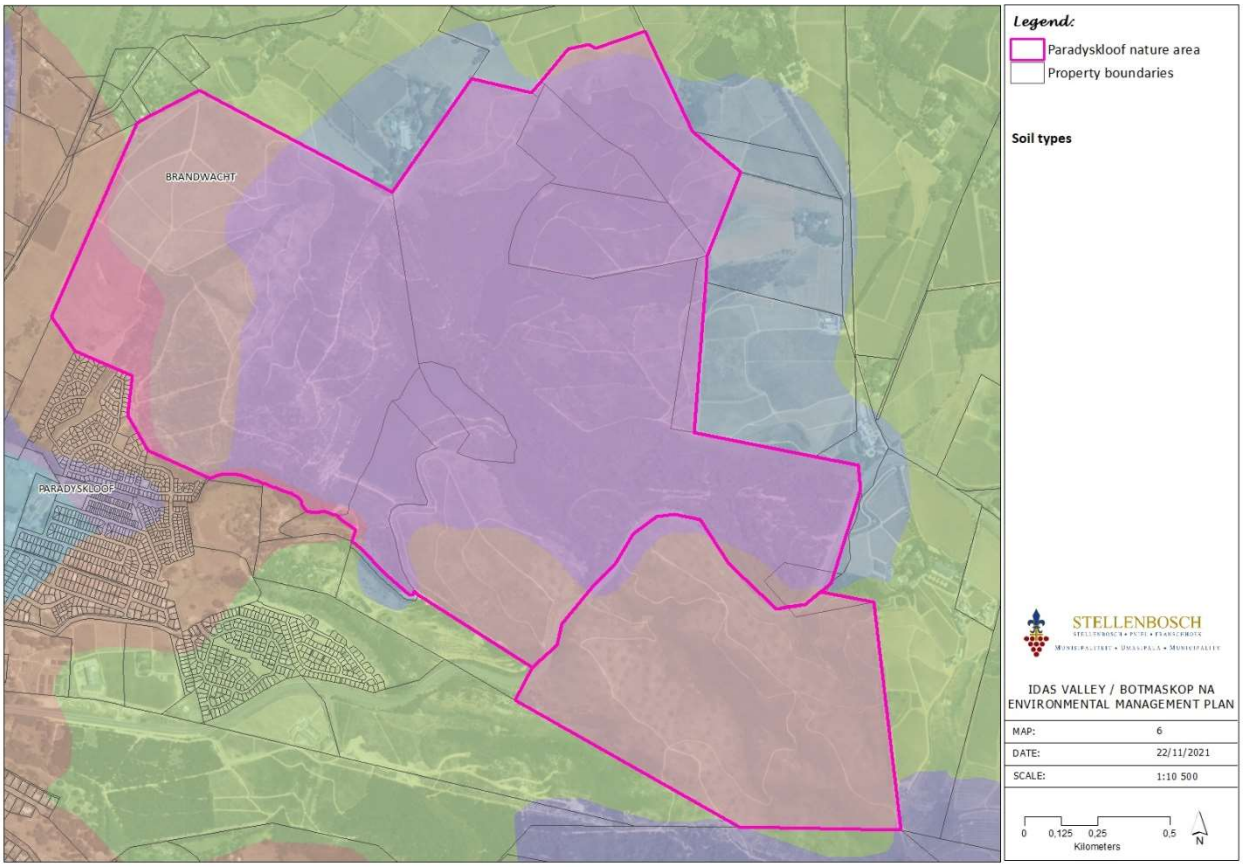


Figure 8: Idas Valley / Botmaskop NA soil

4.3 HYDROLOGY

Idas Valley / Botmaskop NA forms part of quaternary catchment[2] number G22G (Figure 9). Although the catchment of Idas Valley / Botmaskop NA seems rather insignificant it is important to note that the latter forms part of an integrated group of ecosystems that collectively determine the health of the total catchment. The primary threat to environmental health is fragmentation of the community-supporting ecosystems. Fragmentation generally leads to a cycle of environmental degradation, which in turn influences the wellbeing of the depending communities.

Ecosystems and / or catchments are mutually dependent on every natural component for their existence. The loss, or degradation, of one component affects all others. Hence the importance of conserving every part of a system that forms part of the natural water-cycle[3].

The Krom River is approximately 5 km in length and rises in the Simonsberg Mountains some 9 km north-east of Stellenbosch. The river is dammed at the Idas Valley dams from where it flows through agricultural areas before entering Stellenbosch through Idas Valley. Before its confluence with the Plankenbrug River below the Plankenbrug Industrial Area the river flows through the central residential area of Stellenbosch. The quality of the Krom River is average to poor, mainly influenced by urban and agricultural run-off.

2 Catchment (or catchment area) is defined as the entire land area from which water flows into a river. Catchments can be divided into smaller sub-catchments which are usually the area which drains a tributary to the main river or a part of the main river.

3 The water-cycle describes the natural process of moving water out of the oceans, into the atmosphere, onto land and back into oceans.

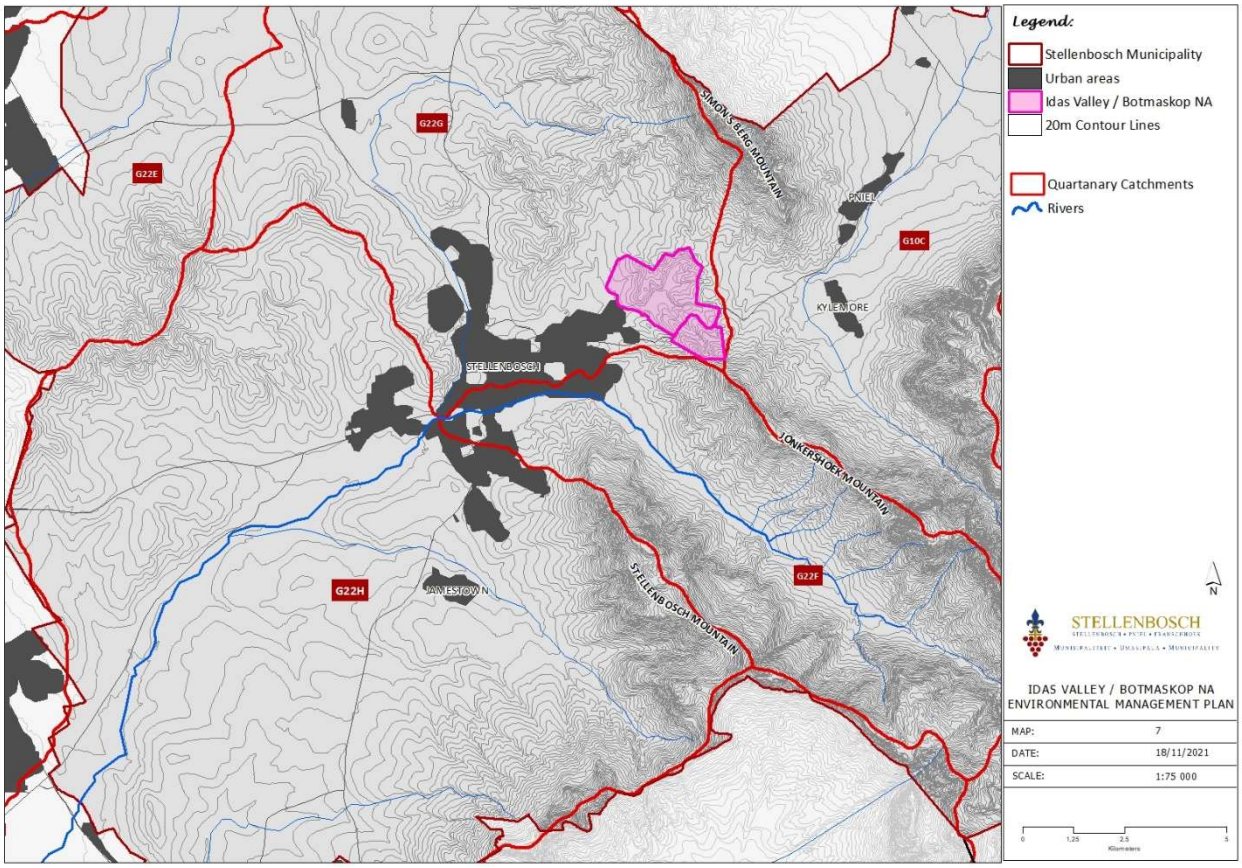


Figure 9: Catchment Area.

5. BIOPHYSICAL DESCRIPTION

5.1 FLORA

The Idas Valley / Botmaskop NA falls within the Cape Floral Kingdom which is inter-nationally recognised as one of the six Floral Kingdoms of the world. The unique Cape Floral Kingdom is the smallest, covering a mere 0,06% of the earth's surface, and is the only Floral Kingdom contained in its entirety within a single country (refer to Figure 10).

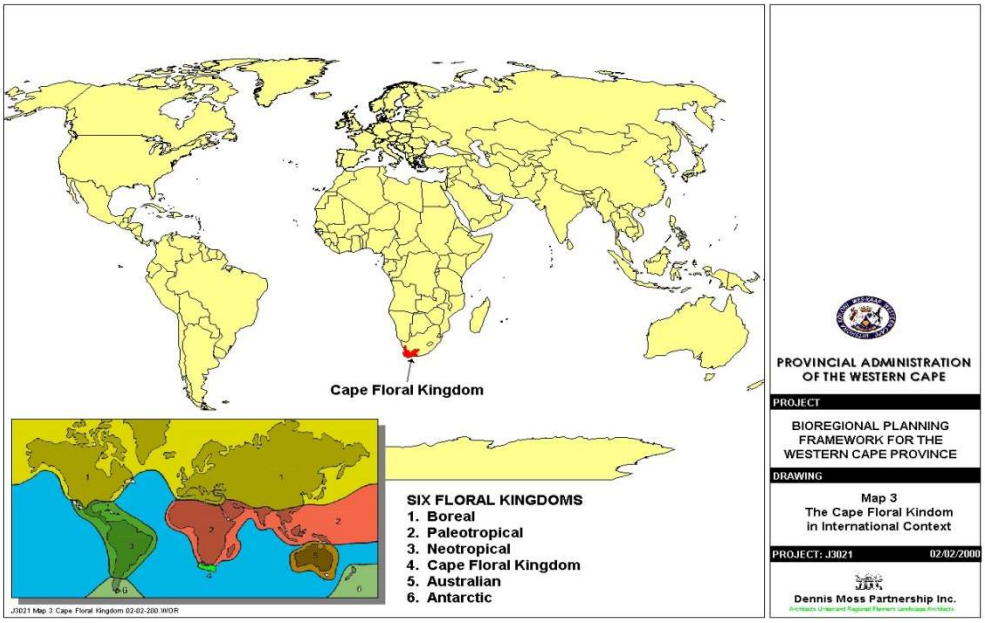


Figure 10: The Cape Floral Kingdom in International Context.

The Cape Floral Kingdom is of immense scientific importance. It covers only 4% of South Africa, but contains 45% of all plant species occurring in the country. About three-quarters of all plants in the South African Red Data Book occur in the Cape Floral Kingdom. The Cape Floral Kingdom is characterised by an exceptional richness in plant species and high endemicity. More than 8 700 species are known to occur, with more than 68% being endemic. It, thus, compares with some of the richest floras worldwide, surpassing many tropical forest regions in floral diversity. The Cape Floral Kingdom comprises various biomes, namely Fynbos, Forest, Nama Karoo, Succulent Karoo, and Thicket. However, Low and Rebelo (1996)[3] state that the contribution of Fynbos in terms of species richness, endemicity, and fame, is so overwhelming, that the Cape Floral Kingdom is considered to be 'essentially Fynbos'.

Fynbos is the noun describing the unique flora that occurs exclusively in the South-Western Cape in a narrow band following the Cape Fold Mountains from north of Nieuwoudtville to near Port Elizabeth. Many Fynbos species are extremely localised in their distribution, with sets of such localised species organised into 'centres of endemism' (Low and Rebelo, 1996).

[3] Low, A.B. & Rebelo, A.G. (eds). 1996. ***Vegetation of South Africa, Lesotho and Swaziland***. Dept. Environmental Affairs and Tourism, Pretoria.

The uniqueness and value of Fynbos puts South Africans under the obligation to explore this unique natural heritage, to display it to the rest of the world, and to preserve it for future generations. To accomplish this, an understanding of the uniqueness of Fynbos and its complicated processes and ecological cycles, and the interdependence of its various components, is necessary. Research is the key to this understanding. The Fynbos Biome provides opportunities for specialised research to scientists and students from all over the world.

Although immensely impacted upon by invasion of exotic species, pollution, agriculture, forestry and trampling the natural vegetation of the Idas Valley / Botmaskop NA includes the following:

West Coast Renosterveld:

The area falls within an area that was once covered by West Coast Renosterveld. Remnants of the vegetation type still occur, comprising species such as Renosterbos (*Elytropappus rhinocerotis*), Wild Rosemary (*Eriocephalis africanus*), Dune Teabush (*Leysera gnaphalodes*), Jakkalsstert (*Anthospermum aethiopicum*) and Blombos (*Metalasia muricata*). These areas also comprise of herbaceous perennial grass cover including Redgrass (*Themeda triandra*) and Cape Terpentipe grass (*Cymbopogon marginatus*). Due to its threatened conservation status it is important that the West Coast Renosterveld in the Idas Valley / Botmaskop NA be rehabilitated and protected.

Thickets:

Clumps of Wild Olive (*Olea europaea* subsp *africana*), shrubs such as Blue Kuni-Bush (*Rhus glauca*), and Blueberry (*Diospyros glabra*) and geophytes such as Suurkanol (*Chasmanthe aethiopica*) and Arum Lily (*Zantedeschia aethiopica*) occurs in some of the areas in the Idas Valley / Botmaskop NA.

Riparian and riverine vegetation:

The Krom River flows through the foothills of the Idas Vally / Botmaskop NA. This river, together with its tributaries, are of significant importance being ecological corridors connecting the Hottentots Holland Mountains with natural areas in the Cape Flats. Although under pressure remnants of indigenous vegetation persist in and along the river. These includes trees such as Cape Willow (*Salix mucronata*), Spoonwood (*Hartogiella schinoides*), Wild Peach (*Kiggelaria africana*), Rock Candlewood (*Maytenus oleoides*) and Breede River Yellowwood (*Podocarpus elongatus*). Some attractive indigenous shrubs also occur including the Honey Bell Bush (*Freylinia lanceolata*) and Wild Sage (*Salvia Africana-caerulea*). The health of the river is largely dependant on the status of the riparian vegetation. The river is largely degraded due to the infestation of exotic plants such Oak (*Quercus robur*), Weeping Willow (*Salix babylonica*), Stinkbean (*Paraserianthes lophantha*), Port Jackson (*Acacia saligna*), Pittosporum spp and Elephant Ear (*Colocasia esculenta*). Additional factors that caused degradation of the river include pollution and eutrophication of the water due to over-fertilization of surrounding areas and upstream human activities.

In terms of the Western Cape Biodiversity Spatial Plan (2017) the NA is mostly depicted as Critical Biodiversity 2 and Ecological Support Area 2 (Figure 11). The various categories (CBA's [Critical Biodiversity Areas]) are defined in Table 2 below.

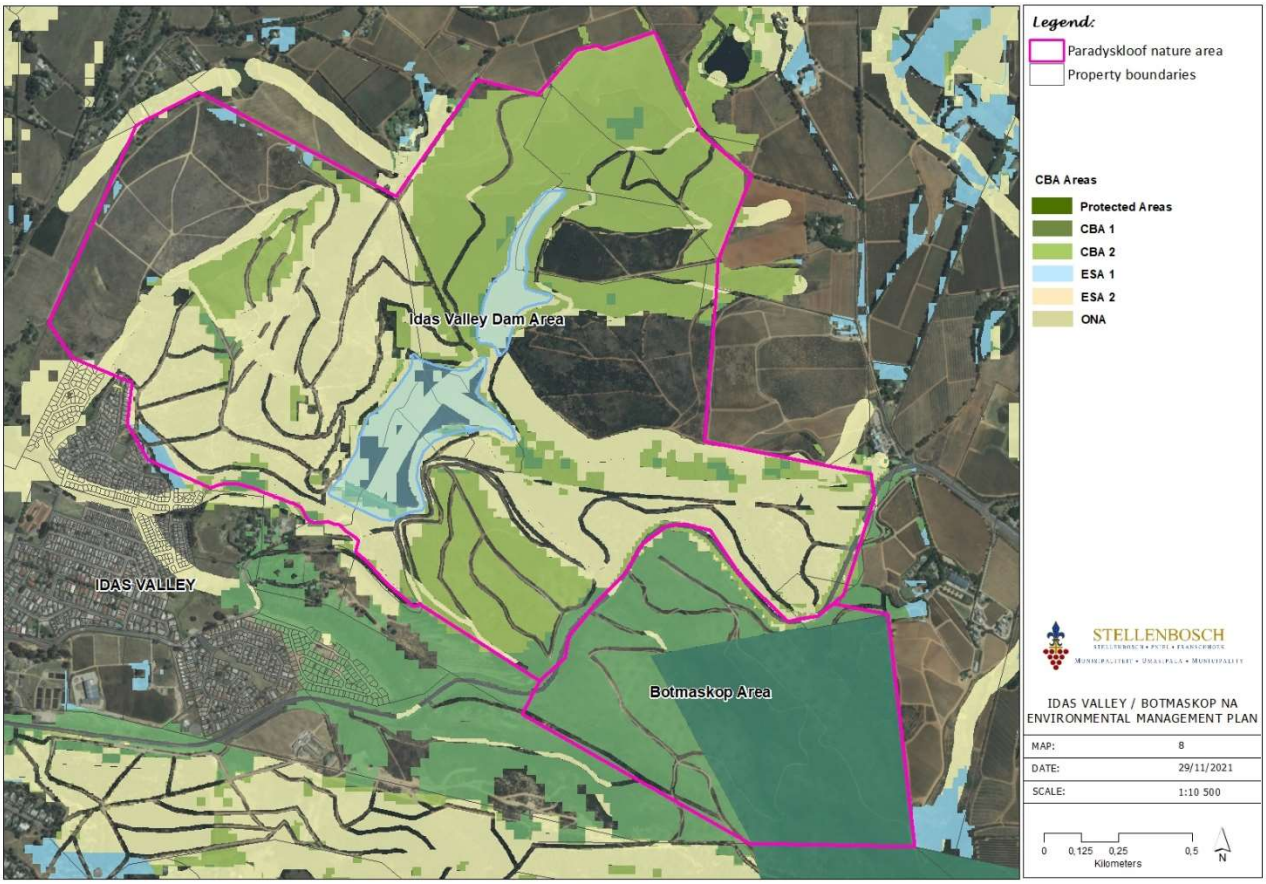


Figure 11: Critical Biodiversity Areas (Source: SANBI)

Table 2: Western Cape Biodiversity Spatial Plan map categories.

MAP CATEGORY		DEFINITION
	Protected Area	Areas that are proclaimed as protected areas under national or provincial legislation.
	CBA 1	Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.
	CBA 2	Areas in a degraded or secondary condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.
	ESA 1[4]	Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs, and are often vital for delivering ecosystem services.
	ESA 2	Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs, and are often vital for delivering ecosystem services.
	Other Natural Area	Areas that have not been identified as a priority in the current systematic biodiversity plan, but retain most of their natural character and perform a range of biodiversity and ecological infrastructure functions. Although they have not been prioritised for biodiversity, they are still an important part of the natural ecosystem.

5.2 FAUNA

Due to its location few vertibrates occure within the NA. Species such as the Grey Mongoose (*Galerella pulverulenta*), Striped Polecat (*Ictonyx straitus*), Porcupine (*Hystrix africaeaustralis*) and

[4] Ecological Support Area

Water Mongoose (*Atilax paludinosus*) are known to occur in the area. A significant number of indigenous bird species have been noted, including the Hamerkop (*Scopus umbretta*), Barn Owl (*Typo alba*), Cape Eagle Owl (*Bubo capensis*), Cape Sugarbird (*Promerops cafer*) and the Malachite Sunbird (*Nectarinia famosa*).

6. MANAGEMENT POLICY FRAMEWORK

Chapter 41 of the NEM:PAA requires that management plans be compiled within the context of a policy framework. The EMP, in common with all protected areas, is to be developed and managed within the framework of guiding statutes and policy frameworks. The EMP is based upon and gives effect to a dedicated environmental management policy which is defined as *'a statement by the organisation* (i.e. the Management Authority) *of its intentions and principles in relation to its overall environmental performance, which provides a framework for action and for the setting of objectives and targets'* (SABS ISO 14004:1996{E}[5]). In this regard, the primary policy statements are as follows:

a) Cape Winelands Biosphere Reserve inter-governmental agreements: The NA, as part of the Cape Winelands Biosphere Reserve, will be managed in compliance with the applicable inter-governmental agreements upon which the Cape Winelands Biosphere Reserve is based. The reserve forms part of the CWBR core area.
b) Planning and management context: Management of the reserve will be undertaken in context of all applicable levels of planning.
c) Biodiversity conservation: Biodiversity is an imperative for environmental sustainability. A key objective in the management of the NA is to ensure that biodiversity in the study area is protected and enhanced.
d) The Idas Valley / Botmaskop NA is an important part of a system of protected areas: The NA is to be managed as part of a system of protected areas.
e) The Idas Valley / Botmaskop NA is a public resource: The NA is a public resource and should be available for the sustainable use of the entire community.

6.1 PLANNING AND MANAGEMENT CONTEXT

The Municipality has directed that the bioregional planning approach advocated by the Provincial Government of the Western Cape through its Bioregional Planning Policy and comprehensively described in the *Manual for application of Bioregional Planning in the Western Cape* (PGWC, 2003) be adopted in municipal planning projects.

The Municipality recognises that one of the critical determinants of the success of an EMP planned in term of the bioregional planning approach is the extent to which all spheres of government co-operate and co-ordinate their activities as it relates to the subject area (in this case, the Idas Valley / Botmaskop NA). This EMP therefore gives effect to the requirement that the planning and management of land units such as the NA should be undertaken within the context of distinct levels, namely the *international level, national level, provincial level, regional level* and the *local level.* Effective integrated planning at these levels requires innovative forms of institutional integration and social co-operation. Dialogue amongst all stakeholders, participatory planning and institutional flexibility are, therefore, essential to plan and manage effectively.

The NA responds to the international protocols and conventions of which South Africa and, consequently, all lower spheres government are a signatory to, and the relevant legislation, policy and regulations, the most important of which are summarised below.

[5] SABS ISO 14004;1996(E)

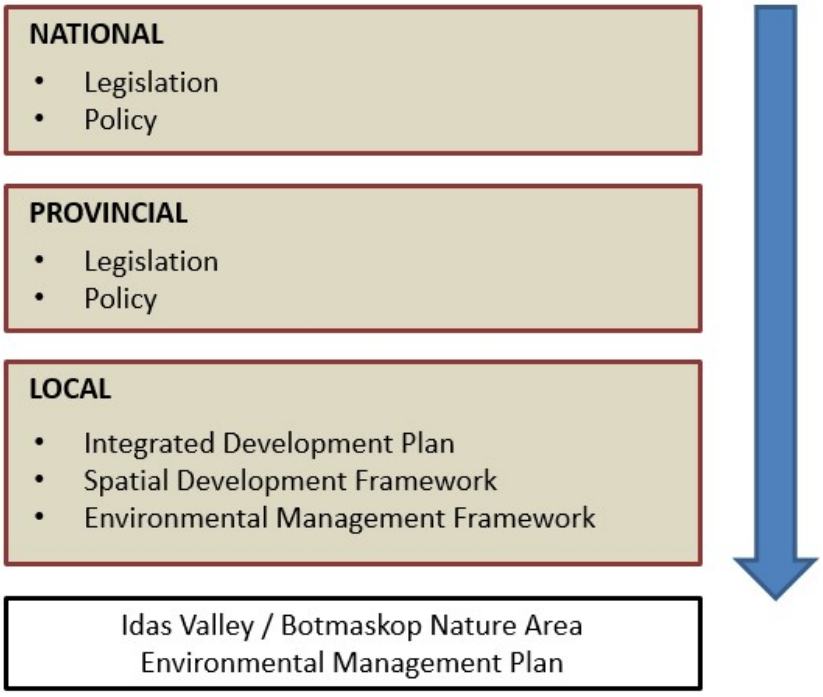


Figure 12: Planning levels applicable to the Idas Valley / Botmaskop NA EMP.

6.1.1 International Level

6.1.1.1 UNESCO'S MAB Program and Cape Winelands Biosphere Reserve Inter-Governmental Agreements

Stellenbosch Municipality has played a leading role in the establishment of the Cape Winelands Biosphere Reserve (CWBR), which aims to give practical effect to UNESCO's MAB (Man and the Biosphere) Program. This program was launched in 1971 by UNESCO, as a global initiative of international scientific co-operation dealing with people-environment interactions over the entire realm of bioclimatic and geographic situations of the biosphere. The MAB Program was designed to solve practical problems of resource management, and aims to fill gaps in the understanding of the structure and function of ecosystems, and of the impact of different types of human interaction. Key ingredients in the program are the involvement of decision-makers and local people in research projects, training and demonstration at the field level, and the bringing together of disciplines from the social, biological and physical sciences in addressing complex environmental problems. The application approved by UNESCO represents the overarching terms of agreement upon which the CWBR are premised. These refer to the:

a) Fulfilment of the three functions of the biosphere reserve as stipulated in the *Statutory Framework of the World Network of Biosphere Reserves* (1995).
b) Planning and management of the biosphere reserve in accordance with the bioregional planning approach of the PGWC as described in the *Bioregional Planning Manual*.

The Municipality is a signature to the inter-governmental agreement upon which the biosphere reserve is based and is consequently under the obligation to comply with and give effect to the terms of agreement.

6.1.1.2 Agenda 21

The Agenda 21[6] agreements reflect global consensus and political commitment on developmental and environmental co-operation. Underlying the above agreements is the realisation that the international world cannot continue with present policies, which increase poverty, hunger, sickness and illiteracy and cause continuing deterioration of ecosystems on which life on earth depends. Agenda 21 provides a broad overview of issues pertaining to sustainable development, including statements on the basis for action, objectives, recommended activities and the means of implementation. Of particular relevance for the EMP are the following principles of Agenda 21:

a) Integrated approach to the planning and management of land resources.
b) Promoting sustainable human settlement development.
c) Integrating environment and development in decision-making.
d) Establishing systems for integrated environmental management and auditing.

6.1.2 National Level

6.1.2.1 South African Constitution

The South African Constitution, Act 108 of 1996, places an obligation on all to ensure that sustainable development is promoted and that the integrity of the environment is respected. In Section 24(b)(iii) of the Bill of Rights chapter of the Constitution, it is stated that 'everyone has the right to have the environment protected for the benefit of present and future generations, through reasonable legislative and other measures that secure ecologically sustainable development and use of natural resources, whilst promoting justifiable economic and social development'.

6.1.2.2 National Environmental Management Act

Section 28 of the National Environmental Management Act, 107 of 1998 (NEMA), creates a general duty of care on every person to *take reasonable measures to prevent significant pollution or degradation of the environment from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment*. The Act provides for the preparation of environmental management plans by the relevant national departments involved in the management of the environment. The purpose of such plans is to co-ordinate and harmonise the environmental policies, plans, programs and decisions of the various national departments that exercise functions that may affect the environment or are entrusted with powers and duties aimed at the achievement, promotion, and protection of a sustainable environment, and of provincial and local spheres of government.

The NEMA Environmental Impact Assessment (EIA) Regulations in turn regulate activities which may impact on the environment as well as those that require environmental authorization. In this regard it must be noted that the competent authority for any activities occurring within Idas Valley / Botmaskop NA is the National Department of Environmental Affairs as the NA is located within the core area of the CWBR.

[6] Agenda 21 is an international program, adopted by some 178 governments, to put sustainable development into practice around the world. It emerged from the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992.

6.1.2.3 National Environmental Management: Protected Areas Act

As stated previously, Act 57 of 2003 provides the legislative premise for the declaration and management of a Section 23 Nature Reserve. It makes provision for the *protection and conservation of ecologically viable areas representative of South Africa's biodiversity and its natural landscapes.* It makes provision for the *establishment of a national register of all national, provincial and local protected areas; for the management of those areas in accordance with national norms and standards* and *for intergovernmental co-operation and public consultation in matters concerning protected areas.* The purposes (Section 17 of the above Act) of the declaration of areas as protected areas are to:

(a) protect ecologically viable areas representative of South Africa's biological diversity and its natural landscapes and seascapes in a system of protected areas;
(b) preserve the ecological integrity of those areas;
(c) conserve biodiversity in those areas;
(d) protect areas representative of all ecosystems, habitats and species naturally occurring in South Africa;
(e) protect South Africa's threatened or rare species;
(f) protect an area which is vulnerable or ecologically sensitive;
(g) assist in ensuring the sustained supply of environmental goods and services;
(h) provide for the sustainable use of natural and biological resources;
(i) create or augment destinations for nature-based tourism;
(j) manage the interrelationship between natural environmental biodiversity, human settlement and economic development;
(k) contribute to human, social, cultural, spiritual and economic development; or
(l) rehabilitate and restore degraded ecosystems and promote the recovery of endangered and vulnerable species.

6.1.2.4 National Environmental Management: Biodiversity Act

The Protected Areas Act, 57 of 2003 must, in relation to a protected area, be read, interpreted an applied in conjunction with the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) which has the following objectives:

a) To provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act, 1998 (Act 107 of 1998).
b) To provide for the protection of species and ecosystems that warrant national protection.
c) To provide for the sustainable use of indigenous biological resources.
d) To provide for the fair and equitable sharing of benefits arising from bioprospecting involving indigenous biological resources.
e) To provide for the establishment and functions of a South African National Biodiversity Institute.

Alien vegetation is also regulated through the NEM:BA.

6.1.2.5 National Water Act

The purpose of the National Water Act, 36 of 1998, is to ensure that South Africa's water resources are protected, used, developed, conserved and controlled in a manner that takes into account, amongst others, basic human needs, equitable access thereto, the promotion of efficient, sustainable and beneficial use of water, facilitation of social and economic development, and protection of aquatic and associated ecosystems.

6.1.2.6 National Veld and Forest Fire Act

Veld fires in South Africa are dealt with under the National Veld and Forest Fire Act, 101 of 1998. The purpose of the National Veld and Forest Fire Act is *to prevent and combat veld, forest and mountain fires throughout the Republic*. The Act places the duty on land owners to make provision for the management of veld fires on their own land. Failure to do so may result in penalties being enforced (refer to Section 24 and 25 of the above Act) and claims lodged against a landowner if the above Act's requirements were not met.

6.1.2.7 National Heritage Resources Act

South Africa' heritage are dealt with under the National Heritage Resources Act, 25 of 1999 which aims to *promote good management of the national estate, and to enable and encourage communities to nurture and conserve their legacy so that it may be bequeathed to future generations.*

6.1.2.8 Conservation of Agricultural Resources Act

The purpose of the Conservation of Agricultural Resources Act, 43 of 1980 (CARA), is to provide control over the utilization of the natural agricultural resources in order to promote the conservation of soil, water sources and the vegetation and the combating of weeds and invader plants.

6.1.2.9 Spatial Planning and Land Use Management Act

The Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA), includes the following development principles:

The following principles apply to spatial planning, land development and land use management:
(a) The principle of spatial justice
(b) the principle of spatial sustainability,
(c) the principle of efficiency,
(d) the principle of spatial resilience,
(e) the principle of good administration

6.1.3 Provincial Level

6.1.3.1 Constitution of the Western Cape Province

The EMP supports and gives effect to the Constitution of the Western Cape (Act 1 of 1998). In terms of Chapter 10 of the Constitution, this province has to adopt and implement strategies to actively promote and maintain the welfare of the people and the environment of the Western Cape, including policies aimed at achieving inter alia the following:

a) Safety and security.
b) The protection or advancement of persons, or categories of persons, disadvantaged by unfair discrimination.
c) The promotion of a market-orientated economy.
d) The development of rural communities and the promotion of the welfare of rural workers.
e) The protection of the environment of the Western Cape, including its unique fauna and flora, for the benefit of present and future generations.
f) The protection and conservation of the natural historical, cultural historical, archaeological and architectural heritage of the Western Cape for the benefit of present and future generations.

6.1.3.2 Western Cape Provincial Spatial Development Framework

The Western Cape Provincial Spatial Development Framework (generally referred to as the PSDF) is aligned with the National Spatial Development Perspective (NSDP) and other national policy frameworks, and endorses the vision of the Western Cape Provincial Government to create *'A Home for All'.* The PSDF is purported to support the development growth path paved by the iKapa Elihlumayo Strategy and the other lead strategies.

6.1.3.3 Land Use Planning Act

The SPLUMA and the Western Cape Land Use Planning Act, 3 of 2014 (LUPA), require that spatial planning and development be guided by normative principles and that policy and plans should explicitly indicate how they would meet the requirements of such principles. These principles are:

a) Justice: Fair allocation of public resources to ensure that the needs of the poor are addressed.
b) Sustainability: Sustainable patterns of consumption and production should be supported, and ways of living promoted that do not damage the natural environment.
c) Resilience: Vulnerability to environmental degradation, resource scarcity and climatic shocks must be reduced. Ecological systems should be protected and replenished. The resilience of all other forms of capital, including social, monetary and infrastructural capital should be enhanced to the extent possible.
d) Efficiency
e) Good governance: Good governance is the key to long-term sustainability.

6.1.3.4 Provincial Bioregional Planning Policy

As stated above, the PGWC is advocating a bioregional planning approach as described in the *Manual for application of Bioregional Planning in the Western Cape* (PGWC, 2003). The Stellenbosch Municipality has adopted the said approach for the planning, development and management of its area of jurisdiction.

6.1.4 District Level

6.1.4.1 Cape Winelands District Municipality Integrated Development Plan

The Cape Winelands District Municipality set itself the broader goal of ensuring sustainable development through strategic management objectives. This will be achieved by adhering to the vision of the Municipality, namely to have *'a safe, prosperous and united Cape Winelands where all its people enjoy high standards of living'.* The Municipal IDP states that there is a dis-equilibrium between development initiatives and environmental sustainability. In order to address this problem the Municipality identified several strategies. One such strategy is '*to have data-driven sustainable livelihoods, premised on bioregional planning and in line with Agenda 21 that seeks to build and preserve the five forms of community capital (social, physical, natural, financial and institutional)'*.

6.1.4.2 Cape Winelands District Municipality Spatial Development Framework

The Cape Winelands District Municipality Spatial Development Framework conforms, to *inter alia, the provincially-endorsed bioregional planning principles, but adds the principles of consistency and vertical equity. The latter assumes that the disadvantaged should be favoured above more advantaged people and refers to the distribution of impacts (who receives benefits or bears costs).* The SDF classifies the Cape Winelands Biosphere Reserve as *a scale-informed value-adding management entity, operational within a sustainable paradigm, to support existing roles and responsibilities through structured participation and (scientific and local) knowledgeable input that responds to local conditions, needs and perceptions*. The SDF states that *on the regional and local level, the biosphere reserve is to facilitate coherent planning and land-use management in terms of the principles of sustainable development.*

6.1.4.3 Cape Winelands Biosphere Reserve Spatial Development Framework Plan

The Cape Winelands Biosphere Reserve Spatial Development Framework Plan includes plans, guidelines and strategies that give effect to the three functions of the Cape Winelands Biosphere Reserve namely, *development*, *conservation* and *logistical support*. As such this Spatial Development Framework Plan indicates which type of land-use should be undertaken in the Cape Winelands Biosphere Reserve, where it should take place, and how such land-use should be undertaken in order to be sustainable.

6.1.5 Local Level

6.1.5.1 Stellenbosch Integrated Development Plan

The Stellenbosch IDP includes a needs-analysis, which puts forward a number of needs for the area within which IDAS VALLEY / BOTMASKOP NA is located.

6.1.5.2 Stellenbosch Spatial Development Framework

The primary goal of the Stellenbosch SDF is to give practical effect to the mission statement of the people of the local municipal area, as expressed in the SDF of the Stellenbosch Municipality, namely: *'The spatial development framework of the Stellenbosch Municipality should be measured by the 'triple bottom line' of economic efficiency, environmental sustainability and social justice with an emphasis on the issues facing the rural and urban poor.'*

6.1.5.3 Stellenbosch Environmental Management Framework

The Stellenbosch Environmental Management Framework (SEMF), adopted by the Council of Stellenbosch Municipality (June 2019) describes the international, national, provincial and local context of environmental planning and management within the Municipality. It also:

a) Describes the planning and management approach adopted in the Municipality
b) Serve as a basis for the preparation of detailed management plans for specific areas or aspects, e.g. river management, fire management, pollution control, etc.
c) Promote sustainable development throughout the Municipality in a manner that supports the intentions of NEPAD, Agenda 21 and Local Agenda 21.
d) Promote the conservation of biodiversity both within and outside conservation areas.
e) Provide a spatial framework and serve as a basis for the evaluation of development proposals in terms of site-specific criteria.
f) Providing guidance to developers with regard to the planning and design of projects and the establishment of contractual agreements and appropriate partnerships with the municipality and the affected communities, the purpose of which is to ensure that each development brings sustainable benefit for all parties as well as the receiving environment.

In terms of the Spatial Planning Categories contained in the SEMF Idas Valley / Botmaskop is a designated A.a Area defined as a statutory protected area. In terms of the SEMF such areas are designated in terms of legislation for biodiversity conservation, outdoor recreation and non-consumptive resource use. *Conservation purposes are purposes normally or reasonably associated with the use of land for the protection of the natural and/or built environment, including the protection of the physical, ecological, cultural and historical characteristics of land against undesirable change.*

6.1.5.4 Stellenbosch Municipality: By-Law Relating Plantations, Parks, Gardens, Recreational Facilities and Nature Reserves (P.N. 373/1988)

According to the above by-law n*o person shall in or on premises, buildings, land, plantations, a commonage, enclosures, nature reserves, parks, gardens, open erven and spaces, picnic areas, nurseries, trees, sport and recreation facilities which are vested in or under control of the Council –*

(a) disfigure or deface any post, railing, fence, seat, barrier, gale, notice board, plate, house, building, shed, urinal, closet, flag, mark or other article or thing by pasting thereon or affixing thereto in any way any bills, papers, placards or notices or by cutting, writing, stamping, painting, drawing or marking thereon in any way whatsoever,

(b) remove, destroy, damage or deface any notice or sign

(c) make a fire or commit any acts whereby a fire may be caused, except in places where fireplaces are provided;

(d) saw, cut, gather, remove dig up, burn, pick or break any timer, tree, shrub, brushwood, fencing, pole, lawn, plants, fruits, flower or equipment, or climb therein or thereon or damage it in any way;

(e) remove or disturb any soil or water at a place other than that specially provided by Council;

(f) erect or cause to be erected any post, rail, fencing, tent, screen, stand, swing, building or construction of whatever nature without the written permission of the Council;

(g) park, drive, ride pull or propel any type of vehicle except a manually operated wheelchair or perambulator when used for the conveyance of an invalid or a child;

(h) leave any refuse, building waste, rubbish, paper, materials or any object except in containers provided for that purpose;

(i) injure, kill, hunt, capture, or disturb any animal or bird, or damage or destroy the nest or eggs of any bird or interfere with the animal life in any other way;

(j) break, damage, hurt, destroy, disfigure or remove any flora, fauna or nest of fauna or objects of historical or scientific interest or any property in the nature reserve;

(k) introduce any flora, fauna, weapon, trap, net, explosive or poison into the nature reserve, or be in possession thereof in the nature reserve;

(l) fire a fire-arm or an air-gun, discharge any firework, catapult or sling or throw a stone or other missile;

(m) in any other way cause a nuisance, obstruction, disturbance or annoyance to the public, to brawl, fight, swear or use obscene, indecent or improper language, gamble, beg, behave in an indecent or offensive manner or drink intoxicating liquor;

(n) sell or offer for sale or hire, or hawk or exhibit any article or distribute any pamphlet, book, handbill, or other matter; present any public entertainment; play a musical instrument, and deliver or say any speech, public address or prayer of whatever nature or sing any song or hold or participate in any public meeting or function unless he has previously obtained the written permission of the Council to do so;

(o) enter upon any ablution or sanitary conveniences indicated as having been provided for persons of the opposite sex;

(p) enter or leave other than by an entrance or exist provided for that purpose, or refuse to leave when requested to do so by an authorised officer of the Council or a member of the South African Police;

(q) wash any article or animal under a tap, in a pond, fountain or in an ornamental pond or otherwise pollute water, or swim in a dam or wash any clothes or other things or pollute the water therein in any other manner, and

(r) perform any act whatsoever which may injure persons, damage or destroy any property.

6.1.6 Human Resources/Administration Legislation

Furthermore, human resources and administration legislation include the following:

a) Occupational Health and Safety Act, 1993
b) Basic Conditions of Employment Act 3 of 1997
c) Labour Relations Amendment Act, 66 of 1995
d) Local Government Municipal Systems Act 32 of 2000
e) Promotion of Equality/Prevention of Unfair Discrimination Act 4 of 2000
f) Criminals Procedures Act
g) Fire-Arm Act
h) Fencing Act 31 of 1963
i) Hazardous Substances Act 15 of 1973
j) Land Survey Act 8 of 1997
k) Promotion of Access to Information Act 2 of 2000
l) Promotion of Administrative Justice Act 3 of 2000
m) Regional Services Council Act 109 of 1985
n) Skills Development Act 97 of 1998
o) State Land Disposal Act 48 of 1961
p) Subdivision of Agricultural Land Act 70 of 1970
q) Tourism Act 72 of 1993
r) Municipal Ordinance 20 of 1974

6.2 BIODIVERSITY CONSERVATION

The Idas Valley / Botmaskop NA EMP recognises that biodiversity is an imperative for environmental sustainability. Ecological functions of the natural systems are directly related to biodiversity. Biodiversity is the primary element in the maintenance of the resilience of ecological systems to external shocks and, thus, the ability of these systems to sustain the dependent communities. Accordingly, the key objective in the management of the NA is to ensure that biodiversity is protected and enhanced.

6.3 IDAS VALLEY / BOTMASKOP NATURE AREA AS PART OF A SYSTEM OF PROTECTED NATURE AREAS

The EMP recognises that the functions of protected nature areas go far beyond the usual perception of the term ‘protection’. Such areas are immensely valuable, beyond their boundaries, in providing for the rehabilitation of environments, as nutrient sinks, for landscape stability, and for the replenishment of species, populations and communities. The primary objective of any system of protected nature areas would be as much to restore and manage ecosystems and their functions as to protect them. This emphasises that sustainability requires planning and management for biodiversity conservation across human dominated landscapes. *To achieve this, protected areas should no longer be considered as islands of conservation within a sea of development but as an integral part of each region as a whole in terms of biodiversity conservation* (Institute of Bioregional Resource Management).

As mentioned above, the Idas Valley / Botmaskop NA forms part of a system of *de jure* and *de facto* protected nature areas that collectively form the core and buffer areas of the CWBR. This system is based upon the principle that a system of protected areas is a key element of any strategy to maintain biodiversity and ecosystem functions on a larger regional scale. It is imperative that such a system be designed and managed to represent and protect the diversity of ecological processes, communities, species and gene pools (Global Biodiversity Strategy, 1992).

6.4 IDAS VALLEY / BOTMASKOP NATURE AREA AS A PUBLIC RESOURCE

The Idas Valley / Botmaskop NA forms part of the public open space system of Stellenbosch. As such, it is a public resource that is of value to the entire Stellenbosch community. Accordingly the NA should be available and accessible to the entire community to exercise their legitimate right to utilise such public resource in a sustainable manner. In this regard it is important that *government* (including the Municipality), *the community, corporate and other private interests, etc. share responsibility for co-ordinating land-use planning, for both public and private land and for defining and implementing development options that would ensure that human needs are met in a sustainable way* (WRI, 1992).

6.5 ADMINISTRATIVE FRAMEWORK

As stated previously the Municipality is acting in the capacity as Management Authority for the Idas Valley / Botmaskop NA. Stellenbosch Municipality's function, as it pertains to the management of the Idas Valley / Botmaskop NA are:

a) To manage the NA in accordance with the approved management plan (EMP).
b) To manage the NA in accordance with applicable legislation and municipal by-laws.
c) Audit / monitor management actions and associated environmental impact.
d) Reports to Council on the implementation of the EMP.

The Municipality in turn relies on the Friends of the Idas Valley / Botmaskop NA- (or similar) group for specific management activities as required. The management of the NA is an ongoing inclusive process that considers the changing and dynamic interests, needs and values of the people of Stellenbosch Municipality and those that have an interest in ensuring a prosperous future for the area. In this regard, it is important that the following be achieved:

i) Continued participation, representation and involvement of all stakeholders promoting broad-based policy learning and capacity development.
ii) Creating adequate and appropriate opportunities for community participation in decisions that may affect the area.
iii) Developing and utilising the skills and capacities of the people living in the area in the management of the NA.
iv) Encouraging on-going involvement of local people in the programs identified for the management of the NA.

6.6 PROCEDURES FOR PUBLIC PARTICIPATION

News regarding the Idas Valley / Botmaskop NA will be communicated to the public by way of Municipal newsletters, publications and in the local newspapers.

6.7 PRIMARY ENVIRONMENTAL THREATS

The primary threats to the ecology, aesthetic quality, catchment functions and general use and enjoyment of the Idas Valley / Botmaskop NA include the following:

Inappropriate Fire Regime: The Fynbos vegetation in the Idas Valley / Botmaskop NA requires a fire regime that provides for high intensity fires at intervals that range from 8 to 20 years, occurring in late-summer (i.e. February-March). As stated above, the Idas Valley / Botmaskop NA is managed as part of the Hottentots Holland Mountain Catchment Area, the fire management of which is undertaken in accordance with a '*minimum interference*' policy. The latter policy essentially implies that controlled burning, as a management practice, is largely excluded and that the emphasis falls on controlling 'unnatural' wildfires.

Due to the topography, climatic conditions, and factors such as land-uses on adjoining properties that are conducive to the starting of wildfires, and financial constraints that inhibit fire control activities, the Idas Valley / Botmaskop NA is particularly prone to wildfires that do not conform with its natural fire regime requirements. The latter could, in the long-term, have an adverse effect on the structure of the local plant communities, biodiversity in general, and the natural functioning of the NA as a catchment area. In addition, an inappropriate fire regime could have immensely negative cost-implications in that it generally upsets management programs such as alien plant eradication.

Over-utilisation by visitors: the Idas Valley / Botmaskop NA is a particularly attractive natural area and provides for a broad spectrum of recreation opportunities. It is, subsequently, a popular attraction for eco-tourists and sports persons practicing specific nature-related activities. The main potential problems in this regard include pollution, trampling of plants, disturbing of animals, soil compaction leading to unnatural erosion, and degradation of the social environment. It is imperative that the carrying capacity (both social and ecological) of the NA is not exceeded by visitors.

Alien Plan Infestation: The infestation of Fynbos areas by alien plants is known to be a primary threat to biodiversity in general (mainly due to habitat fragmentation), and catchment dynamics. In the latter regard, it is important to note that Fynbos has unique intrinsic water conservation capabilities and subsequently plays a critical role in the maintenance of the natural *water cycle*. In order to sustain the fundamentally important catchment function of the Idas Valley / Botmaskop NA it is, therefore, imperative to implement integrated eradication programs for alien plants.

Security (access control): The Idas Valley / Botmaskop NA is a large area that is a challenge to secure.

Pollution: The NA is a target for illegal dumping from time to time and regular clean-up of general pollution / waste is required.

Cultural / Agricultural use: The NA have, over the past 10 – 15 years, accommodated a number of uses associated with cultural rituals, tribal initiations and agriculture or plot farming. Although these uses have an important role to play in die local- community and society it does not align with the broader vision of the NA and use as a conservation area utilised for a range of recreation uses. Because fire plays such an important role in most of these cultural activities it also poses a risk to the NA as it is susceptible to the spread of fire as explained above.

6.8 OBJECTIVES

The following objectives are intended to provide the basis for the achievement of the vision set out above:

	Objective	Key Deliverable
Operational Management		
Legal compliance	To ensure legal compliance to all relevant legislation and policies.	Ensure that all legal requirements are met.
Access control / security	To improve safety of visitors to the area.	Effective access control and law enforcement.
Management effectiveness	To implement effective management systems.	Conduct audits
Infrastructure	To ensure the implementation of effective conservation management interventions. To enhance biodiversity protection and conservation. To ensure conservation of species and processes by maintaining and improving ecosystem functioning.	All infrastructure on the NA is adequately maintained.
Pollution / Waste control	To control pollution in the area.	Effective access control and law enforcement. Efficient waste collection services. Law enforcement.
Biodiversity Management		
Fire management	To ensure conservation of species and processes by maintaining and improving ecosystem functioning. To allow for natural fire processes to occur without impacting on safety and infrastructure. To implement effective integrated catchment management.	Reduce/prevent the spread of fires. Maintain partnerships to improve fire management. Reduce wildfires due to human negligence.
Invasive veg. management	To enhance biodiversity protection and conservation. To ensure conservation of species and processes by maintaining and improving ecosystem functioning.	Eradicate alien and invasive species. Prevent further introduction of aliens.
Wildlife management	To ensure effective conservation of species and processes by maintaining and improving ecosystem functioning. To enhance biodiversity protection and conservation.	Prevent the introduction of alien fauna species. Control invasive alien fauna.

		Manage the introduction of fauna on the NA. Evaluate and monitor impact of fauna on the NA.
Erosion prevention / control	To ensure implementation of effective conservation management interventions. To enhance biodiversity protection and conservation.	Prevent and mitigate soil erosion.
Monitoring / Baseline data collection	To manage biodiversity knowledge to ensure effective conservation management. To implement measures to ensure resilience and persistence of biodiversity in light of climate change. To ensure the implementation of effective conservation management interventions. To ensure conservation of species and processes by maintaining and improving ecosystem functioning.	Create a biodiversity resource inventory. Implement monitoring programme. Implement research programme. Manage consumptive utilisation of biological resources.
Biodiversity security	To enhance biodiversity protection and conservation. To ensure conservation of species and processes by maintaining and improving ecosystem functioning.	Improved security and safety of the biodiversity assets on the reserve.
Development		
Development of tourism opportunities	To evaluate potential tourism opportunities. To implement effective management systems. To ensure legal compliance and implementation of authorised development plans.	Development of tourism opportunities that generate revenue for the reserve.

The achievement of these objectives is addressed in the management directives dealt with below.

7. MANAGEMENT DIRECTIVES

This section comprises the management strategies and guidelines in terms of which the Idas Valley / Botmaskop NA is to be managed in order to achieve the objectives documented above. The management strategies and guidelines are addressed under the following themes:

a) Administration
b) Environmental Protection
c) Land Use Management
d) Environmental Auditing

Stellenbosch Municipality is the responsible party for all conservation and management actions to be implementation unless stated otherwise.

7.1 ADMINISTRATION

The long-term sustainability of the area largely depends on its effective administration. Of key importance in this regard is that the principle of economic efficiency be given effect through the general administration of the area and that its positive role and functions in respect of the promotion of environmental integrity and human well-being be understood and supported at all levels. Institutional commitment to achieving effective administration of the Idas Valley / Botmaskop NA through, *inter alia*, the allocation of adequate budgets is of paramount importance.

Stellenbosch Municipality, through the Department: Community Services and its Nature Conservation section, is responsible for the management of the Idas Valley / Botmaskop NA. In terms of the principle of *inclusivity* the management of the Idas Valley / Botmaskop NA is an ongoing inclusive process that considers the changing and dynamic interests, needs and values of the people of Stellenbosch and those that have an interest in ensuring a sustainable future for the area. In this regard, it is important that the following be achieved:

a) Continued participation, representation and involvement of all stakeholders promoting broad-based policy learning and capacity development.
b) Developing and utilising the skills and capacities of the people living in the area in the management of the Idas Valley / Botmaskop NA.
c) Encouraging on-going involvement of local people in the programs identified for the management of the Idas Valley / Botmaskop NA.

Accordingly, the Municipality is to facilitate the establishment of a Friends of the Idas Valley / Botmaskop NA or similar group that complies with and has the capacity to give effect to the above requirements. Whilst Stellenbosch Municipality is responsible for the general maintenance of the area and the implementation of this EMP it will rely on a Friends of the Idas Valley / Botmaskop NA group for specific management activities as required or where the Municipal is limited through capacity constraints.

Table 3: Guidelines for inception phase management

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
1	Compile an annual budget for the Idas Valley / Botmaskop NA.	Annual, when required before the start of the

		new financial year.
2	Facilitate the establishment of a Friends of the Idas Valley / Botmaskop NA (or similar) group. Should such group already exists formalise a working relationship between the Municipality and group.	On adoption of the Friends Group concept (and structure) by Council.
3	Solicit funds from potential donors.	Ongoing
4	Maximise financial income by determining and imposing appropriate tariffs for outdoor recreation and other uses.	On the approval of the EMP.
5	Plan and manage outdoor recreation by: • Identifying the most appropriate sites for various uses. • Formulating appropriate safety rules and emergency measures. • Formulating appropriate rules and regulations for controlling human behaviour. • Determining appropriate social and ecological carrying capacity. • Ensuring sustainable visitor management in accordance with an effective permit system.	During the first year after the approval of the EMP.
6	Institute and maintain effective law enforcement.	During the first year after the approval of the EMP.

7.2 ENVIRONMENTAL PROTECTION

Natural resources are defined *as any materials, services and conditions that are necessary for the survival of living organisms, and have the potential to enhance quality of life. They are, in a sense, inherited by people, and are therefore part of the earth's (the natural) and people's (the cultural) heritage. Living resource conservation is specifically concerned with plants, animals and micro-organisms, and with those non-living elements of the environment on which they depend. Living resources have two important properties, the combination of which distinguishes them from non-living resources - they are renewable if conserved, and they are destructible if not* (Perry, 1954).

The intention and focus of environmental protection in the Idas Valley / Botmaskop NA is to facilitate the removal or mitigation of threats to the ecology of the NA, to restore the biodiversity and ecological integrity of the area to the extent that it can function as a self-sustaining system.

7.2.1 Alien Clearing

Invasive alien plants are plant species that have been introduced, either intentionally or unintentionally, to South Africa. They can reproduce rapidly in their new environments and, as mentioned above, tend to out-compete indigenous plants. The result usually includes a variety of negative ecological, social, and economic impacts. Invasive alien species pose the biggest threat to biodiversity after direct habitat destruction. All efforts must be made to control or, if possible, eradicate all invasive plants.

The Municipality has prepared and adopted the Stellenbosch Municipality Invasive Alien Management Plan (April 2017). In terms of this plan initial clearing methods must be follow-up and monitored to ensure successful clearing of invasive alien plants. Accordingly:

a) Clearing efforts should initiate at the top of the infested areas, in terms of slope, and continue downwards. This will reduce erosion effect as well as minimize the re-establishment process of invasive alien plants within the cleared areas from overhead populations.
b) Strategic placement of large tree trunks should reduce soil erosion on slopes after invasive alien clearing.
c) Removal strategies for clearing invasive alien species in the area should be a combination of mechanical and chemical methods. All species should be removed mechanically by uprooting young plants and tree felling of larger trees (via axe or chainsaw), followed by the application of chemical herbicides to the cut surface to prevent resprouting. Each species has its own corresponding herbicide requirements to prevent resprouting activities and should be applied soon after tree felling. The use of herbicides may have negative effects on the health of soil composition and the natural ecosystem and should thus be used with caution and in reasonable / prescribed amounts.
d) Continuous follow-up and removal of new seedlings after the initial clearing efforts are essential in order to clear the property of invasive alien plants. Follow-ups and monitoring should occur annually and remaining or re-established invasive species should be removed when located.

Table 4: Guidelines for alien clearing

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
7	Assess the NA to determine the degree of alien plant infestation.	Within a year of the approval of the EMP.
8	Map the areas that have been infested by alien plants as well as the degree of the infestation.	On the approval of the EMP. After an assessment has been conducted.
9	Map the areas that have been cleared of alien plants, indicating the date of operations, species removed and the current status of the portion of the site.	Annual as clearing is undertaken.
10	Implement the Stellenbosch Alien Invasive Plan (IAP) Management Plan (2017).	Annual between the months of September and May.

7.2.2 Flora

'Natural vegetation is the visual expression of the environment, it is a product of the action of environmental factors over time and hence can be a valuable indicator of potential productivity of ecosystems' (Bayer, 1970).

The introduction of non-endemic species in the Idas Valley / Botmaskop NA is forbidden.

As stated above, the NA falls within the Fynbos Biome. Fynbos has unique intrinsic water conservation capabilities and, subsequently, plays a critical role in the maintenance of the natural *water cycle*. The overriding objective of water conservation is the management of catchment areas so as to maintain an optimal sustainable yield of high quality water. Maintenance of water yield entails ensuring the capacity of the catchment area to yield water at historical flow rates. In the

case of the Idas Valley / Botmaskop NA, the latter objective essentially implies that the Fynbos vegetation in the NA must be kept in a healthy state.

Table 5: Guidelines for flora conservation

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
11	Institute research to identify sensitive habitats in the NA and immediate surroundings.	Once the vegetation has recovered to the extent that a reliable information can be gathered and conclusions can be drawn.
12	Institute scheduled research and monitoring to determine the recurrence of species.	Annually
13	Prevent the non-sustainable harvesting of plants used as traditional medicines by dedicated training and education of local people, law enforcement and monitoring.	Annually. Efficiency of strategies to be audited.
14	Simulate natural disturbance regimes to maintain historical vegetation composition.	Annually

7.2.3 Fauna

Biodiversity conservation essentially means conserving all the elements ('parts') of the natural environment. The mix of species in an ecosystem enables that system both to *provide* a flow of ecosystem services under given environmental conditions, and to *maintain* that flow if environmental conditions change.

The loss of biodiversity, therefore, limits the resilience of the affected ecosystem, which in turn, may have direct negative economic implications. Therefore, in order to promote biodiversity conservation in the NA it is imperative that the conservation of the faunal component receives appropriate attention.

Table 6: Guidelines for fauna conservation

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
15	Monitor and record occurrence of wildlife.	Continually
16	Prevent all forms of unnatural predation through on-going education and law enforcement.	On-going
17	Consolidate the natural habitats of endangered animal species.	On-going
18	Control all alien animal species.	On-going

7.2.4 Soil

Appropriate measures must be taken to protect areas susceptible to erosion by installing all the necessary temporary and permanent drainage works as soon as possible. Steep slopes and other areas prone to erosion must be maintained or restored according to the following guidelines:

a) Warning signage displaying NO ENTRY, must be installed on all roads, trails or walkways that are permanently or temporarily closed. Physical barriers, using local natural material, may be constructed were NO ENTRY signs are not respected to prevent users from accessing such roads, trails or walkways.

b) Existing erosion areas must be back-filled (using on-site material), compacted and restored to a proper condition.

c) Roads, trails or walkways, permanently closed for use, must be:
   i) ploughed,
   ii) the top soil scarified (to make sure that no downhill trenches or drainage lines are created),
   iii) water diversion walls created by hand at a distance of 10 metres apart (depending on the slope) leading 5 metres into the natural vegetation,
   iv) and revegetated by either soughing or transplanting appropriate material.

d) Areas, where the above measures are not sufficient, must be logged, parallel to the contour in order to prevent further soil erosion. Logs must be laid in lines 15 metres apart, depending on the slope (the steeper the slope the closer the barriers must be laid to each other). Logs must be secured by means of steel pegs hammered through a drilled hole on each end of the log (logs longer than 2 metre must be secured by an additional steel peg through the middle of the log). Where logs are laid across a road, the log must be laid up to a minimum of 1 meter past the edge of the road.

e) Roads (to stay in use) must be graded to have a slight gradient to the inside (up-hill) (refer to Figure 13). A drainage ditch must be created on the inside of the road. Gravel humps must be created at an angle across roads to drain water from the road surface into to the drainage ditch. At selected locations (depending on the slope) furrows must be created across the roads surface to discharge the water collected in the drainage ditch. The guiding principle behind the creation of a drainage ditch and discharge furrows is to not allow water to reach a speed at which it will create erosion. After a rain event all roads must be inspected to determine if any maintenance is required.

f) Erosion sites on bicycle tracks and walking trails must be logged following the contours and spaced vertically 0.8-1.2 meter apart, depending on the steepness of the slope.

g) Logs must be untreated pine (or gum) poles of not less than 150 mm with a taper of not more than 75 mm over its length.

h) Cut and fill slopes will be shaped and trimmed to approximate the natural condition and contours as closely as possible and be undulating. Levels, incongruous to the surrounding landscape, will be reshaped using a grader and other earthmoving equipment.

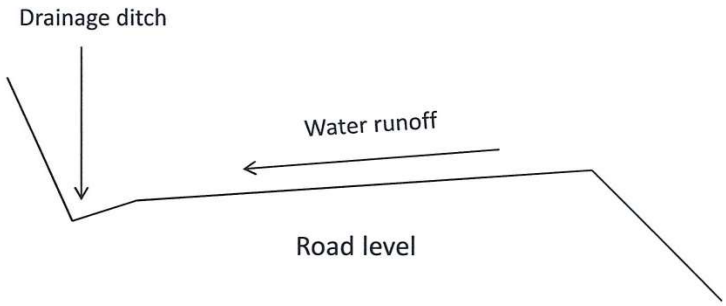


Figure 13: Road surface slope with a drainage ditch

Table 7: Guidelines for the conservation of soils

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
19	Restore erosion sites in accordance with the guidelines above.	On-going Quarterly photographic monitoring at fixed points. Annual auditing.
20	Inspect drainage ditches on all roads after exceptional rain event to determine whether maintenance is required.	On-going
21	Implement preventative measures on potential erosion sites. All roads and tracks, used or closed, are considered potential erosion sites.	On-going Annual auditing.
22	Prevent overuse of routes and sites susceptible to erosion through appropriate signage.	Monthly site inspection

7.2.5 Water

Water is a most critical natural resource in the region. All the sectors and communities in the Stellenbosch area are dependent on a sustainable supply of water from the relevant quarternary catchments and subterranean aquifers.

Land-use patterns largely influence the maintenance of water yield. Interference with the natural conditions in mountain catchment areas, e.g. draining, canalising or cultivating areas such as vleis, seepage areas, riparian areas and streambed alluvium, is detrimental to the proper functioning of a catchment. It is, therefore, of paramount importance for catchment areas to be managed appropriately.

Table 8: Guidelines for managing the Idas Valley / Botmaskop NA as part of the Krom River catchment

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
23	Remove all forms of pollution.	On-going
24	Manage invasive alien plants in terms of the Stellenbosch IAP Management Plan (2017).	On-going

7.2.6 Fire

The Idas Valley / Botmaskop NA is susceptible to fire due to activities on in the NA as well as land uses on adjoining properties. Any fire management regime must therefore provide innovative measures to combat the occurrence and spread of wild fires. The overarching fire management goals as it pertains to the Idas Valley / Botmaskop NA are to:

a) Protect people and property.
b) Protect natural and cultural resources from undesirable effects of fire.
c) Suppress unwanted fire.
d) Allow fire to assume its natural role in the ecosystem.
e) Manage fire cooperatively with neighbouring land owners and other stakeholders.

The fire management regime of the Idas Valley / Botmaskop NA is premised upon the following risk management strategies:

Table 9: Fire management strategies

Management Strategies	Guidelines
a) Avoiding the risk	Prohibiting high-risk human activities in close proximity to the NA.
b) Reducing the hazard	Prescribed burning, preparation of firebreaks or manual clearing of fire hazards as well as regular inspections.
c) Reducing ignitions	Education and awareness programs, fire bans, reduction in activities during high-risk season or periods, efficient ignition investigation.
d) Reducing consequences	Contingency plans, community education programs for self-protection (lives and property), and building restrictions and standards for areas prone to veld fires.
e) Implementing an innovative artificial burning regime	Such regime and associated practices are to reduce the risk of wild fires spreading and causing extensive ecological and financial damage. Such artificial regime implies the creation of a mosaic of veld ages that will enhance the capacity of the area to and maintain its ecological functioning.

This EMP builds on the recognition that the threat of fires to the Idas Valley / Botmaskop NA and the relevant reasons for such threat are unique. Due to surrounding land uses and human behaviour wild fires will probably not be prevented through any measures taken. The solution lies in a combination of options (a), (b) and (c) above.

It is important to understand the basics of fire before preparation can be made for efficient control thereof. It is essential to note that three environmental components are required for a fire to occur. These are oxygen, heat and fuel (refer to Figure 14). Whilst the atmosphere contains 21% oxygen, only 16% oxygen needs to be in the air for a fire to start. Fuel is any living or dead material that will burn. If ignition occurs in the situation or environment where all three elements are present combustion will result and a fire will continue to burn until one of the three elements are removed. It is difficult to exclude oxygen from fires. Heat is considered a constant. However, a reduction in fuel will reduce the total energy output (refer to Figure 15). Fuel or more specifically the amount of fuel is the aspect that can be influenced most. It therefore becomes the most critical factor in the prevention and control of fire.

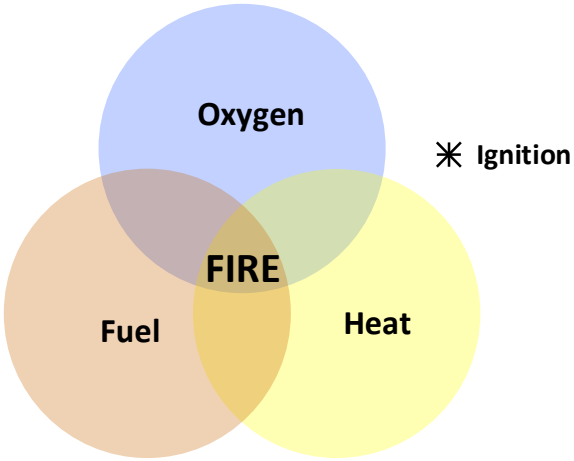


Figure 14: Basic elements of fire

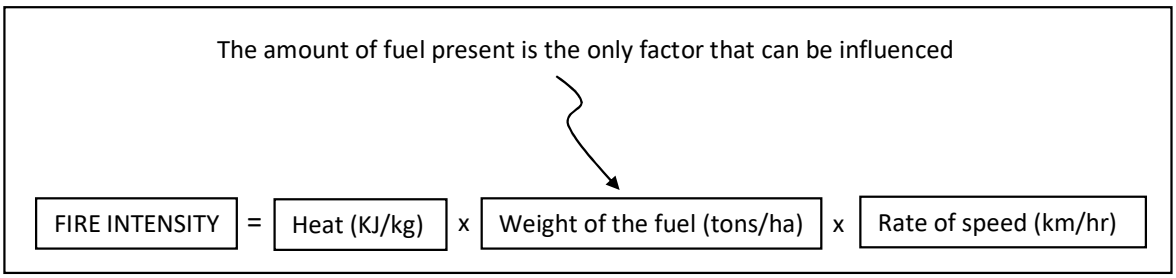


Figure 15: The factors determining the intensity of fire

Two ways of reducing the fuel load are alien vegetation clearing or control and the establishment and maintenance of firebreaks.

7.2.6.1 Alien Clearing

Invasive alien plants are characterised by being able to reproduce rapidly in their new environments, and this is usually due to a combination of factors, including:

a) A lack of natural enemies in the new environment
b) Resistance to local diseases and other plant pathogens
c) Highly competitive growth and colonising strategies that provide them with a competitive edge, and an ability to out-grow local indigenous plants

Invasive alien plants can significantly alter the composition, structure and functionality of ecosystems and increase the fuel load for fires. They degrade the productive potential of the land, intensify the damage caused by veld fires and flooding, increase soil erosion, and impact on the health of rivers and estuaries.

7.2.6.2 Firebreaks

Fire breaks are cleared paths which will prevent the spread of fire by removing the fuel from the fire path. Section 12 of the National Veld and Forest Fire Act *stipulates that every owner on whose land a veldfire may start or burn or from whose land it may spread must prepare and maintain a firebreak on his or her boundary between his or her land and any adjoining land*. In terms of Section 13 of the

Act above *a landowner is obliged to prepare and maintain a firebreak, with due regard to the weather, climate, terrain and vegetation*. The firebreak must:

a) be *wide enough and long enough to have a reasonable chance of preventing a veldfire from spreading to or from the neighbouring land*,
b) *not cause soil erosion*, and must
c) *be reasonably free of inflammable material capable of carrying a veldfire across it.*

In terms of Section 16 of the National Veld and Forest Fire Act the right or duty to prepare and maintain a firebreak prevails over any other prohibition in any other law on the cutting, disturbance, damage, destruction or removal of any plant or tree, except the owner must where possible, transplant any plant which is protected in terms of any law or where it is safe and feasible, position the firebreak so as to avoid such plant or tree.

A fire break is a means of access for personnel and equipment, to serve as a control line and to serve as a line from where a fire can be attacked from, for example by setting a backburn. The firebreaks are to be linked to access roads, thereby reducing the areas requiring preparation and increasing accessibility to the various sites. Locations where firebreaks are required vary. Individual circumstances will determine what type, width and length will be applicable. When constructing firebreaks it is important that all vegetation cover is removed and that only rocks and soil (minerals) are exposed. A fire can travel very slowly through the grass roots or decayed vegetation and great care must be taken to ensure that minimal earth is exposed throughout the length and width of the break. The following factors must be taken into account with the construction of firebreaks.

- Access: The placement of firebreaks on a slope must be determined by access to the break.
- Slope: Slope is the steepness of the land and has the greatest influence on fire behaviour. The steepness of the slope affects both the rate and direction of the fire spread. Fires usually move faster uphill than downhill and the steeper the slope, the faster the fire will move. This is because:
    - on the uphill side, the flames are closer to the fuel;
    - the fuels become drier and ignite more quickly than if on the level ground;
    - wind currents are normally uphill and this tends to push heat flames into new fuels;
    - convected heat rises along the slope causes a draft which further increases the rate of spread; and
    - burning embers and chunks of fuel may roll downhill into unburned fuels, increasing spread and starting new fires.
- Aspect: Aspect is the direction the land faces - north, south, east or west. The aspect of a slope influences a fire's behaviour in several ways:
    - southern aspects receive more direct heat from the sun, drying both the soil and the vegetation;
    - fuels are usually drier and less dense on southern slopes than fuels on northern slopes;
    - heating by the sun also causes earlier and stronger slope winds; and
    - on south-facing slopes, there will normally be higher temperatures, stronger winds, lower humidities, and lower fuel moistures.
- Terrain: *Terrain* or special land features may control wind flow in a relatively large area. Wind flows like water in a stream and will try to follow the path of least resistance. Ridges, trees, and rocks may alter wind flow and cause turbulence or eddies to form on the windward side of obstructions. Also, when wind flows through a restriction, such as a narrow canyon, it increases in strength. Wind movement can be critical in chutes or steep

v-drainages. These terrain features create a chimney effect, causing a forced draft, as in a stove chimney. Fires in these chutes or drainages spread quickly and are dangerous.

- Elevation
- Vegetation type
- Moisture content
- Size and shape of material
- Volume and area covered
- Fuel content (breaks alignment should avoid heavy fuel concentrations and be situated in areas with the lightest fuels possible).
- Wind direction (internal belts should as far a possible run parallel with prevailing winds).
- Spotting distance
- Firebreaks should be anchored, either to a natural barrier, road or another firebreak.
- Natural or existing barriers like roads, paths, streams, lakes, vleis, rivers, rock outcrops, or any other break in fuel should be utilise as far as possible.

There are four methods of preparing a firebreak and proper consideration should be given to each before commencing the preparation of a firebreak.

i) Manual: Preparing a firebreak manually involves the utilisation of a team of workers working in a planned manner using manual tools.

ii) Burning: After deciding where the belt is to go, an adequate tracer is cut around the entire belt, and then the belt itself is burnt. This is the most common form of preparing a firebreak.

iii) Ploughing/brush-cutting: Ploughing/brush-cutting with a tractor is a common method of constructing breaks where the vegetation is low or has been previously removed. The positive thing with brush-cutting is that the roots are not destroyed and this will assist in reducing erosion on these breaks. Brush-cut material should be removed two months after cutting.

iv) Application of herbicide: With this method herbicide is used to kill off all the plant growth in the firebreak.

There is currently a system of established and maintained firebreaks in the Idas Valley / Botmaskop NA (Figure 16). Most of the property boundaries to the north and west are lined with firebreaks as well as the sections along the Hells Hoogte pass.

Table 10: Guidelines for management of fire within the Idas Valley / Botmaskop NA

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
25	Maintain the existing firebreaks.	Annually Completed by end October
26	Conduct inspection of the area along with a representative of the local fire protection association to identify the need for additional firebreaks.	Immediately
27	Prepare firebreaks as required.	Completed by end October
28	Prepare and maintain a register of veld fires including the extent and date.	Compliance audited annually

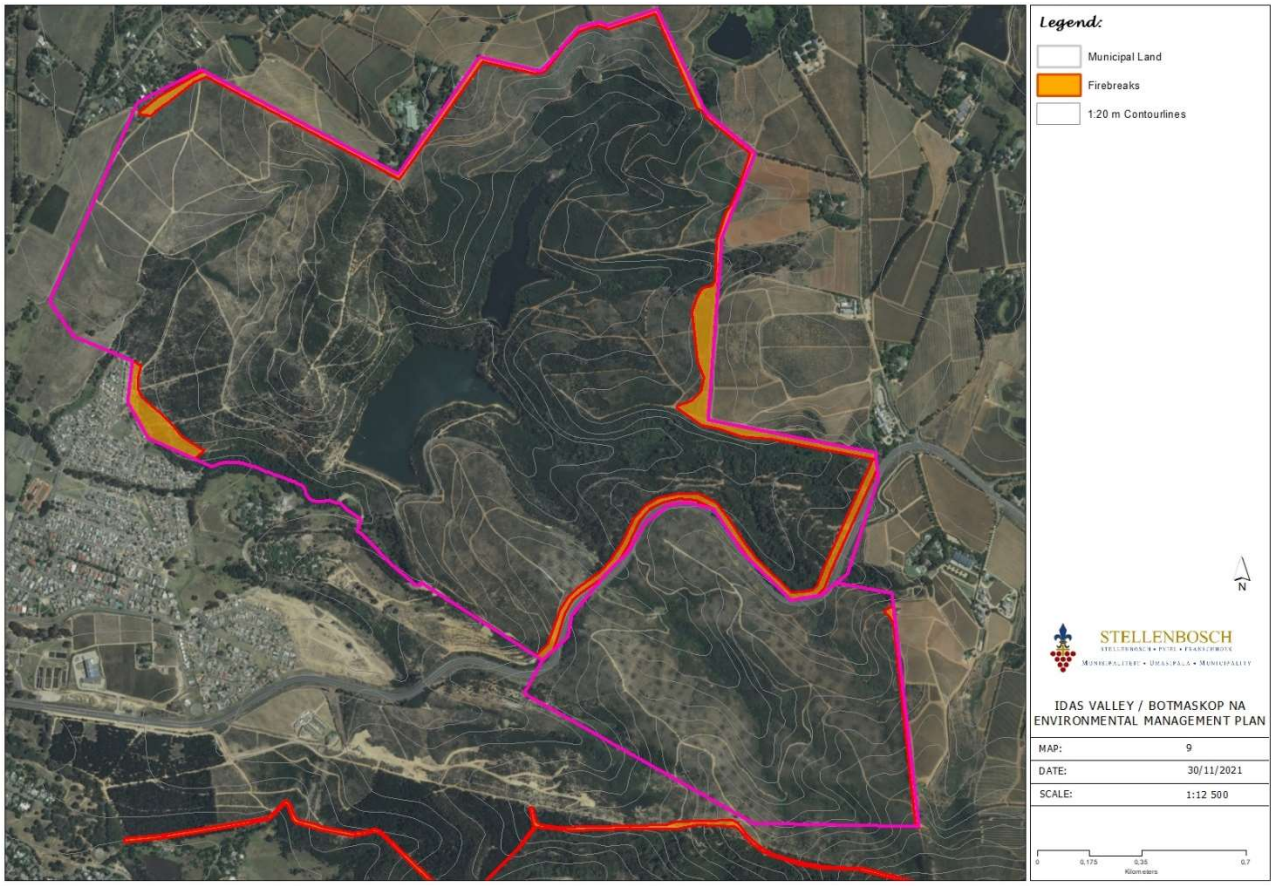


Figure 16: Firebreak within the Idas Valley / Botmaskop NA

7.2.7 Human-Made (Cultural) Environs

Development inevitably modifies the environment. In order to accommodate all of the functions of the Idas Valley / Botmaskop NA, it is important that a certain level of change or modification be accepted. However, such an acceptance requires responsible land ownership based on the following fundamental principles:

a) **Embracing our ignorance:** In environmental management a prominent place is needed for human ignorance. Land ownership should include the obligation to use the land humbly, within the limits set by the land - limits that are often badly understood. The correlative rule is an acceptance of liability for land degradation and a pledge to do what is possible to restore it and of finding ways to avoid problems before they arise.

b) **Sensitivity to place:** Given the complexity of nature and the paramount need to promote community well-being, land use norms must stimulate an attention to place and foster a willingness to tailor land uses to the characteristics and possibilities of each tract. Land uses must be set, not just by what is economically and physically possible in a place, but by the role of the tract of land in the surrounding ecosystem.

c) **Promoting local knowledge:** Good land use is best understood as an art, tailored to the uniqueness of each place and sensitive to the possibilities and limits set by nature. Local knowledge is often tied to the terrain, soils, climate, hydrology, biodiversity, and economy of a place, arising by cautious, trail-and-error methods that environmentalists have come to call *adaptive management*.

d) **Landscape-level planning:** Good ownership will include the owner's (or custodian's) participation in landscape-level planning. Land health cannot revive without plans that cover large areas, such as watersheds, ecosystems or bioregions.

Table 11: Guidelines for management the man-made environs

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
29	Ensure that development within the Idas Valley / Botmaskop NA fits with the scale, landscape and use of the area.	Ongoing
30	Record all significant archaeological manifestations. Institute research programmes to obtain reliable data of archaeological manifestations.	Annually
31	Control human impact on archaeological sites by instituting an effective permit system to control access.	Annually
32	Erect barriers and pathways/ board walks to regulate movement at sensitive sites.	Ongoing
33	Develop appropriate facilities and infrastructure.	Ongoing
34	Ensure appropriate management of the facilities and infrastructure.	Ongoing
35	Regulate the construction of roads, trails, and other facilities.	Ongoing

7.2.8 Tourism and Outdoor Recreation

It is imperative for the management of the Idas Valley / Botmaskop NA to be as professional and cost-effective as possible and to optimise the direct financial income that can be derived from its use. The Idas Valley / Botmaskop NA has an important function in terms of providing recreational opportunities for Stellenbosch and the region as a whole in that it provides for a number of nature-related opportunities that enhance regional tourism significantly. It is, therefore, important that the principle of economic efficiency be incorporated into the general management of the Idas Valley / Botmaskop NA and that it's positive role and function in respect of the economic sectors (specifically tourism) be understood and promoted. Tourism is the fastest growing industry in the world. It is believed that tourism based upon protected areas could become South Africa's biggest industry in the 21st century. With imaginative marketing and appropriate pricing structures there is substantial financial income to be realised from tourism (Turpie & Siegfried, 1996). Wesgro (1992) confirms the above statements and describes tourism as the most important growth stimulus in the economic development of the Western Cape. Tourism influences a variety of economic sub-sectors such as trade, accommodation and catering, manufacturing, agriculture, angling, hunting, personal services and transport. Tourism thus contributes substantially to regional production and job creation.

Tourism has huge potential for stimulating sustainable growth and development in Stellenbosch. The region has a wealth of unique tourism resources, the primary intrinsic attributes being the exceptional aesthetic quality and uniqueness of its landscapes, a range of natural and cultural resources, a diversity of communities with unique cultures, and unique agricultural enterprises and land use forms. In addition, tourism is a cost-effective provider of employment, with strong linkages to the local economy, and it represents a substantial multiplier effect. Ecotourism[11], in particular, can provide economic justification for the conservation of areas that may otherwise not receive

[11] Eco-tourism is defined as '*purposeful travel to natural areas and resources to utilise these areas and resources, to increase the understanding of the cultural and natural history of the environment, taking care not to alter the environment, producing economic benefits that make conservation of natural resources beneficial to the local people*'.

protection, and generate revenue for the management of these areas, and the upliftment of local communities.

However, tourism also has the potential for having a huge impact on the environment. Being one of the least regulated industries, tourism has the potential to induce devastating environmental and cultural changes. It is therefore important to develop tourism in a sustainable manner. To ensure sustainable growth and profitability in the tourism industry, the following challenges need to be faced:

a) A substantial portion of the tourism benefits must find its way into the local communities.
b) Ensure that all new developments in the natural environment qualify as unobtrusive and environment-friendly.
c) Re-invest a substantial portion of tourism profits in the maintenance of the cultural and natural resources.
d) Create a strong element of ecological and cultural awareness with tourists in order to ensure environmental sustainability.

Table 12: Guidelines for management of tourism and outdoor recreational opportunities

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
36	Involve entire community in tourism by developing and instituting educational programmes in local communities.	Annually
37	Ensure direct or indirect benefit to the total community by creating opportunities for the small business sector (e.g. sale of products, crafts, etc.). Promote the 'multiplier effect' or 'fringe benefits' of tourism (refer to additional jobs for local communities, improved local markets for products).	Ongoing

7.3 LAND USE MANAGEMENT

7.3.1 Management / Use Areas

Because the area has a spectrum of uses and comprises an area with variable degrees of degradation, ecological importance and topographical characteristics, a uniform set of management principles and rules for utilisation of the area is not feasible. The area must be retained as a public resource, used for recreational purposes on a daily basis whilst the environmental integrity of the area is protect at the same time. The management and use of the Idas Valley / Botmaskop NA is therefore predribed by way of defining the areas within which the various activities or use is allowed within.

The purpose of the zonation of the Idas Valley / Botmaskop NA is to control the intensity and type of use within the NA as well as the management focus in an effort to ensure the main goal of biodiversity conservation is met. Table 13 describes the various areas depicted by Figure 17 below.

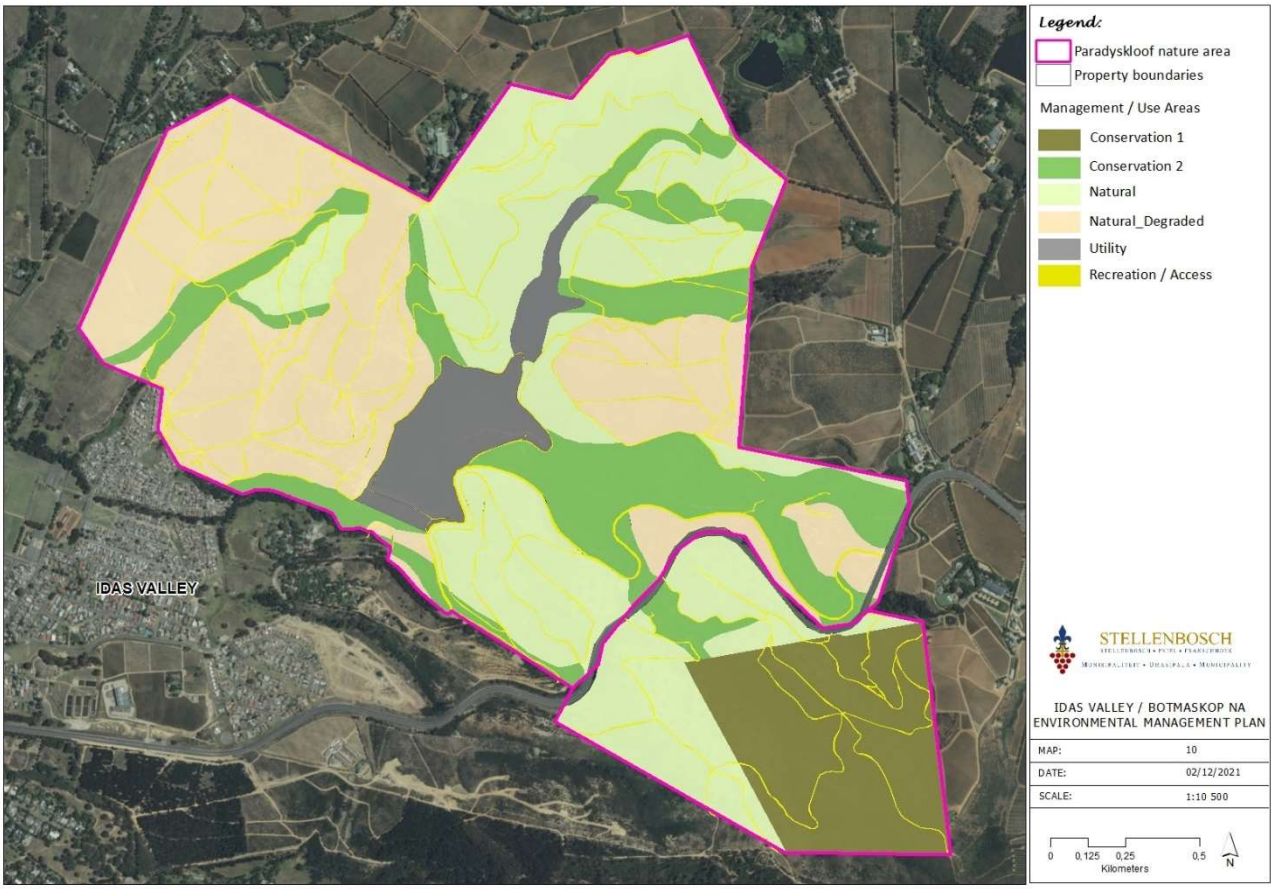


Figure 17: Idas Valley / Botmaskop NA Zonation.

Table 13: Idas Valley / Botmaskop NA Management / Use Areas

Area		DEFINITION / DESCRIPTION
	Conservation 1	Area with formal protection status. With the Idas Valley / Botmaskop NA this is the Hottentots-Holland Mountain Catchment Area. Human impact in this area must be minimal and kept free from any alien vegetation.
Use		• Conservation • Research • Rehabilitation
	Conservation 2	Mainly consist of ecological corridors. Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. User activities with minimal impact allowed in these areas.
Use		• Conservation • Research • Rehabilitation
	Natural Natural Degraded	Mainly consist of ecological corridors. Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. User activities with minimal impact allowed in these areas.
Use		• Research • Rehabilitation
	Utility	Municipal infrastructure.
Use		• Provision of Municipal services
	Recreation / Access	Infrastructure to access the area / recreational use.

Use	• Research • Cycling • Hiking • Trail-running • Approved events

Applying Cape Nature's zoning classification of protected areas most of the Idas Valley / Botmaskop NA can be difined as Nature Access (see Figure 18 / Table 14).

Table 14: Idas Valley / Botmaskop NA Management / Use Areas (Cape Nature Zoning)

Area		DEFINITION / DESCRIPTION
	Nature Access	**Conservation:** To manage and direct visitor use, and plan infrastructure to minimise impact on sensitive environments. To actively manage users and visitor impacts. Allows for minimal or more intensive biodiversity management intervention. **Users:** To provide easy access to natural landscapes with low expectation of solitude at all times. Buffer to primitive zone.
	Development-Low	**Conservation:** To locate the zone and infrastructure to minimise impact on sensitive environments. To actively manage users and visitor impacts on adjacent sensitive areas. Provide additional protection to sensitive or threatened habitats, species or other features. Areas with degraded or transformed footprints. **Users:** To provide access to adjacent natural landscapes with little expectation of solitude.
	Development-Management	Location of infrastructure. Areas with extensive degraded or transformed footprints.

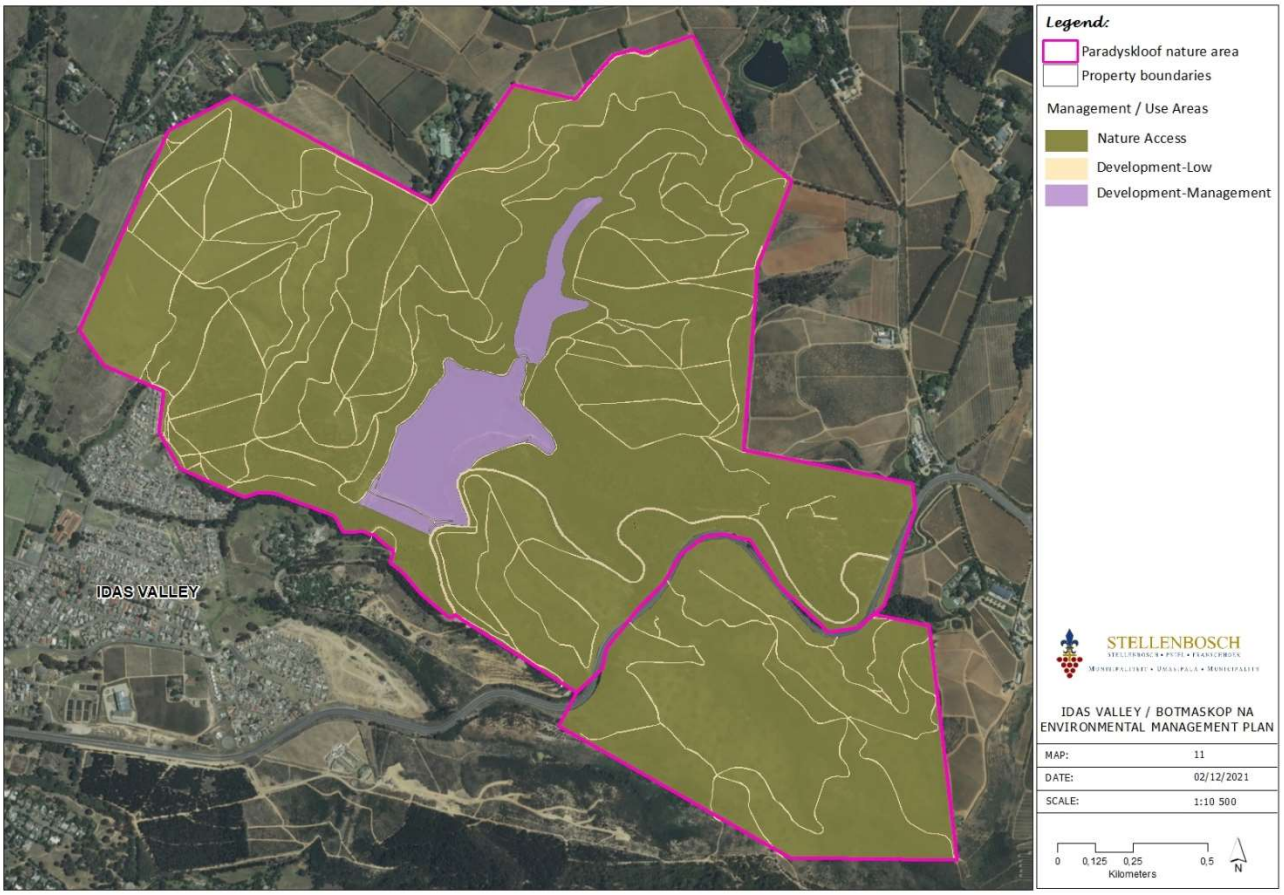


Figure 18: Idas Valley / Botmaskop NA Cape Nature Zonation.

Table 15: Guidelines for management of the Idas Valley / Botmaskop NA Management / Use Areas

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
38	Communicate the applicable use areas and associated appropriate activities through signage at the entrance and on-site.	Immediately after EMP approval.
39	Conserve and protect Conservation areas.	Audited
40	Inspect recreation areas within Conservation and Natural areas to assess the impact of use and degradation.	Annually
41	Implement necessary rehabilitation works where required.	Ongoing

7.3.2 Recreational Use

A primary function of the Idas Valley / Botmaskop NA is to enhance the well-being of the people of Stellenbosch Municipality and those visiting the area. Accordingly, the Idas Valley / Botmaskop NA has an important role, namely to provide the foundation for recreational and tourism opportunities which are environmentally compatible.

Rules applicable to the recreational use of the area are:

a) Entry and use is at a person's own risk. Stellenbosch Municipality and/or its employees shall not be liable for any damage, loss, theft, injury, accident or death suffered by any person, howsoever caused.
b) No lighting of fires.
c) No smoking.
d) Only approved / designated roads, trails or tracks may be used. The construction or clearing of new roads, trails or tracks are prohibited.
e) Public vehicle / motorised access to the area is prohibited unless authorised.
f) Visitors to comply to all signage including access signage and route markers.
g) Any user of the area utilising the area for hiking, cycling or any other permitted activity must be equiped with the necessary safety gear and equipment.
h) All users must utilize the area in a manner that considers the enjoyment and safety of other users.
i) Various routes (roads, tracks or trails) may exclude particular activities such as cycling. In such cases where a route is temporarily closed for rehabilitation or maintenance, or permanently excludes a particular use, appropriate signage will be installed to communicate such information which must be adhered to as in (f) above.

Table 16: Guidelines for management of recreational use of the Idas Valley / Botmaskop NA

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
42	Audit all roads, trails and tracks and update maps accordingly. Decide on the appropriate use (or decommissioning / rehabilitation) thereof and install appropriate signage.	Immediately after EMP approval.
43	Maintain existing roads, trails and tracks to be fit for recreational use.	Ongoing
44	Inspect roads, trails and tracks to be fit for recreational use.	Monthly during summer or after heavy rain events. Weekly during summer.

45	Repair damaged roads, trails and tracks.	Ongoing
46	Close routes that require maintenance or rehabilitation and are not deemed to be safe for recreational use by installing appropriate signage and access barriers.	Ongoing
47	Inspect and maintain signage and route markers throughout the area.	Monthly

7.3.3 Access Control

Access control, or the lack thereof, is a threat to the management of the area influencing secondary threats such as the security of the area, vandalism and fire. Existing access control is inadequate and must be addressed. Access control requires that the perimeter of the area is secure and access regulated. Although the NA needs to be secured from a security point of view it is important to recognise that the area remains a public resource and needs to be accessible to the local community.

Table 17: Guidelines for management access control

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
48	Audit existing access-points to the NA.	Immediately and ongoing
49	Audit existing access control infrastructure.	Immediately
50	Audit existing locks and ownership of keys.	Ongoing
51	Keep a register of key-holders.	Ongoing
52	Investigate the financial aspects fencing the area.	Immediately
53	Deploy additional staff with direct communication with law enforcement to monitor the area.	Immediately and ongoing

7.3.4 Municipal Infrastructure

The Idas Valley / Botmaskop NA houses municipal infrastructure. It is important that the Municipality are able to access, maintain and effect required improvements to these infrustructure. Although the importance of these works can not be underestimated it must be planned and excecuted in a manner that has te least possible impact on the area.

Table 18: Guidelines for management of municipal infrastructure

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
54	Maintain all infrastructure in good working order.	Ongoing
55	Development proposals or plans for maintenance work within the Idas Valley / Botmaskop NA to be circulated to the Department: Community Services for input.	Ongoing

7.3.5 Events

The Idas Valley / Botmaskop NA is an important resource used for spiritual, scientific, educational, recreational and tourism opportunities. Stellenbosch Municipality receives various applications for

events in the Idas Valley / Botmaskop NA for consideration. It is the Municipality's responsibility to ensure that such events are compatible with the area, that such an event does not present an unreasonable threat or impact to the area that cannot be avoided or mitigated and that the area ultimately benefit from such an event. In order to give effect to the potential of the Idas Valley / Botmaskop NA in this regard events must be used as a way to create a strong element of ecological and cultural awareness with event organisers and participants in order to ensure environmental sustainability. The following applies to events in the Idas Valley / Botmaskop NA:

(i) Events are to be held in a manner that has the least possible negative environmental impact.
(ii) Event applications must be submitted timeously for consideration, preferably 90 day prior to such an event.
(iii) Potential impacts of an event must be considered by the municipality and an approval granted only if such impact is considered to be acceptable or is of such a nature that the likely impacts can be avoided and/or mitigated.
(iv) The applicant applying for an event license is to provide a scope of the proposed event activities, an assessment of the likely environmental impacts of such activities, recommended mitigation measures to be implemented and the degree to which the proposed mitigation measures are expected to address the identified environmental impacts.
(v) An application for an event in a nature area is to be circulated to the relevant municipal department tasked with the management of such an area for consideration, comment and the provision of conditions before a decision for the granting/refusal of an event license is made.
(vi) An applicant may be liable for an application fee, the criteria of which have been approved by the Council of Stellenbosch Municipality.
(vii) An event license granted is only valid upon acceptance of the set conditions for the hosting of the particular event and payment made of the application fee by the event organizer.
(viii) Unless specified otherwise, the event organizer assumes responsibility for the event's compliance to conditions imposed during the granting of an event permit.
(ix) The event organizer is responsible for any rehabilitation to a nature area damaged or degraded during an event. The scope of such rehabilitation work will be the restoration of an area to the state prior the hosting of the relevant event.
(x) In the event that rehabilitation work is required the municipality may direct an event organizer to investigate, evaluate and assess the impact of specific activities and report thereon and to complete rehabilitation measures before a specified reasonable date.
(xi) The Municipality may exempt an organizer from a prohibition contained in this EMP. Such exemption must be strongly motivated for and only approved under strict conditions to avoid / mitigate risks associated with such exemption.

Table 19: Guidelines for events in the Idas Valley / Botmaskop NA

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
56	Consider all events in the area in terms of the above criteria.	Ongoing
57	Development a set of application fees for submission to Council.	Immediately after EMP approval.

7.3.6 Development

It is imperative that the integrity of the Idas Valley / Botmaskop NA be protected through appropriate planning and management intervention. Accordingly any physical development in the Idas Valley / Botmaskop NA is to be planned and implemented to have the least possible impact and to have any such impact mitigated. Development within the Idas Valley / Botmaskop NA must reflect the principles decribed in Section 8.2.7 above.

Table 20: Guidelines for development

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
58	Development proposals within Idas Valley / Botmaskop NA to be circulated to the Department: Community Services for comment.	Ongoing

7.4 ENVIRONMENTAL AUDITING

This EMP builds upon the notion that uncertainty (or lack of knowledge) about the status and function of ecosystems can be addressed in an *adaptive management strategy* - an approach that relies on continual assessment and adjustment. Although repeated revision of management decisions is at the core of adaptive management, this does not threaten resource security, rather it provides for sustainability of resource use. Threats to resource security can be minimised if management objectives are set clearly. In addition, adaptive management will reduce the sort of pressure that stymies action because initial choices are not viewed as final. The dimension of continual improvement is embodied in adaptive management. Continual improvement is defined as the process of enhancing management actions to achieve improvements in overall performance (i.e. remaining dynamic). It is achieved by continually evaluating environmental performance against set environmental policies, objectives and targets with the purpose of identifying opportunities for improvement. Accordingly, the Idas Valley / Botmaskop NA is a dynamic document which is subject to updating and amendment in accordance with the results of monitoring and auditing and the outcomes of on-going scientific research.

7.4.1 Auditing Strategies

Table 21: Auditing actions

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
59	Audit all documented impacts of management actions on the environment.	Annually in October.
60	Implement procedures for handling incidents of non-conformance with the EMP.	Annually in October.
61	Manage environmental records, including the results of audits and reviews.	Immediately after EMP approval.
62	Submit audit report to the Council.	Annually in October.

7.4.2 Auditing Procedures

The environment audit to be undertaken is a methodical examination of the site's environmental information to verify whether, and to what extent, the management actions have complied with set performance criteria. The review of the EMP on a five-year basis is based upon the results of the

environmental audits the objective being to ensure its continuing appropriateness and effectiveness.

The environmental audit consists of three stages, namely *pre-audit*, *on-site audit* and *post-audit*. Pre-audit includes the administrative issues associated with planning the audit, selecting the institution to conduct the audit, and preparing the audit protocol. The main purpose of the pre-audit stage will be to develop an audit plan, based on the most recent information and the results of the previous year's audit. The audit plan must also address where the audit is to be conducted, what the scope and objectives of the audit are, how the audit will be conducted (keeping in mind that the results of the audit must be comparable to previous year's audit results), and when the audit is to be conducted.

The on-site audit involves the recording of required information. The audit team gathers information by observation, conducting photographic studies, taking measurements, and conducting tests as was determined during the pre-audit stage. During the on-site audit stage the strength and weaknesses of the methods of information gathering must be evaluated in order to determine whether the process of auditing is effective in achieving its goal. In keeping with the adaptive management approach, the auditing process must also be looking for continual improvement. All the information obtained is recorded and a comprehensive record of the audit and the state of affairs produced.

The audit report is completed during the post-audit stage. Such report will reflect previous results, current results, and recommended improvement goals. The audit report will also indicate failures or deficiencies and recommendations for corrective actions.

7.4.3 Environmental Indicators

Table 21: Environmental Indicators for the auditing process (*Environmental Indicators for National State of the Environment Reporting* [DEAT, 2002]).

ENVIRONMENTAL MANAGEMENT	
Environmental Management	EM01 – Multilateral environmental agreements EM02 – Budgetary allocation to natural resource management EM03 – Budgetary allocation to environmental education EM04 – Budgetary allocation to environmental research EM08 – Voluntary use of environmental accounting and reporting EM10 – Environmental reporting by the Municipality
BIODIVERSITY & NATURAL HERITAGE	
Species Diversity	BD01 – Threatened and extinct species per taxonomic group BD02 – Endemic species per taxonomic group BD03 – Alien (non-indigenous) species per taxonomic group BD04 – Population trends of selected species BD05 – Distribution and abundance of selected alien species
Habitat Change	BD06 – Extent of conserved area BD08 – Disturbance regimes: fire frequency
Resource Value	BD11 – Contribution to job creation: eradication of alien species
LAND USE	
Land Use	LU01 – Land cover LU02 – Land productivity vs potential
Land Condition	LU03 – Soil loss LU04 – Land degradation

8 VALIDITY

The Idas Valley / Botmaskop NA EMP is based upon and aims to give effect to a long-term vision for the area which is not subject to *ad hoc* or short-term amendment. However, in terms of the principle of continual improvement the EMP is subject to revision in accordance with the results of on-going monitoring and auditing to be undertaken as described in Chapter 7.4. It will be valid, in its current form, for a period of 5 years from the date approved by Council of Stellenbosch Municipality after which revision has to be considered.

Within this period addition or amendments to the EMP can be considered by the Management Authority. These additions or amendments will be added to the document as addendums before being included in the document on revision. Examples of such addendums may include documents such as:

a) Updated maps,
b) Founding documentation on the proposed "Friends of the Idas Valley / Botmaskop NA",
c) Updated rules on recreation, access, events, etc.

9 CONCLUSION

The Idas Valley / Botmaskop NA EMP is a mechanism intended to facilitate the achievement of the vision set for the area. The EMP and its associated processes of community participation, education and performance auditing presents an opportunity for all concerned to participate in the long-term management of the area for the benefit of the current and future generations. The implementation of the EMP presents the first step in such process. This document should therefore not be seen as a final product, but rather as a step towards the implementation of integrated bioregional planning as '*an organised process that enables people to work together, think carefully about the potential and problems of their region, set goals and objectives, define activities, implement projects, take actions agreed upon by the communities, evaluate progress and refine their approach*'.

ANNEXURE B

STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DRAFT IDAS VALLEY / BOTMASKOP NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN

Notice is hereby given of the availability of the Draft Idas Valley / Botmaskop Nature Area Environmental Management Plan for comment. The document is available on the municipal website (https://www.stellenbosch.gov.za/). Hard copies are available at the libraries in Stellenbosch (Plein Street) and Idas Valley (Sonnebloem Road). Comment on the document must be submitted in writing to Schalk van der Merwe, P. O. Box 17, Stellenbosch, 7599, or sent to schalk.vandermerwe@stellenbosch.gov.za. The closing date for receipt of comment is 28 October 2022.

KONSEP IDAS VALLEY / BOTMASKOP NATUURAREA OMGEWINGSBESTUURSPLAN

Kennis geskied hiermee van die beskikbaarheid van die Konsep Idas Valley / Botmaskop Natuurarea Omgewingsbestuursplan vir kommentaar. Die dokument is beskikbaar op die munisipale webtuiste (https://www.stellenbosch.gov.za/). Harde kopiee is beskikbaar by biblioteke in Stellenbosch (Pleinstraat) en Idas Vallei (Sonnebloemstraat). Skriftelike kommentaar op die dokument moet gerig word aan Schalk van der Merwe, Posbus 17, Stellenbosch, 7599, of gestuur word na schalk.vandermerwe@stellenbosch.gov.za. Die sluitingsdatum vir die indien van kommentaar is 28 Oktober 2022.

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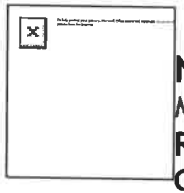
ANNEXURE C

Tashlee Ismail

From: Nathalie Ammann <nathalie@rozendal.co.za>
Sent: Tuesday, 25 October 2022 15:16
To: Schalk Van der Merwe
Subject: [EX] Botmaskop and Idas Valley Nature Areas

Good Day

We would like to request that the area adjacent to the neighbourhood of Unipark be included as part of the Nature Area as this is already been utilised as a nature area and has been for many years.



Nathalie Ammann
Managing Director
ROZENDAL
GUEST FARM & VINEGAR CELLAR
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M. +27 (0)83 261 9119
E. nathalie@rozendal.co.za
W. www.rozendal.co.za
A. Rozendal Farm, Omega Str, Stellenbosch

Tashlee Ismail

From: andrea@hegewisch.co.za
Sent: Thursday, 27 October 2022 15:40
To: Schalk Van der Merwe
Subject: [EX] Botmaskop Environmental Plan

Dear Schalk,

Thank you for a very comprehensive plan.
These would be my points of concern/suggestions:

- Are the boundaries of the NA fixed , or can they be extended?
  If they can be extended it would be advisable to extend it from the top of Uniepark and rehabilitate that area as well. This could connect to Botmaskop, circumventing the African Valley area.
- Are two access areas sufficient?
- How would one secure the Helshoogte Road area?
- Is there a budget for the management of this project? Security, clearing etc.
- Who will have access? Entrance fee? Sanparks Wildcard?

Please note figures 7 and 8 are superimposed onto the incorrect areas. (PRADYSKLOOF I.SO. IdasValley)

Kind regards
Andrea Marent-Hegewisch
Ward 7

Tashlee Ismail

From: Bertus Swanepoel <thebertus@gmail.com>
Sent: Thursday, 27 October 2022 12:54
To: Schalk Van der Merwe
Subject: [EX] Botmaskop Natuur Area

Goeiemôre Mnr van der Merwe,

Ek verwys na die konsultasie proses vir die Botmaskop Natuur Area. Ek woon in Uniepark en dit is vir ons baie belangrik om ook die Natuurarea wat aan Uniepark grens by die Botmaskop Natuur Area in te sluit.

Die dokument spreek nie aan hoe die grense van die natuurarea geïdentifiseer is nie.

Anders as dit is ek ten gunste van so 'n natuur area op voorwaarde dat mens toegang daartoe kan kry en infrastruktuur gebou kan word vir nie-motoraangedrewe vervoer om die Natuurarea te benut.

Groete
Bertus Swanepoel

Tashlee Ismail

From: Maxwell Dhelminie <mdhelminie@gmail.com>
Sent: Monday, 24 October 2022 13:01
To: Schalk Van der Merwe
Subject: [EX] Onderwerp : Botmanskop / Idas Valley Nature Environmental Management Plan

Op 4 Oktober 2019,het 'n paar persone bymekaar gekom om juis die area se veiligheid en die toeganklikheid kwessies van die area te bespreek.Die volgende groep persone was op daardie stadium bekommerd oor die veiligheid en die beveiliging van daardie area en wat kan gedoen word in die verband,in die toekoms.
Die volgende groep mense teenwoordig by daardie vergadering,nl.

Albert Van der Merwe - Community Services,Stellenbosch Municipality
Louis Kruger - LKPM,La Roche
Tammy Leibrandt - Environmental Management - Stellenbosch Municipality
Patrick Pietersen - The Ridge Gemeenskaps Forum
Ansell Langeveldt - The Ridge Gemeenskaps Forum
Maxwell Dhelminie - The Ridge Gemeenskaps Forum
Conrad Burke - Fijnbosch - Amai

By daardie vergadering,was daar sekere punte geidentifiseer en die ondersteunings basis was eenvormig dat die area geweldige tekortkominge ondervind, wanneer dit by veiligheid kom.
Ons,die The Ridge,gemeenskap,wil graag die volgende aspekte aanspreek,nl.

A: Veiligheid,in en om die area van bespreking.
B: Die beskerming van die verskillende kruie plant soorte.
C: Die beskerming van die fynbos plant soorte.
D: Die verwydering van uitheemse plante.
E: Die opgradering van die toetale area van bespreking.
F: Die skoonmaak van die rivier vanaf die Idasvallei dam.
G: Die gebruik van die Ou Helshoogtepas,vir gemeenskaplike " Events" vir beide twee valleie.
H: Opleiding van gidse vir daardie area.
I: Plaaslike werkskepping vir daardie area.
J: Skole besoeke vir skooltake.
K: Wandel paaie moet opgegradeer en verbeter word.
L: Opvoeding van gemeenskappe,om ons area's na om te sien en te beskerm.

Daar is nog baie ander knelpunte wat bespreek moet word,maar
kan op 'n ander geleentheid aangepak word.
Geseende dag en hoor gou van u.

Tashlee Ismail

From: Annemarie Ferns
Sent: Thursday, 20 October 2022 11:44
To: Schalk Van der Merwe
Cc: Albert van der Merwe
Subject: Idasvallei/Botmaskop Omgewingsbestuursplan: Kommentaar Rdsl Annemarie Ferns

Beste mnr van der Merwe

As Raadslid van Wyk 7 wil ek u graag bedank vir n uitstekende konsep Omgewingsbestuursplan vir Idasvallei/Botmaskop. Inwoners van my wyk asook my Wykskomiteelede sal individueel aan u hul kommentaar verskaf.

Hiermee net n paar voorstelle van myself;

Kan oorweging geskenk word om die Groenstrook langsaan Rozendal en Uniepark tot by Beltana ook in die Plan in te sluit asseblief? Ek besef dat dit landbougrond is en in ander omgewingsplanne vervat is. Tog maak dit absoluut sin dat dit as een soliede strook as deel van een plan bestuur word.

Die bedreigings/threats wat genoem word op p 497 is ernstig. Ek sal graag die volgende wil byvoeg;
Onvoldoende begroting
Ontoereikende kapasiteit om plan uit te voer
Veiligheid in die gebied vir stappers en fietsryers. Die beplande veiligheidsheining in Botmaskop sal groot bydrae lewer om veilgheid op te skerp. Tog sal een negatiewe voorval die plan kan kelder .Wyke 5,6 en 7 is in die proses om n sg Nature Watch te vestig in samewerking met u departement en Wetstoepassing asook die Idasvalley Trail Fund. U voortgesette ondersteuning in die verband word waardeer.

Die voorgestelde Vriende van Idasvallei/Botmaskop as n Belangegroep behoort nou saam te werk met die Nature Watch

Toerisme is uiters belangrik vir Stellenbosch in terme van ekonmiese groei en werkskepping;
Stel n Toerisme Ontwikkelingsplan daar wat werksgeleenhede en opleidindg sal identifiseer en terselfdertyd die natuur sal bewaar
N Tema Park kan ontwikkel word wat opvoedkundig van aard is met die omgewing en natuur as fokuspunt. Idasvallei/Botmaskop is ideaal. N Ontwikkelaar kan dit uit eie fondse doen
N Events organiseerder vir buitelug
aktiwiteite behoort geidentifiseer te word

Die bestaande Handelsmark in Idasvallei by die ingang moet geheraktiveer word . Stel ontwikkelingsplan daar wat al drie Wyke insluit

Bg slegs enkele voorstelle. Sal in gesprek met u daarop kan uitbrei. Groot waardering vir al u moeite met die daarstel van die Omgewings bestuursplan en sukses met die uitvoering daarvan.
Dankie ook aan mnr Albert van der Merwe en sy hele departement vir al hul ondersteuning om Stellenbosch so n pragtige en aantreklike dorp te maak!

Vriendelike groete

Rdsl Annemarie Ferns Wyk 7.

Tashlee Ismail

From: Jacques Steyn <jacquessteyn79@gmail.com>
Sent: Wednesday, 19 October 2022 12:47
To: Tammy Leibrandt
Cc: Albert van der Merwe; Roy Benjamin Van Rooyen; Schalk Van der Merwe; eon@idasvalleycommunity.org
Subject: Re: [EX] Ida's Valley Nature Area

Dear Tammy,

Thank you for sending this on. This document does show that there is an understanding from STB Municipality that the area is important for conservation purposes, recreational activities for the local community and an opportunity for limited economic activity, primarily linked to tourism and recreation.

South Africa has one of the most advanced constitutions in the world, including the National Development Plan and many schemes. This proposed Idas Valley / Botmaskop plan is extensive and highlights many opportunities, but the biggest problem we have in this country - and in my experience with the local municipality - is the lack of implementation and action, and people following through with what they promise.

A simple, practical example would be the following: Allowing an initiation school to use the area unsupervised, with a group of young men being initiated, making fires and abusing alcohol, with one public toilet at the top gate and the general local community being threatened and refused entry, goes against the grain of what the municipality is identifying and proposing in this document. As I have mentioned in previous correspondence to the municipality, the local government should ensure that if events/initiations etc. are permitted after appropriate engagement with the local community, that the municipality follows up with regular inspection and engages with local law enforcement to ensure rules are being followed, and not wait for the complaints to come or for something bad to happen. So again the theoretical approach is fine, but if nobody actively implements and drives it, what is the point?

Another case in point, the entrance gate at the Idas Valley Nature Area, is so full of litter, that I even asked the guards at the gate, if there is not an opportunity for them to take ownership and keep it clean and tidy whilst they are sitting around? We had the Woordfees activities this past week and on my own walk there on Sunday, the thought occurred to me that we would like to promote upliftment and inclusivity, but we cannot even keep the entrance clean from refuse and litter and basic weed and alien tree management, how can the municipality even think of tackling the whole area? I would invite you to go for a walk there on a beautiful day, the area is exquisite but it's very sad to see all the refuse and litter blowing into the water, and the alien trees taking over, especially the younger black wottles.

I am the General Manager at Jordan Wine Estate and I understand the staff resources and money required to operate effectively, it is vast. We can all agree that the Municipality does not have all the resources to look after this area with the love and attention it requires. If we can be honest about that, then we can move forward to a couple of the points in the plan which I think are valuable and an opportunity to move things forward.

1. "Friends of the Idas Valley" group is an excellent idea and a group of responsible people who could be eyes and ears on the ground. This group should consist of the local community who have an interest in looking after the area, but who also represent the interests of the area, and should be consulted, along with the relevant government ancillaries, on day-to-day activities. This leadership group could also have a distinct tag which gives them vehicle access to the area, which will then allow issues to be raised or opportunities identified. This group could also use its tag to formally represent the Nature Area, and engage with the authorities and staff.

2. Managing invasive plants through wood making is an excellent idea as there is economic activity which serves a higher purpose. The wood from these areas could be sold to local shops or at the local corner market stall in Idas Valley, where people are currently selling fresh snoek. The wood could be bound in sustainable material with a specific tag saying: "This wood is from invasive species harvested in the Idas Valley Nature Area, by using this product you are contributing to our sustainable future". The very busy Simonsrust Spar should be the first client!

3. The corner market building on the left entering Idas Valley, could be the official "Friends of the Idas Valley" office, where people could buy permits for cycling, buying produce and wood from the area and official donations. Permits for cycling could also be advised by Bottelary Hills Renosterveld Conservancy (https://bottelaryconservancy.co.za/). They already have an active network with the protection of Renosterveld as a major priority. Permits for cycling in the Nature Area should be sold. Under 5.1 it specifically mentions West Coast Renosterveld and its rehabilitation and protection.

Once the area looks cleaner, there is focussed conservation efforts and it is safer, the money and donations will come automatically, as people would want to then preserve it and take it to the next level, but the private sector will only invest and donate if they see that the local government is serious about their efforts. First things first.

I would hope to have a meeting to discuss this and the proposed plan further with the team.

Many thanks,

Jacques Steyn
076 161 4600

On Mon, Oct 17, 2022 at 12:01 PM Tammy Leibrandt <Tammy.Leibrandt@stellenbosch.gov.za> wrote:

Good day Jacques,

I trust that you are well.

Thank you for your email. The section Environmental Management drafted a Environmental Management Plan for the Idas Valley and Botmaskop Nature Area that is currently out for public comments.

It would be great if you could provide formal comments on the plan and submit accordingly. Thereafter, a meeting can be scheduled for further discussion.

The Management Plan can be downloaded from the Stellenbosch Municipal website, please search for the plan as provided below.

Ida's Valley and Botmaskop Nature Area Environmental Management Plan

OCT 10, 2022 | | STUART GROBBELAAR

Have your say on the draft Ida's Valley and Botmaskop Nature Area Environmental Management Plan.... Read More →

Kind regards,

Tammy Leibrandt

Manager: Environmental Management

Directorate: Community and Protection Services

T: +27 21 808 8180

Merriman Avenue, Stellenbosch, 7600

www.stellenbosch.gov.za

STELLENBOSCH

About Stellenbosch Municipality
Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.
Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit https://protect-za.mimecast.com/s/YqAYCY6YJqh3AqrYCGHr_6?domain=stellenbosch.gov.za

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From: Jacques Steyn <jacquessteyn79@gmail.com>
Sent: Wednesday, 05 October 2022 11:44
To: Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>
Cc: Tammy Leibrandt <Tammy.Leibrandt@stellenbosch.gov.za>; Roy Benjamin Van Rooyen <rbvanrooyen1@gmail.com>; eon@idasvalleycommunity.org
Subject: Re: [EX] Ida's Valley Nature Area

Dear Albert and Tammy,

Please find attached agenda points.

Many thanks,

Jacques

On Tue, Oct 4, 2022 at 9:08 AM Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za> wrote:

Dear Jacques

Can you provide us with agenda points. Thank you

Kind Regards / Vriendelike Groete



Winners of the Arbor City Awards 2014 & 2017 Local Municipality Category

Albert van der Merwe

B.Parke & Rekreasiebestuur, Hons. Sportbestuur

Senior Bestuurder: Gemeenskapsdienste

Senior Manager: Community Services

Community & Protection Services

T: +27 21 808 8165 | F: +27 21 887 7446

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From: Jacques Steyn <jacquessteyn79@gmail.com>
Sent: Tuesday, 04 October 2022 09:01
To: Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>; Tammy Leibrandt <Tammy.Leibrandt@stellenbosch.gov.za>

Cc: eon@idasvalleycommunity.org; Roy Benjamin Van Rooyen <rbvanrooyen1@gmail.com>
Subject: [EX] Ida's Valley Nature Area

Dear Albert and Tammy,

Is it possible to set up a meeting with you to discuss the Idas Valley Nature Area?

Many thanks,

Jacques

ANNEXURE D

DRAFT: IDAS VALLEY / BOTMASKOP NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN (MAY 2022)

Comment on Draft Document

Comment	**Response**
19 October 2022 – **Jacques Steyn**	
This document does show that there is an understanding from Stellenbosch Municipality that the area is important for conservation purposes, recreational activities for the local community and an opportunity for limited economic activity, primarily linked to tourism and recreation. South Africa has one of the most advanced constitutions in the world, including the National Development Plan and many schemes. This proposed Idas Valley / Botmaskop plan is extensive and highlights many opportunities, but the biggest problem we have in this country - and in my experience with the local municipality - is the lack of implementation and action, and people following through with what they promise. A simple, practical example would be the following: Allowing an initiation school to use the area unsupervised, with a group of young men being initiated, making fires and abusing alcohol, with one public toilet at the top gate and the general local community being threatened and refused entry, goes against the grain of what the municipality is identifying and proposing in this document. As I have mentioned in previous correspondence to the municipality, the local government should ensure that if events/initiations etc. are permitted after appropriate engagement with the local community, that the municipality follows up with regular inspection and engages with local law enforcement to ensure rules are being followed, and not wait for the complaints to come or for something bad to happen. So again, the theoretical approach is fine, but if nobody actively implements and drives it, what is the point?	The aspect of initiations, among other cultural uses, historically practised in the NA have been identified as a risk in the EMP due to a number of place specific factors. Although some of these practices plays a crucial role in cultures of our local communities its location (where it is practiced) must be considered against the background of all applicable legislation and associated risk. During 2022 the local Fire Protection Association refused to issue a burn permit to allow for the lighting of fires association with proposed initiations during the month of December. The refusal of the application for the use of identified sections of the NA for initiation purposes led to illegal occupations of the area and the Municipality's decision being challenged in court. The Municipality awaits the formal judgement on the matter.

Another case in point, the entrance gate at the Idas Valley Nature Area, is so full of litter, that I even asked the guards at the gate, if there is not an opportunity for them to take ownership and keep it clean and tidy whilst they are sitting around? We had the Woordfees activities this past week and on my own walk there on Sunday, the thought occurred to me that we would like to promote upliftment and inclusivity, but we cannot even keep the entrance clean from refuse and litter and basic weed and alien tree management, how can the municipality even think of tackling the whole area? I would invite you to go for a walk there on a beautiful day, the area is exquisite but it's very sad to see all the refuse and litter blowing into the water, and the alien trees taking over, especially the younger black wattles. I am the General Manager at Jordan Wine Estate and I understand the staff resources and money required to operate effectively, it is vast. We can all agree that the Municipality does not have all the resources to look after this area with the love and attention it requires. If we can be honest about that, then we can move forward to a couple of the points in the plan which I think are valuable and an opportunity to move things forward.	Noted. Agreed. General tidiness of the NA will be addressed.
1. "Friends of the Idas Valley" group is an excellent idea and a group of responsible people who could be eyes and ears on the ground. This group should consist of the local community who have an interest in looking after the area, but who also represent the interests of the area, and should be consulted, along with the relevant government ancillaries, on day-to-day activities. This leadership group could also have a distinct tag which gives them vehicle access to the area, which will then allow issues to be raised or opportunities identified. This group could also use its tag to formally represent the Nature Area, and engage with the authorities and staff.	The EMP makes provision for the establishment of a Friends of the Idas Valley / Botmaskop NA- or similar group. Whilst Stellenbosch Municipality is responsible for the general maintenance of the area and the implementation of the EMP it will rely on such a group (with formal responsibilities [by way of an MoU]) for specific management activities as required or where the Municipality is limited through capacity constraints.
2. Managing invasive plants through wood making is an excellent idea as there is economic activity which serves a higher purpose. The wood from these areas could be sold to local shops or at the local corner market stall in Idas Valley, where people are currently selling fresh snoek. The wood could be bound in sustainable material with a specific tag saying: "This wood is from invasive species harvested in the Idas Valley Nature Area, by using this product you are contributing to our sustainable future". The very busy Simonsrust Spar should be the first client.	Noted, for further consideration from a practical as well as legal (Municipal Finance Management Act) point of few. This practice, at small scale, has been attempted in the past with a limited number of wood-making permits issued on an annual basis. Some of the major challenge experienced in this regard was the high level of regulating wood makers require to enforce compliance to the permit conditions set and ensuring the safety of recreational

	users / visitors to the area whilst wood is being made. The clearing of invasive alien vegetation (IAP) from the NA is a legal obligation (in terms of the National Environmental Management: Biodiversity Act). This is done in accordance with the Stellenbosch Municipality IAP Management Plan, systematically clearing the site to maximise water runoff towards the Idas Valley Dams and Kromme River. Any success in this regard requires high level of coordination, planning and follow-up action.
3. The corner market building on the left entering Idas Valley, could be the official "Friends of the Idas Valley" office, where people could buy permits for cycling, buying produce and wood from the area and official donations. Permits for cycling could also be advised by Bottelary Hills Renosterveld Conservancy. They already have an active network with the protection of Renosterveld as a major priority. Permits for cycling in the Nature Area should be sold. Under 5.1 it specifically mentions West Coast Renosterveld and its rehabilitation and protection.	Noted.
Once the area looks cleaner, there is focussed conservation efforts and it is safer, the money and donations will come automatically, as people would want to then preserve it and take it to the next level, but the private sector will only invest and donate if they see that the local government is serious about their efforts.	Noted. Agreed.
20 October 2022 – **Councilor Annemarie Ferns**	
As Raadslid van Wyk 7 wil ek u graag bedank vir n uitstekende konsep Omgewingsbestuursplan vir Idasvallei/Botmaskop. Inwoners van my wyk asook my Wykskomiteelede sal individueel aan u hul kommentaar verskaf. Hiermee net n paar voorstelle van myself.	
Kan oorweging geskenk word om die groenstrook langsaan Rozendal en Uniepark tot by Beltana ook in die Plan in te sluit asseblief? Ek besef dat dit landbougrond is en in ander omgewingsplanne vervat is. Tog maak dit absoluut sin dat dit as een soliede strook as deel van een plan bestuur word.	Hierdie stukke grond grens nie direk aan die betrokke eindomme wat tans deel vorm van die Idas Vallei / Botmaskop Natuurarea nie. Die doel van die Idas Vallei / Botmaskop Natuurarea Omgewingsbestuursplan is om bestuursriglyne vir ‘n homogene area in munisipale besit daar te stel. Daar word met die

	goedkeuring van die bogenoemde plan nie ‘n hoër status aan die betrokke area / eiendomme toegeken waarop ‘n ander area, soos die een deur Raadslid genoem sal uitmis nie. Niks keer die Munisipaliteit om nie dieselfde bestuursbeginsels, soos vervat in die voorgestelde bestuursplan op die gemelde gedeeltes langs Rozendal en Uniepark te implementeer nie.
Die bedreigings wat genoem word op p 497 is ernstig. Ek sal graag die volgende wil byvoeg:	
• Onvoldoende begroting.	Die verskeie natuur reservate en -areas geniet nie tans hulle eie toegeweide begroting nie. Die verskeie werksaamhede (indringer bestuur, onderhoud van paaie, algehele onderhoud, as voorbeelde) word vanuit ‘n gemeenskaplike begroting bedryf.
• Ontoereikende kapasiteit om plan uit te voer.	Dit is waar dat die afdeling, Omgewingsbestuur (grootliks verantwoordelik vir die implementering van die voorgestelde bestuursplan en ander reeds deur die Raad aanvaar) bepaalde kapasiteit uitdagings ondervind. Daar word egter aanhoudend gewerk aan die uitbreiding van hierdie kapasiteit. Die daarstel van bestuursplanne, soos die een voorgestel, plaas die afdeling in ‘n posisie om intern te motiveer vir sodanige uitgebreide kapasiteit.
• Veiligheid in die gebied vir stappers en fietsryers. Die beplande veiligheidsheining in Botmaskop sal groot bydrae lewer om veilgheid op te skerp. Tog sal een negatiewe voorval die plan kan kelder. Wyke 5, 6 en 7 is in die proses om ‘n sogenaamde Nature Watch te vestig in samewerking met u departement en Wetstoepassing asook die Idasvalley Trail Fund. U voortgesette ondersteuning in die verband word waardeer. Die voorgestelde Vriende van Idasvallei/Botmaskop as n Belangegroep behoort nou saam te werk met die Nature Watch.	Die veiligheid van die area word in die voorgestelde bestuursplan gelys as ‘n risiko. Toename in die gebruik van die area vir rekreasie behoort ‘n positiewe bydra te maak in die verbetering van die area se algehele veiligheid. Die munisipaliteit is ook in die proses om bepaalde grensheinings op te

	rig wat die handhawing van sekuriteit sal verbeter en die gebruik van die area vir kriminele aktiwiteite minder aanloklik te maak.
• Toerisme is uiters belangrik vir Stellenbosch in terme van ekonomiese groei en werkskepping. Stel n Toerisme Ontwikkelingsplan daar wat werksgeleenhede en opleidindg sal identifiseer en terselfdertyd die natuur sal bewaar.	Neem kennis. Hierdie apsek sal met die Plaaslike Ekonomiese Onwikkelings Department opgeneem moet word.
• ‘n Tema Park kan ontwikkel word wat opvoedkundig van aard is met die omgewing en natuur as fokuspunt. Idasvallei/Botmaskop is ideaal. ‘n Ontwikkelaar kan dit uit eie fondse doen.	
• ‘n Events organiseerder vir buitelug aktiwiteite behoort geidentifiseer te word.	‘n Verteenwoordiger van die Omgewingsbestuur dien tans op die *Events* Kommittee wat aansoeke in hierdie verband oorweeg.
• Die bestaande Handelsmark in Idasvallei by die ingang moet geheraktiveer word. Stel ontwikkelingsplan daar wat al drie Wyke insluit.	Neem kennis.
24 October 2022 – **Maxwell Dhelminie**	
Op 4 Oktober 2019 het 'n paar persone bymekaar gekom om juis die area se veiligheid en die toeganklikheid kwessies van die area te bespreek. Die volgende groep persone was op daardie stadium bekommerd oor die veiligheid en die beveiliging van daardie area en wat kan gedoen word in die verband in die toekoms. Die volgende groep mense teenwoordig by daardie vergadering: Albert Van der Merwe - Stellenbosch Municipality / Louis Kruger - LKPM, La Roche / Tammy Leibrandt - Stellenbosch Municipality / Patrick Pietersen - The Ridge Gemeenskaps Forum / Ansell Langeveldt - The Ridge Gemeenskaps Forum / Maxwell Dhelminie - The Ridge Gemeenskaps Forum / Conrad Burke - Fijnbosch - Amai	
By daardie vergadering was daar sekere punte geidentifiseer en die ondersteunings basis was eenvormig dat die area geweldige tekortkominge ondervind, wanneer dit by veiligheid kom. Ons, The Ridge gemeenskap, wil graag die volgende aspekte aanspreek, nl.	Neem kennis.
A. Veiligheid, in en om die area van bespreking.	Die veiligheid van die area word in die voorgestelde bestuursplan gelys as ‘n risiko. Toename in die gebruik van die area vir rekreasie behoort ‘n positiewe bydra te maak in die verbetering van die

	area se algehele veiligheid. Die munisipaliteit is ook in die proses om bepaalde grensheinings op te rig wat die handhawing van sekuriteit sal verbeter en die gebruik van die area vir kriminele aktiwiteite minder aanloklik te maak.
B. Die beskerming van die verskillende kruie plant soorte.	Neem kennis.
C. Die beskerming van die fynbos plant soorte.	Die doel van die bestuur van die Idas Valley / Botmaskop Natuurarea is die rehabilitasie van die area in geheel.
D. Die verwydering van uitheemse plante.	Indringerbestuur in die betrokke area word gedoen in terme van die *Stellenbosch Municipality IAP Management Plan.* In terme van hierdie plan word die hoogste prioriteit vir indringerbestuur aan die Idas Vallei / Botmaskop area gegee. Die rede hiervoor is die afhanklikheid van die omliggende gemeenskappe van afvoerwater uit die gebied en die hoeveelheid werk wat reeds die afgelope twee jaar in die area gedoen is. Om die investering (fondse en arbeid) hiervan in die area te beskerm sal die munisipaliteit areas wat reeds skoongemaak is gedurende die afgelope twee jaar weer diens en dan bepaalde nuwe blokke skoonmaak.
E. Die opgradering van die totale area van bespreking.	
F. Die skoonmaak van die rivier vanaf die Idasvallei dam.	Hierdie aspek sal met die plaaslike Afvalbeheer Department opgeneem moet word.
G. Die gebruik van die Ou Helshoogtepas, vir gemeenskaplike " Events" vir beide twee valleie.	
H. Opleiding van gidse vir daardie area.	
I. Plaaslike werkskepping vir daardie area.	Hierdie apsek sal met die Plaaslike Ekonomiese Onwikkelings

J. Skole besoeke vir skooltake. K. Wandel paaie moet opgegradeer en verbeter word. L. Opvoeding van gemeenskappe om na ons areas om te sien en te beskerm.	Department opgeneem moet word. Neem kennis. Stem saam. Die voorgestelde omgewings-bestuursplan maak voorsiening vir die daarstel van 'n "Vriende" – of soortgelyke groep. Hierdie groep, in samewerking met die Munisipaliteit, sal 'n belangrike rol speel in die skakeling met die publiek.
25 October 2022 - **Nathalie Ammann, Managing Director Rozendal Guest Farm & Vinegar Cellar**	
We would like to request that the area adjacent to the neighbourhood of Unipark be included as part of the Nature Area as this is already been utilised as a nature area and has been for many years.	Noted. This area, however, does not directly border the said Idas Valley / Botmaskop NA. The development of the proposed NA EMP does not represent a formal declaration or elevated status of the included properties (in other words, something that the areas noted in your comment will miss out on). The designated Idas Valley / Botmaskop NA is simply to put forward an area for which management vision and principles are agreed upon (for implementation). Although not included in the proposed EMP the municipality plans to implement the same management principles in the surrounding area, including the municipal owned properties mentioned in your comment.
27 October 2022 - **Andrea Marent-Hegewisch**	
Thank you for a very comprehensive plan. These would be my points of concern/suggestions: • Are the boundaries of the NA fixed, or can they be extended? If they can be extended it would be advisable to extend it from the top of Uniepark and rehabilitate that area as well. This could connect to Botmaskop, circumventing the African Valley area.	Noted. Please see the response to the above comment in the same regard.

• Are two access areas sufficient?	For security purposes at this point, yes.
• How would one secure the Helshoogte Road area?	The Municipality have made provision for funds to construct a security fence along the Helshoogte Pass. In association with neighbouring private landowners the length of the pass, from Beltana depot to Delair Graff Estate, will be fenced on conclusion of the project.
• Is there a budget for the management of this project? Security, clearing etc.	Although the Idas Valley / Botmaskop NA does not have its own dedicated budget the relevant management directives / functions, included in the proposed EMP, is provided for in the budget of the Section: Environmental Management.
• Who will have access (Entrance fee / Sanparks Wildcard)?	The general public will still enjoy access (for recreational use) to the relevant land free of charge.
27 October 2022 – **Bertus Swanepoel**	
Ek verwys na die konsultasie proses vir die Botmaskop Natuur Area. Ek woon in Uniepark en dit is vir ons baie belangrik om ook die Natuurarea wat aan Uniepark grens by die Botmaskop Natuur Area in te sluit. Die dokument spreek nie aan hoe die grense van die natuurarea geïdentifiseer is nie. Anders as dit is ek ten gunste van so 'n natuur area op voorwaarde dat mens toegang daartoe kan kry en infrastruktuur gebou kan word vir nie-motoraangedrewe vervoer om die Natuurarea te benut.	Neem kennis. Hierdie stukke grond grens ongelukkig nie direk aan die betrokke eindomme wat tans deel vorm van die Idas Vallei / Botmaskop Natuurarea nie. Die doel van die Idas Vallei / Botmaskop Natuurarea Omgewingsbestuursplan is om bestuursriglyne vir 'n homogene area in munisipale besit daar te stel. Daar word met die goedkeuring van die bogenoemde plan nie 'n hoër status aan die betrokke area / eiendomme toegeken waarop 'n ander area, soos die een deur Raadslid genoem sal uitmis nie. Niks keer die Munisipaliteit om nie dieselfde bestuursbeginsels, soos vervat in die voorgestelde

	bestuursplan op die gemelde gedeeltes langs Rozendal en Uniepark te implementeer nie.

7.8	**PLANNING :(PC: CLLR C VAN WYK)**

7.8.1	**REQUEST FOR THE APPOINTMENT OF THE NOMINATIONS TO SERVE ON THE STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE ("CAC")**

Collaborator No: **743921**
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **15 February 2023**

1. SUBJECT: REQUEST FOR THE APPOINTMENT OF THE NOMINATIONS TO SERVE ON THE STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE ("CAC")

2. PURPOSE

To provide Council with the pertinent factors to consider the appointment of the members of the Conservation Advisory Committee as stipulated in Section 249 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Stellenbosch Municipality Zoning Scheme requires the appointment of members to serve on the Stellenbosch Municipality Conservation Advisory Committee ("CAC") in terms of Section 249 of the said bylaw.

Section 249(3) of the said bylaw required that the ordinary rules and procedures be prescribed, such rules were adopted by Council on 28 July 2021 at its 44th Council Meeting, copy attached as **APPENDIX 1**, where the Terms of Reference were duly adopted, which included the guidelines for appointment of the members of the CAC. The Terms of Reference required the appointment of seven (7) members to serve on the CAC.

The Department has per the resolution of Council, therefore undertook the process to appoint the members of the CAC for an initial period of 12 months from the date of appointment.

5. RECOMMENDATIONS

(a) that Council approve the appointment of the following nominations to serve on the Stellenbosch Municipality Conservation Advisory Committee ("CAC"):

- Petrus Jakobus Kruger Dekker (Stellenbosch)
- Johann Clemens Slee (Stellenbosch)
- Jan Raymond Dirk Bouma (Stellenbosch)
- Brian Henry Howard (Franschhoek)
- Piet Eduard Claassen (Stellenbosch)
- Rudia Pool-Stanvliet (Stellenbosch)
- Cornelia Hendrika Smart (Stellenbosch)

The applications of the nominees are attached as **APPENDIX 2** of this report.

(b) that Council approve that the above listed nominees be appointed for an initial period of 12-months from the date of acceptance of the nomination;

(c) that the nominees be remunerated at a rate of R1250.00 per nominee per hour for actual sitting with an estimated maximum 5 hours per sitting; and

(d) that Council approve the Code of Conduct for the members of the Stellenbosch Municipality Conservation Advisory Committee ("CAC"), attached as **APPENDIX 3** of this report.

6. DISCUSSION / CONTENTS

6.1 Background

Section 249 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 required that Council establish a Conservation Advisory Committee ("CAC") to provide comment / recommendations to the delegated authority in respect of land use applications or building plans, and signage applications located within the boundaries of the Urban and Rural Conservation Overlay Zone contained in Chapter 25 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

At the 44th Council Meeting dated 28 July 2021, the Council resolved the following:

(a) that Council approves and adopts the Terms of Reference for the Establishment of the Conservation Advisory Committee, as contained in APPENDIX 1 of this report;
(b) that Council approves that the Directorate: Planning and Economic Development commences with a process to place an advertisement that will invite suitably qualified and experienced persons to apply to serve as Members of the Conservation Advisory Committee;
(c) that Council notes that the Directorate: Planning & Economic Development will submit the list of preferred candidates to serve as members of the Conservation Advisory Committee to the next Council Meeting for approval; and
(d) that Council notes that the Directorate: Planning & Economic Development will submit the Code of Conduct of the Members of the Conservation Advisory Committee for approval to the next Council meeting.

The Department placed the advertisement requesting nominations on 09 June 2022, and only four (4) persons responded by the closing date of 01 July 2022, whereafter the request for nominations was re-advertised of 25 August 2022, and eight (8) persons responded by the closing date of 16 September 2022, see **APPENDIX 5**.

The advertisement calling for nominations were placed in Die Burger, Paarl Post, Eikestadnuus, and was sent through email communication to the following organisations registered at Heritage Western Cape to identify possible nominees, residing in Stellenbosch:

- The Institute of Architects
- Stellenbosch Interest Group
- Stellenbosch Heritage Foundation
- Franschhoek Heritage and Ratepayers Association.

The request for nominations was also placed on the municipal website.

6.2 Discussion

The purpose of the Stellenbosch Municipality Conservation Advisory Committee is to provide comment and recommendations to the delegated authority, in this instance the Senior Heritage Planner, or such superior that is aimed conserving the urban and rural

environment in a manner that accommodates the needs of all the residents of the WC024, the demographic composition of the new committee must be given serious attention just like the skills and experience of such members.

The functions of the committee are as follows:

1.	To advise Council on the aesthetical, functional, architectural, cultural, and historical aspects of any new development or contemplated development and with respect to any proposed alterations or additions to existing buildings, structures and elements of the built environment within all declared heritage areas.
2.	To advise Council on the aesthetical, functional, architectural, cultural, and historical aspects with respect to any proposed alterations or additions to existing buildings or structures that are specified in terms of Sections 27 & 34 of the South African National Heritage Resources Management Ac, Act 25 of 1999 ("NHRA").
3.	To advise Council on any application received for the demolition or partial demolition of any building or structure within any declared Heritage Area or to any structure that is specified in terms of Sections 27 & 34 of the NHRA.
4.	To advise, to Council on any applications received in terms of Section 38 of the NHRA.
5.	To advise, to Council on any applications received that is specified in Terms of the National Environmental Management Act, Act 107 of 1998 ("NEMA").
6.	To advise Council with the compilation of a heritage register and demarcation of heritage areas as specified in section 30 or 31 of the NHRA of all heritage resources within the greater Stellenbosch.
7.	To evaluate and advise Council on any application for signage as per the approved Outdoor Advertising Signage Policy or Bylaw.
8.	Provide input to the Directorate: Planning and Environment with the development of specific development strategies, guidelines, regulations, and procedures pertaining to the preservation and appropriate development of individual declared Heritage Areas.
9.	To provide advice on applications that requires approval by SAHRA and HWC in terms of Section 27 & 34 of the National Heritage Resources Act
10.	Should Council be assessed by Heritage Western Cape and be deemed a competent authority in terms of Section 26 read together with section 8 of the Heritage Resource Act, the Committee is to advise Council on the identification and management of Grade III heritage resources.

The approved Terms and Reference recommended that a minimum of seven (7) members be appointed by the Council who are not employees and/or Political Office Bearers of Stellenbosch Municipality as per the Terms of Reference for the Establishment of a Stellenbosch Municipality Conservation Advisory Committee.

The following nominations were received:

Nominee	**SA ID**	**Residence**	**Qualification**	**Application**	**Compliant**
Charl Francois Talijaardt	Yes	737 De Velde de Beers Street Somerset West	Senior Architectural Technologist	Appendix 7	No
Petrus Jakobus Kruger Dekker	Yes	3 Rheezicht Laan, Stellenbosch	Architect	Appendix 8	Yes

Johann Clemens Slee	Yes	101 Dorp Street, Stellenbosch	Architect	Appendix 9	Yes
Jan Raymond Dirk Bouma	Yes	Waterhof Farm, Stellenbosch	Architect	Appendix 10	Yes
Brian Henry Howard	Yes	La Motte, Franschhoek	Architect (Retired)	Appendix 11	Yes
Piet Eduard Classen	Yes	42 Rowan Street, Mostertsdrift, Stellenbosch	Town Planner	Appendix 12	Yes
Rudia Pool-Stanvliet	Yes	55A Jonkerhoek Road, Mostertsdrif, Stellenbosch	Botanist	Appendix 13	Yes
Cornelia Hendrika Smart	Yes	35 Stellenoord, Devon Park, Stellenbosch	Lawyer, specializing in Conservation	Appendix 14	Yes

Seven (7) of the eight (8) Nominations received are compliant with the terms and references approved by Council. Mr. Charl Taljaardt does not reside in the Stellenbosch Municipal Area and can therefore not be considered, see application attached as **APPENDIX 4**.

6.3 Financial Implications

The Committee members will be remunerated at an hourly rate of R1250.00 with a maximum of five (5) hours proposed per meeting.

Budgetary provision was made for the Medium-Term Expenditure Framework period for the remuneration of the members of the CAC.

6.4 Legal Implications

The Establishment of the Conservation Advisory Committee is required in terms of Section 249 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019, the municipality shall establish a Conservation Advisory Committee to make recommendations on planning applications in Urban and Rural Conservation Overlay Zones. Therefore, the establishment of the CAC is compliant with the prescripts of the said bylaw.

6.5 Previous / Relevant Council Resolutions:

44th Council Meeting: 2021-07-28: Item 11.7.1

Resolved (majority vote)

a) that Council approves and adopts the Terms of Reference for the Establishment of a Conservation Advisory Committee, as contained in APPENDIX 1 of this report;
b) that Council approves that the Directorate: Planning and Economic Development commences with the process to place an advert that invites suitably qualified and experienced persons to apply to serve as Members of the Conservation Advisory Committee;
c) that Council notes that the Directorate: Planning & Economic Development will submit the list of preferred candidates to serve as members of the Conservation Advisory Committee to the next Council Meeting for approval; and

d) that Council notes that the Directorate: Planning and Economic Development will submit the Code of Conduct of the Members of the Advisory Committee for approval to the next Council meeting.

6.6 Risk Implications

There are currently no risk implications.

APPENDICES

Appendix 1: Copy of the Terms of Refence adopted by Council on 21 July 2021
Appendix 2: Applications of the proposed nominees to serve of the CAC
Appendix 3: The proposed Code of Conduct for Members serving on the CAC
Appendix 4: Application of Mr Taljaardt, non-complaint nominee
Appendix 5: Copies of advertisement placed on 09 June 2022 and 25 August 2022, respectively.

FOR FURTHER DETAILS CONTACT:

NAME	Katherine Robinson
POSITION	Senior Heritage Planner
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8608
E-MAIL ADDRESS	Katherine.Robinson@stellenbosch.gov.za
REPORT DATE	30 January 2023

APPENDIX 1

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

TERMS AND REFERENCE FOR THE ESTABLISHMENT OF A STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE

Draft Version

APRIL 23, 2021

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Definitions and interpretation of rules

In this document, unless the context requires otherwise -

"Delegated Authority"	Means a municipal employee / Committee who is authorized in terms of delegated by Municipality to exercise a power or perform a duty in terms of National Heritage Resources Act 25 of 1999 and Chapter 25 and 26 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.
"Chairperson"	Means the person who presides over the meeting. The Chairperson is responsible for making sure that each meeting if effectively conducted according to the constitution and that matters are dealt with in an orderly and efficient manner.
"Committee"	Means the Stellenbosch Municipality Conservation Advisory Committee appointed by Council.
"Committee Officer"	Means an authorized employee appointed/ designated by the Stellenbosch Municipality, whose function is to provide administrative and secretarial support to the Stellenbosch Municipality Conservation Advisory Committee.
"Conservation"	Means the process for managing heritage resources to retain their cultural significance. This includes protection, maintenance, preservation and adaptive re-use of resources. Conservation requires the retention of an appropriate visual context and other relationships that contribute to the significance of place.
"Consultant"	Means a person authorized in terms of the power of attorney to make an application on behalf of the owner of land.
"Council"	Means Municipal Council of Stellenbosch Municipality.
"Cultural landscape"	Means a physical area with natural features and elements that have been modified by human activity which results in layered evidence that has been built up overtime that gives a landscape its descriptive spatial historical aesthetic character that is symbolic and memorable.
"Cultural significance"	Means aesthetic, architectural, historical, social, linguistic, scientific and technological value or significance.
"Development"	Means any physical intervention, excavation or action that are not the result of natural forces, which may, in the opinion of a heritage authority, result in a change to the appearance or physical nature of the place or will influence its stability and future wellbeing.
"Heritage area"	Means a designated geographical area of special architectural historic, social, symbolic, aesthetic/scenic character which is protected by legislative mechanisms wither at provincial or municipal level.
"Heritage resources"	Means any place or object that has cultural significance.
"Heritage site"	Means a place that has been declared a national heritage site (Grade 1) by SAHRA or declared a provincial heritage site (Grade 2) by the provincial resource authority.
"HWC"	Means Heritage Western Cape - the provincial heritage resource authority.
"Member"	Means a person appointed a member of the Stellenbosch Municipality Conservation Advisory Committee by the Stellenbosch Council.
"Minister"	Means the Minister of Arts and Culture
"Municipality"	Means Stellenbosch Municipality located in the Cape Winelands District of the Western Province.
"NHRA"	Means the National Heritage Resources Act, (Act 25 of 1999)

"SAHRA"	Means the South African Heritage Resources Agency
"Zoning Scheme"	Means the Stellenbosch Zoning Schemes Bylaw adopted by Stellenbosch Council

1. The purpose of the Stellenbosch Municipality Conservation Advisory Committee

The Stellenbosch Municipality Conservation Advisory Committee is appointed by Council to assist them with the expertise required in heritage related matters to satisfy the required mandate of Section 249(1) of the Stellenbosch Zoning Scheme By-Law, 2019.

The Conservation Advisory Committee must evaluate and provide advise on all heritage matters in terms of the National Heritage Resources Act 25 of 1999 and any new developments in Overlay Zones in terms of Stellenbosch Zoning Scheme By-Law.

2. Functions of the Stellenbosch Municipality Conservation Advisory Committee

The function of the Conservation Advisory Committee is to advise Council on the various aspects in lieu of the preservation and furthering of the cultural landscape and natural environment of the Greater Stellenbosch Area.

The committee therefore has the following functions:

2.1 To advise Council on the aesthetical, functional, architectural, cultural and historical aspects of any new development or contemplated development and with respect to any proposed alterations or additions to existing buildings, structures and elements of the built environment within all declared heritage areas.

2.2 To advise Council on the aesthetical, functional, architectural, cultural and historical aspects with respect to any proposed alterations or additions to existing buildings or structures that are specified in terms of Sections 27 & 34 of the NHRA.

2.3 To advise Council on any application received for the demolition or partial demolition of any building or structure within any declared Heritage Area or to any structure that is specified in terms of Sections 27 & 34 of the NHRA.

2.4 To advise, to Council on any applications received in terms of Section 38 of the NHRA.

2.5 To advise, to Council on any applications received that is specified in Terms of the National Environmental Act (No. 107 of 1998).

2.6 To provide Council with comments and input on Outdoor Advertising and Signage applications.

2.7 To advise Council with the compilation of a heritage register and demarcation of heritage areas as specified in section 30 or 31 of the NHRA of all heritage resources within the greater Stellenbosch.

2.8 To evaluate and advise Council on any application for signage as per the approved Outdoor Advertising Signage Policy or Bylaw.

2.9 Provide input to the Directorate: Planning and Environment with the development of specific development strategies, guidelines, regulations and procedures pertaining to the preservation and appropriate development of individual declared Heritage Areas.

2.10 To provide advise on applications that requires approval by SAHRA and HWC in terms of Section 27 & 34 of the National Heritage Resources Act.

2.11 Should Council be assessed by Heritage Western Cape and be deemed a competent authority in terms of Section 26 read together with section 8 of the Heritage Resource Act, the Committee is to advise Council on the identification and management of Grade III heritage resources.

3. Mandate of the Stellenbosch Conservation Advisory Committee

The mandate of the Committee is to: only advise the delegated authority as per Council's Register of Delegations, on all heritage related applications in the declared Stellenbosch Municipality Urban and Rural conservation overlay zones and all heritage buildings and sites related to the NHRA.

No individual member and/or group of members of the Committee may represent the views and/or authority of the Stellenbosch Municipality.

4. Structure of the Stellenbosch Conservation Advisory Committee

It is recommended that a single Committee structure is adopted, to advise the delegated authority on all heritage related applications in the declared Stellenbosch Municipality Urban and Rural conservation overlay zones and all heritage buildings and sites in Stellenbosch (WC024) Municipality.

A Heritage Committee must consist of:

4.1 A minimum of seven (7) members appointed by Council who are not employees and / or Political Office Bearers of Stellenbosch Municipality.

4.2 All members must be residents of the Stellenbosch (WC024) Municipality.

4.2 In addition, there will be a minimum of two (2) employees of the Municipality.

4.3 The Committee must have reasonable knowledge, experience and expertise in the following interrelated fields and professions:

- Built Environment
- Cultural Heritage
- Heritage Management
- Natural Environment

4.4 The Committee members must have appropriate knowledge of the current heritage planning and environmental legislations and policies.

4.5 It would be considered advantageous if members have experience in documentation and archival research of South African Heritage or expertise in design and supervision of construction in the heritage environment.

4.6 The Committee members are to be representative of diversity, inclusion and equity.

5. Terms of Office of the Stellenbosch Conservation Advisory Committee members.

5.1 The Municipality will select members by means of an advertised application process.

5.2 Members of the Conservation Advisory Committee shall be appointed in accordance with the principles of transparency and representativity.

5.3 Their appointment must consider that the members are to have, amongst them, qualifications and / or proven experience in the fields relevant to heritage resources for the efficient functioning of the Heritage Committee.

5.4 A member holds office for a term of three (3) years.

5.5 A member may be re-appointed by Council for a second term, for a period of two (2) years, provided that the member may not hold office for more than five (5) consecutive years.

5.6 On appointment the members must sign a letter of acceptance of the post and a copy of a Code of Conduct of Committee Members that has been approved by the Council.

5.7 A member of the Conservation Advisory Committee must vacate the office if a member:

5.7.1 Resigns in writing 1 month prior to date of resignation.

5.7.2 Has been absent from three consecutive meetings of the Heritage Committee without leave of absence.

5.7.3 The Municipal Manager, after consultation with the Director: Planning and Economic Development and the relevant delegated authority, may remove a member from office if in the opinion of the Council there is sound reasons for doing so after hearing the member on those reasons.

5.8 If a member vacates the office prior the expiration of the period for which they have been appointed as a member of the Conservation Advisory Committee, another person may be nominated by the Committee and appointed by the Council to fill the vacancy for the remaining portion of the period for which the member was appointed.

5.9 Should the need arise, the Committee can put forward a request to Council for the right to co-opt additional members to the committee on a temporary basis should a development issue be dealt with that will have a direct impact on a specific geographic area and a person or persons with sound knowledge of that area exist.

6. Reimbursement of expenses incurred by the Stellenbosch Conservation Advisory Committee

The delegated authority may determine the reimbursement of expenses incurred by members of the Heritage Committee in terms of Stellenbosch Municipality relevant reimbursement policy, only when such expenses have been pre-approved in writing by the delegated authority.

7. Rules of procedure for Meetings of the Stellenbosch Conservation Advisory Committee:

7.1. General:

7.1.1 The Conservation Advisory Committee must meet at least once a month or as per request.

7.1.2 The Chairperson must determine the dates and times of the Stellenbosch Municipality Conservation Advisory Committee in consultation with the Delegated Authority and the Committee Officer.

7.1.3 Meetings must be held through Microsoft Teams or any other virtual platform available at the time of such meeting, and should the need arise meetings may be held in person, subject to prior approval granted by the delegated authority.

7.1.4 The first meeting is to be in person. At this meeting the Members will nominate and vote for a Chairperson, Deputy Chairperson and a Committee Officer, who will record the minutes for the meeting which will be sent to the Delegated Authority.

7.1.5 The Committee Officer will be responsible for creating the yearly meeting schedule based on the dated determined by the Conservation Advisory Committee in consultation with the Delegated Authority.

7.1.6 The Committee Officer will create the meeting agenda and compile information packs that will be sent to the members through electronic communication a minimum of five (5) working days prior to the meeting.

7.1.7 All Members of the Committee must, in writing, specify an electronic mail address, where they will receive a notice of meetings and other official correspondence and are required to acknowledge receipt, in writing, of the upcoming scheduled meeting and receipt of the information packs.

7.1.8 Electronic notices of a meeting or any other official correspondence to these addresses will constitutes a paper notice of a meeting.

7.1.9 If a member has not received notice of a meeting or all relevant documentation, this will invalidate any proceedings of the meeting.

7.1.10 Should the Chairperson be absent on the day of the meeting, the Deputy Chairperson will undertake the duties of the Chairperson.

7.2. Quorum

7.2.1 A quorum for a meeting of the Stellenbosch Municipality Conservation Advisory is half (50%) plus 1 of the appointed members.

7.2.2 The Chairperson shall, in the event of equality of votes, have a casting vote in addition to his / her deliberative vote.

~~7.2.3 If there is no quorum at the beginning of the meeting and the Chairperson is present, the meeting must be postponed 15 minutes. If at the end of that period, if there is still no quorum, the meeting may proceed, however all items discussed will be recorded as "Discussion".~~

7.2.4 The minutes can only be recorded as recommendations once a quorum is present. This can be done later via email. Evidence of communication should be sent to the Chairperson to be attached to the minutes.

7.3. Agenda and Site Inspections:

7.3.1 A copy of the minutes from the previous meeting, an agenda for the scheduled meeting and copies of all information packs for the meeting must be sent to the Committee Members by the Committee Officer.

7.3.2 Meetings should be conducted according to the order in which the matter appear on the agenda, and only matters which are on the agenda and are in writing may be debated. Notwithstanding this, the Chairperson may change the order of matters appearing on the agenda or withdraw an item or refer it back to the Administration, except for allocated appointment items on the agenda.

7.3.3 The Committee may conduct a site inspection, with prior approval from the delegated authority, relevant to an application being considered or make use of an official appointed by Council to conduct an inspection.

7.3.4 Should a site inspection be required, arrangements are to be made by the Committee Official. All members to confirm dates of availability at the end of the meeting for ease of arrangements.

7.3.5 All site inspections are to be recorded in a Site Inspection Report by the members and which should be attached to the minutes of the next meeting.

7.4. Conduct at Meetings and Site Inspections

The Chairperson must:

7.4.1 Ensure that the minutes of the previous meeting is adopted and seconded by the Committee Members.

7.4.2 Request members to declare any personal or other interest in respect of the agenda before them and indicate whether they have been approached by any party concerned prior to the meeting. Recusals by members, if any should be minute accordingly.

7.4.3 Maintain order during the meeting.

7.4.4 Refer any alleged contravention of the code of conduct by members at the meetings to the Delegated Authority.

7.4.5 Ensure that the meetings are conducted in accordance with these rules.

~~7.4.6 Ensure that any person refusing to comply with his / her ruling leaves the venue immediately and, in case of members, reports these instances to the Director Planning and Economic Development.~~

7.4.7 Ensure that when members go on site inspections they are representing the Municipality and should always act in accordance with the Code of Conduct.

7.5. Oral/ electronic presentation

7.5.1 Should an applicant wish to present an oral / verbal / visual presentation to the Committee, they are to put their request in writing to the Committee Officer at least seven (7) days prior to that meeting so that they can be allocated a time slot.

7.5.2 The purpose of an oral presentation is to allow the applicant / consultant an opportunity to present the application to the members of the committee and provide accuracy or merit on the documentation / plans before the committee and also to elaborate on relevant issues which committee members may have. The applicant may not be present when the Committee discuss the application and make the recommendation.

7.5.3 The applicant must provide at least 1 set of hard copies documentation and also electronic document to the Committee Officer on the closing date for submission ten (10) days prior to next meeting.

7.5.4 The Committee Officer will electronically distribute the electronic document to the Committee members in order that the Committee members may have time to consider the matter in advance.

7.5.5 The Chairperson may limit the oral presentation to specified matters relating to an application.

7.5.6 As a general guide, the applicant / consultant, must be permitted reasonable time to make their presentation.

~~7.5.7 Notwithstanding Rule 10.6 above, the allocated time may be increased at the discretion of the Chairperson, if the circumstances of the application warrant this.~~

7.5.8 After the introduction of the application by the Committee Officer, the order of speakers will, subject to the Chairperson's discretion be as follow:

7.5.8.1 The applicant or consultant who requested the presentation will address the Committee; whereafter

7.5.8.2 The Chairperson will give members of the committee an opportunity to ask the applicant relevant question of clarification.

7.5.8.3 No cross examination of any party is permitted.

7.6. Recommendations and Voting:

7.6.1 All recommendation must be taken by the supporting vote agreed upon by the majority of members present at the meeting.

7.6.2 If the Chairperson ask members whether they agree with the recommendation/s on the matter before the Committee, and such recommendation/s are opposed by any members present, a decision must be taken by show of hands by approving an application in (1) whole or (2) in part, or (3) refuse it. Should there be no opposition, it must be recorded in the minutes that the decision was unanimous.

7.7. Minutes

The Committee Secretary must ensure that all proceedings of the Stellenbosch Municipality Conservation Advisory Committee are to be recorded during the meeting. All recommendations, including reasons, must be recorded in the minutes.

Every member of the Committee, as well as any other person attended a meeting, must sign the attendance register, and the Committee Officer must ensure that a record is made in the minutes of the names of those members who:

(a) Are absent with leave having been granted by the Chairperson;
(b) In the case of the Chairperson, absent with leave must be granted by the Senior Manager: Development Planning;
(c) Any leave that has not been authorised must be recorded;
(d) Arrived after the meeting has started (time of arrival must be recorded);
(e) Leave the meeting prior to the conclusion thereof (time and reason for departure must be recorded)
(f) The correctness of the minutes must, after the meeting, be signed off by the Chairperson after circulation to the members present, and thereafter be made available within one week (seven working days) following a meeting;
(g) A copy of the confirmed minutes must be included in the Agenda of the next meeting of the Stellenbosch Municipality Conservation Advisory Committee for information and record purposes.

APPENDIX 2

STELLENBOSCH
MUNISIPALITEIT
DIREKTORAAT BEPLANNING EN EKONOMIESE ONTWIKKELING
DEPARTEMENT: ONTWIKKELINGSBEPLANNING

PO Box 17
STELLENBOSCH
7599

Plein Straat
STELLENBOSCH
7600

Tel no: (021) 808 8608 (Katherine Robinson)

E-pos: Katherine.Robinson@stellenbosch.gov.za

NOMINASIE AANSOEKVORM OM AS 'N LID VAN STELLENBOSCH MUNISIPALITEIT BEWARINGSADVIESKOMITEE TE DIEN IN TERME VAN HOOFSTUK 25 ARTIKEL 249(1)

AFDELING A: AANSOEKER

1. PERSOONLIKE INLIGTING

Folle Names:	PETRUS JACOBUS KRUGER	Van:	DEKKER
Identiteitsnommer:	6703285210087	Geboortedatum:	28/03/67
Woonadres:	3 RHEEZICHT LN		
	STELLENBOSCH .	Kode:	—
Posadres:	SOOS BO		
		Kode:	—
Tel:	021 . 8870661	Cell:	082 5663787
E-pos:	piet@pietdekker.co.za		

2. LIDMAATSKAP EN ONDERSTEUNENDE DOKUMENTE (Verskaf asseblief die volgende)

2.1 'n Omvattende curriculum vitae wat kwalifikasie/s en ervaring in Erfenisbestuur, ruimtelike beplanning, Stedelike Ontwerp, of die wet wat daarmee verband hou, soos beoog in die Wet op Nasionale Erfenishulpbronne (Wet 25 van 1999) en Hoofstuk 25) van die Stellenbosch Munisipaliteit Soneringskema aandui Verordening (Sep 2019).

2.2 Gewaarmerkte afskrifte van kwalifikasies en registrasiesertifikate wat registrasie by 'n relevante professionele liggaam aandui.

2.3 Omvattende motivering wat aandui waarom jy glo dat jy as lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee aangestel moet word.

3. KONFLIK VAN BELANGE

3.1 Ingevolge artikels 38(3) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, Wet 16 van 2013), is 'n lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee-

3.1.1 moet volledige openbaarmaking maak van enige botsing van belange, insluitend enige potensiële konflik; en

3.1.2 mag nie enige verrigtinge van enige aangeleentheid ten opsigte waarvan die lid 'n botsing van belange het, bywoon, deelneem of daaraan stem nie.

5. VERKLARING

Ek, PIET DEKKER ID, 6703285210087 verklaar dat ek:

a) beskikbaar is om op die Stellenbosch Munisipaliteit Bewaringsadvieskomitee te dien;

b) 'n burger of permanente lid van die Republiek van Suid-Afrika is;

c) nie 'n lid van die Parlement, Provinsiale Wetgewer, Munisipale Raad of die Huis van Tradisionele Leiers is nie;

d) nie 'n gerehabiliteerde insolvent is nie;

e) nooit ingevolge die Wet op Geestesgesondheidsorg, Wet 17 van 2002, deur 'n geregshof as geestelik onbevoeg verklaar is of aangehou is nie;

f) nooit skuldig bevind is aan enige misdryf wat oneerlikheid behels nie;

g) nooit weens wangedrag uit 'n vertrouensamp verwyder is nie;

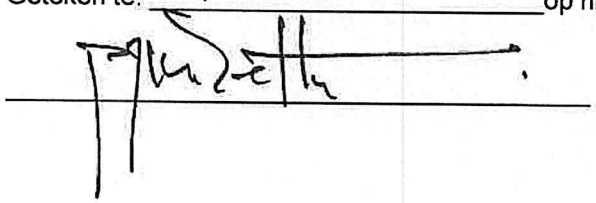
h) nooit skuldig bevind is aan wangedrag, onbevoegdheid of onbevoegdheid nie;

i) alle potensiële botsings van belange geopenbaar het;

j) die munisipaliteit kan al die inligting wat verskaf is, verifieer; en

k) sal hulle verbind tot en die Gedragskode vir lede van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee handhaaf.

Geteken te: STELLENBOSCH op hierdie 15de dag van SEPT. 2022



PIET DEKKER.
ARGITEKTE · ARCHITECTS
24 Techno Ave Techno Park Stellenbosch South Africa
T+27 (0)21 880 2016 info@pietdekker.co.za www.pietdekker.co.za
Piet Dekker Architects (Pty)Ltd Reg.No.2022/022362/07

CURRICULUM VITAE EXTRACT

Name: Piet Dekker

Full Names: Petrus Jakobus Kruger Dekker
Birth Date: 28 March 1967
Nationality: South African

Work Address: Moore Building, Unit 1
24 Techno Drive
Techno Park
Stellenbosch
7600

Mobile Number: 082 566 3987
E-mail: piet@pietdekker.co.za

Qualifications: B.Arch, University of the Free State (1992)

Professional Membership:

SAIA	South African Institute of Architects
SACAP	SA Council for Architectural Profession
	(Membership Number PrArch 5934)

Employment PIET DEKKER ARCHITECTS (PTY) LTD
Founder and Managing Director
Established in 1996

Heritage Projects: Refer to document attached.

PIET DEKKER.
ARGITEKTE · ARCHITECTS

	PROJECT	NATURE OF WORK	EMPLOYER	DATE	VALUE OF WORK
	**Bosman's Crossing** Onder Papegaaiberg Stellenbosch	Heritage Approval Student Accommodation 212 Beds	Dave Lello De Steeneburg Developments	2004	R 96m
	**Huis Piron** Plein Street Stellenbosch	Heritage Approval Student Accommodation 30 Beds	Pieter Horn Horn De Koning Developers	2007	R 16m
	**Deo Gloria** Merriman Road Stellenbosch	Heritage Approval Student Accommodation 43 Beds	Kobus Marais	2014	R 20m
	**Marais Park** Victoria Street Stellenbosch	Heritage Approval Student Accommodation 39 Beds	Dr Izak Botha	2015	R 30m
	**Archimeles** Cluver Road Stellenbosch	Heritage Approval Student Accommodation 57 Beds	Kobus Marais	2015	R 23m
	**One on Cluver** Cluver Road Stellenbosch	Heritage Approval Student Accommodation 91 Beds	Bertus Hendrikse	2016	R 44m

PIET DEKKER.
ARGITEKTE · ARCHITECTS
24 Techno Ave Techno Park Stellenbosch South Africa
T+27 (0)21 880 2016 info@pietdekker.co.za www.pietdekker.co.za
Piet Dekker Architects (Pty)Ltd Reg.No.2022/022362/07

16 September 2022

Vir wie dit mag aangaan

Ek was voorheen 'n aktiewe lid van die Estetiese Komitee van beide Stellenbosch en Franschhoek vir meer as 12 jaar. Gegewe my portefeulte van projekte (sien dokument aangeheg) is PIET DEKKER ARGITEKTE bekend vir argitektuur en ontwerp wat die volgende waardes weerspiëel:

- Sensitiwiteit vir oud en nuut
- Respek vir geskiedenis en bewaring
- Argitektuur in die groter konteks van stedelike ontwerp
- Proporsionele verhoudings van geboue
- "Contextual fit"

Om 'n sinvolle bydrae te maak tot die Bewaringsadvieskomitee is dit eerstens belangrik om 'n objektiewe mening uit te kan spreek in belang van enige projek of voorlegging. Met my ervaring van mikro – en makro skaal projekte het ek die kennis om sinvolle en opbouende kommentaar te lewer sodat daar oplossings gevind kan word.

Ek het op Stellenbosch grootgeword en is in die bevoorregte posisie om vandag steeds in hierdie mooi dorp te kan woon en werk as argitek. As kind, was ek gefassineerd met die historika/ou geboue/geskiedkundige geboue van Stellenbosch.

Ek het in 1996 my eie firma begin en myself gevestig as argitek wat respek het vir beide oud en nuut. As verwysing, heg ek voorbeelde aan van die histories sensitiewe projekte waarby ek betrokke was die afgelope paar jaar.

My passie in argitektuur het ek verder uitgebrei deur straattonele in waterverf te doen wat die "gees van plek" weerspiëel.

Ek het 'n inherente passie vir argitektuur. Ek glo dat met die ondervinding wat ek het, ek 'n sinvolle bydrae tot die Bewaringskomitee van Stellenbosch kan maak.

Piet Dekker

Hierby word gesertifiseer dat

This is to certify that

Petrus Jakobus Kruger Dekker

geregistreer is as 'n

is registered as an

ARGITEK

ARCHITECT

kragtens die WET OP ARGITEKTE 1970

in terms of the ARCHITECTS ACT 1970

As bewys daarvan is die Seël van

In witness whereof the Seal of

DIE SUID-AFRIKAANSE RAAD VIR ARGITEKTE

THE SOUTH AFRICAN COUNCIL FOR ARCHITECTS

hierop aangebring

is hereto affixed

president

registrateur
registrar

06 January 1999

datum
date

registrasie nr.
registration no. 5934

CERTIFIED A TRUE COPY OF THE ORIGINAL DOCUMENT

15/09/2022

COMMISSIONER OF OATHS
GEORGE FREDERICK OOSTHUIZEN
MOORE STELLENBOSCH INCORPORATED
PROFESSIONAL ACCOUNTANT (SA)
MEMBERSHIP No : 35897
24 TECHNO DRIVE, TECHNO PARK, STELLENBOSCH, 7600

DIE UNIVERSITEIT VAN DIE ORANJE-VRYSTAAT

Hiermee word verklaar dat die graad

Baccalaureus Architecturae

toegeken is aan

PETRUS JACOBUS KRUGER DEKKER

nadat aan die statute en regulasies van die Universiteit voldoen is.
As bewys daarvan plaas ons ons onderskeie handtekeninge en die seël van die Universiteit hieronder.

Vise-kanselier

Dekaan

Direkteur:Studenteadministrasie

19 September 1992
Bloemfontein

Hiermee word verklaar dat 'n oorspronklike sertifikaat aan die kandidaat uitgereik is.

n. DIREKTEUR:
STUDENTEADMINISTRASIE

UOVS

CERTIFIED A TRUE COPY OF THE ORIGINAL DOCUMENT

15/09/2022

COMMISSIONER OF OATHS
GEORGE FREDERICK OOSTHUIZEN
MOORE STELLENBOSCH INCORPORATED
PROFESSIONAL ACCOUNTANT (SA)
MEMBERSHIP No : 35897
24 TECHNO DRIVE, TECHNO PARK, STELLENBOSCH, 7600

STELLENBOSCH
MUNISIPALITEIT
DIREKTORAAT BEPLANNING EN EKONOMIESE ONTWIKKELING
DEPARTEMENT: ONTWIKKELINGSBEPLANNING

PO Box 17 STELLENBOSCH	Plein Straat STELLENBOSCH	Tel no:	(021) 808 8608 (Katherine Robinson)
7599	7600	E-pos:	Katherine.Robinson@stellenbosch.gov.za

NOMINASIE AANSOEKVORM OM AS 'N LID VAN STELLENBOSCH MUNISIPALITEIT BEWARINGSADVIESKOMITEE TE DIEN IN TERME VAN HOOFSTUK 25 ARTIKEL 249(1)

AFDELING A: AANSOEKER

1. PERSOONLIKE INLIGTING

Volle Name:	Johann Clemens	Van:	Slee
Identiteitsnommer:	600330 5036 08 7	Geboortedatum:	30/03/1960
Woonadres:	Dorpstraat 101 Stellenbosch	Kode:	7600
Posadres:	Dorpstraat 101 Stellenbosch	Kode:	7600
Tel:	083 375 4536	Cell:	083 375 4536
E-pos:	johann@slee.co.za		021-887 3385 (W)

2. LIDMAATSKAP EN ONDERSTEUNENDE DOKUMENTE (Verskaf asseblief die volgende)

2.1 'n Omvattende curriculum vitae wat kwalifikasie/s en ervaring in Erfenisbestuur, ruimtelike beplanning, Stedelike Ontwerp, of die wet wat daarmee verband hou, soos beoog in die Wet op Nasionale Erfenishulpbronne (Wet 25 van 1999) en Hoofstuk 25) van die Stellenbosch Munisipaliteit Soneringskema aandui Verordening (Sep 2019).

2.2 Gewaarmerkte afskrifte van kwalifikasies en registrasiesertifikate wat registrasie by 'n relevante professionele liggaam aandui.

2.3 Omvattende motivering wat aandui waarom jy glo dat jy as lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee aangestel moet word.

3. KONFLIK VAN BELANGE

3.1 Ingevolge artikels 38(3) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, Wet 16 van 2013), is 'n lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee-

3.1.1 moet volledige openbaarmaking maak van enige botsing van belange, insluitend enige potensiële konflik; en

3.1.2 mag nie enige verrigtinge van enige aangeleentheid ten opsigte waarvan die lid 'n botsing van belange het, bywoon, deelneem of daaraan stem nie.

3.2 Ingevolge artikels 38(3) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, Wet 16 van 2013), is 'n lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee:

3.2.1 die lid, 'n familielid, vennoot of sakevennoot van die lid is die aansoeker of het 'n geldelike of ander belang in die aangeleentheid voor die Stellenbosch Munisipaliteit Bewaringsadvieskomitee;

3.2.2 die lid enige ander belang het wat die lid verhinder of redelikerwys beskou kan word om die funksies van die lid op 'n regverdige, onbevooroordeelde en behoorlike wyse te verrig;

3.2.3 die lid 'n amptenaar in diens van nasionale, provinsiale of plaaslike regering is indien die departement by wie so 'n amptenaar in diens is of 'n direkte of wesenlike belang in die uitkoms van die saak het.

3.2.4 die lid behoort aan 'n "belanghebbende en bewerkte liggaam" wat by EWK geregistreer is gedurende hul aanstellingstermyn as 'n lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee.

3.3 Ek verklaar hiermee die volgende belange wat kan bots met my pligte as lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee. (Slegs as daar 'n potensiële botsing van belange is)

16 September 2022

Direkteur: Beplanning en Ekonomiese Ontwikkeling
Munisipale Kantore
Pleinstraat
Stellenbosch
7600

Viola.Anthony@stellenbosch.gov.za

RE: NOMINASIE – DIE STELLENBOSCH MUNISIPALITEIT BEWARINGSADVIESKOMITEE

Aandag: Direkteur: Beplanning en Ekonomiese Ontwikkeling

Hiermee aangeheg my nominasie aansoekvorm om as 'n lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee te dien.

Dit is vir my 'n saak van erns om ons argitektoniese erfenis te bewaar en ek & my praktyk is al jare betrokke by erfeniswerk. Sien asb. ons webtuiste: www.slee.co.za

Ons het ook 'n meriete toekenning by die SA Instituut van Argitekte verwerf vir ons historiese werk by Dorpstraat 101 Galery & Studio.

Ek het 'n aantal jare op die komitee gedien tot dit ontbind is. Indien ek enige waarde kan toevoeg, sal ek graag weer op die komitee wil dien.

Vriendelike groete,

Johann C. Slee
Slee & Co. Architects (Pty) Ltd
Tel: 083 375 4536
johann@slee.co.za

South African Council
for the Architectural Profession

CERTIFICATE
OF REGISTRATION

This certificate is proudly issued to

Johann Clemens Slee

registered as a

Professional Architect

In Terms of The Architectural Profession Act. 2000 (Act No. 44 of 2000)

Registration Number: 3782

Original Registration Date: 1985-04-01

Current Registration Date: 1985-04-01

Certificate Serial Number: 24683468

End of CPD Cycle: 2022-12-31

Contact Details

Email: joh*nn@s*ee.c*.za

Mobile: 021 *87 3*85

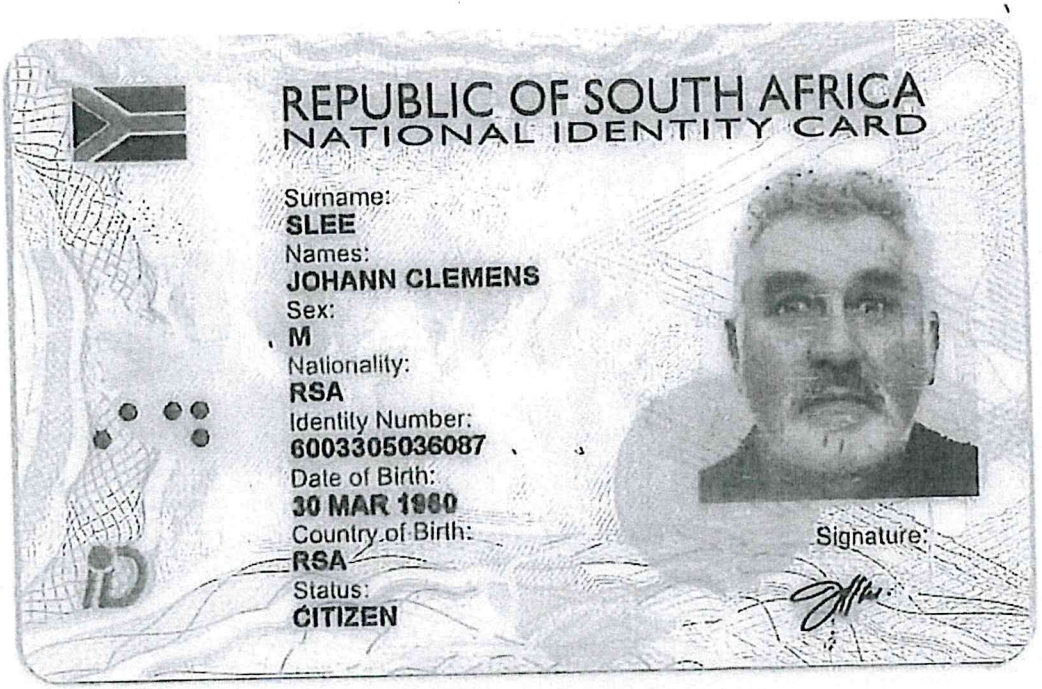
Mr. Ntsindiso Charles Nduku
President

Adv. Toto Fiduli
Registrar

SACAP has confirmed the above information, for digital certification and sharing by PrivySeal Limited, at 15:47 PM (Africa/Johannesburg) on 12 Sep 2022

POWERED BY PRIVYSEAL

This certificate is only valid if the Registered Person has paid annual fees and has complied with the CPD requirements



REPUBLIC OF SOUTH AFRICA
NATIONAL IDENTITY CARD

Surname:
SLEE
Names:
JOHANN CLEMENS
Sex:
M
Nationality:
RSA
Identity Number:
6003305036087
Date of Birth:
30 MAR 1960
Country of Birth:
RSA
Status:
CITIZEN

Signature:



Conditions:
This card has been issued by the Department of Home Affairs in terms of the Identification Act, Act 68 of 1997

If found please return to the Department of Home Affairs
For enquiry or verification purposes contact 0800 60 11 90

Date of Issue:
18 JUN 2022

14782

118797852

Universitas Nataliensis

hoc scripto nos, Universitatis Nataliensis
Vice-Cancellarius, Registrarius, testamur

JOHANN CLEMENS SLEE

Gradum Architecturae Baccalaurei

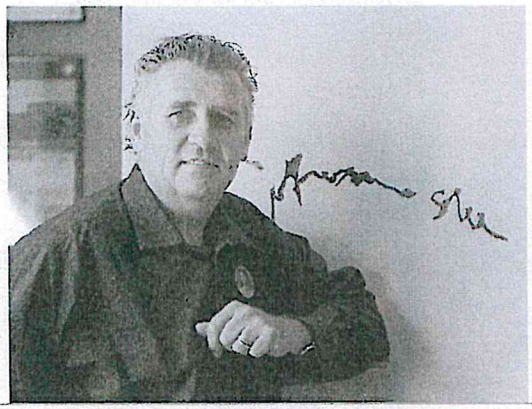
attigisse

H.D. Clarence
Vice-Cancellarius

Registrarius

prid. Id. Apr. MCMLXXXIV

JOHN ALLEN HARDIMAN
DE CLERCQ & T...
KO...
PRAKTISEREN...



CURRICULUM VITAE

JOHANN CLEMENS SLEE

CURRICULUM VITAE — JOHANN CLEMENS SLEE

CONTACT DETAILS

Physical Address	:	101 Dorp Street Stellenbosch Western Cape South Africa 7600	**Mobile** **Email** **Website**	: : :	+27 83 375 4536 johann@slee.co.za www.slee.co.za

PERSONAL DETAILS

Surname	:	Slee	**Names**	:	Johann Clemens
Date of Birth	:	30 March 1960	**City of Birth**	:	Ermelo, SA
Nationality	:	SA and Dutch	**Languages**	:	English & Afrikaans

EDUCATIONAL DETAILS

School Matriculated	:	High School Ermelo
University Attended	:	University of Pretoria (1978-1980) University of Natal (1981-1983)
Degree Obtained	:	B.Arch. 1983
Awards	:	Geoffrey Le Sueur Scholarship, 1984. Study Travel scholarship abroad for best all-round final year student, special emphasis on architectural design
	:	Best final year student – S. N. Tomkin Prize 1983
	:	1983 Steel Design Prize (South African Institute of Steel Construction)
	:	ISAA Central Council Educational Fund Prize

EMPLOYMENT HISTORY

Feb – Dec 1981	:	McLaren, Alcock, Bedford Architect – Durban Architect –in- training
Nov 1983 - Dec 1984	:	Louis Peens Architects – Pretoria
Jan – Oct 1985	:	Le Sueur Study Travel Scholarship, Europe and Northern America - with special emphasis on Palladian Villas, in the Veneto Northern Italy. Also did a proposal for the restoration and rehabilitation of a Renaissance Villa in Northern Italy.
Oct – Dec 1985	:	Temporary lecturer post at the University of Pretoria School of Architecture.
Jan 1986 – Dec 1987	:	National Service in the South African Air force Officer in-charge of H.Q. Architectural office
Mar 1986 – Jan 1988	:	Johann C Slee Architects, Johannesburg Principal Partner
Jan 1988 – Apr 1994	:	Louw, Apostolellis, Bergenthuin & Slee Architects Partner
Apr 1994 – 2006	:	Slee & Co. Architects, Johannesburg office Principal Partner
2006 – currently	:	Relocate Slee & Co. Architects office to Stellenbosch - Principal Partner

AWARDS

1990	:	The South African Institute of Architects - Award of Merit - Residence Zonnehoek, Morningside, Johannesburg.
1996	:	The South African Institute of Architects - Award of Merit - Glen Towy Holiday Cottage, Natal Midlands.
1997	:	Corobrick Award for Excellence for Hard Landscaping – House Hyde Park, Johannesburg.
2000	:	The South African Institute of Architects - Award of Merit - House Lategan, Westcliff, Johannesburg.
2001	:	Gauteng Institute for Architecture - Award of Merit - House Lopez, Hyde Park, Sandton, Johannesburg.
2001	:	Pretoria Institute for Architecture - Highly commended - House Blignaut, Pretoria.

AWARDS

2001	:	Pretoria Institute for Architecture - Highly commended - House van Vuuren, Waterfkloof Ridge, Pretoria.
2003	:	Glenn Murcutt Masterclass in Architecture – Australia.
2004	:	City Scape Architectural Review Award, Dubai – Red House, Waterfall Estate, Rietpoort.
2004	:	The South African Institute of Architects - Award of Merit – Red House, Waterfall Estate, Rietpoort.
2005	:	Gauteng Institute for Architecture - Commendation - Tree House, Johannesburg.
2007	:	Gauteng Institute for Architecture - Award of Merit – Stone House, Mooikloof, Pretoria.
2008	:	The South African Institute of Architects - Award of Merit – Stone House, Mooikloof, Pretoria.
2008	:	VISI Magazine in conjunction with the South African Institute of Architects – National Architecture Survey: Best building in South Africa – Stone House, Mooikloof, Pretoria.
2011	:	Cape Institute for Architecture - Award for Architecture – 101 Dorp Gallery & Studio, Stellenbosch.
2012	:	The South African Institute of Architects - Award of Merit – 101 Dorp Gallery & Studio, Stellenbosch.
2015	:	Cape Institute for Architecture - Award for Architecture – Sinkhuis, Stellenbosch for Mr & Mrs Slee.
2015	:	Pretoria Institute for Architecture - Award of Excellence – New Residence, Waterkloof, Pretoria.
2016	:	The South African Institute of Architects - Award of Merit – Sinkhuis, Stellenbosch for Mr & Mrs Slee.
2016	:	Corobrick-SAIA Award for Excellence - New Residence, Waterkloof, Pretoria.
2016	:	The South African Institute of Architects - Award of Merit – New Residence, Waterkloof, Pretoria.
2017	:	Cape Institute for Architecture - Award for Architecture – Floating Dune House, Sedgefield
2018	:	The South African Institute of Architects - Award of Merit – Floating Dune House, Sedgefield
2019	:	Cape Institute for Architecture - Commendation – Hunting Lodge, Namibia.
2019	:	Bronze Loerie Award - Hunting Lodge, Namibia.

2021	:	Pretoria Institute for Architecture - Award of Excellence – Die Groenhuis, Waterkloof, Pretoria.
2021	:	Pretoria Institute for Architecture – Category Award for Best Commercial Building - Die Groenhuis, Waterkloof, Pretoria.

EXHIBITIONS

SOLO EXHIBITIONS

1995	:	Still lifes – Greenside, Johannesburg
1999	:	Flower – 55 Waterkloof Village, Pretoria
2001	:	Images & Site - Sandhurst, Johannesburg
2004	:	Dahlias en ander groente - Westcliff, Johannesburg
2009	:	Beesboude en Blompotte – Red, Black & White Gallery, Stellenbosch
2011	:	Emmers vol Fynbos - Slee Gallery, Stellenbosch
2012	:	Paternoster - Slee Gallery, Stellenbosch
2014	:	Spring 2015 – Slee Gallery, Stellenbosch
2015	:	Kweper, Granaat, Pampoen – Slee Gallery, Stellenbosch
2017	:	Hello Spring – Slee Gallery, Stellenbosch
2019	:	French Flowers – Slee Gallery, Stellenbosch

GROUP EXHIBITIONS

1997	:	Johann & Zieg – Waterkloof, Pretoria
2011	:	Selfportrait – Rust en Vrede, Durbanville
2012	:	Landscapes – Oude Libertas Gallery, Stellenbosch
2015	:	Blomme en Dinge – Inanda Club, Sandton, Johannesburg
2016	:	PIA Architects as Artists – Trent Gallery, Waterkloof, Pretoria
2016	:	Pieces & Paintings – Joint exhibition with Irma Vivier in Switzerland
2020	:	Knoop | Knot Exhibition – GUS Gallery, Stellenbosch
2020	:	Farewell | Hamba Kahle – Slee Gallery & IS Art Gallery, Stellenbosch

OTHER

2004	:	Participating in the interactive conference, 'Talk is chic', hosted by Decorex in Johannesburg – August 2004 at Gallagher Estate, Midrand.
2005	:	One of the guest speakers at a lecture series that the University of the Free State organized, with Sanlam as the Sponsor and in conjunction with the Volksblad Arts festival in July 2005 on 'Critical regionalism within the South African context.'
2006	:	Presentation on Dorp Street, Stellenbosch, at the Annual General Meeting of the Stellenbosch Interest Group.
2011	:	Invited to assist with thesis examination (Design) from 1 – 3 November 2011 at the University of the Free State

OTHER

2012	:	Invited to participate in the 13th International Architecture Exhibition, La Biennale di Venezia 2012, at the Palazzo Bembo in Venice, Italy. Slee & Co. Architects participated in one of 13 collateral events which presents 60 architects from 6 continents, representing 26 countries and one of only two participants from South Africa.
2013	:	Speaker at Conversations on Architecture (COA 2013) sponsored by Caesarstone and hosted by Decorex SA – a full-day three-city road show on the 25th of March 2013 at CTICC, Cape Town.
2015	:	Award for Architecture 2015: Sinkhuis – Slee personal residence (CIFA Award for Architecture & SAIA Award of Merit) – open house presented by Johann Slee on 9 July 2015 and VISI magazine Great Spaces Tour through the house on 25 July 2015
2015	:	IDEA Design Conference: Presentation of a Lecture/ Course Interactive Workshop theme: "Design me a Place – a Design Process" facilitated by the Pretoria Institute for Architecture on 23 September 2015
2017	:	National Department of Public Works (DPW)/Cape Institute for Architecture (CIFA) Architectural Forum in Cape Town – presentation/talk on the 31st of August 2017 | Topic: Architecture: Warts and all

STELLENBOSCH MUNICIPALITY

DIRECTORATE PLANNING AND ECONOMIC DEVELOPMENT

DEPARTMENT: DEVELOPMENT PLANNING

PO Box 17 STELLENBOSCH 7599 | Plein Street STELLENBOSCH 7600 | Tel no: (021) 808 8608 (Katherine Robinson) | E-mail: Katherine.Robinson@stellenbosch.gov.za

NOMINATION APPLICATION FORM TO SERVE AS A MEMBER OF STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE IN TERMS OF CHAPTER 25 SECTION 249(1)

SECTION A: APPLICANT

1. PERSONAL DETAILS	
Full Names: Jan Raymond Dirk	Surname: Bouma
Identity Number: 4506185098086	Date Of Birth: 18.6.45
Residential Address: Waterhof Farm	
Jonkershoek	Code:
Postal Address:	
PO Box 116 STELLENBOSCH	Code: 7599
Tel: 073 816 4882	Cell: 073 816 4882
Email: bouma@mweb.co.za	

2. MEMBERSHIP AND SUPPORTING DOCUMENTS *(Please provide the following)*

2.1 A comprehensive curriculum vitae indicating qualification/s and experience in Heritage Management, spatial planning, Urban Design, or the law related thereto as contemplated in the National Heritage Resources Act (Act 25 of 1999) and Chapter 25) of the Stellenbosch Municipality Zoning Scheme By-Law (Sep 2019).

2.2 Certified copies of qualifications and registration certificates indicating registration with a relevant professional body.

2.3 Comprehensive motivation indicating why you believe you should be appointed as a member of the Stellenbosch Municipality Conservation Advisory Committee.

3. CONFLICT OF INTEREST

3.1 In terms of sections 38(3) of the Spatial Planning and Land Use Management Act, Act 16 of 2013), a member of the Stellenbosch Municipality Conservation Advisory Committee-

3.1.1 must make full disclosure of any conflict of interest, including any potential conflict; and

3.1.2 may not attend, participate or vote in any proceedings of any matter in respect of which the member has a conflict of interest.

3.2 A member has a conflict of interest if:

3.2.1 the member, a family member, partner, or business associate of the member is the applicant or has a pecuniary or other interest in the matter before the Stellenbosch Municipality Conservation Advisory Committee;

3.2.2 the member has any other interest that may preclude or reasonably be perceived as precluding the member from performing the functions of the member in a fair, unbiased, and proper manner;

3.2.3 the member is an official in the employ of national, provincial, or local government if the department by which such an official is employed or has a direct or substantial interest in the outcome of the matter.

3.2.4 the member belongs to an "interested and Effected Body" registered with HWC during their term of appointment as a member of the Stellenbosch Municipality Conservation Advisory Committee.

3.3 I hereby declare the following interests that may conflict with my duties as a member of the Stellenbosch Municipality Conservation Advisory Committee. *(Only if there is a potential conflict of interests)*

1. I am a practising architect in Stellenbosch with heritage experience and will on occasion submit plans for evaluation by the Conservation Advisory Committee. My name will be on the application and I will not attend this meeting.
2. Presently I am a member of the Stellenbosch Heritage Foundation and I will resign from the heritage evaluation committee if I be appionted to the Conservation Advisory Committee.

5. DECLARATION

I, Raymond Bouma ID, 4506185098086 declare that I:

a) am available to serve on the Stellenbosch Municipality Conservation Advisory Committee;

b) am a citizen or permanent member of the Republic of South Africa;

c) am not a member of Parliament, Provincial Legislature, Municipal Council, or the House of Traditional Leaders;

d) am not a rehabilitated insolvent;

e) was never declared by a court of law to be mentally incompetent nor detained under the Mental Health Care Act, Act 17 of 2002;

f) have never been convicted of any offense involving dishonesty;

g) have never been removed from an office of trust on account of misconduct;

h) have never been found guilty of misconduct, incapacity, or incompetence;

i) have disclosed all potential conflicts of interest;

j) the municipality may verify all the information provided; and

k) will commit to and uphold the Code of Conduct for members of the Stellenbosch Municipality Conservation Advisory Committee.

Signed at: Stellenbosch on this 15 day of June 2022



Naudé & Bouma Architects 155 DORP STREET STELLENBOSCH 7600 M 073 816 4882

APPLICATION TO SERVE AS A MEMBER OF THE STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE.

20 June 2022

Name Raymond Bouma

Background and value that I could bring to the committee.

Present work
I am a practising architect and worked in Stellenbosch from 1970 to the present.

Previous membership of municipal committees
During the 70's a number of architects and I started the Stellenbosch Architects' Study Group and promoted the evaluation of Stellenbosch architecture. This resulted in the establishment of the Stellenbosch Municipal Aesthetics' committee, the first in the Cape. I was a member of this committee and over the years it changed its name and purpose. I was a member of the Stellenbosch Planning Advisory Committee till it was abandoned by the municipal engineer a few years ago.

Town and Regional Planning
Also in the 70's I enrolled for a MA degree in Town and Regional planning under Prof Page, but after 18 months had to stop as my architectural practise took all my time.

Urban Planning
10 Years later a reduction of architectural work happened all over the country and I enrolled for an Urban Design degree under prof Welch. Again one year later my architectural work required me to stop the study work. However I gained an enormous amount of planning knowledge during these years. Thus my interest in planning and architecture in Stellenbosch and this knowledge is available to the Conservation Committee.

Architecture and Conservation
In 2005 I attended an Architecture and Conservation study course arranged by Dr Stephen Townsend. This supplied me with first-hand knowledge of the new Conservation Act and other acts used over the years in the rest of the world.

Stellenbosch Heritage Foundation
I have been a member of the Simon v d Stel Foundation later renamed the Stellenbosch Heritage Foundation for a number of years and attended a number of heritage conferences and lecturers.

Practical heritage work
Apart of new architectural work in the Historical Core of Stellenbosch I was also in the position to do heritage work to the Library of Parliament and the National Library in Cape Town. A resent heritage project completed was the upgrade of the Ou Hoofgebou of the University of Stellenbosch.

Naudé & Bouma Architects 155 DORP STREET STELLENBOSCH 7600 M 073 816 4882

Partner in charge : Raymond Bouma

SACAP Reg No 1540 : SAIA Reg No 2961 : SAIA Practice Reg No PN0767
Sectional Title Practitioners Reg No ARC-1540-D

Qualifications : B.Arch UCT

Professional memberships :

1971 to present Member of the SA Council of Architects
1971 to present Member of the SA Institute of Architects
1992-1994 Council member of the Cape Institute of Architects
1992-1996 Chairman of the Stellenbosch Chapter of the Cape Institute of Architects.
1992-1996 Chairman of the Stellenbosch Simon van der Stel Foundation.
1985 to 1998 member of the Stellenbosch Municipality's Aesthetics Committee, CBD Planning Committee and Bloemhof Planning Committee.
2006 to 2018, member of the Municipal Planning Advisory Committee.

Professional experience

1970-1971 Assistant Architect to Swart and Stander, Stellenbosch
1971-1972 Assistant Architect with Paul le Roux Argitek, Stellenbosch.
1973 to present in Private Practice in Stellenbosch.
1987 Registered by the Dept of Public Works and Land Affairs to do Sectional Title work.
2005 Architectural and Urban Conservation Study at UCT

Study Tours to :

University Towns including Oxford, Delft, Tubingen and Harvard.
New Towns like Milton Keynes UK and Aalmere Holland.
Cognac as guest of Hennessey to study brandy museums.
1996 to Australia and New Zealand to study wine cellars.

Work completed as principal architect :

Department store, Shops
Flats and self catering holiday flats
Residential work, municipal Housing
Offices, Ware houses
Schools , Hostels and Police Station
Gymnasium US, Training Centre
Dairy and Cheese factory
Historical work like Rustenberg Cellar and Dairy, Idas Valley and alteration to Library of Parliament and National Library

UNIVERSITY OF CAPE TOWN

with which is incorporated the South African College

Degree of Bachelor of Architecture

We hereby certify that JAN RAYMOND DIRK BOUMA

obtained the Degree of Bachelor of Architecture in the year 1969.

Vice-Chancellor

Registrar

Cape Town, 11th December, 1969.

South African Council
for the Architectural Profession

CERTIFICATE
OF REGISTRATION

This certificate is proudly issued to

Jan Raymond Dirk Bouma

registered as a

Professional Architect

In Terms of The Architectural Profession Act. 2000 (Act No. 44 of 2000)

Registration Number: 1540

Original Registration Date: 1971-03-01

Current Registration Date: 1971-03-01

Certificate Serial Number: 24668114

End of CPD Cycle: 2026-01-01

Contact Details

Email: bou*a@mw*b.co.*a

Mobile: 021 *86 6*17

Mr. Ntsindiso Charles Nduku
President

Adv. Toto Fiduli
Registrar

SACAP has confirmed the above information, for digital certification and sharing by PrivySeal Limited, at 12:49 PM (Africa/Johannesburg) on 15 Jun 2022

POWERED BY PRIVYSEAL

This certificate is only valid if the Registered Person has paid annual fees and has complied with the CPD requirements

UNIVERSITY OF CAPE TOWN
Continuing Professional Development Programme
FACULTY OF ENGINEERING & THE BUILT ENVIRONMENT

This is to certify that

Mr Raymond Bouma

attended a course in

Architectural and Urban Conservation

7 September – 23 November 2005

Course Objective: A course designed to introduce participants to the history and theory of architectural and urban conservation and to uncover the operation of those ideas in current conservation practice. The course aims to develop the participant's knowledge of the principles and methods of sound conservation practice, and to improve current professional practice in the field.

LECTURERS

Dr Stephen Townsend
Independent Consultant

Melanie Attwell
Independent Consultant

Professor Fabio Todeschini
School of Architecture and Planning
University of Cape Town

Penny Pistorius
Independent Consultant

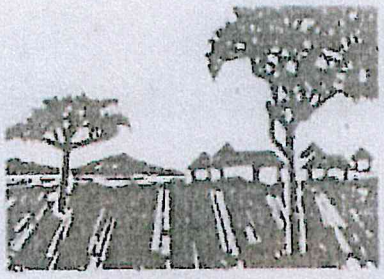
Trevor Thorold
Independent Consultant

Dr Antonia Malan
Archaeology Department,
University of Cape Town

Dr Nicolas Baumann
Independent Consultant

Course Administrator

OFFICE OF THE CHIEF SURVEYOR-GENERAL
Department of Land Affairs
UMnyango wezoMhlaba
Lefapha la tsa Naha



KANTOOR VAN DIE HOOF LANDMETER-GENERAAL
Departement van Grondsake
UMnyango wezoMhlaba
Lefapha la tsa Naha

CERTIFICATE OF REGISTRATION
SERTIFIKAAT VAN REGISTRASIE

This is to certify that — Hiermee word gesertifiseer dat

J.R.D. Bouma

was registered as a — geregistreer was as 'n

SECTIONAL TITLE PRACTITIONER

DEELTITEL PRAKTISYN

on the 12th day of March 1987 — op die 12de dag van Maart 1987

after the requirements of the examiners, in connection with the framing of draft sectional plans as prescribed in Subsection (2) of Section 5 of the Sectional Titles Act 1986 (Act No. 95 of 1986), and subject to uninterrupted registration with either Council established in terms of Section 2 of the Architects Act 1970 (Act No. 35 of 1970) or Section 2 of the Professional Land Surveyors and Technical Surveyors Act 1984 (Act No. 40 of 1984) have been met, and shall be licensed to frame and lodge draft sectional plans as prescribed with the Office of the Surveyor-General and to do all matters necessary or appertaining thereto as the said Sectional Titles Act or the Regulations framed thereunder may prescribe from time to time.

nadat voldoen was aan die vereistes van die eksaminatore, in verband met die opstel van konsepdeelplanne soos voorgeskryf in Subartikel (2) van Artikel 5 van die Wet op Deeltitels van 1986 (Wet No. 95 van 1986), en onderhewig aan ononderbroke registrasie by enige van die Rade wat tot stand gekom het kragtens Artikel 2 van die Wet op Argitekte van 1970 (Wet No. 35 van 1970) of Artikel 2 van die Wet op Professionele Landmeters en Tegniese Opmeters van 1984 (Wet No. 40 van 1984), en bevoeg verklaar word om konsepdeelplanne soos voorgeskryf op te stel en in te dien by 'n Kantoor van die Landmeter-Generaal en om alle nodige of relevante vereistes na te kom wat die gemelde Wet op Deeltitels van 1986 of die Regulasies daar kragtens uitgevaardig, mag voorskryf.

Issued by the Office of the Chief Surveyor-General
Uitgereik deur die Kantoor van die Hooflandmeter-Generaal

Signed by / Geteken deur:

Chief Surveyor-General
Hoof Landmeter-Generaal

Entered in the Register of Sectional Title Practitioners as No.
Aangeteken in die Register van Deeltitelpraktisyns as No.

ARC - 1540 - D

STELLENBOSCH MUNICIPALITY

DIRECTORATE PLANNING AND ECONOMIC DEVELOPMENT

DEPARTMENT: DEVELOPMENT PLANNING

PO Box 17 STELLENBOSCH 7599 | Plein Street STELLENBOSCH 7600 | Tel no: (021) 808 8608 (Katherine Robinson) | E-mail: Katherine.Robinson@stellenbosch.gov.za

NOMINATION APPLICATION FORM TO SERVE AS A MEMBER OF STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE IN TERMS OF CHAPTER 25 SECTION 249(1)

SECTION A: APPLICANT

1. PERSONAL DETAILS	
Full Names: BRIAN	Surname: HOWARD.
Identity Number: 4112185034088	Date Of Birth: 18/12/1941
Residential Address: FRANSVLIET FARM	
R 45. LA MOTTE - FRANSCHHOEK	Code: 7691
Postal Address: P.O. BOX 103	
FRANSCHHOEK	Code: 7691
Tel: —	Cell: 0836100542
Email: bhoward1941arch@gmail.com	

2. MEMBERSHIP AND SUPPORTING DOCUMENTS *(Please provide the following)*

2.1 A comprehensive curriculum vitae indicating qualification/s and experience in Heritage Management, spatial planning, Urban Design, or the law related thereto as contemplated in the National Heritage Resources Act (Act 25 of 1999) and Chapter 25) of the Stellenbosch Municipality Zoning Scheme By-Law (Sep 2019).

2.2 Certified copies of qualifications and registration certificates indicating registration with a relevant professional body.

2.3 Comprehensive motivation indicating why you believe you should be appointed as a member of the Stellenbosch Municipality Conservation Advisory Committee.

3. CONFLICT OF INTEREST

3.1 In terms of sections 38(3) of the Spatial Planning and Land Use Management Act, Act 16 of 2013), a member of the Stellenbosch Municipality Conservation Advisory Committee-

3.1.1 must make full disclosure of any conflict of interest, including any potential conflict; and

3.1.2 may not attend, participate or vote in any proceedings of any matter in respect of which the member has a conflict of interest.

3.2 A member has a conflict of interest if:

3.2.1 the member, a family member, partner, or business associate of the member is the applicant or has a pecuniary or other interest in the matter before the Stellenbosch Municipality Conservation Advisory Committee;

3.2.2 the member has any other interest that may preclude or reasonably be perceived as precluding the member from performing the functions of the member in a fair, unbiased, and proper manner;

3.2.3 the member is an official in the employ of national, provincial, or local government if the department by which such an official is employed or has a direct or substantial interest in the outcome of the matter.

3.2.4 the member belongs to an "interested and Effected Body" registered with HWC during their term of appointment as a member of the Stellenbosch Municipality Conservation Advisory Committee.

3.3 I hereby declare the following interests that may conflict with my duties as a member of the Stellenbosch Municipality Conservation Advisory Committee. *(Only if there is a potential conflict of interests)*

Die Suid-Afrikaanse Raad vir Natuurwetenskaplike Professies
The South African Council for Natural Scientific Professions

Privaatsak/
Private Bag X540
SILVERTON
0127

GAUTENG PROV.
Republiek van Suid-Afrika
Republic of South Africa

Suite B313
Geowetenskap Gebou/
Geoscience Buildings
Pretoriaweg 280, Pretoria Rd
SILVERTON, PRETORIA

Tel: +27 (12) 841 1075

Fax: +27 (12) 841 1057

epos/email:
sarnap@geoscience.org.za

http://www.sacnasp.org.za

2 March 2011

Verw. Ref. 69/11

Mrs R. Stanvliet Pr.Sci.Nat.
Private Bag X5014
STELLENBOSCH
7599

Dear Mrs Stanvliet

PROFESSIONAL REGISTRATION IN TERMS OF SECTION 20(3)(a) OF THE NATURAL SCIENTIFIC PROFESSIONS ACT, 2003 (ACT 27 OF 2003)

Your application for registration as a *Professional Natural Scientist* in the field of practice *Environmental Science* was successful and approved on 2 March 2011 Your registration number is *400069/11.*

Your registration entitles you to describe yourself as a "Professional Natural Scientist" and use the prescribed title "Pr.Sci.Nat." after your name. (Section 22.)

Registered persons have to comply with the Council's Code of Conduct. Failure to do so constitutes improper conduct. A copy will be included with your registration certificate, which will follow shortly. The *registration certificate* remains the property of the Council and has to be returned to the Registrar after cancellation or lapse of registration. (Section 24.)

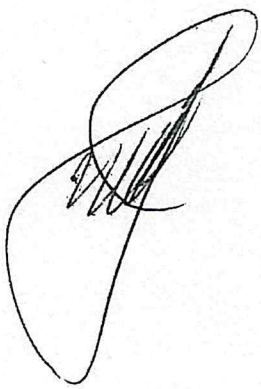
The Council may cancel the registration of a registered person if the person has erroneously been registered, or has been registered on information subsequently proved to be false; or if the person fails to pay the prescribed annual fee. [Section 21(1)(a).]

Should your registration as a Professional Natural Scientist lapse or be cancelled you may not pretend to be, or in any manner hold or allow yourself to be held out as a registered person. You may not use the name or title of another registered person or perform any act purporting to lead persons to believe that you are registered in terms of this Act. (Section 27.)

The Council wishes you a successful career as a Professional Natural Scientist.

With kind regards

Yours sincerely



A. J. DE KLERK
REGISTRAR

STELLENBOSCH MUNICIPALITY

DIRECTORATE PLANNING AND ECONOMIC DEVELOPMENT

DEPARTMENT: DEVELOPMENT PLANNING

PO Box 17
STELLENBOSCH
7599

Plein Street
STELLENBOSCH
7600

Tel no: (021) 808 8608 (Katherine Robinson)

E-mail: Katherine.Robinson@stellenbosch.gov.za

NOMINATION APPLICATION FORM TO SERVE AS A MEMBER OF STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE IN TERMS OF CHAPTER 25 SECTION 249(1)

SECTION A: APPLICANT

1. PERSONAL DETAILS	
Full Names: Cornelia Hendrika	Surname: Smart
Identity Number: 680426 0061 089	Date Of Birth: 26 April 1968
Residential Address: 35 Stellenoord, Devon Park, Stellenbosch	
	Code: 7600
Postal Address: 35 Stellenoord, Devon Park, Stellenbosch	
	Code: 7600
Tel: 083 325 6138	Cell: 083 325 6138
Email: smartest@mweb.co.za	

2. MEMBERSHIP AND SUPPORTING DOCUMENTS *(Please provide the following)*

2.1 A comprehensive curriculum vitae indicating qualification/s and experience in Heritage Management, spatial planning, Urban Design, or the law related thereto as contemplated in the National Heritage Resources Act (Act 25 of 1999) and Chapter 25) of the Stellenbosch Municipality Zoning Scheme By-Law (Sep 2019).

2.2 Certified copies of qualifications and registration certificates indicating registration with a relevant professional body.

2.3 Comprehensive motivation indicating why you believe you should be appointed as a member of the Stellenbosch Municipality Conservation Advisory Committee.

3. CONFLICT OF INTEREST

3.1 In terms of sections 38(3) of the Spatial Planning and Land Use Management Act, Act 16 of 2013), a member of the Stellenbosch Municipality Conservation Advisory Committee-

3.1.1 must make full disclosure of any conflict of interest, including any potential conflict; and

3.1.2 may not attend, participate or vote in any proceedings of any matter in respect of which the member has a conflict of interest.

3.2 A member has a conflict of interest if:

3.2.1 the member, a family member, partner, or business associate of the member is the applicant or has a pecuniary or other interest in the matter before the Stellenbosch Municipality Conservation Advisory Committee;

3.2.2 the member has any other interest that may preclude or reasonably be perceived as precluding the member from performing the functions of the member in a fair, unbiased, and proper manner;

3.2.3 the member is an official in the employ of national, provincial, or local government if the department by which such an official is employed or has a direct or substantial interest in the outcome of the matter.

3.2.4 the member belongs to an "interested and Effected Body" registered with HWC during their term of appointment as a member of the Stellenbosch Municipality Conservation Advisory Committee.

3.3 I hereby declare the following interests that may conflict with my duties as a member of the Stellenbosch Municipality Conservation Advisory Committee. *(Only if there is a potential conflict of interests)*

None

5. DECLARATION

I, Cornelia Hendrika Smart ID, 6804260061089 declare that I:

a) am available to serve on the Stellenbosch Municipality Conservation Advisory Committee;

b) am a citizen or permanent member of the Republic of South Africa;

c) am not a member of Parliament, Provincial Legislature, Municipal Council, or the House of Traditional Leaders;

d) am not a rehabilitated insolvent;

e) was never declared by a court of law to be mentally incompetent nor detained under the Mental Health Care Act, Act 17 of 2002;

f) have never been convicted of any offense involving dishonesty;

g) have never been removed from an office of trust on account of misconduct;

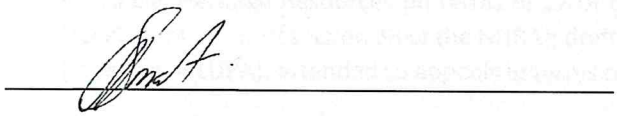
h) have never been found guilty of misconduct, incapacity, or incompetence;

i) have disclosed all potential conflicts of interest;

j) the municipality may verify all the information provided; and

k) will commit to and uphold the Code of Conduct for members of the Stellenbosch Municipality Conservation Advisory Committee.

Signed at: Stellenbosch on this 30 day of June 2022



Corlie Smart

HERITAGE CONSULTANT

HERITAGE AND PLANNING LAW ATTORNEY

OWNER SMART ATTORNEY

SUMMARY OF QUALIFICATIONS:

2006	Masters of Law Degree (LLM)	University of Pretoria
1993	Baccalaureus Procurationis Degree (B.Proc)	University of Pretoria

PROFESSIONAL MEMBERSHIPS

1995	Law Society of the Northern Provinces. Admitted attorney and registered as such (With right of appearance in the High Court)
2011	Law Society of Cape of Good Hope. Admitted attorney and registered as such (With right of appearance in the High Court)

BUSINESS DETAILS

Smart Attorneys – Heritage and Planning Law

35 Stellenoord Street, Devon Park

Stellenbosch

35 Stellenoord Street
Devon Park
STELLENBOSCH, 7600

Tel: 083 325 6138

smartest@mweb.co.za

083 325 6138 / smartest@mweb.co.za

MEMBERSHIP OF COMMITTEES

2016 – 2019	Member of Council of Heritage Western Cape
2016 – 2019	Chairperson of Appeals Committee of Heritage Western Cape
2016 – 2019	Vice Chairperson of Municipal Planning Tribunal – Stellenbosch Municipality
2013 – 2016	Heritage Western Cape: Impact Assessment Committee (Iacom)
2011 – 2016	Stellenbosch Heritage Foundation – Vice Chairperson

WORK EXPERIENCE & LIST OF PROJECTS

Projects listed below are a selection of projects undertaken by Corlie Smart as a heritage consultant as well as a specialist heritage and planning lawyer.

- Heritage Consultant providing advice, drafting and bringing heritage applications in terms of section 34 and 27 of the National Heritage Resources Act.
- Heritage and Planning Law professional that specifically dealing with matters from heritage policy formulation to providing specialist heritage and planning law skills pertaining to matters in terms of the National Heritage Resources Act, Promotion of Administrative Justice Act, Planning and Constitutional Law, Planning Legislation including LUPA and related municipal by-laws

CURRENT PROJECTS

LA CONCORDE SA (PTY) LTD V STELLENBOSCH MUNICIPALITY & 4 OTHERS.

Review Application

VAN DER VEEN V STELLENBOSCH MUNICIPALITY & 6 OTHERS

Review Application

35 Stellenoord Street
Devon Park
STELLENBOSCH, 7600

Tel: 083 325 6138

smartest@mweb.co.za

BATON ROUGE FARM:

Appointed as Heritage Consultant in order to obtain permit in terms of section 34 for demolition of structure

WELTEVREDEN FARM:

Appointed as Heritage Consultant in order to obtain permit in terms of section 27 for additions and alterations.

JONKERSDRIFT FARM:

Appointed as heritage and planning attorney by Shepstone and Wylie Attorney to appeal a decision by Heritage Western Cape

---

REFEREES

STUART HERMANSEN	HB ARCHITECTS
	stuart@hermansen.co.za
ADV ANDRE BEZUIDENHOUT	0826507773
	apbez@law.co.za
JOHANN MARAIS	JOHANN MARAIS ATTORNEYS
	082 7711 880
	johann@johannmarais.co.za

35 Stellenoord Street
Devon Park
STELLENBOSCH, 7600

Tel: 083 325 6138

smartest@mweb.co.za

Universiteit van Pretoria

Die Raad en die Senaat verklaar hiermee dat die graad

Baccalaureus Procurationis

met al die regte en voorregte daaraan verbonde by geleentheid van 'n kongregasie van die Universiteit toegeken is aan

CORNELIA HENDRIKA SMART

kragtens die Wet en Statuut van die Universiteit

Namens die Raad en die Senaat

P. Smit.

Visekanselier en Rektor

Namens die Fakulteit Regsgeleerdheid

Dekaan

CERTIFIED A TRUE COPY OF THE ORIGINAL

JOHAN VAN HEERDEN
COMMISSIONER OF OATHS
PRACTISING ATTORNEY
BARNSTABLE 17A
LYNNWOOD MANOR PRETORIA

Registrateur

1993-12-02

G.P.-S. 003-0734 J 353A

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA

(TRANSVAALSE PROVINSIALE AFDELING)

PRETORIA , hede die 12de dag van SEPTEMBER 19 95

Voor Sy Edele Regter SMIT
Voor Sy Edele Regter SOUTHWOOD

NADEMAAL DIT GEBLYK HET DAT

CORNELIA HENDRIKA SMART

bevoeg is om te praktiseer en toegelaat te word as

PROKUREUR van hierdie Hof, word dit gelas dat sy/~~haar~~

naam as sodanig deur die bevoegde amptenaar op die Rol geplaas word.

Op las van die Hof.

Griffier.

Op dieselfde dag ingeskryf.

Griffier.

APPENDIX 3

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

CODE OF CONDUCT OF A STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE

Draft Version

JANUARY 30, 2023

Draft Version

Contents

1. Application of rules of procedure 2
2. Definitions and interpretation of rules 2
3. Notice of meetings 4
4. Meetings open to the public 5
5. Quorum 5
6. Agenda 5
7. Conduct at meetings and site inspections 6
8. Oral/ electronic presentation 6
9. Recommendations and Voting: 7
10. Interruption, Suspension, and Adjournment 7
11. Minutes 7
12. Recommendations on applications 8

Draft Version

These Rules of Procedure must be read with the Stellenbosch Municipal Land Use Planning By-law (2015) published in the Provincial Extraordinary Gazette No 7512, dated 7 October 2015;

1. Application of rules of procedure

1.1. The Rules of Procedure (hereafter named "Rules") apply to all the meetings of the Stellenbosch Municipality Conservation Advisory Committee appointed by Council.

2. Definitions and interpretation of rules

2.1. In these Rules, unless inconsistent with the context hereof or the Stellenbosch Municipal Planning By-law:

"Agent" or "Consultant"	Means a person authorised in terms of a power of attorney to make an application on behalf of the owner of land
"Applicant"	Means a person referred to in Section 15 who makes an application to the Municipality as contemplated in that section and includes its agent or consultant or other legal representative
"Authorised Employee"	Means a municipal employee who is authorised in terms of delegated or sub-delegated authority by the Municipality to exercise a power or perform a duty in terms of the Stellenbosch Municipal Land Use Planning By-law (2015) and includes the author of land use assessment report served before the Committee.
"By-law"	Means By-law on Land Use Planning on Land Use Planning 2015, published in the Provincial Extraordinary Gazette No 7512, dated 7 October 2015
"**Chairperson**"	Means the Chairperson designated in terms of Section 72(10) of the Stellenbosch Municipal Land Use Planning By-law (2015) and includes the Deputy Chairperson or as elected at such meetings in the event that the Chairperson or Deputy Chairperson are not able to act as such
"Committee"	Means the Stellenbosch Municipality Conservation Advisory Committee appointed by Council.
"Committee Officer"	Means an authorized employee appointed/ designated by the Stellenbosch Municipality, whose function is to provide administrative and secretarial support to the Stellenbosch Municipality Conservation Advisory Committee.
"Consultant"	Means a person authorized in terms of the power of attorney to make an application on behalf of the owner of land.

Draft Version

"**Council**"	Means Municipal Council of Stellenbosch Municipality.
"Cultural landscape"	Means a physical area with natural features and elements that have been modified by human activity which results in layered evidence that has been built up overtime that gives a landscape its descriptive spatial historical aesthetic character that is symbolic and memorable.
"Cultural significance"	Means aesthetic, architectural, historical, social, linguistic, scientific and technological value or significance.
"Day"	Means calendar day and *not a* working day;
"Development"	Means any physical intervention, excavation, or action that is not the result of natural forces, which may, in the opinion of a heritage authority, result in a change to the appearance or physical nature of the place or will influence its stability and future wellbeing.
"Heritage area"	Means a designated geographical area of special architectural historic, social, symbolic, aesthetic/scenic character which is protected by legislative mechanisms wither at provincial or municipal level.
"Heritage resources"	Means any place or object that has cultural significance.
"Heritage site"	Means a place that has been declared a national heritage site (Grade 1) by SAHRA or declared a provincial heritage site (Grade 2) by the provincial resource authority.
"HWC"	Means Heritage Western Cape - the provincial heritage resource authority.
"**Member**"	Means a person appointed a member of the Stellenbosch Municipality Conservation Advisory Committee by the Stellenbosch Council.
"**Minister**"	Means the Minister of Arts and Culture
"Municipality"	Means Stellenbosch Municipality located in the Cape Winelands District of the Western Province.
"**NHRA**"	Means the National Heritage Resources Act, (Act 25 of 1999)
"**SAHRA**"	Means the South African Heritage Resources Agency
"Zoning Scheme"	Means the Stellenbosch Zoning Schemes Bylaw adopted by Stellenbosch Council

2.2. The ruling of the Chairperson in regard to the application of these Rules and any other procedural matters not dealt with herein is final and binding on the meeting at which such ruling is made and shall be recorded in the minutes.

Draft Item

3. Notice of meetings

3.1. If a member has not received notice of a meeting in accordance with these Rules, this will not invalidate any proceedings of the meeting.

3.2. The Chairperson and officials who are Committee members will receive such notification via their email address and at their place of work.

3.3. Electronic notices of a meeting or any other official correspondence to these addresses will constitute a paper notice of a meeting. Hard copies of an agenda and all official correspondence will be delivered to a member on request, provided it is practical and/or economical to do so in the circumstances.

3.4. The Conservation Advisory Committee must meet at least once a month or as per request.

3.5. The Chairperson must determine the dates and times of the Stellenbosch Municipality Conservation Advisory Committee in consultation with the Delegated Authority and the Committee Officer.

3.6. Meetings must be held through Microsoft Teams or any other virtual platform available at the time of such meeting, and should the need arise meetings may be held in person, subject to prior approval granted by the delegated authority.

3.7. The first meeting is to be in person. At this meeting the Members will nominate and vote for a Chairperson, Deputy Chairperson and a Committee Officer, who will record the minutes for the meeting which will be sent to the Delegated Authority.

3.8. The Committee Officer will be responsible for creating the yearly meeting schedule based on the dated determined by the Conservation Advisory Committee in consultation with the Delegated Authority.

3.9. The Committee Officer will create the meeting agenda and compile information packs that will be sent to the members through electronic communication a minimum of five (5) working days prior to the meeting.

3.10. All Members of the Committee must, in writing, specify an electronic mail address, where they will receive a notice of meetings and other official correspondence and are required to acknowledge receipt, in writing, of the upcoming scheduled meeting and receipt of the information packs.

3.11. Electronic notices of a meeting or any other official correspondence to these addresses will constitutes a paper notice of a meeting.

3.12. If a member has not received notice of a meeting or all relevant documentation, this will invalidate any proceedings of the meeting.

3.13. Should the Chairperson be absent on the day of the meeting, the Deputy Chairperson will undertake the duties of the Chairperson.

Draft Version

4. Meetings open to the public.

4.1. Meetings of the Committee must be open to the public, except in so far as the Committee may in special cases direct otherwise, namely that the meeting is closed as matters are of such a nature that confidential treatment is considered reasonable and justifiable.

4.2. Certain items on the agenda may be discussed in-camera. A Committee member may call for an in-camera discussion. However, such a decision on any item must be taken in a meeting open to the public.

5. Quorum

5.1. If there is no quorum and the Chairperson is present, he/she must postpone the meeting for 15 minutes. If at the end of that period there is still no quorum, the meeting must again be postponed for a period determined by the Chairperson at his/her discretion. The Chairperson may postpone the meeting till another time and date at the same venue or another venue.

5.2. In the absence of the Chairperson and Deputy-Chairperson and where no quorum exists, the Committee Officer shall postpone the meeting for 15 minutes. If, after 15 minutes of the appointed time for the commencement of the meeting the required quorum is not present, the meeting shall be cancelled.

5.3. A quorum for a meeting of the Stellenbosch Municipality Conservation Advisory is half (50%) plus 1 of the appointed members.

5.4. The Chairperson shall, in the event of an equality of votes, have a casting vote in addition to his / her deliberative vote.

5.5. The minutes can only be recorded as recommendations once a quorum is present. This can be done later via email. Evidence of communication should be sent to the Chairperson to be attached to the minutes.

6. Agenda

6.1. A copy of the minutes from the previous meeting, an agenda for the scheduled meeting and copies of all information packs for the meeting must be sent to the Committee Members by the Committee Officer.

6.2. Meetings should be conducted according to the order in which the matter appear on the agenda, and only matters which are on the agenda and are in writing may be debated. Notwithstanding this, the Chairperson may change the order of matters appearing on the agenda or withdraw an item or refer it back to the Administration, except for allocated appointment items on the agenda.

6.3. The Committee may conduct a site inspection, with prior approval from the delegated authority, relevant to an application being considered or make use of an official appointed by Council to conduct an inspection.

6.4. Should a site inspection be required, arrangements are to be made by the Committee Official. All members to confirm dates of availability at the end of the meeting for ease of arrangements.

6.5. All site inspections are to be recorded in a Site Inspection Report by the members and which should be attached to the minutes of the next meeting.

7. Conduct at meetings and site inspections.

7.1. The Chairperson must:

7.1.1. Ensure that the minutes of the previous meeting is adopted and seconded by the Committee Members.

7.1.2. Request members to declare any personal or other interest in respect of the agenda before them and indicate whether they have been approached by any party concerned prior to the meeting. Recusals by members, if any should be minute accordingly.

7.1.3. Maintain order during the meeting.

7.1.4. Refer any alleged contravention of the code of conduct by members at the meetings to the Delegated Authority.

7.1.5. Ensure that the meetings are conducted in accordance with these rules.

7.1.6. Ensure that when members go on-site inspections they are representing the Municipality and should always act in accordance with the Code of Conduct.

8. Oral/ electronic presentation

8.1. Should an applicant wish to present an oral / verbal / visual presentation to the Committee, they are to put their request in writing to the Committee Officer at least seven (7) days prior to that meeting so that they can be allocated a time slot.

8.2. The purpose of an oral presentation is to allow the applicant / consultant an opportunity to present the application to the members of the committee and provide accuracy or merit on the documentation/plans of the committee and also to elaborate on relevant issues which committee members may have. The applicant may not be present when the Committee discusses the application and make the recommendation.

8.3. The applicant must provide at least 1 set of hard copies of documentation and electronic documents to the Committee Officer on the closing date for submission ten (10) days prior to the next meeting.

Draft Version

8.4. The Committee Officer will electronically distribute the electronic document to the Committee members in order that the Committee members may have time to consider the matter in advance.

8.5. The Chairperson may limit the oral presentation to specified matters relating to an application.

8.6. As a general guide, the applicant/consultant, must be permitted reasonable time to make their presentation.

8.7. After the introduction of the application by the Committee Officer, the order of speakers will, subject to the Chairperson's discretion be as follow:

8.8. The applicant or consultant who requested the presentation will address the Committee; where after

8.9. The Chairperson will give members of the committee an opportunity to ask the applicant relevant questions of clarification.

8.10. No cross-examination of any party is permitted.

9. Recommendations and Voting:

9.1. All recommendations must be taken by the supporting vote agreed upon by the majority of members present at the meeting.

9.2. If the Chairperson asks members whether they agree with the recommendation/s on the matter before the Committee, and such recommendation/s are opposed by any members present, a decision must be taken by show of hands by approving an application in (1) whole or (2) in part, or (3) refuse it. Should there be no opposition, it must be recorded in the minutes that the decision was unanimous.

9.3. A member may vote only if he/she has been present during the debate on the matter.

10. Interruption, Suspension, and Adjournment

10.1. The Chairperson must, on reasonable motivation and on a majority vote of the members, interrupt or postpone proceedings and adjourn the meeting.

10.2. On resumption of the meeting at a later time or date, the meeting will consider the unfinished business before continuing with any new matters on the agenda.

11. Minutes

11.1. The Committee Secretary must ensure that all proceedings of the Stellenbosch Municipality Conservation Advisory Committee are to be recorded during the meeting. All recommendations, including reasons, must be recorded in the minutes.

Draft Version

11.2. Every member of the Committee, as well as any other person attended a meeting, must sign the attendance register, and the Committee Officer must ensure that a record is made in the minutes of the names of those members who:

11.2.1. Are absent with leave having been granted by the Chairperson;

11.2.2. In the case of the Chairperson, absent with leave must be granted by the Senior Manager: Development Planning;

11.2.3. Any leave that has not been authorised must be recorded;

11.2.4. Arrived after the meeting has started (time of arrival must be recorded);

11.2.5. Leave the meeting prior to the conclusion thereof (time and reason for departure must be recorded)

11.2.6. The correctness of the minutes must, after the meeting, be signed off by the Chairperson after circulation to the members present, and thereafter be made available within one week (seven working days) following a meeting;

11.2.7. A copy of the confirmed minutes must be included in the Agenda of the next meeting of the Stellenbosch Municipality Conservation Advisory Committee for information and record purposes.

12. Recommendations on applications

12.1. In respect of an application referred in Section 15(2) of the Stellenbosch Municipal Land Use Planning By-law (2015), the Committee must:

12.1.1. approve, in whole or in part, or reject the application with reasons;

12.1.2. impose conditions in terms of Section 66 of the Stellenbosch Municipal Land Use Planning By-law (2015) upon the approval of that application; and conduct any necessary inspection to assess an application in terms of Section 59 of the Stellenbosch Municipal Land Use Planning By-law (2015).

12.2. Any decisions made by the Committee must also take into account: criteria for decision-making as contained in Section 65 of the Stellenbosch Municipal Land Use Planning By-law (2015) and Section 42 of the Spatial Planning Land Use Management Act (2013); impose Conditions as per Section 66 of the Stellenbosch Municipal Land Use Planning By-law (2015); take into account the Development principles referred to in Chapter VI of the Land Use Planning Act 2014 and Chapter 2 of Spatial Planning Land Use Management Act (2013); and applicable provisions of the zoning schemes of WC024.

Draft Version

APPENDIX 4

STELLENBOSCH MUNISIPALITEIT

DIREKTORAAT BEPLANNING EN EKONOMIESE ONTWIKKELING

DEPARTEMENT: ONTWIKKELINGSBEPLANNING

PO Box 17 STELLENBOSCH 7599	Plein Straat STELLENBOSCH 7600	Tel no: E-pos:	(021) 808 8608 (Katherine Robinson) Katherine.Robinson@stellenbosch.gov.za

NOMINASIE AANSOEKVORM OM AS 'N LID VAN STELLENBOSCH MUNISIPALITEIT BEWARINGSADVIESKOMITEE TE DIEN IN TERME VAN HOOFSTUK 25 ARTIKEL 249(1)

AFDELING A: AANSOEKER

1. PERSOONLIKE INLIGTING

Folle Names: Charl Francois	Van: Taljaardt
Identiteitsnommer: 6112075081080	Geboortedatum: 07/12/1961
Woonadres: 737 De Velde De Beerstraat	
Somerset Wes	Kode: 7130
Posadres:	
	Kode:
Tel: 0218089169	Cell: 0844466980
E-pos: taljaardtc@sun.ac.za	

2. LIDMAATSKAP EN ONDERSTEUNENDE DOKUMENTE (Verskaf asseblief die volgende)

2.1 'n Omvattende curriculum vitae wat kwalifikasie/s en ervaring in Erfenisbestuur, ruimtelike beplanning, Stedelike Ontwerp, of die wet wat daarmee verband hou, soos beoog in die Wet op Nasionale Erfenishulpbronne (Wet 25 van 1999) en Hoofstuk 25) van die Stellenbosch Munisipaliteit Soneringskema aandui Verordening (Sep 2019).

2.2 Gewaarmerkte afskrifte van kwalifikasies en registrasiesertifikate wat registrasie by 'n relevante professionele liggaam aandui.

2.3 Omvattende motivering wat aandui waarom jy glo dat jy as lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee aangestel moet word.

3. KONFLIK VAN BELANGE

3.1 Ingevolge artikels 38(3) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, Wet 16 van 2013), is 'n lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee-

3.1.1 moet volledige openbaarmaking maak van enige botsing van belange, insluitend enige potensiële konflik; en

3.1.2 mag nie enige verrigtinge van enige aangeleentheid ten opsigte waarvan die lid 'n botsing van belange het, bywoon, deelneem of daaraan stem nie.

3.2 Ingevolge artikels 38(3) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, Wet 16 van 2013), is 'n lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee:

3.2.1 die lid, 'n familielid, vennoot of sakevennoot van die lid is die aansoeker of het 'n geldelike of ander belang in die aangeleentheid voor die Stellenbosch Munisipaliteit Bewaringsadvieskomitee;

3.2.2 die lid enige ander belang het wat die lid verhinder of redelikerwys beskou kan word om die funksies van die lid op 'n regverdige, onbevooroordeelde en behoorlike wyse te verrig;

3.2.3 die lid 'n amptenaar in diens van nasionale, provinsiale of plaaslike regering is indien die departement by wie so 'n amptenaar in diens is of 'n direkte of wesenlike belang in die uitkoms van die saak het.

3.2.4 die lid behoort aan 'n "belanghebbende en bewerkte liggaam" wat by EWK geregistreer is gedurende hul aanstellingstermyn as 'n lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee.

3.3 Ek verklaar hiermee die volgende belange wat kan bots met my pligte as lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee. (Slegs as daar 'n potensiële botsing van belange is)

Ek is aangestel as n onafhanklike konsultant by die Universiteit van Stellenbosch Fasiliteitsbeatuur se Departement Ontwikkelingsbeplanning
en Ontwerp. Ek werk op n daaglike basis met die universiteit se geboue waarvan die meeste erfenis status geniet.
Ek sal nie deel van n bespreking kan wees wanneer n gebou van die Universiteit ter sprake is nie.

5. VERKLARING

Ek, Charl Francois Taljaardt ID, 6112075081080 verklaar dat ek:

a) beskikbaar is om op die Stellenbosch Munisipaliteit Bewaringsadvieskomitee te dien;

b) 'n burger of permanente lid van die Republiek van Suid-Afrika is;

c) nie 'n lid van die Parlement, Provinsiale Wetgewer, Munisipale Raad of die Huis van Tradisionele Leiers is nie;

d) nie 'n gerehabiliteerde insolvent is nie;

e) nooit ingevolge die Wet op Geestesgesondheidsorg, Wet 17 van 2002, deur 'n geregshof as geestelik onbevoeg verklaar is of aangehou is nie;

f) nooit skuldig bevind is aan enige misdryf wat oneerlikheid behels nie;

g) nooit weens wangedrag uit 'n vertrouensamp verwyder is nie;

h) nooit skuldig bevind is aan wangedrag, onbevoegdheid of onbevoegdheid nie;

i) alle potensiële botsings van belange geopenbaar het;

j) die munisipaliteit kan al die inligting wat verskaf is, verifieer; en

k) sal hulle verbind tot en die Gedragskode vir lede van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee handhaaf.

Geteken te: Stellenbosch op hierdie 12 de dag van September 2022

_____

University of Stellenbosch Facilities Management

Hammanshand road

Stellenbosch

Director: Planning and Economic Development

Stellenbosch Municipality

Stellenbosch

Dear Sir/ Madam

NOMINATION TO SERVE AS A MEMBER OF THE STELLENBOSCH MUNISIPALITY CONSERVATION ADVISORY COMMITTEE

Your call for nominees to serve as a member of the Stellenbosch Municipality Conservation Advisory Committee refers.

Attached please find my identity document, CV, degree certificate, completed nomination form and SACAP registration certificate to be considered as a member of the conservation committee.

I am a qualified Senior Architectural Technologist (BTech Arch CPUT) and have been involved in the field of architecture and conservation for more than 18 years.

I am contracted as an independent contractor by the University of Stellenbosch, Division Facilities Management, Department Development Planning and Design as an architectural professional and senior planner. My CV reflects my experience in this role for more than 6 years as well as my employment in architectural offices, both in South Africa and Namibia.

Being in the employ of the University I am involved daily with conservation of the built environment of the central campus. For example, the installation of an art installation in front of our Old Main Building, and the enclosure of the loggia of CL Marais building and the verandas of the Crozier Street houses with frameless glass. I have a keen appreciation for conservation of the built environment and gained valuable experience during the last six years. I am eager to serve on your committee and hopefully I could be an asset.

I have cognisance of the fact that being contracted to the University could lead to a conflict of interest, but at the same time it could lead to better synergy between the Municipality and the University. I am however willing to refrain from any discussions and/or meetings between members of the committee involving any of the buildings of the University should I be accepted to serve.

Your favourable consideration will be appreciated.

Kind Regards
Charl Taljaardt

CURRICULUM VITAE: CHARL FRANCOIS TALJAARDT

Personal Details

Citizenship	South Africa
Date of Birth	7 December 1961
Marital Status	Married
Address	737 De Velde de Beers Street Somerset West
Telephone	+2721 8089169
Cell phone	+2784 446 6980
E Mail	taljaardtc@sun.ac.za
Microsoft Teams address	taljaardtc@sun.ac.za

Current Position and Employer

Senior Planner: University of Stellenbosch, Facilities Management, Dept. Development Planning and Design, Stellenbosch, South Africa

Qualifications and Studies

Degree/Diploma	Awarding Institution	Date
National Diploma Architectural Technology	Tshwane University of Technology, Pretoria	1995
B Tech Architectural Technology	Cape Peninsula University of Technology, Cape Town	2013

Computer Literacy

Programme	Level of Competency
ARCHCAD 26	Very good
AUTOCAD	Excellent
CADDIE	Excellent
MS Office	Very Good

Other training and/or Courses

Qualification	Awarding Institution	Date
NQF L4 Real Estate	Margaret Nichols and Associates FETC	2010
AUTOCAD	Cape Peninsula University of Technology, Cape Town	2006

Employment in Architectural and Project Management Field

Post and Job Description	Employer	Date
Architectural Technologist Internship	BAU Architects	Jan – Dec 1994
Residential design, documentation and project administration and coordination. Industrial Building design and documentation. Restaurant design, documentation and project administration and coordination. Commercial and farm building (wine tasting room and cellar) design, documentation and project administration and coordination. Interior design: design and coordination.	Self Employed, Stellenbosch	June 2006 – February 2014
Senior Architectural Technologist. Documentation and project administration and coordination of commercial and residential buildings	Gerrit Burger Architect	March 2014 - August 2014
Freelance work for architects and private clients	Manda Bakkes Architect and various clients	September 2014 – January 2015
Senior Architectural Technologist Documentation and project administration and coordination of commercial buildings	Howard & Chamberlain Architects	26 January – 30 April 2015
Senior Architectural Technologist Documentation and project administration and coordination of commercial and residential buildings	Claude Bosch Architects	1 May 2015 -11 April 2016
Senior planner and project manager. Tender documentation process and procurement, project planning, design and heritage management of university buildings, report writing and management of professional team.	University of Stellenbosch	1 June 2016 Currently

Previous Employment

Post and Job Description	Employer	Date
Estate Agent	Chazz Everitt Properties, Stellenbosch	August 2009 – September 2011
Restaurant Owner	Bendigo Restaurant, Vergenoegd Wine Estate, Stellenbosch	May 2005 – June 2006
Restaurant Owner	Spinnakers Restaurant, Langebaan	August 2000 – April 2005
Restaurant Owner	Pizza Café Restaurant, Langebaan	October 1996 – July 2000
Insurance Broker	Charter Life, Pretoria	August 1990- September 1993
Insurance Broker	Old Mutual, Pretoria	July 1989 – July 1990
Detective Sergeant	South African Police Service	January 1982 – June 1989

Community Projects

Project	Position	Date
Annual Mussel Festival, Langebaan	Founder member and vice chairman	2003 - 2004

References

Name	Position Held	Relationship	Contact Details
Mr. Coen van Graan	Architect: Gerrit Burger Architects	Previous Employer	+26461 304 201 +26481 127 9909
Mr Dawid van der Merwe	Director: Claud Bosch Architects	Previous Employer	+26461 237 160 +26481 495 1828 dawid@boscharchitects-1.com
Mr. Dirk Human	Owner: Black Oystercatcher Winery, Bredasdorp	Client	+2782 7795439 dirk@blackoystercatcher.co.za
Professor Johannes Cronje	Dean of Informatics and Design: Cape Peninsula University of Technology, Cape Town	Client	+2782 5585311 johannes.cronje@gmail.com
Mr. Renier van Rooyen	CFO: Development Bank of Namibia, Windhoek	Client	+264 811281166 vanrooyenr@gmail.com
Me. Gretha Jacobs	Manager: Strategic Planning, Facilities Management, University of Stellenbosch	Previous Manager	+2721 8084649 +2782 9281883
Mr. Anton Kriel	Manager: Capital Projects, Project Management Office, Facilities Management, University of Stellenbosch	Current Manager	+27 21 808 3619 +2783 3243517

GEREGISTREERDE WOON- EN POSADRES

1. Bewaar die bewys van u GEREGISTREERDE WOON- EN POSADRES in hierdie sakkie.

2. Indien u van adres verander het, of indien besonderhede van u huidige adres, bv. straatnaam en/of -nommer, ens. verander het, moet die vorm KENNISGEWING VAN ADRESVERANDERING, wat in die sakkie agter in die identiteitsdokument is, gebruik word om die verandering aan te meld en moet dit ingedien word by of gepos word aan die naaste streek-/distrikkantoor van die DEPARTEMENT VAN BINNELANDSE SAKE.

REGISTERED RESIDENTIAL AND POSTAL ADDRESS

1. Keep the proof of your REGISTERED RESIDENTIAL AND POSTAL ADDRESS in this pocket.

2. If you have changed your address, or, if particulars of your present address, e.g. name of street and/or street number, etc., have been changed, the NOTICE OF CHANGE OF ADDRESS form in the pocket at the back of the identity document must be used to report the change and it must be handed in at or posted to the nearest regional/district office of the DEPARTMENT OF HOME AFFAIRS.

1

I.D.No. 611207 5081 08 0

S.A.BURGER/S.A.CITIZEN

VAN/SURNAME
TALJAARDT

VOORNAME/FORENAMES
CHARL FRANCOIS

GEBOORTEDISTRIK OF-LAND/
DISTRICT OR COUNTRY OF BIRTH
SUID-AFRIKA

GEBOORTEDATUM/
DATE OF BIRTH
1961-12-07



DATUM UITGEREIK
DATE ISSUED
2008-12-18

UITGEREIK OP GESAG VAN DIE DIREKTEUR-GENERAAL: BINNELANDSE SAKE

ISSUED BY AUTHORITY OF THE DIRECTOR-GENERAL: HOME AFFAIRS

Cape Peninsula
University of Technology

GESERTIFISEER 'N WARE AFDRUK
VAN DIE OORSPRONKLIKE
CERTIFIED A TRUE COPY OF
ORIGINAL

SOUTH AFRICAN POST OFFICE
MATIELAND
14 SEP 2022
FOLIO 3

THE
DEGREE
BACCALAUREUS TECHNOLOGIAE

ARCHITECTURAL TECHNOLOGY

is awarded to

CHARL FRANCOIS TALJAARDT

student number

206250118

with effect from
01 DECEMBER 2013

Registrar

Vice-Chancellor

415 424

South African Council
for the Architectural Profession

CERTIFICATE
OF REGISTRATION

This certificate is proudly issued to

Charl Francois Taljaardt

registered as a

Professional Senior Architectural Technologist

In Terms of The Architectural Profession Act. 2000 (Act No. 44 of 2000)

Registration Number: PSAT24722713

Original Registration Date: 2007-01-18

Current Registration Date: 2019-04-10

Certificate Serial Number: 24722713

End of CPD Cycle: 2024-01-01

Contact Details

Email: cha*lta*jaa*dt@g*ail.*om

Mobile: 084 *46 6*80

Mr. Ntsindiso Charles Nduku
President

Adv. Toto Fiduli
Registrar

SACAP has confirmed the above information, for digital certification and sharing by PrivySeal Limited, at 12:33 PM (Africa/Johannesburg) on 16 Feb 2022

POWERED BY PRIVYSEAL

This certificate is only valid if the Registered Person has paid annual fees and has complied with the CPD requirements

APPENDIX 5

STELLENBOSCH

All orders are subjected to the Supply Chain Management Policy.

VAT REG NO	OFFICIAL ORDER NO	ORDER DATE
4700102181	000000900001662	18/08/2022

TO: MEDIA24
40 Heerengracht Street,Foresho
Cape Town
Cape Town CBD
Cape Town
Tel: (021) 021 406 3181
Fax: (021) 021 406 3187
Email: heather.gertze@media24.com

Invoice To: Stellenbosch Local Municipality
Stellenbosch Main Building
17 Plein Street
Stellenbosch

7600
Tel: (021) 8088111
Fax:
Email:

DELIVERY ADDRESS:
129 DORP STREET
STELLENBOSCH

CONTACT DETAILS
VIOLA ANTHONY

7600

CREDITORS / SUPPLIER NUMBER	REQUEST NO.	CONTRACT NO.	TENDER NO.
MAAA0110296	000000100009288		

PLEASE SUPPLY AND DELIVER THE UNDERMENTIONED GOODS / SERVICES TO THE STIPULATED DELIVERY ADDRESS

#	COMMODITY CODE	STOCK CODE	ORDER LINE DESCRIPTION	QTY	UNIT PRICE	GROSS (EXCL VAT)	VAT	TOTAL COST (INCL VAT)
1	82101504	V00295	NOTICE NO. 107/2022 - EIKESTADNUUS	1.00	11 535.30	11 535.30	1 730.30	13 265.60
2	82101504	V00295	NOTICE NO. 107/2022 - PAARL POST	1.00	12 307.20	12 307.20	1 846.08	14 153.28

TOTAL ORDER: **R 27 418.88**

AUTHORISED OFFICIAL: .....

1. Ensure that prices as quoted are correctly reflected on this order and quote this order number on all invoices.
2. Payment will be made within 30 days of the statement date on items printed on the original order.
3. Upon receipt of official orders, suppliers must commence within at least seven (7) days or prior with the disposal of the order, failure to do so without any substantial reasons may lead to cancellation of this order.
4. No provider or prospective provider may order or grant any inducement or reward, gift or favour to any official or role player.
5. Stellenbosch Local Municipality may cancel a contract and claim any damages for any losses incurred due to poor performance based on a performance rating assessment.
6. Any cancelled contract due to poor performance may lead to the suspension of service providers.

CALL FOR NOMINATIONS TO SERVE AS A MEMBER OF THE STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE

Stellenbosch Municipality calls for the nomination of suitably qualified members of the public to serve for a term of three (3) years as a member of the Stellenbosch Municipality Conservation Advisory Committee, as prescribed in Section 249(1) of the Stellenbosch Municipality Zoning Scheme Bylaw 2019.

This Committee is responsible to advise and make recommendations to the delegated authority of the municipality on the following:

- Planning applications in Urban and Rural Conservation Overlay zones.
- Proposed alterations, additions, or demolition to existing structures as specified in Sections 27 & 34 of The National Heritage Resources Act, (Act 25 of 1999)
- Applications received in terms of Section 38 of the National Heritage Resources Act, (Act 25 of 1999)
- Provision of comment in respect of Outdoor Advertising and Signage applications.

Interested Individuals should comply with the following requirements:

1. A South African ID document.
2. Be a permanent resident within the Stellenbosch Municipality Area.
3. Relevant suitable knowledge, qualifications, experience, and interest in subjects related to Heritage Management, Built Environment, Cultural History, and laws related to Heritage, Planning, and Environmental legislations and policies.
4. Own IT equipment with Microsoft Teams downloaded and access to a suitable internet connection, as all meetings are virtual.
5. Not be a member of any "Interested &Affected Parties" that are registered with Heritage Western Cape for the duration of their appointment.

Members of the Committee will be appointed by the Stellenbosch Municipal Council and will be remunerated as determined by Council, subject to terms and conditions.

Inquiries: Katherine Robinson (Katherine.Robinson@stellenbosch.gov.za)

Prescribed Nomination Forms are available on the Stellenbosch Municipal website: www.stellenbosch.gov.za or from Ms. Viola Anthony (Viola.Anthony@stellenbosch.gov.za)

The closing date for nomination is **01 July 2022** at **16:30**. All nominations are to be addressed to:
Director: Planning and Economic Development and must be emailed to:
Viola.Anthony@stellenbosch.gov.za.
No hand-delivered, posted or late applications will be considered.

Notice No: 7/2022
MUNICIPAL MANAGER
Municipal Offices, Plein Street, Stellenbosch, 7600

OPROEP VIR NOMINASIES OM AS 'N LID VAN DIE STELLENBOSCH MUNISIPALITEIT BEWARINGSADVIESKOMITEE TE DIEN

Stellenbosch Munisipaliteit vra vir die benoeming van toepaslik gekwalifiseerde lede van die publiek om vir 'n termyn van drie (3) jaar as lid van die Stellenbosch Munisipaliteit Bewaringsadvieskomitee te dien, soos voorgeskryf in Artikel 249(1) van die Stellenbosch Munisipaliteit Soneringskema Verordening 2019.

Hierdie Komitee is verantwoordelik om advies te gee en aanbevelings te maak aan die gedelegeerde gesag van die munisipaliteit oor die volgende:

- Beplanningsaansoeke in stedelike en landelike bewaringsoorlegsones.
- Voorgestelde veranderings, toevoegings of sloping aan bestaande strukture soos gespesifiseer in Artikels 27 & 34 van die Wet op Nasionale Erfenishulpbronne, (Wet 25 van 1999)
- Aansoeke ontvang ingevolge Artikel 38 van die Wet op Nasionale Erfenishulpbronne, (Wet 25 van 1999)
- Verskaffing van kommentaar ten opsigte van Buitelugreklame en Naambord ansoeke.

Belangstellende individue moet aan die volgende vereistes voldoen:

1. 'n Suid-Afrikaanse ID-dokument.
2. Permanente inwoner binne die Stellenbosch Munisipaliteit Area wees.
3. Relevante toepaslike kennis, kwalifikasies, ondervinding en belangstelling in vakke wat verband hou met Erfenisbestuur, Bou-omgewing, Kultuurgeskiedenis, en wette wat verband hou met Erfenis-, Beplannings- en Omgewingswetgewing en -beleide.
4. Eie IT-toerusting met Microsoft-spanne afgelaai en toegang tot 'n geskikte internetverbinding, aangesien alle vergaderings virtueel is.
5. Nie 'n lid wees van enige "Belangstellende & Geaffekteerde Partye" wat by Erfenis Wes-Kaap geregistreer is vir die duur van hul aanstelling wees nie.

Lede van die Komitee sal deur die Stellenbosch Munisipale Raad aangewys word en sal vergoed word soos deur die Raad bepaal, onderhewig aan bepalings en voorwaardes.

Navrae: Katherine Robinson (Katherine.Robinson@stellenbosch.gov.za)

Voorgeskrewe nominasievorms is beskikbaar op die Stellenbosch Munisipale webwerf: www.stellenbosch.gov.za of by Me. Viola Anthony (Viola.Anthony@stellenbosch.gov.za)

Die sluitingsdatum vir benoeming is **01 Julie 2022** om **16:30**. Alle nominasies moet aan Direkteur: Beplanning en Ekonomiese Ontwikkeling gerig word en moet per e-pos gestuur word aan:
Viola.Anthony@stellenbosch.gov.za.
Geen handafgelewerde, gepos tenof laat aansoeke sal oorweeg word nie.

Kennisgewing Nr: 7/2022
MUNISIPALE BESTUURDER
Munisipale kantore, Pleinstraat, Stellenbosch, 7600

ISIMEMO SOKUTYUNJWA NJENGELUNGU LEKOMITI ECEBISAYO NGOLONDOLOZWA KAMASIPALA WASTELENBOSCH

Umasipala waseStellenbosch umemelela ukuba kutyunjwe amalungu afanelekileyo oluntu ukuba asebenze isithuba seminyaka emithathu (3) njengelungu leKomiti yeeNgcebiso ngoLondolozo kuMasipala waseStellenbosch, njengoko kuchaziwe kwiCandelo 249(1) loMthetho kaMasipala weNkqubo yezoCando kaMasipala waseStellenbosch. 2019.

Le Komiti inoxanduva lokucebisa nokwenza izindululo kugunyaziwe ophathiswe umasipala kwezi zilandelayo:

- Ucwangciso lwezicelo kwiizowuni eziWalekeneyo ngoLondolozo lwaseziDolophini nasemaphandleni.
- Inguqu ezicetyiweyo, ekongezweni, okanye ukudilizweni kwezakhiwo ezisele zikho njengoko kucaciswe kwiCandelo lama-27 & 34 oMthetho weMithombo yeLifa neMveli yeSizwe, (uMthetho wama-25 ka-1999)
- Nangokwezi zicelo ezifunyenwe ngokweCandelo lama-38 oMthetho weMithombo yeLifa leMveli yeSizwe, (oMthetho wama-25 ka-1999)
- Nangokubonelela ngezimvo ngokubhekisele kwiNtengiso yaNgaphandle kunye nezicelo zeMiqondiso.

Abantu abanomdla kufuneka bathobele ezi mfuno zilandelayo:

1. Isazisi saseMzantsi Afrika.
2. Ube ungumhlali osisigxina kwingingqi kaMasipala waseStellenbosch.
3. Ubenolwazi oluqinisekileyo namava kunye nomdla kwizifundo ezinxulumene noLawulo lweLifa leMveli, kwdawo eyakhiweyo nakwimbali zenkcubeko, kunye nemithetho enxulumene namafa emveli, kwakunye nocwangciso, nemithetho nemigaqo-nkqubo yokusingqongileyo.
4. Kufuneka ubenezakho izixhobo ze-IT ezineQela le-Microsoft ezikulungelelelyo uqhagamshelwano olufanelekileyo lwe-intanethi, njengoko zonke iintlanganiso zisekhompyutheni.
5. Angabi lilungu lawo nawaphi na "amaQela aNomdla naChaphazelekayo" abhaliswe kwiLifa leMveli leNtshona Koloni ngethuba lokuqeshwa kwawo.

Amalungu eKomiti aya kunyulwa liBhunga likaMasipala waseStellenbosch kwaye aya kuhlawulwa njengoko kumiselwe liBhunga, ngokwemigaqo nemiqathango.

Ngolwazi oluhuthe kratya nxulumana no: Katherine Robinson (Katherine.Robinson@stellenbosch.gov.za)

Iifomu ezimiselweyo zokutyumba ziyafumaneka kwiwebhusayithi kaMasipala waseStellenbosch: www.stellenbosch.gov.za okanye kuNksz. Viola Anthony (Viola.Anthony@stellenbosch.gov.za)

Umhla wokuvalwa kotyunjwo ngomhla **wama-01 July 2022** ngo-**16:30**. Lonke ulonyulo luza kubhekiswa ku:
Umlawuli woCwangciso noPhuhliso loQoqosho, kwaye kufuneka izicelo zithunyelwe nge-imeyile ku: Viola.Anthony@stellenbosch.gov.za.

Akukho zicelo zamkelekileyo zithunyelwa ngezandla nangeposi, yaye izicelo ezithunyelwe emva kwexesha aziy' ukwamkelelo

Inombolo yesaziso: 7/2022
UMPHATHI KAMASIPALA
Ii-Ofisi zikaMasipala, iPlein Street, Stellenbosch, 7600

STELLENBOSCH

All orders are subjected to the Supply Chain Management Policy.

VAT REG NO	OFFICIAL ORDER NO	ORDER DATE
4700102181	000000900001369	06/06/2022

TO: MEDIA24
40 Heerengracht Street,Foreshore
Cape Town
Cape Town CBD
Cape Town
Tel:
Fax:
Email:

Invoice To: Stellenbosch Local Municipality
Stellenbosch Main Building
17 Plein Street
Stellenbosch
7600
Tel: (021) 8088111
Fax:
Email:

DELIVERY ADDRESS:
127 DORP STREET

STELLENBOSCH

7600

CONTACT DETAILS
TAMMEY LEE CLOETE
(021) 8081400

CREDITORS / SUPPLIER NUMBER	REQUEST NO.	CONTRACT NO.	TENDER NO.
MAAA0110296	000000100007882		

PLEASE SUPPLY AND DELIVER THE UNDERMENTIONED GOODS / SERVICES TO THE STIPULATED DELIVERY ADDRESS

#	COMMODITY CODE	STOCK CODE	ORDER LINE DESCRIPTION	QTY	UNIT PRICE	GROSS (EXCL VAT)	VAT	TOTAL COST (INCL VAT)
1	82101504	V00295	NOTICE NUMBER 7/2022 DIE BURGER	1.00	21 760.00	21 760.00	3 264.00	25 024.00

TOTAL ORDER: **R 25 024.00**

AUTHORISED OFFICIAL: .....

1. Ensure that prices as quoted are correctly reflected on this order and quote this order number on all invoices.
2. Payment will be made within 30 days of the statement date on items printed on the original order.
3. Upon receipt of official orders, suppliers must commence within at least seven (7) days or prior with the disposal of the order, failure to do so without any substantial reasons may lead to cancellation of this order.
4. No provider or prospective provider may order or grant any inducement or reward, gift or favour to any official or role player.
5. Stellenbosch Local Municipality may cancel a contract and claim any damages for any losses incurred due to poor performance based on a performance rating assessment.
6. Any cancelled contract due to poor performance may lead to the suspension of service providers.

STELLENBOSCH

All orders are subjected to the Supply Chain Management Policy.

VAT REG NO	OFFICIAL ORDER NO	ORDER DATE
4700102181	000000900001370	06/06/2022

TO: MEDIA24
40 Heerengracht Street,Foreshore
Cape Town
Cape Town CBD
Cape Town
Tel:
Fax:
Email:

Invoice To: Stellenbosch Local Municipality
Stellenbosch Main Building
17 Plein Street
Stellenbosch

7600
Tel: (021) 8088111
Fax:
Email:

DELIVERY ADDRESS:
127 DORP STREET

STELLENBOSCH

7600

CONTACT DETAILS
TAMMEY LEE CLOETE
(021) 8081400

CREDITORS / SUPPLIER NUMBER	REQUEST NO.	CONTRACT NO.	TENDER NO.
MAAA0110296	000000100007879		

PLEASE SUPPLY AND DELIVER THE UNDERMENTIONED GOODS / SERVICES TO THE STIPULATED DELIVERY ADDRESS

#	COMMODITY CODE	STOCK CODE	ORDER LINE DESCRIPTION	QTY	UNIT PRICE	GROSS (EXCL VAT)	VAT	TOTAL COST (INCL VAT)
1	82101504	V00295	NOTICE NUMBER 7/2022 EIKESTADNUUS	1.00	11 535.30	11 535.30	1 730.30	13 265.60
2	82101504	V00295	NOTICE NUMBER 7/2022 PAARL POST	1.00	12 307.20	12 307.20	1 846.08	14 153.28

TOTAL ORDER: **R 27 418.88**

AUTHORISED OFFICIAL: .....

1. Ensure that prices as quoted are correctly reflected on this order and quote this order number on all invoices.
2. Payment will be made within 30 days of the statement date on items printed on the original order.
3. Upon receipt of official orders, suppliers must commence within at least seven (7) days or prior with the disposal of the order, failure to do so without any substantial reasons may lead to cancellation of this order.
4. No provider or prospective provider may order or grant any inducement or reward, gift or favour to any official or role player.
5. Stellenbosch Local Municipality may cancel a contract and claim any damages for any losses incurred due to poor performance based on a performance rating assessment.
6. Any cancelled contract due to poor performance may lead to the suspension of service providers.

Katherine Robinson

From: Katherine Robinson
Sent: Thursday, 25 August 2022 10:04
To: Barry Phillips; Lauren Buchanan
Cc: info@stellenboschinterestgroup.org
Subject: Advert for Nomination for members of the Stellenbosch Municipality Conservation Advisory Committee
Attachments: Muni Stel Conservation Adv Committee-000000-20x8-EN250822.pdf

Good morning all,

May I please request that you circulate the attached document amongst the members of your committees and to anyone who you feel may be interested in being a member of the Stellenbosch Municipality Conservation Advisory Committee?

Thankyou.

Kind regards,
Katherine Robinson
Senior Heritage Planner
Heritage Resource Management
Planning & Economic Development

T: +27 21 808 8608 Cell: 072 202 5008
Email:
Katherine.Robinson@stellenbosch.gov.za
Alma, 129 Dorp Street, Stellenbosch, 7600
www.stellenbosch.gov.za

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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

Katherine Robinson

From: Katherine Robinson
Sent: Thursday, 25 August 2022 10:16
To: info@cifa.org.za
Cc: john@fagan.co.za
Subject: Nomination to be a member of Stellenbosch Municipality Conservation Advisory Committee
Attachments: Muni Stel Conservation Adv Committee-000000-20x8-EN250822.pdf

Good morning Asa,

I spoke to John Wilson-Harris and he referred me to you.

I am the Senior Heritage Planner for Stellenbosch Municipality and we would like to ask if it's possible to send out the attached advert as a newsflash to your members so that should they wish to nominate themselves to be part of our advisory committee they may be able to do so.

Please feel free to contact me should you have any questions.

Thank you.

Kind regards,
Katherine Robinson
Senior Heritage Planner
Heritage Resource Management
Planning & Economic Development

T: +27 21 808 8608 Cell: 072 202 5008
Email:
Katherine.Robinson@stellenbosch.gov.za
Alma, 129 Dorp Street, Stellenbosch, 7600
www.stellenbosch.gov.za

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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: john@fagan.co.za <john@fagan.co.za>
Sent: Thursday, 28 July 2022 12:12
To: 'Roxanne Swan' <roxanne@summersinc.co.za>; dalrest@iafrica.com; doncarroll@telkomsa.net; barryphillips505@gmail.com; Kaizer Makati <Kaizer.Makati@stellenbosch.gov.za>; Katherine Robinson <Katherine.Robinson@stellenbosch.gov.za>
Cc: specialproject1@boschendal.co.za; bmwasinga@sahra.org.za; 'Richard Summers' <Richard@summersinc.co.za>; 'Kirstin Meiring' <Kirstin@summersinc.co.za>
Subject: [EX] RE: Boschendal Founders' Estate: Meeting of Master Review Committee to be held on 29 July 2022

Dear Roxanne

I will attend as Cifa's representative.

Kind regards
John

John Wilson-Harris
Director
PrArch SACAP 5673

GABRIËL FAGAN
ARCHITECTS
156 BREE STREET
CAPE TOWN 8001
021 4242470
076 3389156
gabriel@fagan.co.za

From: Roxanne Swan [mailto:roxanne@summersinc.co.za]
Sent: Wednesday, 27 July 2022 14:53
To: dalrest@iafrica.com; doncarroll@telkomsa.net; barryphillips505@gmail.com; Kaizer.Makati@stellenbosch.gov.za; Katherine.Robinson@stellenbosch.gov.za; john@fagan.co.za
Cc: specialproject1@boschendal.co.za; bmwasinga@sahra.org.za; Richard Summers; Kirstin Meiring
Subject: Boschendal Founders' Estate: Meeting of Master Review Committee to be held on 29 July 2022

Dear All,

Kindly confirm whether you will be in attendance of the meeting of the Master Review Committee to be held on 29 July 2022 at the studioMAS offices at 5 Constitution Street, East City Precinct.

We look forward to your response.

Kind regards,

Roxanne Swan

RICHARD SUMMERS INC.
Personal Assistant

C +27 670697757
Unit 126, Victoria Junction, 57 Prestwich Street, De Waterkant, Cape Town

---------- Forwarded message ---------
From: **UDISA** <udisa@cifa.org.za>
Date: Fri, Aug 26, 2022 at 9:40 AM
Subject: CIfA Newsflash 47/2022 | Call for Nominations to Serve as a Member of the Stellenbosch Municipality Conservation Advisory Committee
To:

SOUTH AFRICAN INSTITUTE OF ARCHITECTS
CIFA A REGION OF SAIA

Cape Institute for Architecture

Newsflash

47/2022 | 25 August 2022

Physical Address: 71 Hout Street, Cape Town | Postal Address: PO Box 3952, Cape Town 8000 | T. +27-21-424 7128 | E. info@cifa.org.za | W. www.cifa.org.za

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Stellenbosch Municipality calls for the nomination of suitably qualified members of the public to serve for a term of three (3) years as a member of the Stellenbosch Municipality Conservation Advisory Committee, as prescribed in Section 249(1) of the Stellenbosch Municipality Zoning Scheme Bylaw 2019.

The closing date for nomination is 16 September 2022 at 16h30.

The full advertisement is attached.

ENQUIRIES: Katherine Robinson via email Katherine.Robinson@stellenbosch.gov.za

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7.8.2	**REQUEST TO UNDERTAKE THE PUBLIC PARTICIPATION PROCESS ("PPP") IN RESPECT OF THE DRAFT STELLENBOSCH MUNICIPALITY INCLUSIONARY ZONING (HOUSING) POLICY**

Collaborator No: **743926**
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **15 February 2023**

1. SUBJECT: REQUEST TO UNDERTAKE THE PUBLIC PARTICIPATION PROCESS ("PPP") IN RESPECT OF THE DRAFT STELLENBOSCH MUNICIPALITY INCLUSIONARY ZONING (HOUSING) POLICY

2. PURPOSE

To provide Council with the pertinent facts in order to approve that the draft Stellenbosch Municipality Inclusionary Zoning Policy be advertised for a period of sixty (60) days to obtain public comment in respect of the subject draft policy.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The draft policy document aims to support Stellenbosch Municipality and other key role players in delivering more high-quality affordable housing (also referred to as inclusionary housing) in well-located and priority development areas, creating a mix of income groups across new and infill developments in Stellenbosch Municipality promoting social and economic integration.

To deliver affordable housing within the Stellenbosch Municipality, available municipal spatial planning; and land use planning systems and land-based financing mechanisms were investigated and identified. This will be used in leveraging and incentivizing land value gains in spatially targeted areas for the creation public good (i.e. affordable housing) and to enable well performing settlements (i.e. integrated, inclusive, resilient, efficient) in order to address current development challenges and historical spatial imbalances/inequalities.

The spatial compact as envisaged and approved in the Stellenbosch Municipal Spatial Development Framework, 2019 and the Adam Tas Corridor Local Spatial Development Framework and Development Guidelines, 2022 of enabling inclusive, efficient, and an effective municipality by providing a wide choice of quality affordable housing to meet the needs of the community, widening the opportunities for homeownership, and creating flexibility and choice of tenures and price ranges for those who rent and seek the security of tenures.

In addition to facilitate and grow a strong partnership with the private sector in terms of delivering more quality affordable housing.

5. RECOMMENDATIONS

(a) that Council takes note of the draft Stellenbosch Municipality Inclusionary Zoning Policy, attached as **APPENDIX 1** to this report, and

(b) that Council approves that the draft Stellenbosch Municipality Inclusionary Zoning Policy, be advertised for public comment for a period of sixty (60) days, whereafter same be resubmitted to Council for final consideration and subsequent approval in terms of the Local Government Municipal Systems Act No. 32 of 2000.

6. DISCUSSION / CONTENTS

6.1 Background

Council approved the Municipal Spatial Development Framework, 2019 ("MSDF") and the Adam Tas Corridor ("ATC") Local Spatial Development Framework and Development Guidelines, 2022 ("LSDF") which identifies the development of an inclusionary zoning (housing) policy to achieve a desired urban future of more affordable housing opportunities in well located parts of our city and towns to become more socially and economically inclusive.

The envisaged spatial transformation of our city and towns are underpinned by the Constitution, Spatial and Land Use Management Act, Act 16 of 2013 ("SPLUMA") principles of spatial justice, sustainability, efficiency, and good governance, and specifically to meet the expectations of the Western Cape Inclusionary Housing Policy Framework as approved by the Provincial Cabinet in October 2022.

6.2 Discussion

The policy aims to apply the inclusionary zoning provisions in land use planning permissions which is a municipal planning mandate within the Stellenbosch Municipality context.

A prerequisite of the development of the municipality's inclusionary zoning policy was the adoption of a policy framework by the Western Cape Government ("WCG"). The Western Cape Inclusionary Housing Policy Framework, 2022, was approved by Cabinet in October 2022 and sets out a clear definitional framework and approaches available to municipalities in developing a municipal inclusionary zoning policy.

Another prerequisite includes the identification of unaffordable housing as a development challenge within the municipality's spatial policies and an indication on how and where this should be addressed. The Council approved MSDF and the ATC LSDF and Development Guidelines, 2022 identifies the development issue of unaffordability and proposes the development of a targeted inclusionary zoning (housing) policy using the available municipal spatial planning, land use management and land-based financing mechanisms within its control in order to leverage and incentives private developments to provide more high-quality affordable housing.

As part of the policy development process, a housing market study in partnership with the WCG departments, namely Department of Environmental Affairs and Development Planning ("DEA&DP"), Department of Human Settlements ("DHS"), Department of Transport and Public Works ("DT&PW"), the Department of the Premier ("DOTP"), and four participating municipalities (including Stellenbosch Municipality) was concluded in September 2022.

The goal of the housing market study was to determine how the local property market functions and where there might be a mismatch between the availability and/or provision of housing opportunities compared to the ability of existing households to afford these housing opportunities. The study followed an evidence-based approach and illustrates specifically the mismatch between household income and the entry level, affordable, and conventional market segments (also referred to as the affordable housing segments). *The study demonstrated a functional and active property market in the luxury market segmentation with few housing opportunities in the affordable housing segments in Stellenbosch.*

Housing markets alone cannot fix themselves and it has various negative consequences for both households and towns as identified within the municipality's spatial planning policies. The provincial and municipal policy imperatives identified inclusionary zoning as a planning system tool (also referred to as a land use regulatory mechanism) used to secure affordable housing through the regulatory system of development planning permissions to oblige property owners and developers to provide affordable housing, for sale or rent, within new residential and mixed-use developments.

The policy option provides scope for using land-based financing and planning mechanisms by the municipality to offset these costs by one or more incentives, including density bonus (including parking reductions or other planning parameter variances), providing or leveraging public land leasing and land sales, discounting or deferring the payment of developer contributions, expedited planning processes through an overlay zone mechanism (i.e. Adam Tas Local Area Overlay Zone, in progress) in well-located and spatial targeted areas in alignment with its adopted spatial policies.

The development of the municipal inclusionary policy was done in parallel with the provincial policy framework and various technical assistance groups facilitated by the Development Action Group ("DAG"), Lincoln Institute, DEA&DP, Centre of Affordable Housing Finance ("CAHF") and other participating municipalities were made available to the drafting team to engage on technical issues and facilitate peer learning since the only inclusionary housing policy currently adopted and implemented is within the City of Johannesburg. These platforms, partners, and internal technical workshops provided valuable inputs into the draft municipal policy position on inclusionary zoning.

The phases of the municipal policy development process were facilitated and informed by the abovementioned and the draft policy is now in phase 3 of the policy process which covers the public participation and the consideration and adoption of the policy by Council as requested by the purpose and recommendations as reflected in points 2 and 5 above.

6.3 Financial Implications

As per the approved budget.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

The risks are addressed through the content of the report.

APPENDICES

APPENDIX 1: Draft Stellenbosch Municipality Inclusionary Zoning Policy

FOR FURTHER DETAILS CONTACT:

NAME	Chantel Hauptfleisch
POSITION	***Senior Spatial Planner***
DIRECTORATE	***Planning and Economic Development***
CONTACT NUMBERS	***021 808 8607***
E-MAIL ADDRESS	***Chantel.Hauptfleisch@stellenbosch.gov.za***
REPORT DATE	***02 February 2023***

APPENDIX 1

STELLENBOSCH MUNICIPALITY: INCLUSIONARY ZONING POLICY

NEW

JANUARY 2023

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1. DEFINITIONS AND TERMS OF CLARIFICATION

"Additional land use rights (obtained through development permissions)" refers to any development permission that increases or enhances allowable bulk or development yield over and above the existing rights, including the removal of restrictive title deed conditions (WCG 2022).

"Affordable housing" are determined by National Government as an income threshold for the affordable or gap housing market of households earning up to R22 000 per month. The Financial Services Charter (FSC) defines the affordable housing target market to be the approximate cost of bonded entry-level housing in the country, capable of being mortgaged, adjusted annually by the midpoint of the average Consumer Price Index (CPI) and the average Building Cost Index (BCI). The Banking Association of South Africa annually updates this measure and makes this available on its website. However, affordability can fluctuate depending on the context and for the purposes of municipal inclusionary housing policies, affordability can be determined by using the aforementioned sources, as well as considering the outcomes of housing market studies for particular settlements. Also refer to gap market/housing below (WCG 2022).

"Affordability preservation" - the purpose of inclusionary housing is to increase the stock of well-located affordable housing over the long term. If such housing is not restricted from being sold or rented in the open market following the first generation of allocation, the purpose is defeated, while public value profits a few. Preserving the affordability of inclusionary units over the long term is therefore a key policy concern (WCG 2022).

"Density bonus" refers to a zoning tool that allows developers to increase height and/or bulk in a project by allowing building heights or a floor factor/floor space greater than the zoned maximum as well as relaxations of related requirements, such as parking, in exchange for a public good namely affordable

housing (also referred to as inclusionary housing). This tool is used primarily for projects that include the development of housing units. The added density is intended to compensate the developer with additional revenue from the construction of additional dwellings. This recognises the added costs of development or differences in profit margins between market rate units and the inclusion of below-market rate units or unprofitable amenities. The result is development that provides additional density and public benefits without direct public funding. The density bonus is a one-time, in-kind obligation in which the private sector developers' cost of capital investment in affordable housing can be offset by granting additional, monetizable development rights, greater than the zoned maximum for a specific development site. (WCG 2022).

"Development charges" also known as an impact fee, is a charge that a local government imposes on the developer of a new development project to pay for all or a portion of the costs to the public sector of providing public services to the new development. Development charges have been used by local governments to help offset fiscal burdens created by new developments related to municipal infrastructure and provision of public services such as sewer and wastewater management treatment systems, road networks, parks and so on. Development charges are calculated by assessing the costs that the development would impose on the current municipal infrastructure network and what additional capacity or infrastructure would be required to ensure that the new development is adequately serviced. The fee is often able to be paid either in kind or in cash (NT 2017).

"Finance-linked Individual Subsidy Programme (FLISP)" is a housing subsidy for first-time home buyers to assist with purchasing a property. The subsidy can be used on its own or in combination with mortgage and non-mortgage finance facilities, making it more affordable to purchase a property (plot and/or house). Households with an income between R3 501 to R22 000 may qualify for the FLISP subsidy if they meet all

the criteria. The subsidy amount depends on the income of the applicant and ranges between R27 960 – R121 626 (WCG 2022).

"Gap market/housing" refers to households falling into the portion of the market that earn too much to qualify for full grant housing assistance, but too little to be able to afford a bond of sufficient size to purchase an entry level market house. The gap housing market is understood to fall within the broader affordable housing market. Also refer to affordable housing above (WCG 2022).

"Housing/property ladder" refers to where there are "progressive stages of securing adequate and improved housing. This encompasses moving from informal to formal housing, and within the formal realm, from renting to owning and from owning a small house/flat to owning a larger and/or more valuable property" (WCG 2022).

"Land-based financing" **(LBF)** goal as defined by National Treasury (Cities Support Programme 2017) is a mechanism to be primarily used to maximize and unlock the value of government assets, advance a city's spatial restructuring goals, and promote transit orientated development. This mechanism refers to policy and regulatory mechanisms that allow the public sector to participate in the appreciation of real estate values resulting from public, and at times, private improvements. These improvements may make land parcels more accessible in the case of transit investments, or may prepare land (proactive zoning through the use of an overlay zone such as the ATC overlay zone) for private sector development through the provision of network infrastructure (such as water connectivity and sewerage access) and additional public amenities (such as public open space, hospitals, and schools). Mechanisms associated with LBF include special assessment districts, tax increment financing, development charges, leveraging the value

of municipal real estate, sale of development rights, density bonus, inclusionary housing, land readjustment schemes and so on (NT 2017; OECD 2022).

"Land value capture" refers to a policy approach that enables communities to recover and reinvest land value increases that result from public investment and government actions (i.e. planning permissions). It is rooted in the notion that public action should generate public benefit. When used in conjunction with good governance and urban planning principles, land value capture can be an integral tool to help governments advance positive fiscal, social, and environmental outcomes. Well-known instruments include land banking, land readjustment, land leasing, inclusionary housing, transfer of development rights, charges on building rights, special assessments, impact fees, land value taxes, and exactions (OECD 2022).

"Leveraging the value of municipal real estate" refers to the municipal land as an asset which can be leveraged for improved strategic use. Transacting in municipal land can take the form of sales, auctions, leases, or any other conveyance that sees the rights and entitlements to municipal owned property transferred at below market cost value in exchange for a policy benefit required by the municipality. Depending on the municipality's goals, legal, and regulatory framework, and institutional capacity, it could decide to convey a parcel of land for a fee, receive an in-kind payment of infrastructure in lieu of cash, or participate as an equity partner in the development (NT 2017).

"*Municipality*" means Stellenbosch Local Municipality;

"Open-market housing" refers to housing sold or rented on the open market (willing buyer and seller) with no state assistance, with or without a mortgage (WCG 2022).

"Overlay zone" means a category of zoning applicable to a defined area or land unit, which stipulates additional development parameters that may be more or less restrictive than the base zone as defined in the Stellenbosch Municipality Zoning Scheme Bylaw (2019).

"Planning permissions" refers to authorisations given in response to applications made to a competent authority to develop land (WCG; 2022).

"Priority development areas" as defined in the Stellenbosch Municipal Spatial Development Framework (2019) and subsequent Capital Expenditure Framework (2020) refers to the urban functional areas of Stellenbosch, Klapmuts, and Franschhoek. These areas are priority development areas where the municipality intends to focus investment in order to achieve the goals of the MSDF as well as other strategic documents, namely the Adam Tas Local Spatial Development Framework and Development Guidelines (2022).

"Set-aside requirement" refers to the number of inclusionary housing units that must be provided in a development according to the size of the development or in relation to the additional rights given (WCG 2022).

"Settlement restructuring" refers to the need to transform i) the apartheid form of our urban settlements where the poorest live the furthest away from opportunities – spending the most time and money accessing these opportunities or being caught in spatial poverty traps – and residential areas are defined and separated by class and race ii) the unsustainable modernist form of our settlements where settlements are designed with the automobile as the main form of movement and land uses is monofunctional. Typically, settlement restructuring is planned for and implemented through investment

in socially integrated, mixed-use infill development on well-located land, along with densification, intensification of land uses, public transport and non-motorised transport and taking high quality facilities and amenities to marginalised township areas (WCG 2022).

"Social housing" refers to rental housing targeted at households earning R1 850 – R22 000 per month. Social Housing is governed by the Social Housing Act, 2008 (Act 16 of 2008) and the policy prescripts of the National Housing Code (WCG 2022).

"Spatial apartheid" refers to "the legacy of apartheid – communities segregated from one another based on race (and class) with so-called black and coloured people relocated to less well-resourced urban areas or prevented from accessing or owning property in these areas – as well as the impacts of the legacy of the modernist approach to city building based on the automobile and functional separation of land uses. This has left South Africa with cities that are inefficient, inequitably developed and environmentally, socially, and fiscally expensive to live in and to manage. It has also meant that discrimination has been structured into settlement patterns" (WCG 2022).

"Spatial transformation" as a national focus on transforming of cities as envisaged by the NDP 2030. Namely ensuring that a larger proportion of the population of the population should live closer to places of work and that travel distances and costs should be reduced, especially for poor households. Urban systems are key levers to overcome the debilitating impact of distance and separation on the fortunes of the individual, household, business, and the state, as well as the environment and the resilience of the system as a whole. These include both hard (physical structures and networks) and soft (such as governance systems including urban management and land use management) systems that facilitate and enable compact cities and transformed urban spaces of social and economic inclusion on an equitable

basis. The equitable distribution of resources within cities, as well as building systems that facilitate affordable and safe access to the full ambit of resources that makes urban living productive, are critical to spatial transformation. The South African Local Government Association (SALGA) defines spatial transformation as the overhaul of an inherited segregated spatial dispensation and preventing it from re-establishing itself in new forms of post-apartheid class and income-based spatial segregation and spatial inequality. In considering how to measure whether we are spatially transforming our settlement, SALGA identifies four themes: proximity and access; housing and basic services; integration and inequality; safety and amenity; and agency and governance (WCG 2022).

"Spatially targeted areas" refers to "a built environment investment prioritisation approach where specific areas are designated for investment or specific land uses, within an urban system, to achieve transformative development outcomes. Spatial targeting is an approach recommended by the National Development Plan 2030" (WCG 2022) and the Integrated Urban Development Framework (2016).

2. PURPOSE

2.1 The intention of this document is to support Stellenbosch Municipality and other key role players in delivering more high-quality affordable housing (also referred to as inclusionary housing) within mixed sustainable communities by using all the municipal planning tools (regulations, mechanisms, & incentives) available to them. It outlines the affordable housing challenge that needs to be met, and provides information on how the existing municipal planning tools operate and recommendations on how they need to change to assist in delivery.

3. OBJECTIVES OF THE POLICY

3.1 To increase the supply of high-quality affordable housing (also referred to as inclusionary housing) in well-located and priority development areas, creating a mix of income groups across new and infill developments in Stellenbosch Municipality promoting social and economic integration (also referred to as settlement restructuring).

3.2 Using the municipal spatial planning, land use planning system, and land-based financing tools and their mechanisms to leverage and incentivize land value gains in spatially targeted areas for the creation of public goods (i.e. affordable housing), enabling well-performing settlements (i.e. integrated, inclusive, resilient, efficient) in order to address current and historical spatial imbalances/inequalities (also referred to as spatial apartheid).

3.3 Achieve a more inclusive, efficient, and effective municipality by providing a wide choice of quality affordable housing to meet the needs of the community, widening the opportunities for homeownership, and creating flexibility and choice of tenures and price ranges for those who rent and seek the security of tenures (also referred to as housing/property ladder) as envisioned by its adopted and approved spatial policies.

3.4 Facilitate and grow strong partnerships with the private sector in terms of delivering more quality affordable housing.

4. LEGISLATIVE FRAMEWORK

4.1 This document should be read in conjunction with the following documentation namely; Western Cape Government Inclusionary Housing Policy Framework (November 2022), Stellenbosch Municipality Land Use Planning By-law (2015), Stellenbosch Municipality Zoning Scheme By-law (2019), Stellenbosch Municipal Spatial Development Framework (2019), Adam Tas Local Area Spatial Development Framework and Development Guidelines (2022);

Adam Tas Local Area Overlay Zone (in progress), Stellenbosch Municipality Development Contributions Policy (2022); Stellenbosch Municipality Rates Policy (2022); Municipal Fiscal Powers and Functions Act (2002), and the draft Municipal Fiscal Powers and Functions Amendment Bill (2020).

4.2 The details of the municipal planning tools reflect the position in December 2022, and will be subject to change. Accordingly, the document will be robust to changes in future policies and some parts are likely to evolve which will necessitate periodical updates.

5. PRINCIPLES OF INCLUSIONARY ZONING

5.1 Inclusionary zoning must be understood as a planning system tool (also referred to as a land use regulatory mechanism) used to create affordable housing and foster social and economic inclusion through the regulation of private development. Therefore its use and powers are guided by the broader understanding of the power to regulate land use for the public good (i.e. affordable housing).

5.2 The goal of inclusionary zoning is achieving racially and/or socio-economically integrated communities by confronting and addressing the exclusionary impact of development, which in many contexts has often been facilitated by planning and land use regulation (also referred to as spatial transformation).

5.3 Inclusionary zoning is one of the land and planning tools where spatially targeted financing (also referred to as land-based financing) leverages the benefits of agglomeration, increasing land demand, infrastructure investments, and planning decisions that drive up the value of urban land. Land-based financing is based on the recognition that property owners and developers benefit from this rising value and the possibility for local government to capture some of the rising value for the public good (also referred to as land value capture).

5.4 This policy option provides the scope for securing affordable housing through the regulatory system of development planning permissions to oblige property owners and developers to provide affordable housing, for sale or rent, within the new residential and mixed-use developments (also referred to as set-aside requirement) in well-located and priority development areas as defined by the municipal spatial development framework and/or other strategic spatial policies (namely the Adam Tas Local Spatial Development Framework and Development Guidelines, 2022) and the associated urban management mechanisms (namely the Adam Tas Local Area Overlay Zone (in progress)).

5.5 The policy option provides scope for securing affordable housing through the land-based financing and planning systems to oblige property owners and developers to pay developer contributions (also referred to as impact fees and development charges), and/or additional land use rights (benefits obtained through development permissions), as well as offsetting the cost by one or more incentives, such as a density bonus (which includes parking reductions or other planning parameters variances), providing and leveraging public land leasing and land sales, discounting or deferring the payment of developer contributions, expedited planning processes through an overlay zone mechanism (i.e. Adam Tas Local Area Overlay Zone, in progress) and/or any other land-based financing and planning system mechanisms deemed appropriate by the Municipality.

5.6 It is not the intention, in this mechanism, that a housing subsidy is made available to assist the property owners and developers to meet this affordable housing contribution, but that the cost of the contribution is absorbed in the land price paid for the land and in the award of additional land use rights to offset the costs of such a contribution.

5.7 When the inclusion of affordable units on-site within market-rate projects has been demonstrated based on the financial viability criteria as unfeasible, the property owners and

developers can enter into an inclusionary zoning agreement that sets out alternatives, such as payments of an affordable housing fee (also referred to in-lieu requirement/impact fee/development contribution) or provision of affordable units off-site in another project within the priority development areas.

6. INCLUSIONARY ZONING: REGULATIONS, MECHANISMS, AND OFF-SET INCENTIVES IN SPATIALLY TARGETED AREAS

The following applies within the Municipality:

DEFINITIONS

Inclusionary zoning

6.1 Inclusionary zoning, is a planning system tool used to secure affordable housing (alternatively referred to as inclusionary housing) within private residential and mixed-use developments, through the regulatory system of development planning permissions to oblige an applicant to provide affordable housing, for sale or rent, within the new residential and mixed-use development in well-located located and priority development areas as defined by the municipal spatial development framework and/or other strategic spatial policies (namely the Adam Tas Local Spatial Development Framework and Development Guidelines, 2022) and the associated urban management mechanisms (namely the Adam Tas Local Area Overlay Zone (in progress)).

6.2 The applicant should pay developer contributions, and/or adhere to the additional land use rights obtained through development permissions, and the municipality will reasonably offset the cost by means of using one or more incentives, such as a density bonus (which includes parking reductions or other planning parameters variances), providing and leveraging public

land leasing and land sales, discounting or deferring the payment of developer contributions, expedited planning processes through an overlay zone mechanism (i.e. Adam Tas Local Area Overlay Zone, in progress) and/or any other land-based financing and planning system mechanisms deemed appropriate by the Municipality.

6.3 When the inclusion of affordable units on-site within market-rate projects has been demonstrated based on the financial viability criteria as unfeasible, the property owners and developers can enter into an inclusionary zoning agreement that sets out alternatives, such as payments of an in-lieu fee or provision of affordable units off-site in another project within the priority development areas.

Affordability

6.4 Households should not spend more than a third of their income on housing (also referred to as the premium to income ratio). The standard differentiates between renters with a premium-to-income ratio of 30% and owners with a premium-to-income ratio ranging between 30 – 35%.

6.5 Property owners and developers can use the international spatially targeted approach for calculating affordability usually referring to affordability as being aligned with a proportion of an area's median income and below. Households below the median household income or households with a monthly income below 50%-80% of the area's median household income are targeted. A detailed household income analysis is required as part of the pre-application process requirements and should be submitted to the municipality.

Affordable housing

6.6 In the local context, affordable housing has traditionally been used to describe the "GAP market/Housing". The "GAP market/Housing" refers to persons/households who earn in excess of R3 500 monthly household income and can therefore not qualify for a full

government housing subsidy, but earn too little to qualify for a mortgage loan to purchase a property. The government ceiling for the "GAP market/Housing" is R22 000 monthly household income.

6.7 The Financial Sector Charter (FSC) defines the affordable housing target market to be the approximate cost of bonded entry-level housing in the country, capable of being mortgaged, adjusted annually by the midpoint of the average Consumer Price Index (CPI) and the average (Building Cost Index). The Banking Association of South Africa annually updates this measure and makes this available on its website for example the 2022 rate is determined as R27 200 monthly household income a month.

6.8 The housing market study (refer to Annexure A) outcomes reflect the undersupply of houses valued in the affordable (R300 000 – R600 000) and conventional (R600 000 – R900 000) market segments. The high-end market segment (R900 000 – R1.2 million) also appears to match the current demand and considering the urbanisation and migration trends expected and projected in this market segment, this segment is included.

6.9 Based on the aforementioned standard definitions of affordability and the evidence gathered through the housing market study, affordability in the Stellenbosch Municipality context refers to the following market segmentations – affordable (R300 00 – R600 000), conventional (R600 000 – R900 000), and high-end (R900 000 R1.2 million).

Affordability thresholds estimates/examples using the ratios discussed above

6.10 As examples of the application of affordability thresholds, the following estimates can be derived based on some assumptions[i] (refer to Annexure A):

Market segment (residential property value)	Minimum monthly household income needed to purchase in this market segment	Maximum monthly household income needed to purchase in this market segment
Affordable (R300 000 – R600 000)	R7 300	R14 750
Conventional (R600 000 – R900 000)	R14 750	R22 200
High end (R900 000 – R1.2 million)	R22 200	R29 600

Table 1:Extract from Stellenbosch housing market study (source: WCGb, 2022)

6.11 The abovementioned affordability thresholds as evidenced in the housing market study, accommodate the government-defined "Gap Market/Housing", as well as the FSC affordable housing target market and the affordability threshold for Stellenbosch Municipality ranges between R3 500 and R27 200 (2022 rates, to be updated yearly). The housing market study and its affordability threshold as determined should be applied when updated every two years.

Well-located

6.12 Areas (such as suburbs, neighbourhoods, town centres, and activity corridors) with good public transport and non-motorised transport, access to existing urban service, public and private education, health and social facilities, amenities, retail facilities, and work opportunities.

6.13 Based on the municipal spatial development framework of the Municipality, these areas are defined as priority development areas (also referred to as growth nodes), namely Stellenbosch, Klapmuts, and Franschhoek. The settlements are further delineated by the adopted urban edges, and priority development areas focused on housing (i.e. social restructuring zones; PHSHDA's), intensification zones (i.e. mixed-use community and

residential infill; strategic sites, projects and/or infill opportunities) and development corridors (including activity routes).

6.14 Based on the strategic spatial policies namely the Adam Tas Local Spatial Development Framework and Development Guidelines, 2022 and the associated enabling urban management mechanisms (namely the Adam Tas Local Area Overlay Zone (in progress), the delineated areas are priority spatial targeting areas.

6.15 The listed priority spatial targeting areas are primarily identified for mandatory implementation of affordable housing provision through the inclusionary zoning mechanism, with alternative options requiring approval incorporated.

REQUIREMENTS FOR INCLUSIONARY ZONING WHEN MANDATORY, SPATIALLY TARGETED, OR VOLUNTARY IMPLEMENTATION

Mandatory implementation with off-set requirements (primary option)

6.16 The mandatory application of inclusionary zoning means that the property owner and developer are automatically required to include a portion of affordable housing units (also referred to as inclusionary housing or the set-aside requirement) as part of their development within the well-located priority development areas as defined. The municipality therefore only grants approval for the development if the developer builds a proportion of the affordable units.

6.17 Inclusionary zoning requirements are triggered by land development applications, as such, the requirement does not affect existing, approved land use rights.

6.18 Inclusionary zoning is mandatory for all new development applications under the jurisdiction of Stellenbosch Municipality that request additional development rights from the municipality within their residential or mixed-use developments.

6.19 New residential or mixed-use developments which include 20 dwelling units or more, are required to contribute a minimum of 20% of the total units to be targeted at affordable housing.

6.20 The affordable units can be designed to provide non-market housing accommodation for rental or ownership.

6.21 The affordable units are intended for dwelling units and not student housing, community residential buildings, communes, hostels, or less formal residential. The dwelling units should be used for permanent residence and excludes any of the land uses associated with transient guests (e.. home lodging, bed and breakfast, hotel, tourist accommodation establishment, tourist dwelling unit, etc.)

6.22 All conditions for affordable housing will be in place for not less than 30 years, or until repealed by a Council resolution.

6.23 Any off-set incentive packages contemplated as part of the off-set requirement will be over and above the allowable development parameters as per the prevailing zoning defined in the zoning scheme by-law. As such, development parameters must be determined first, with off-set incentive packages added to that determination.

6.24 The affordable housing contribution should be delivered on-site, and if demonstrated and deemed unfeasible an inclusionary housing agreement can be entered into to determine in-kind off-site or affordable housing fee (in-lieu) contributions.

6.25 When inclusionary housing is applicable, it will be implemented as a condition of approval (section 66.(1)(d))(settlement restructuring) by the Stellenbosch Municipality. The

Municipality may take action against property owners and developers who do not comply with the conditions for inclusionary zoning outlined in land use/development approvals, as with any condition of approval.

6.26 The priority development areas as identified by the municipal spatial development framework are Stellenbosch, Klapmuts, and Franschhoek, and fall within the delineated and adopted urban edges. Refer to Annexure B containing the current maps.

Spatially targeted implementation within an applicable overlay zone (primary option)

6.27 Implementation of inclusionary housing in targeted areas within the municipality, where an overlay zone has been designated or higher-density developments are encouraged by means of spatial policies or strategies in areas for urban infill, transit-orientated development, etc. These targeted areas normally have a well-performing housing market and public investment has been targeted in the area.

6.28 The mandatory application of inclusionary zoning means that the property owner and developer are automatically required to include a portion of affordable housing units (also referred to as inclusionary housing or the set-aside requirement) on-site as part of their development within the well-located priority development areas as defined. The municipality therefore only grants approval for the development if the developer builds a proportion of the affordable units.

6.29 Inclusionary zoning requirements are triggered by land development applications, as such, the requirement does not affect existing, approved land use rights.

6.30 Inclusionary zoning is mandatory for all new development applications and when property owners and developers want to utilize the land use rights as applied by the Adam Tas Corridor Local Area Overlay Zone.

6.31 New residential or mixed-use developments which include 20 dwelling units or more, are required to contribute a minimum of 30% of the total units to be targeted at affordable housing on-site or as defined by an approved precinct site development plan.

6.32 The affordable units can be designed to provide non-market housing accommodation for rental or ownership.

6.33 The affordable units are intended for dwelling units and not student housing, community residential buildings, communes, hostels, or less formal residential. The dwelling units should be used for permanent residence and excludes any of the land uses associated with transient guests (i.e. home lodging, bed and breakfast, hotel, tourist accommodation establishment, tourist dwelling unit, etc.)

6.34 All conditions for affordable housing will be in place for not less than 30 years, or until repealed by a Council resolution.

6.35 The inclusionary zoning parameters as defined in the Adam Tas Local Area Overlay zone are applicable. The Municipality may take action against property owners and developers who do not comply with the parameters as outlined in land use/development approvals, as with any condition of approval.

6.36 Based on the strategic spatial policies namely the Adam Tas Local Spatial Development Framework and Development Guidelines, 2022, and the associated enabling urban management mechanisms (namely the Adam Tas Overlay Zone (in progress), the delineated areas are priority spatial targeting areas. Refer to Annexure C containing the current maps.

Voluntary implementation (alternative option)

6.37 The voluntary application of inclusionary housing means that affordable housing units are only required when the property owners and developers choose to utilise off-set incentive

packages provided by the municipality. Such incentive packages could include flexible development parameters or bonuses i.e. density bonuses. This approach is based on willing partners that strike a mutually beneficial arrangement that will result in the delivery of affordable housing.

6.38 A property owner and developer developing below the threshold of 20 units, but who meets the criteria for one of the inclusionary zoning options in this framework, may still benefit from the off-set incentive packages associated with the option chosen.

6.39 The affordable housing contribution can be delivered on-site, in-kind off-site, or an affordable housing fee (in-lieu payment).

6.40 This approach will be assessed on a case-by-case basis and in alignment with the criteria and requirements as stipulated in the inclusionary zoning policy.

AFFORDABLE HOUSING CONTRIBUTION (ALSO REFERRED TO AS SET-ASIDE REQUIREMENT)

6.41 Set-aside requirement is a proportion of the extra development rights granted by the municipality that must be set aside as a contribution towards affordable housing.

On-site requirement

6.42 The affordable units are built on-site as part of the market-related development i.e. in the same building or on the same land parcel.

6.43 The tenure type of the set-aside contribution must be similar to the market-related component of the development.

6.44 The on-site requirement is the primary option in the mandatory - and spatially targeted implementation approaches, with exemptions incorporated within these options.

In-kind contribution

6.45 In-kind contribution (also referred to as the in-kind off-site requirement) refers to when the affordable units are built off-site on well-located land in areas identified by the municipality in its spatial development framework. The units can be built on municipal-owned land, on land owned by private developers, or another state partner, or on a site under development by an SHI, or another registered affordable housing developer.

6.46 This method will be advisable for market-related developments that are not that well-located, thus capturing the value of the development by re-directing it to a well-located site.

6.47 The tenure of the units can be either rental or ownership.

6.48 The property owner and developer can choose this option in the voluntary implementation approach or when demonstrated and deemed acceptable by the municipality in the mandatory implementation approach.

Affordable housing fee

6.49 Affordable housing fee also referred to as the in-lieu requirement (also referred to as an impact fee/development contribution/development charges). It is the contribution of the affordable housing units in the form of a cash contribution which is ring-fenced into a municipal fund dedicated to the building of affordable housing for the benefit of households in the income range targeted by this policy, as well as in designated / priority development areas, as identified by the municipal spatial development framework, the applicable land use planning by-law or zoning scheme-by-law.

6.50 The contribution can either go towards the acquisition and/or assembly and/or packaging of well-located land to be developed for affordable housing; the construction of affordable housing on such land; ensuring the financial sustainability of social housing development, or

towards planned in-kind off-site development of affordable housing by the municipality via existing national housing programmes.

6.51 Each application is considered on a case-by-case basis, with negotiations taking place based on a standard proforma submitted by the property owner and developer. This proforma should take into account the differing land values in each area, as this is a significant cost driver. This proforma should be able to calculate affordable housing contributions for on-site, in-kind off-site, and affordable housing fees (in-lieu).

6.52 The property owner and developer can choose this option in the voluntary implementation approach or when demonstrated and deemed acceptable by the municipality in the mandatory implementation approach.

AFFORDABILITY PRESERVATION OF NON-MARKET HOUSING

6.53 Preserving the long-term affordability of units produced by inclusionary zoning is key to ensuring that targeted beneficiaries are able to benefit from the policy over a specified period of time.

6.54 Affordable units created by inclusionary zoning developments be maintained not less than 30 years, or until repealed by a Council resolution.

Mechanisms for maintaining affordability are as follows:

Inclusionary units for ownership

6.55 Property owners and developers can sell a unit outright to a qualifying household where the beneficiary will independently secure finance from a financial institution and may qualify for and make use of the Finance-linked Individual Subsidy Programme (FLISP).

6.56 Property owners and developers can run an instalment sale or lease with an option to buy programme.

6.57 The sale price of affordable housing units for sale must be stipulated in the inclusionary housing agreement tied to the planning permission with a view to ensuring this is clearly tailored to the targeted market. The agreement should record provisions for the adjustment of this price year on year.

6.58 An increase in the value of the units should be fixed to the Consumer Price Index (CPI), to ensure that homeowners benefit from price appreciation while protecting against the unaffordable escalation of house prices.

6.59 Each affordable housing unit needs to be registered with the municipality, to ensure that the valuations process recognizes their status as affordable housing units and as such can be valued and taxed or rated accordingly.

6.60 The registered affordable ownership units require municipal approval on resale prices before the transaction takes place in order for the municipality to monitor and track escalation in the price restrictions and ensure that the inclusionary housing register and valuation process are updated accordingly.

6.61 To enable the effective management and monitoring of these affordable housing units and the inclusionary housing agreement, the property owners and developers are required to place a restrictive condition in the title deeds, or any other affordability preservation mechanism deemed appropriate and effective by the municipality.

6.62 Resale should only be for pre-approved buyers that meet the affordability criteria as set out by the municipal policy.

6.63 Capacity should be put in place for Home-Owner Associations (HOA) and/or Body Corporates to effectively market and manage the allocation process. The affordability preservation and

any other requirements as agreed in the inclusionary housing agreement as part of the planning permissions, need to be stipulated in the constitutions of these bodies, including the annual reporting to the municipality as agreed upon.

Rental inclusionary units

6.64 Fixed-term leases will be the primary instrument for ensuring that inclusionary units continue to benefit the intended income group as identified in the planning permission associated with the inclusionary housing agreement.

6.65 Property owners and developers may choose to retain the units in their ownership and rent them to households that fall within the agreed targeted income range and meet the criteria, along with any additional criteria introduced by this policy and in the inclusionary housing obligation set out in the planning permission.

6.66 Capacity should be put in place to market and manage the allocation process and conduct regular income certification, as well as provide the normal services of a landlord, as with any tenant.

6.67 Rents charged must remain within the affordability threshold, which will be reviewed annually to accommodate inflation and its impact on maintenance costs, as well as changes in the affordability dynamics in the housing market and changes to income categories in amendments to the inclusionary zoning policy.

6.68 Lease agreements need to ensure that the tenants are subject to regular income certification to ensure that the affordable housing units remain as allocated and available to the intended income group. This must include allowance for some income growth over time. Successive tenants would pay the rental as adjusted for inflation at the time of occupation.

6.69 The lease agreements should stipulate that sub-letting isn't allowed, and excludes any land uses associated with student housing and transient guests (i.e. home lodging, bed and

breakfast, hotel, tourist accommodation establishment, tourist dwelling unit, student housing, etc.).

6.70 Property owners and developers may choose to build affordable housing units and hand them over to a social housing institution (SHI) to manage them. In this case, the annual monitoring of affordability preservation as required by the municipality will be managed by the SHI and the property owners and developers will not have to comply with this specific requirement.

6.71 When affordable housing units are delivered through partnering with SHIs and where they provide a capital subsidy (administered by the SHRA) the requirement for subdividing and registering the affordable units needs to be accommodated within the application and the conditions of approval.

6.72 Each affordable rental unit needs to be registered with the municipality, and approval of new tenants should meet the affordability criteria by the policy. In the case of rental agency management, the affordability criteria of the social housing institution should be met.

6.73 In the case where property owners and developers retain ownership and become landlords or use a rental agency for the management of these units, the compliance of the annual reporting should be managed by these parties. The municipality should be informed of the managing rental agents in order for the inclusionary housing unit register as administered by the municipality to be updated accordingly. Annual reporting mechanisms will be agreed upon and stipulated in the inclusionary housing agreement as part of the planning permissions.

Other affordability considerations.

6.74 Municipal rates and taxes as approved within the Rating Policy, will be adapted to ensure that affordable housing units are not undermined by the municipality's own policies. The Municipality may consider adding an inclusionary housing category that may benefit/qualify

for exemptions, rebates, discounted rates, as well as capped valuation of these units. The criteria and annual application process will still be applicable as defined in these municipal policies to ensure that the household can maintain affordability including avoiding unjustifiable subsidisation.

6.75 Failure to comply with the planning permission and associated agreement should result in a penalty, with rates due on units meant as affordable housing units, calculated for the whole period when units were supposed to be affordable and were not.

BENEFICIATION

6.76 The broad principle for dealing with an allocation is whoever takes development or marketing risk for affordable housing may control the allocation of units to the end-users. The responsibility of affordable housing units for ownership vests with the developer/financiers/body corporates/homeowners associations and in the case of rental the landlord, or SHI management.

6.77 The allocation process of affordable housing units in inclusionary zoning developments will be different for rental or ownership units. It will also differ depending on whether the property owner or developer will do the allocation, or if the municipality or SHI is involved in the allocation process.

6.78 The standard affordability measures as described above applies.

6.79 The target market for beneficiation should benefit employed households (excl. students) earning stable incomes that fall within the affordability threshold as defined above.

6.80 Developers can deviate from the income profiles if they use the median income formula as explained above.

6.81 Proportional allocation within the affordable market income range & units per segment within the range is encouraged.

6.82 The developer should consider the following targeted beneficiaries;

6.82.1 Key workers refers to an employee who provides a vital service, typically in the police, health, and education sectors (WCG 2022). Targeting these individuals or households presents an opportunity to empower them to climb the property ladder over time and save on costs associated with travel, access to community facilities, etc.

6.82.2 Vulnerable groups such as the youth, elderly, and people living with disabilities.

6.82.3 Gender, with specific reference to female-headed households.

6.83 The developer may partner with companies with employee housing assistance programmes when the beneficiaries comply with the criteria as stipulated in the inclusionary housing agreement.

6.84 The municipality may impose requirements on the reporting with regard to allocation within these criteria.

DESIGN

6.85 The affordable units should be integrated into the projects and blend in with the surrounding buildings and the development as a whole.

6.86 The architectural styles should be similar i.e. tenure blind from the outside, but the interior may differ to enable affordability.

6.87 The municipality may regulate the requirement and standards for these units within policies and by-laws i.e. number of bedrooms, size of units, location of affordable units on a site or within a building, or the exterior access to the units.

6.88 The affordable housing units need to comply with the National Housing Building Regulatory Council.

6.89 The minimum standards must be met regarding bathroom and kitchen areas and fittings and the quality of these facilities must avoid higher maintenance costs. It is proposed that the Social Housing norms and standards are used as a benchmark in this regard.

6.90 The property owner and developer needs to consider variety in the housing typologies, based on household composition found within the municipality, namely a mix of studio, one-bedroom, and two-bedroom units in order to respond to different family compositions. The reviewed optimum unit sizes as proposed for social rental stock can be used as a guideline:

Type of unit	Optimum size (sqm)	Minimum size	Occupancy
Room	12	10	1b1p
Bachelor / Studio	25	18	1b2p
1 Bedroom	35	25	1b2p / 2b3p
2 Bedroom	48	42	3b3p / 4b4p
3 Bedroom	60	52	3b4p / 5b6p

Table 2:Extract from Western Cape Government Inclusionary Housing Policy Framework, 2022 (source: WCGa:2022)

OFF-SET INCENTIVE PACKAGES

6.91 Fast-tracking of approval processes by a dedicated municipal project team in the Adam Tas Corridor Local Area Spatial Development Framework, 2022 and its overlay zone (in progress), or any area identified in the priority development areas of the municipal spatial development framework and capital expenditure framework; or other urban management mechanisms (e.g. integrated decision-making, changes in delegations, etc.) as deemed appropriate and applicable by the municipality.

6.92 Density bonus which allows private developers to provide units in addition to the prescribed land use density.

6.93 Parking requirements: reducing parking requirements for the affordable housing component, particularly in areas close to public transport routes, or as deemed appropriate by the municipality.

6.94 Removing or reducing associated planning requirements as deemed appropriate by the municipality and accordingly demonstrated in the financial viability estimates during the pre-application phase.

6.95 Development contribution discount: Ten percent development contribution discount on the affordable housing component of the development.

6.96 Development contribution deferment (also referred to as bulk services infrastructure payment "holiday" for the affordable housing component of the development.

6.97 The off-set incentive packages should not place a cost burden on the municipality to the extent that it amounts to a hidden subsidy and is not sustainable for the municipality.

INCLUSIONARY ZONING APPLICATION IN STELLENBOSCH MUNICIPALITY

6.98 The table below provides the various options:

Options	Description	Planning obligation	Planning requirement & Off-set benefit packages
Option A	Mandatory inclusionary zoning (units/ha)	20% of dwelling units fall within the affordability thresholds (either using the standard or spatially targeted approach) for rental or ownership within the new residential or mixed-use development of 20du or more. Provision of affordable housing must be provided on-site within the priority development areas, namely Stellenbosch, Klapmuts, & Franschhoek, or as alternatively demonstrated. Applicable to the conventional residential zone, multi-unit residential zone, local business zone, and mixed-use zone of the zoning scheme by-law.	**Planning requirement**: Inclusionary Zoning Agreement & Developer contributions **Off-set incentive package:** Density bonus – increase in density (du/ha) to accommodate the inclusionary housing units. AND/OR Parking reduction for inclusionary housing units in well-located areas. AND/OR Development contribution discount. AND/OR Development contribution deferment. AND/OR Other planning parameters deemed to assist in the financial viability/project feasibility as demonstrated.
Option B	Mandatory inclusionary zoning (Bulk/FAR)	Minimum of 10% or a maximum of 17% (depending on the applicable zoning) of the total residential floor area (complying with the minimum 20% requirement) is made up of dwelling units that fall within the affordability thresholds (either using the standard or spatially targeted approach) for rental or ownership within the new residential or mixed-use development of 20du or more.	**Planning requirement**: Inclusionary Zoning Agreement & Developer contributions **Off-set incentive package:** Density bonus – increase in density (du/ha) to accommodate the inclusionary units. AND/OR

Options	Description	Planning obligation	Planning requirement & Off-set benefit packages
		Provision of affordable housing must be provided on-site within the priority development areas, namely Stellenbosch, Klapmuts, & Franschhoek, or as alternatively demonstrated. Applicable to the conventional residential zone, multi-unit residential zone, local business zone, and mixed-use zone of the zoning scheme by-law.	Parking reduction for inclusionary units in well-located areas. AND/OR Development contribution discount. AND/OR Development contribution deferment. AND/OR Other planning parameters deemed to assist in the financial viability/project feasibility as demonstrated.
Option C (ATC)	Mandatory spatial targeted inclusionary zoning (units/ha) – overlay zone	30% of dwelling units fall within the affordability thresholds (either using the standard approach or spatially targeted approach) for rental or ownership within the new residential or mixed-use development. Provision of affordable housing can only be provided on-site within the delineated area and in accordance with the precinct site development plans, within the Adam Tas Corridor. Applicable to the Adam Tas Corridor Local Area Overlay Zone.	**Planning requirement**: Inclusionary Zoning Agreement & Developer contributions & Precinct Site Development Plan & Compliance with applicable LSDF and Development Guidelines **Off-set incentive package:** Overlay Zone – upzoned property and expedited planning process **AND** Density bonus – increase in density (du/ha) to accommodate the inclusionary units. AND/OR Parking reduction for inclusionary units in well-located areas. AND/OR Development contribution discount.

Options	Description	Planning obligation	Planning requirement & Off-set benefit packages
			AND/OR Development contribution deferment. AND/OR Other planning parameters deemed to assist in the financial viability/project feasibility as demonstrated.
Option D (ATC)	Mandatory spatial targeted inclusionary zoning (Bulk/FAR) – overlay zone	Minimum of 25% of the total residential floor area (complying with the minimum 30% requirement) is made up of dwelling units that fall within the affordability thresholds (either using the standard or spatially targeted approach) for rental or ownership within the new residential or mixed-use development of 20du or more. Provision of affordable housing can only be provided on-site within the delineated area and in accordance with the precinct site development plans, within the Adam Tas Corridor. Applicable to the Adam Tas Corridor Local Area Overlay Zone.	**Planning requirement**: Inclusionary Zoning Agreement & Developer contributions & Precinct Site Development Plan & Compliance with applicable LSDF and Development Guidelines **Off-set incentive package:** Overlay Zone – upzoned property and expedited planning process **AND** Density bonus – increase in density (du/ha) to accommodate the inclusionary units. AND/OR Parking reduction for inclusionary units in well-located areas. AND/OR Development contribution discount. AND/OR Development contribution deferment. AND/OR

Options	Description	Planning obligation	Planning requirement & Off-set benefit packages
			Other planning parameters deemed to assist in the financial viability/project feasibility as demonstrated.
Option E	Voluntary inclusionary zoning	20% of dwelling units fall within the affordability thresholds (either using the standard or spatially targeted approach), or as agreed to by the for rental or ownership within the new residential or mixed-use development. Provision of affordable housing can be provided in-kind off-site or in-lieu within priority development areas, namely Stellenbosch, Klapmuts, & Franschhoek.	**Planning requirement:** Inclusionary Zoning Agreement & Developer contributions **Off-set benefit package:** Public land leasing & land sales AND/OR Leveraging municipal real estate **AND** Density bonus – increase in density (du/ha) to accommodate the inclusionary units. AND/OR Parking reduction for inclusionary units in well-located areas. AND/OR Development contribution discount. AND/OR Development contribution deferment. AND/OR Other planning parameters deemed to assist in the financial viability/project feasibility as demonstrated.

Options	Description	Planning obligation	Planning requirement & Off-set benefit packages
Option F	Targeted in-kind off site affordable housing provision	To the satisfaction of the municipality, when the development already targets the affordability thresholds. The application may be exempted from the provisions of the policy provided that the development assessment and ultimately the permission places this on record for monitoring and compliance processes.	**Planning requirement**: Inclusionary Zoning Agreement & Developer contributions **Off-set incentive package:** To be negotiated.

Table 3: Inclusionary application in Stellenbosch Municipality, (own source)

6.99 Planning permissions will be accompanied by a Inclusionary Zoning Agreement between the applicant and the Municipality setting out the basis on which the affordable housing contribution will be made in line with the municipal inclusionary zoning policy, including inter alia:

6.99.1 Whether the contribution will be met on site, off site or as an in-lieu contribution;

6.99.2 When and where the inclusionary housing units will be constructed;

6.99.3 The number and sizes of units to be provided on site or off site;

6.99.4 How off-site units will be provided;

6.99.5 Whether the units will be rented or sold and the sale price or monthly rental;

6.99.6 How levies will be dealt with in terms of units sold within sectional title schemes;

6.99.7 The income group (or groups within the broader income range) to be targeted to purchase or rent the units as well as other priority groups such as women, the youth or people with disabilities, along with the proportional allocation of units, if relevant;

6.99.8 Who will undertake the screening and allocation process and how this process will be undertaken;

6.99.9 If the rented units will be sold on and to whom;

6.99.10 The total amount of the in-lieu contribution, should this be the case, and to whom, how and when it will be paid. An in-lieu contribution should be paid prior to issue of the occupancy certificate for the development and the issue of such certificate should be conditional on proof of payment;

6.99.11 The reporting requirements to enable the monitoring of affordability of the affordable housing units over time, and to whom reports will be provided;

6.99.12 Title deed restrictions to be introduced on stock for sale to maintain affordability.

FINANCIAL VIABILITY CRITERIA

6.100 In the pre-application phase of the application, the property owner, developer and municipality need to consider and evaluate the economic trade-offs involved in requiring a certain percentage of affordable units in new residential or mixed-use development.

6.101 Following this approach ensures that it is economically sound, will not deter development, and will deliver the types of new affordable units the local community needs. It can also be used to determine how a new inclusionary zoning would affect market-rate housing development costs and profits.

6.102 It also assists in highlighting what is economically reasonable for the municipality trying to set affordable housing requirements and offer developers meaningful incentives.

6.103 It does not replace a detailed financial feasibility analysis prepared by a trained professional.

6.104 Variables that make the greatest difference to the bottom line results: hard construction costs (usually 60-70% of development costs can be attributed to materials and labour – drives the cost side of the equation); average rental rates or market price sales (average monthly starting rental rates for new rental projects and average market prices for for-sale projects are the most important assumptions on the revenues side of the equation); capitalization rates (used to translate net operating income in a year of stabilized occupancy into total project value).

6.105 The literature and local case studies suggests the following financial viability criteria for consideration and these factors and measures should form part of the pre-application phase of the application:

Factors and measures
Property size / development footprint
Current zoning and land use
Proposed new zoning

Vacant land cost
Municipal property valuation
Developed land value per land use: Residential sales income
Developed land value per land use: Rental income per land use
Developed land value per land use: Office rental income
Developed land value per land use: Retail rental income
Developed land value per land use: Parking rental income
Developed land value per land use: Parking sales income
Total number of parking bays required
Assign parking requirements to each site (per m^2 and per dwelling unit), for each chosen/permitted land use, for both scenarios. m^2 parking requirement residential no concession m^2 parking requirement residential with concession m^2 parking requirement office no concession m^2 parking requirement office with concession m^2 parking requirement retail no concession m^2 parking requirement retail with concession
Percentage of residential floor area allocated to the ratio of affordable housing units for each site.
Define the floor area of 0-bedroom, 1-bedroom, 2-bedroom and 3-bedroom units. Proportion of residential floor area allocated to each dwelling unit type 0bedroom:1bedroom:2bedroom:3bedroom (ratio) 0bedroom:1bedroom:2bedroom:3bedroom (size)
Land-use distribution - define/calculate the maximum proportion of floor area allocated to permitted land uses (residential and/or retail and/or office) on each site under both scenarios according to land-use zone and parcel size. % residential no concession % residential with concession % office no concession % office with concession % retail no concession % retail with concession
Based on calculation above, calculate within each land use, floor area the allocation to parking, according to the parking requirements established in. m^2 parking area residential no concession

m^2 parking area residential with concession m^2 parking area office no concession m^2 parking area office with concession m^2 parking area retail no concession m^2 parking area retail with concession
Municipal rates
Monthly cost of municipal rates per site for both scenarios is calculated, according to land-use zone, estimated municipal valuation and construction floor area. R/m^2 residential no concession R/m^2 residential with concession R/m^2 office no concession R/m^2 office with concession R/m^2 retail no concession R/m^2 retail with concession
Rental income per land use, per site, per scenario (floor area multiplied by suburb market data values)
Define discount factors, for low- ,medium-income and open-market units under the inclusionary zoning scenario* - Users to define % reduction in residential rental income estimates in relation to estimated open-market rental incomes for the sites' suburbs. Discount factor low-income rent Discount factor medium-income rent Discount factor open-market rent
Define occupancy rates of rented floor area. % residential occupancy rate
Levies income from sold residential units, per site, per scenario (proportional to building maintenance costs of sold units)
Define the percentage of open market residential floor area sold under both scenarios. % open-market residential units sold no concessions % open-market residential units sold with concessions
Monthly municipal rates per site, per scenario
Define building maintenance costs (R) per m^2, per scenario
Cost of land per site
Cost of construction per site, per scenario Construction cost (R) per square residential per m^2 Construction cost (R) per square office per m^2 Construction cost (R) per square retail per m^2 Construction cost (R) per square parking m^2

Define construction duration (months) for each site for no concession Construction duration residential Construction duration office Construction duration retail Construction duration parking
Define construction duration (months) for each site for with concession Construction duration residential Construction duration office Construction duration retail Construction duration parking
Income from sold residential units, per site, per scenario
Income from sold residential units parking bays, per site, per scenario
Debt at project completion per site, per scenario
Generated equity at project completion per site, per scenario (value of completed construction, minus value of units sold, minus any debt owed on loans to fund projects)
Monthly profit, per site, per scenario (monthly income minus monthly debt)
Net rental yield, per site, per scenario (annual rental income minus annual expenses, divided by total cost of project)
Define loan interest rate
Number of years to settle loan per site, per scenario (using monthly profit)

Table 4: Financial viability criteria

SUMMARY: Key considerations for the Inclusionary Zoning Policy and Regulations for Stellenbosch Municipality

Which type of policy is the municipality considering in adopting?	
Hybrid	• Mandatory requirements and additional, optional developer incentives for greater affordability in targeted areas. • Tend to produce more affordable units than voluntary policies. • Tend to serve more low-income households in well-located areas. • Offer uniformity and predictability for property owners and developers.
Where does the policy apply?	
Target areas	Inclusionary Housing Trigger Area • Requirements apply to specific priority development areas (i.e. Adam Tas Corridor, Stellenbosch Town, Klapmuts and Franschhoek) located within the delineated and adopted urban edges. Priority receiving areas for Inclusionary housing. • Well-located specific priority development areas as defined by the municipal spatial development framework. capital expenditure framework, Adam Tas Corridor Local Spatial Development Framework, and Adam Tas Local Area Overlay Zone, social restructuring zones, PHSHDA's, and so on.
To whom does the policy apply?	
Residential and non-residential property owners and developers	• Applies to property owners and developers if the development project trigger the policy to go into effect. • Allows mixed-use property owners and developers to contribute to the community.
To what types of projects does the policy apply? (i.e. What's the trigger for the policy to be in effect?)	
Minimum development size	• Trigger is 20 dwelling units or more. • May apply to smaller developments on voluntary implementation option.
Tenure type	• Applies to both rental and ownership development projects.

How can the property owner and developer meet the policy's requirements?	
Constructing affordable housing contribution on-site	• Promotes social and economic integration in well-located areas. • On-site construction is the standard requirement within the spatially targeted and mandatory implementation approaches, with alternative options requiring approval incorporated.
Deciding duration for affordability preservation	• Rental and homeownership units to remain affordable for at least 30 years, or until repealed by Council.
Defining the share of affordable housing contribution	• 20% of total units or total floor area within the priority development areas (Stellenbosch Town, Klapmuts and Franschhoek) located within the delineated and adopted urban edges. • 30% of total units or floor area within the priority development areas delineated in the Adam Tas Local Spatial Development Framework and Development Guidelines, 2022 and the Adam Tas Local Area Overlay Zone (in progress).

Varying income requirements within development project	• Proportional allocation within the affordable market income range and units per segment within the range is proposed.
	• Affordable housing market segments targeted are:
	  • Affordable (R300 000 – R600 000);
	  • Conventional (R600 000 – R900 000); and –
	  • High-end (R900 000 – R1.2million).

Offering trade-offs for deeper affordability	• Development projects that targets the affordable housing market segments as defined is exempted from applying the policy.
Deciding the location of affordable housing contribution within the development	• Affordable units on-site may be clustered, located on certain floors, or in adjacent buildings.

Setting specification requirements for affordable housing contribution	• Require affordable units to be identical to market-rate units (tenure blind) and allow internal variations with minimum standards. • Social Housing norms and standards are proposed as minimum design requirements regarding bathroom, kitchen areas, fittings and quality of facilities is recommended to be used as a guideline. • Variety of housing typologies are proposed, based on household composition within the municipality to respond to different family compositions. Optimum unit sizes as proposed for social rental stock is recommended to be used as a guideline.
What are the prices and income requirements for affordable units?	
Affordability criteria for households	• Focus on households falling within the GAP market/Housing and affordable housing target market namely >R3 500 – R27 200 (FSC 2022, rates to be updated yearly) annual gross household income. • Provisions for household income over time for annual income verification has been proposed in line with CPI.
Targeted beneficiaries	• Employed households (excluding students) earning stable incomes falling within the affordability threshold. • Suggestions around targeted beneficiaries (e.g. key workers, vulnerable groups, etc.) are proposed for consideration in the beneficiation process.
Setting affordable housing cost for household income	• Premium to income ratio for renters not more than 30% and for homeowners between 30-35%. • Differentiated procedure for premium to income ratio allowed when detailed household income analysis are provided.
What are the off-set incentives available to property owners and developers?	
Deciding whether and how resources from existing land-based financing and housing mechanisms may be used by renters or homeowners	• Municipal rates and taxes to be adapted to ensure the affordability of these units. • Municipality to consider inclusionary housing category for these households to qualify and benefit from exemptions, rebates, discounted rates, and capped valuation of units. • Households can apply for financial subsidies, such as FLISP.
Expedited planning permissions	• Fast-tracking of approval processes by a dedicated municipal project team for implementing the Adam Tas Corridor Spatial Development Framework and Development Guidelines, 2022 and its overlay zone (pro-active rezoning mechanism in progress).

Density, height, bulk bonus, or other zoning variances	• Density bonus which allows private developers to provide units in addition to the prescribed land use density. • Reducing parking requirements for the affordable housing component, particularly in areas close to public transport routes, or as deemed appropriate by the municipality. • Removing or reducing associated planning requirements as deemed appropriate by the municipality and accordingly demonstrated in the financial viability estimates during the pre-application phase.
Cost offsets	• Development contribution deferment (also referred to as bulk services infrastructure payment "holiday" for the affordable housing component of the development.
Receiving discounts	• 10% development contribution discount on the affordable housing component of the development.

Table 5: Summary table for the application of the inclusionary zoning mechanism in Stellenbosch Municipality

ANNEXURE A

DRAFT

Western Cape Government
FOR YOU

Centre for Affordable Housing Finance in Africa

Department of Environmental Affairs and Development Planning

Housing Market Studies for Intermediate Cities/ Larger Towns in the Western Cape

Stellenbosch Town Report

FINAL REPORT. August 2022

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Introduction

Western Cape Government

Centre for Affordable Housing Finance in Africa

Project background and purpose

Problem statement

Developed in 2021, the draft Western Cape Inclusionary Housing Policy Framework provides a guide for municipalities to develop local policies which harness inclusionary housing as a mechanism to promote better located affordable housing in towns and cities, in partnership with the private sector. As a first step to determining if inclusionary housing has the potential to be an effective policy tool in the local municipal context, its necessary to have a clear understanding of the residential property market in the municipality.

Given that many local governments do not have the means to undertake this detailed analysis themselves, the Western Cape Department of Environmental Affairs and Development Planning (DEADP) in partnership with the Department of Human Settlements appointed the Centre for Affordable Housing Finance in Africa (CAHF) to deliver housing market studies for identified urban areas of George, Stellenbosch, Mossel Bay and Drakenstein municipalities.

Project objectives

The overall aim of the project is to underpin and support each of the municipalities to decide on the applicability of an inclusionary housing policy for their municipality and then to assist with the design and development of that policy, by providing key data to inform the design and parameters.

The reports include: analysis of the residential property markets; housing supply and demand assessments; and analysis of the affordability gap in each area, and are intended to provide the intelligence needed to ensure an evidence-led understanding of the housing markets in these urban areas.

Key research questions

In order to inform the potential development of a local inclusionary housing policy, the analysis of the residential property market must address the following questions:

- What is the profile of housing in the city? – by market segment, property type, neighbourhood
- What is the state of the residential market currently? – in terms of market performance, activity, key players, government and private sector delivery
- What is the affordability gap? – where is affordable housing needed, how much and what type? what is the target market for the affordable housing market?
- Is there an active property development market that would make the application of an inclusionary housing policy viable?

Data sources

- **Deeds data from Lightstone Pty.**

Deeds data was purchased from Lightstone Pty for the study areas in each of the local municipalities, covering the period 1 January 2017 – 31 December 2021. Record-level data is aggregated over time by calendar year, at subplace level, using StatsSA boundary delineations.

NB: The data purchased from Lightstone, and detailed in the Supply and Market Activity sections of this report, reflects only the Census sub-places contained within the study area, as well as the relevant portion of the Stellenbosch NU subplace which is within the study area—see **Appendix A** for a detailed explanation. The deeds data therefore reflects the study area, and *not* the entire municipality.

- **TPN Credit Bureau data on rental market**

Given that the deeds data from Lightstone does not allow sight of the rental market, we obtained rental market data from TPN Credit Bureau, who produce and sell Investor Reports for specific areas. The reports provide data on rental prices by size of unit (no. of bedrooms) for last three years, low, average and high monthly rental. The drawback of the TPN data is that a) it only includes formal properties, and b) only includes data from landlords and companies that voluntarily provide the data to TPN. The lack of updated municipal or sub-place level data on the rental market is critical gap impacting on municipal planning.

- **Stats SA sources**

Demographic data and data on housing circumstances was sourced from Stats SA sources, including the: 2011 Census, 2016 Community Survey, 2019 General Household Survey, and Labour Force Survey Q4 2021. For many key indicators, the most updated data is not available at municipal level, forcing a trade-off between how recent the data is, and whether it is too high level to be useful to a study of the city area.

- **DEADP and other Western Cape provincial sources**

Population estimates were provided by the WC Department of Social Development and DEADP. Quantec data (2021) published in the Municipal Economic Review and Outlook was provided by Provincial Treasury. Additional data was obtained from DHS on: housing project pipeline status per municipality; FLISP and social housing delivery; Restructuring Zones; and demand information acquired through public Open Day events in municipalities.

- **Income segments**

Apart from more outdated income data from Stats SA source, recent data on income at municipal level was difficult to obtain. In addition to Quantec data acquired from Provincial Treasury, the WC Department of Economic Development and Tourism also provided municipal-level income data for 2021. GeoTerraImage provided income data at subplace level for the four municipalities, which allowed us to isolate the data for the George city area.

Data from Stellenbosch municipality

The municipality provided a wealth of information, including: valuations data; housing demand database data; housing project information; backyard dwellings; and land use management decisions. Shapefiles were provided for: land use and zoning; the urban edge, priority development areas, zoning schemes, informal settlements and LUPO applications. This data was overlayed with deeds data from Lightstone to get a spatial understanding of market activity.

- **Key respondent interviews**

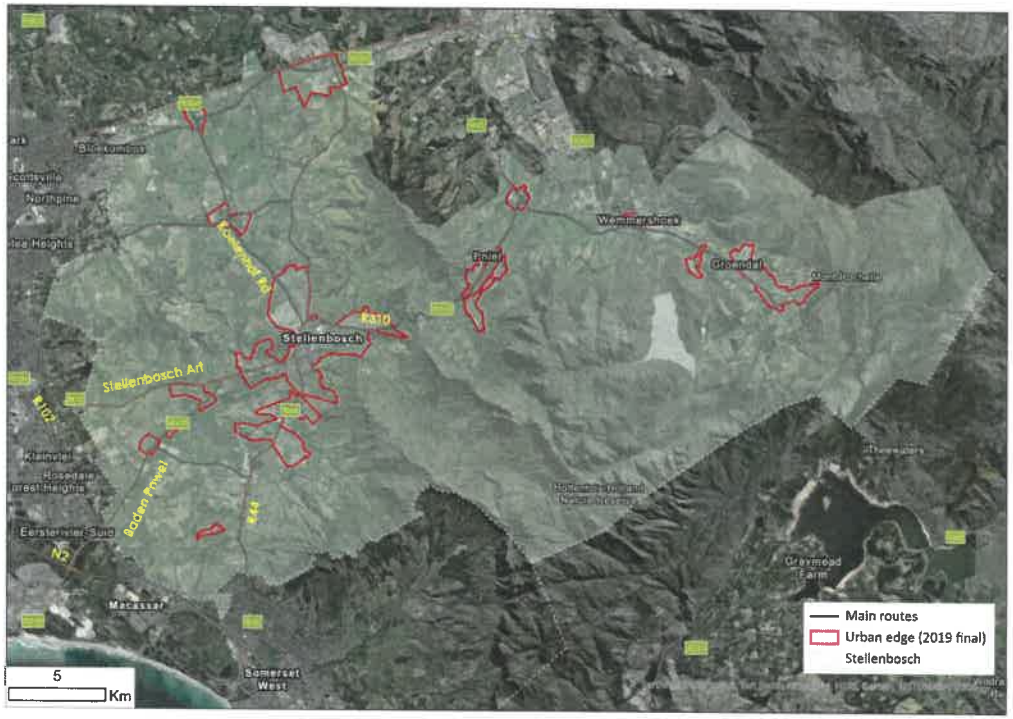
A limited number of key respondent interviews were undertaken to supplement the quantitative data sources. In Stellenbosch, we spoke to two private developers and an executive manager at the University of Stellenbosch. The interviews explored: trends in the market; the nature of demand and the target market; the level of activity and growth in the rental and ownership markets; and market prices (rental and ownership.

- **Additional sources**

Additional sources included: the Social Housing Regulatory Authority (SHRA), Consumer Credit Market Reports, and other sector reports and publications.

Study area

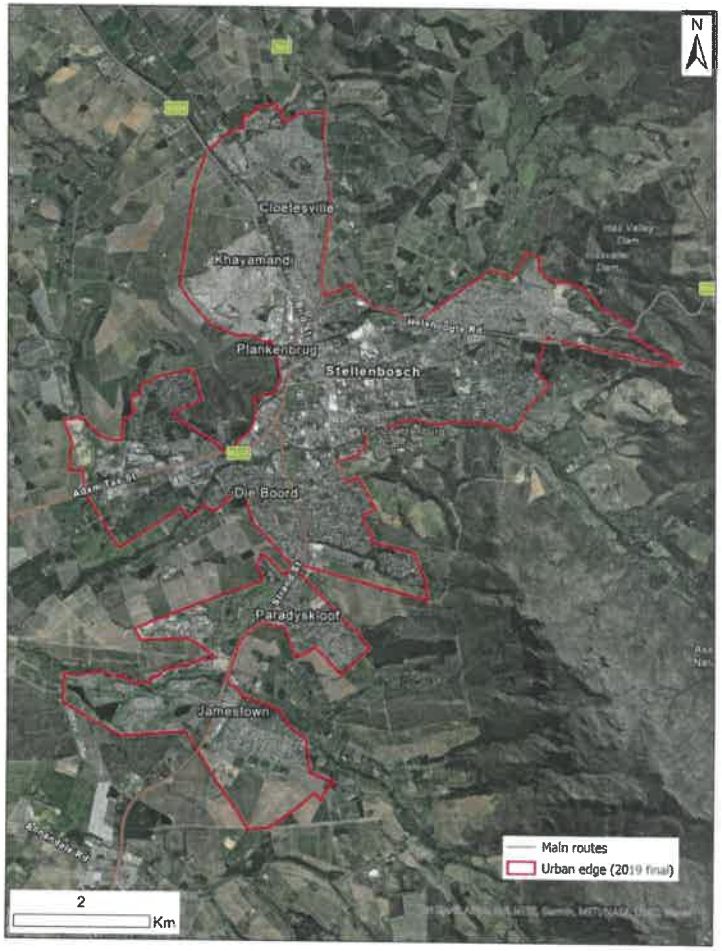
Stellenbosch municipality: Urban edge



Data source: Stellenbosch Municipality, Municipal Demarcation Board (MDB), ESRI South Africa.

As shown in the map above, the 2019 urban edge for Stellenbosch municipality includes a number of separate outlying areas—such as Pniel and Groendal—in addition to the town of Stellenbosch itself. The scope of this study is limited to the main central town of Stellenbosch, as encircled by the urban edge (map to the right)—see **Appendix A** for further detail.

Study area: Stellenbosch town



Data sources: Stellenbosch Municipality, Municipal Demarcation Board (MDB), ESRI South Africa.

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Methodology

Deeds data analysis

The indicators obtained from Lightstone were organized into five market segments according to property value, according to Lightstone's own valuation method (see box on pg 20):

- Entry level market – Properties valued under R300 000
- Affordable market – Properties valued R300 000 – R600 000
- Conventional market – Properties valued R600 000 – R900 000
- High end market – Properties valued R900 000 – R1.2m
- Luxury market - Over R1.2m

By lumping all properties valued over R1.2 million into one market segment, instead of setting up market segments with equal intervals, this classification is notably biased towards the lower end of the market. These market segments were identified with the aim of providing detail on segments within range of the affordable housing market, and therefore do not prioritise detailed stratification in the market over R1.2 million. Visually, this distorts the size of the segment above R1.2 million, as many smaller segments are collapsed into one. This is an acknowledged limitation in the report, as a more detailed understanding of the market above R1.2 million, particularly below R3 million, would enhance understanding of the ecosystem impacting on affordable housing.

A second key point of note is that the deeds data—by definition—only includes those residential properties which are recorded in the Deeds Office, and therefore excludes informal settlements and backyard dwellings, and units that may be occupied but not transferred. Census 2011 data includes these areas, but it obviously outdated, and must either be used to model and estimate the current population in informal dwellings, or municipalities must undertake specific surveys, which is not feasible and affordable in most cases. In this report, we have used data from the WC Department of Social Development and GeoTerralmage, as well as data from the municipality itself.

Third, government-subsidised houses are not explicitly recognised or marked on the title deed. Therefore its necessary to use a proxy to identify these properties on the deeds registry—our proxy is based on common programme characteristics of BNG/RDP houses, including the year, first registration price and buyer type, maximum prices, and proximity to other similar housing types. Further detail is provided at **Appendix B.**

Although not in the form of records-level data, the Lightstone data indicators enable analysis of: housing stock by market segment and property type; new and resale transactions; bonded and non-bonded transactions; housing typologies (freehold, estate, sectional title); first-time home buyers; and government-subsidised properties. Analysis of these indicators enables improved understanding of market depth and scope, affordability and inclusion.

The deeds data obtained from Lightstone is not an exact match to the boundaries of the study area / urban edge, but it is very close. **Appendix A** provides detail on the geographic areas included in the deeds data for the Stellenbosch town area obtained from Lightstone. The data covers: the 16 Census subplaces within the urban edge of the town, and one specific populated area which is located within the urban edge, but part of the larger Stellenbosch NU subplace which surrounds the city area and covers rural lands. Thus all the deeds data obtained from Lightstone which is presented in this report does not encompass the entire municipality, but only the Stellenbosch town which is the focus of this study.

Mapping

The mapping data received from the municipality and province (CSV, databases and Excels) was stored in a SQL data base where applicable to allow for connections to Power BI and Tableau software. A connection to Tableau was required as our purchased deeds data is geolocated to the Stats SA Census boundaries at the lowest level of subplace and we have pre-customized the mapping on our license in line with the Stats SA Census boundaries.

Furthermore, Tableau was also utilized to conduct analysis of the municipal data, survey data and purchased data as well as the output of graphical report charts and generic maps for the study places and the lowest level of subplace.

Additionally, for the mapping outputs, ArcGIS was utilized to produce shape files with analyzed deeds data as well as the province and municipal data where applicable, overlayed in the study focused areas.

Demand side assessment

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Key demographics

Stellenbosch town is the largest settlement in the municipality, followed by Klapmuts and Franschoek and a number of smaller rural settlements. Home to a major university of 22 000 students, the town serves as a centre for the municipality with education, commercial and government services. Stellenbosch is an important centre for tourism, due to its natural environment and wineries, and also attracts retirees.

Population

Identified as the main urban node of the municipality, Stellenbosch town had a population of 101 843 in 2021, with a total of 27 359 households. Stellenbosch town is home to 52% of the total households in the municipality.*

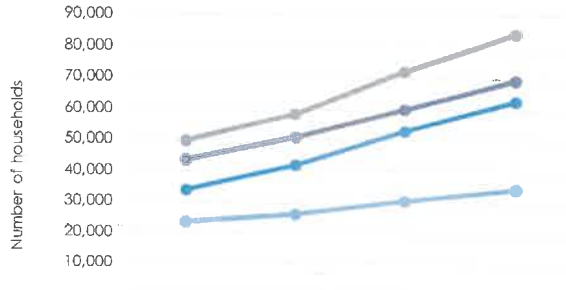
At municipal level, 73% of households have access to basic services, as well as live in a formal dwelling. Municipal population estimates by WC DSD are shown to the right, alongside figures for Drakenstein, George and Mossel Bay.

According to earlier DEADP estimates, having increased relatively faster at 2.8% per annum between 2001 and 2011, Stellenbosch municipality's population growth is estimated to slow to 2.2% per annum from 2011 to 2023, at which point the population growth rate is expected to increase to 2.5% per annum up to 2028. The municipal IDP forecasts a lower population growth rate of 1.7% per annum for the period 2021-2025. Household size in the municipality has been declining slightly, from 3.4 in 2001, to 3.3 in 2016. The municipal IDP 2022-2027 puts household size at 3.7 in 2021.

Density

Stellenbosch municipality's population density is 236 persons per km^2, higher than neighbouring Drakenstein municipality at 191 person/km^2. The 2019 SDF set the target density for the municipality at 25 dwelling units per hectare, but noted that the average density in 2015 was only 8.17, indicating that significant changes to settlement patterns needed to be effected in order to increase density within the urban edge.

Number of households per municipality



	2002	2011	2021	2031
George	43,463	50,498	60,162	69,089
Mossel Bay	22,938	25,977	30,308	34,229
Stellenbosch	33,577	42,070	52,653	62,972
Drakenstein	49,706	58,410	72,207	84,027

Source: W C Department of Social Development. Population and Household Estimates created for Inclusionary Housing Project/Study, 2022. Excel file: *DSD\IHSstudy_SummaryOutputDraftML20220223 2011SPaligned.xlsx*

Number of households by gender of head of house
Stellenbosch, 2016

	Number of households	Percent of total
Female	19,122	36.58%
Male	33,152	63.42%
Grand Total	52,274	100.00%

Source: 2016 Community Survey.

Demographics

As of 2021, the municipal population is 51.2% female (2021), while the 2016 Community Survey puts the number of women-headed households at just 37%.

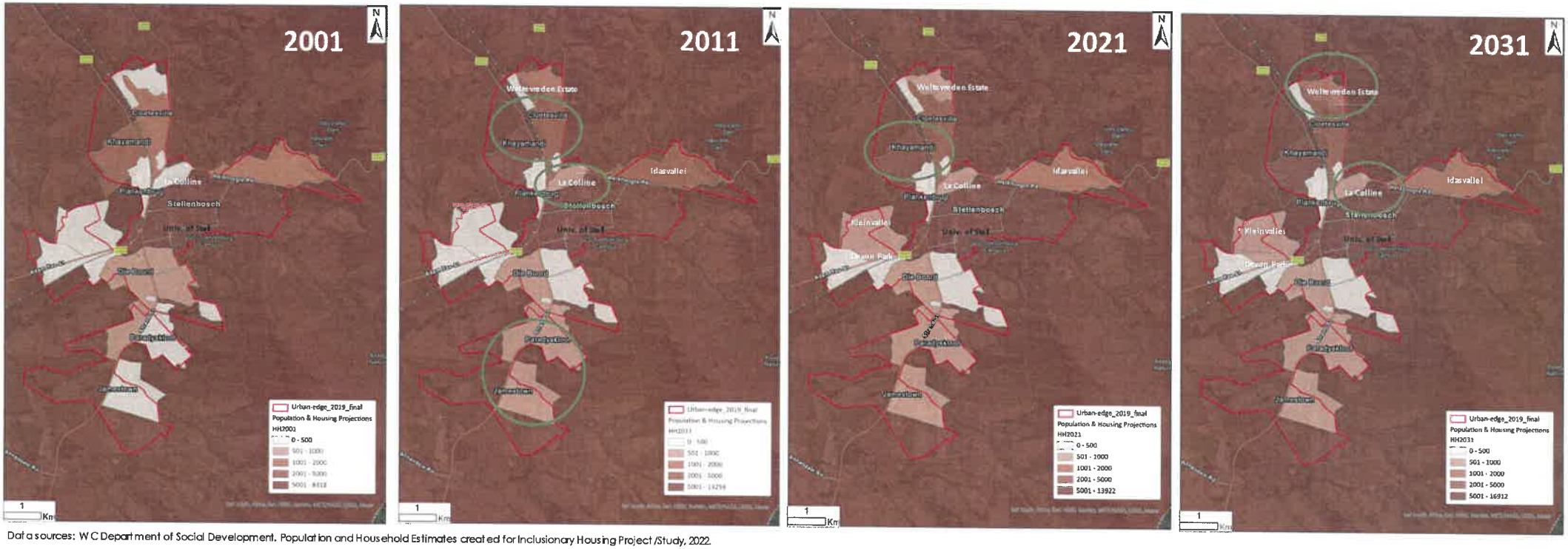
According to the 2016 CS, approximately 30% of Stellenbosch municipality's population were adults, 42% were youth (15-34) and 4% elderly persons (65 and over). Stellenbosch municipality has an ageing population, with the cohort of persons 65 or over, growing faster than the cohort of working age adults. The great majority of stable homeowners are over 50 years old, with only about 5% under 35.

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* Source is W C Department of Social Development. Population and Household Estimates created for Inclusionary Housing Project/Study, 2022. This figure for the household total differs from that sourced from GTI for 2021 (see pg. 15). The DSD figures were used here as shapefiles were available at sub place level to do a spatial analysis (next page).

Growth of number of households by subplace (2021-2031)



Data sources: WC Department of Social Development. Population and Household Estimates created for Inclusionary Housing Project /Study, 2022.

Population growth by area – 2001-2031

Between 2001 and 2011, Khayamandi more than doubled in size, with an additional 5 004 households. Cloetsville also grew in population with 1 081 additional households. Stellenbosch SP dropped by one third, losing nearly 3 000 households. Reflecting densification at the centre of town, La Colline more than doubled its number of households. Jamestown and Paradyskloof to the south also gained population.

The next ten years until 2021 saw continued growth in Khayamandi, with another 2 760 households being added.

Looking forward, the growth in Khayamandi is forecast to continue at the same rate, growing by one third before 2031. La Colline and Cloetsville will also continue to densify. Having dropped in size prior to 2021, Welgevonden is anticipated to gain another 420 households in the next 10 years.

In total, the Stellenbosch town area is anticipated to gain an additional 6 146 households between 2021 and 2031, according to these estimates by WC DSD.

Housing context

Dwelling type and tenure

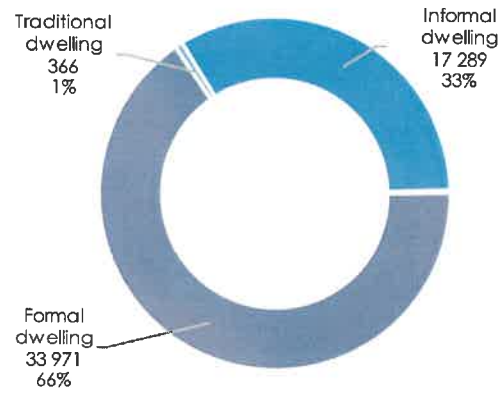
The data from the 2016 Community Survey shows that 66% of households in Stellenbosch municipality stayed in formal dwellings and 33% in informal dwellings—see pie graph. According to more recent figures from the 2021 MERO, 36 592 households in the municipality reside in formal dwellings, or 73% of total households. An estimated 25% of residents live in the 29 informal settlements in the municipality (2022-2027 IDP).

The 2016 CS has the most recent data at municipal level on tenure status—see table to the right. At that point in time, one half of the municipality's households reported that they owned their property (50%) while 19% rented. Stellenbosch municipality has a lower ownership rate than the national average (65%) and lower rates of rental than the national average (26%)—according to national data from the 2019 GHS.

Of those who owned, 41% of households reported they possessed the title deed to their home, while 37% said they did not have the deed to their property (2016 CS).

At the time of the 2011 Census, one third of households reported that they were in an RDP or government-subsidised dwelling, while 37% indicated they were not.

Number of households per dwelling type
Stellenbosch municipality (2016)



Source: 2016 Community Survey.

Number of households by tenure status
Stellenbosch municipality (2016)

	Number of households	Percent of total
Do not know	569	1.09%
Occupied rent-free	10,089	19.30%
Other	5,661	10.83%
Owned and fully paid off	22,002	42.09%
Owned; but not yet paid off	4,121	7.88%
Rented from other (incl. municipality and social housing ins	1,754	3.36%
Rented from private individual	8,077	15.45%
Grand Total	52,274	100.00%

Source: 2016 Community Survey.

Housing demand

Stellenbosch town housing demand database

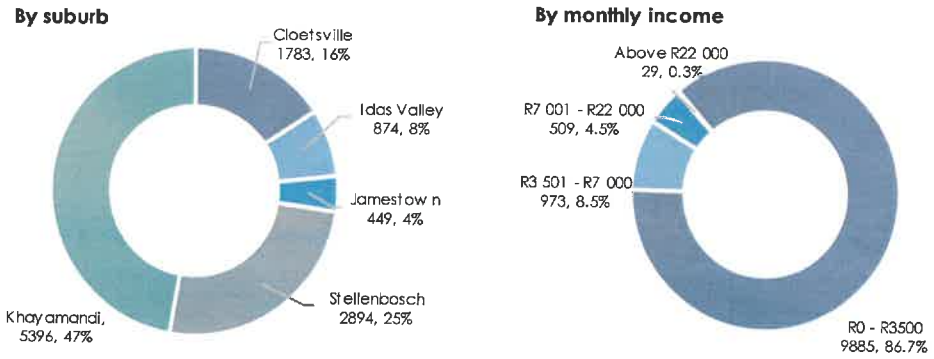
According to data provided by the municipality, as of November 2021, the number of people on the Stellenbosch municipality housing demand database was 17 945. Residents of Stellenbosch town made up 64% of the database (11 396), of which: 64% were aged 41-65 years old, and 0.12% (or 14 people) indicated a member in the household had a disability.

The housing demand database information must be viewed with caution for a number of reasons. The data is based on those people who voluntarily come forward, and income data is self reported and not verified. Furthermore, the demand data is a moving target and thus these figures only speak to one point in time as recorded at one event. Finally, it has been observed that this open day methodology typically undercounts persons with disabilities.

Housing gaps

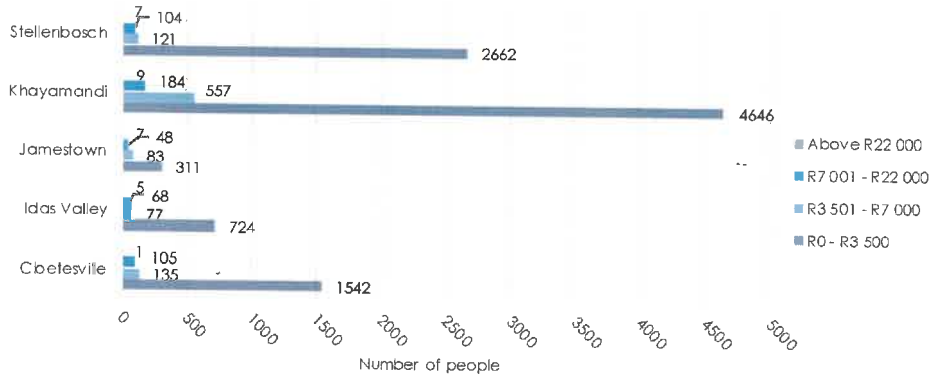
Because state housing delivery has not produced sufficient units and the private sector is not building units affordable to low and middle income households at scale, there is a significant shortage of adequate, affordable housing in Stellenbosch town, resulting in land invasions, a growth in informal settlements, and large numbers of workers and students from the university or private sector needing to commute daily into town. The current housing gap is specifically with respect to student housing and affordable housing for employed, lower and middle income groups. The demand for lower-value rental accommodation for university students is in the region of 4 000 units.

Stellenbosch town housing demand database (November 2021)



Source: Stellenbosch Municipality, Stellenbosch November 2021 statistics.

Stellenbosch town housing demand database by suburb and monthly income (Nov 2021)



Source: Stellenbosch Municipality, Stellenbosch November 2021 statistics.

The data indicates that housing need is concentrated in particular areas of the town. Cloetesville, Idas Valley, Khayamandi, and Jamestown make up nearly half of the municipality's total BNG housing need. Cloetesville (84%), and Idas Valley (88%) have the highest proportion of applicants on the waiting list for 10 years or more.*

Many people on the housing demand database have been waiting for housing assistance for years. According to the 2019 SDF, 74% of the applicants (for the entire municipality) had been on the waiting list for longer than 10 years, 24% of which are currently on the waiting list for more than 20 years.

Looking at the demand database for the municipality in 2018, the majority of people (53%) were over 40 and had been on the waiting list for more than 10 years, according to the 2019 MSDF.* Those applicants who were under 40 years of age were mainly located in Khayamandi and Klapmuts, which falls outside the study area (see pg 6).

* Sourced from 2019 Stellenbosch SDF, which includes an analysis of a May 2018 extract from the WC Housing Demand Database for the municipality.

Unmet housing needs – Informal settlements and backyard dwellings

The presence of informal settlements and backyard dwellings in Stellenbosch town, provides a sort of proxy for housing demand, indicating the number of households unable to find alternate, adequate accommodation which is affordable. The location of these dwellings may indicate areas of opportunity for settlements, or may express preferences for location with respect to formal or informal employment.

As shown in the map, informal settlements within Stellenbosch town are almost entirely located in Khayamandi, at the northern end of town. Its important to note that, absent a recent survey of informal settlement residents which provides data on type and quantum of income, its difficult to know if those households would qualify for subsidized housing, and thus whether the required housing opportunities would need to be provided by government through fully-subsidized units, service sites, social housing or FLISP. These households may have income which make them ineligible for full subsidies and unable to purchase a newly-built unit, but adequate to enable some affordability—perhaps affordable rental or a low value house on the resale market. The existence of the informal settlements and backyard dwellings are therefore an indication of housing inadequacy, but not evidence of effective housing demand or capacity to pay.

- **Backyard dwellers in Khayamandi**

A 2021 survey of backyard dwellers in Khayamandi yielded good information on the circumstances of residents, with implications for determining demand for adequate housing. A total of 1 629 households were interviewed.

backyard dwellings were mostly occupied by single youth. Nearly three quarters (73%) of backyard structures were inhabited by one person, and 62% of

heads of households were aged between 18 and 25. Another 45% of household heads were 26-35 years old, while only 2% were over 55. The great majority of the heads of households were single (84%).

Although 48% of persons were employed, incomes were low, with 59% earning R4 000 or less a month. Only 4% reported a monthly income over R10 000. The share of households receiving a social grant—primarily the child support grant—was only 18%.

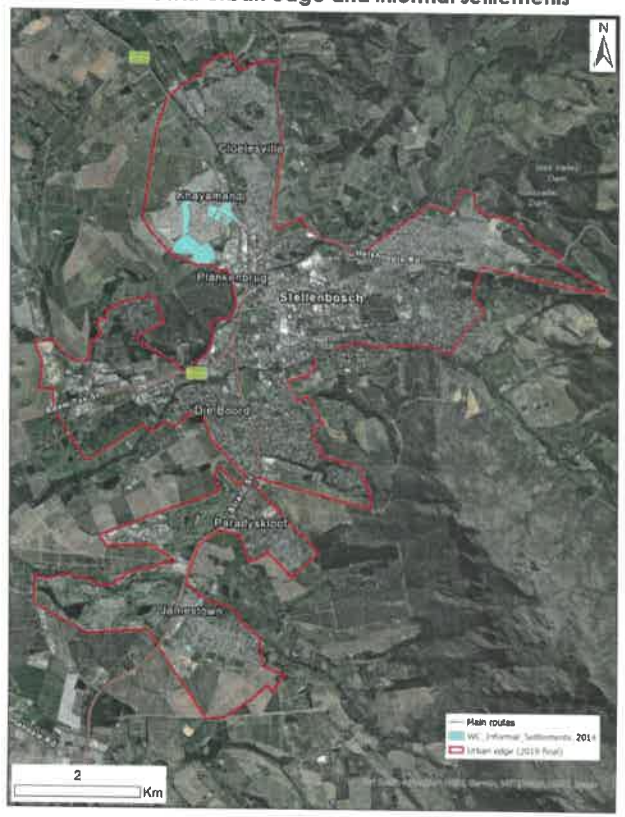
Of those who were employed, 57% indicated they were in permanent employment—mostly unskilled or low skilled—primarily as restaurant workers, general workers, and security personnel.

Approximately half of backyard households had been staying at the same address for five years. Most respondents indicated they were renting their dwellings and/or the land on which it sat. Importantly, only 11% of respondents had registered on the housing demand database.

While reported income levels would suggest that approximately one third of backyard dwellers would meet the income requirements below R3 500/month, single persons who did not have dependents would be ineligible for a housing subsidy unless they were elderly or had disabilities (both of which were very small numbers). However the relative frequency of permanent employment suggests steady formal income which would support access to credit.

Source: Demographic Survey of Khayamandi and Kiapmuts Backyard Dwellers Socio Economic Report, June 2021.

Stellenbosch town: Urban edge and informal settlements



Data sources: Stellenbosch Municipality, Municipal Demarcation Board (MDB), ESRI South Africa.

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Employment

In 2020 Stellenbosch municipality's GDP per capita was R89 378, exceeding both Drakenstein at R76 561 and the provincial figure of R84 967 (2021 MERO). Given the concentration of jobs, the GDP per capita in Stellenbosch town itself is likely higher than the municipal figure.

The 2022-2027 IDP reports that the economy of Stellenbosch municipality grew by an average annual growth rate of 0.9% between 2015 and 2019, but contracted by 6.7% in 2020, largely due to COVID and economic lockdowns.

- **Employment**

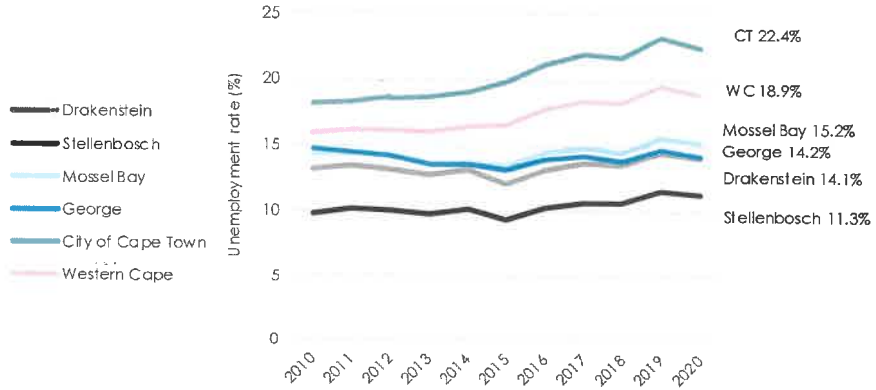
Despite the onset of the pandemic, unemployment in Stellenbosch municipality actually dropped very slightly from 11.6% in 2019, to 11.3% in 2020.

Of the approximately 73 800 workers in 2020, 74% were formally employed while 26% worked in the informal sector.

With respect to formal employment, 24% of workers in 2020 were skilled, 43% semi-skilled, and 32% low-skilled, with the number of low-skilled workers declining in the last four years.

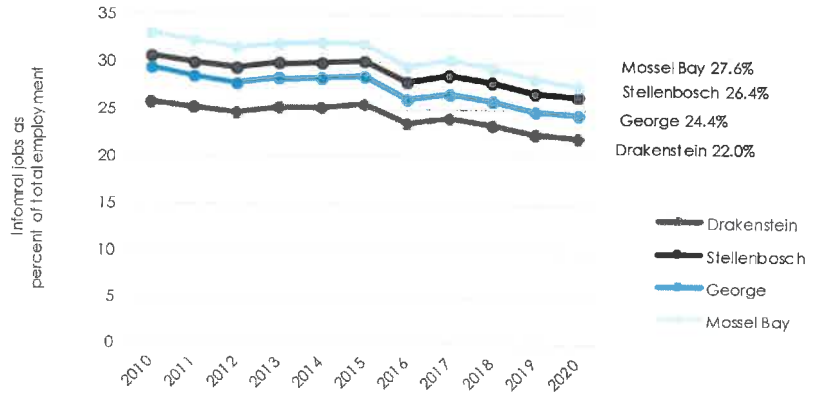
Apart from those who are unemployed, the large number of persons in informal employment creates a challenge for accessing finance to support their housing. Mortgage finance is likely unavailable to these households as banks require evidence of formal employment with a regular income.

Unemployment rates (2010-2020)



Source: 2021 Quantec, calculations by Urban Economics.

Informal employment (2010-2020)



Source: 2021 Quantec, calculations by Urban Economics.

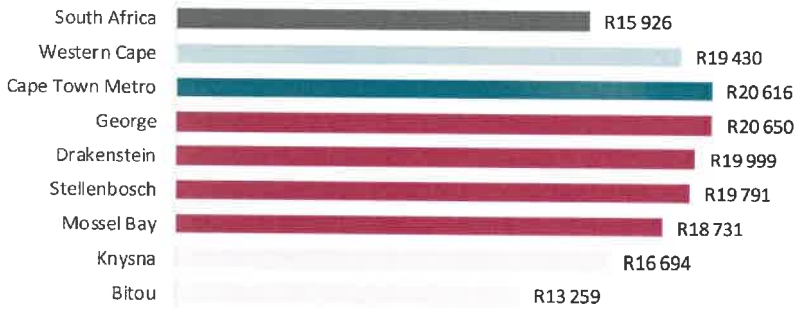
Income

Household income

At R19 791 in 2019, average monthly household income in Stellenbosch municipality exceeds the average for the country, and for the province (2021 MERO). However it is just slightly below the average for Cape Town metro, as shown in the graph below. Stellenbosch municipality's average monthly household income is just R208 below that of Drakenstein.

While average household income in the metro and the province overall declined from 2015 to 2019, the average household income in Stellenbosch increased very marginally—by 0.1% between 2015 and 2019.

Average monthly household income (current prices), 2019

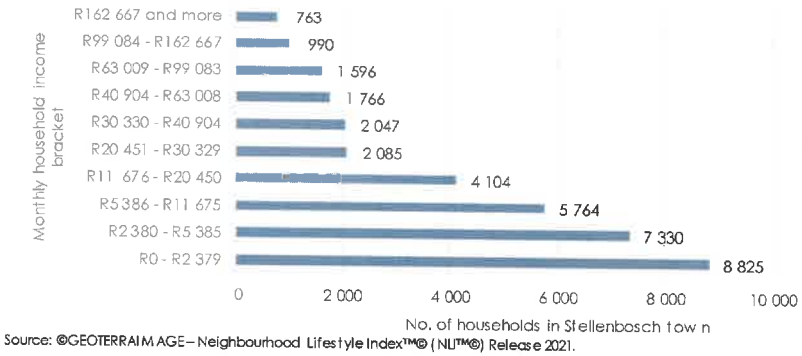


Source: 2021 Quantec, calculations by Urban Economics.

Income distribution

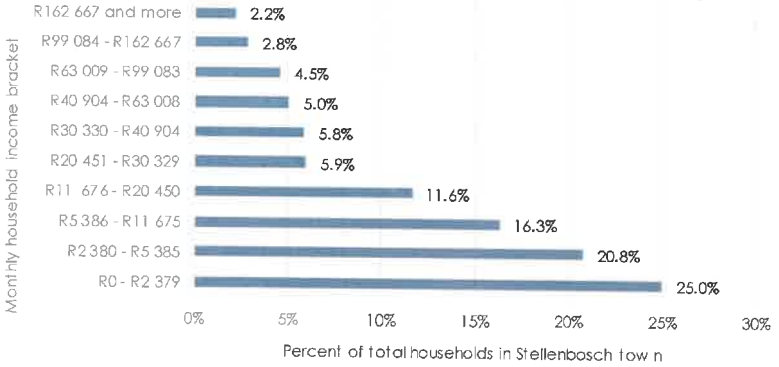
Income data obtained from GeoTerralmage (GTI) for 2021 at subplace level allowed analysis of the income profile of households in Stellenbosch town, instead of the entire municipality.* The graphs to the right display the income distribution. In Stellenbosch town, 8 8825 households, or 25% of the total, earn R2 379 or less / month. Approximately 62% earn about R12 000 or less per month.

Monthly household income distribution for Stellenbosch town (n=35 271) **



Source: ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021.

Monthly household income distribution for Stellenbosch town, % (2021)**



Source: ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021.

* The W C Department of Economic Development and Tourism also provided municipal level household income data for 2021. A comparison of the DEDT and GTI data shows that the overall number of households at municipal level is close, but the GTI data has considerably more households in the bottom income segment. A comparison of the two data sources is provided in **Appendix C**. The GTI data is used in this report because it was available at subplace level.
** Includes data from 16 subplaces in Stellenbosch town.

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Rental market

Rental rates

As noted above, the 2016 CS put the overall rental rate for Stellenbosch municipality at 18.8%. The 2016 Community Survey reported that 15.45% of households rented from private individuals, while another 3.36% rented from the municipality or social housing institutions.

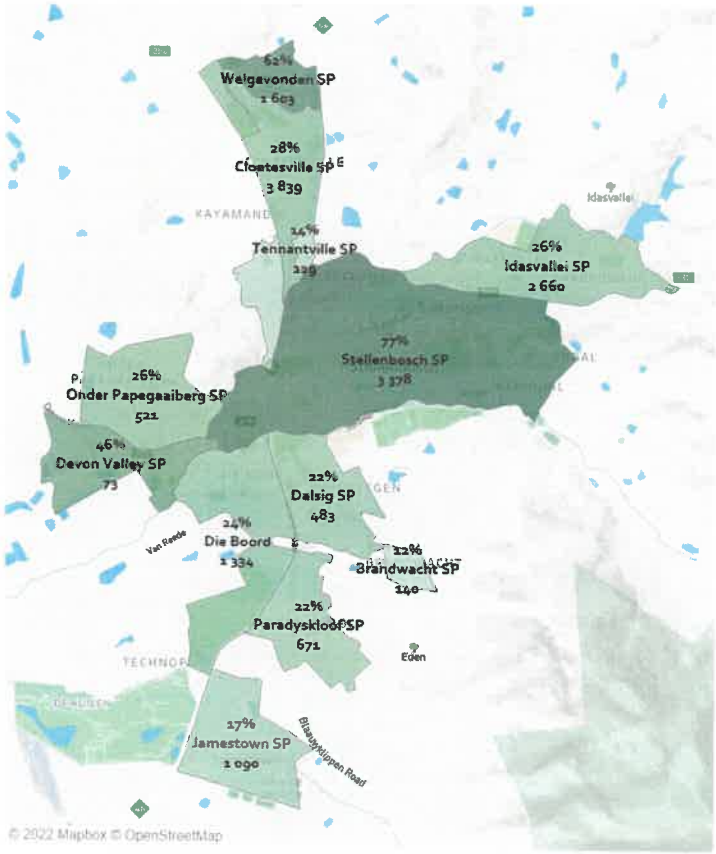
However subplace-level data on the percentage of households who rent is scarce. The most recent data on the percent of households renting *by sub place* is only available from the 2011 Census, and indicated that—at that time—overall 31% of households in the municipality rented their accommodation. In Stellenbosch town alone, that percentage was higher at 47%. At that time, rental rates were highest in central areas of Stellenbosch town, Stellenbosch sub place itself and La Colline. This makes sense given the presence of the university and the number of student renting their accommodation during their studies.

The pie graph displays Census 2011 figures for Stellenbosch town only. In terms of the size of rental units, 21.5% were 1-2 bedroom units, 12.1% were 3 rooms, and 23.8% had 4 rooms back in 2011.

However clearly these areas, and Stellenbosch town, has changed significantly in the last eleven years. The new Census 2021 data will provide much more recent figures.

Percent households renting

Stellenbosch, 2011

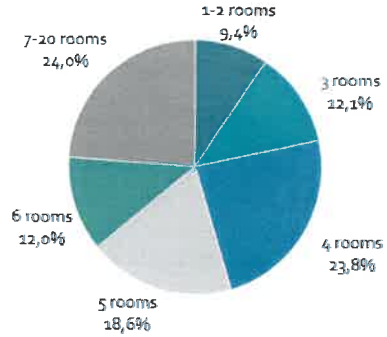


Source: Stats SA Census 2011

Percent Renting

12% 85%

Stellenbosch town: Rental dwellings by number of room (2011)



Source: Stats SA Census 2011

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Summary of demand side assessment

Demand for affordable housing

Stellenbosch town had a total of 27 359 households in 2021, and is expected to grow by 2.5% per annum between 2023 and 2028 (DSD). With a relatively high population density of 236 persons per km², the municipality has an ageing population, with the cohort of persons 65 or over growing faster than the cohort of working age adults. Particular areas of the town are expected to densify more rapidly, especially Khayamandi , La Colline, Cloetsville and Welgevonden. In total, the Stellenbosch town area is anticipated to gain an additional 6 146 households between 2021 and 2031.

As of November 2021, the number of households from Stellenbosch town on the waiting list was 11 396, of which 47% stay in Khayamandi. The current housing gap is specifically with respect to lower-income student housing and affordable housing for employed, lower and middle income groups. Housing need is concentrated in particular areas of the town: Cloetesville, Idas Valley, Khayamandi, Jamestown, and central Stellenbosch. In addition to unmet housing needs for students reliant on financial aid, there is lack of housing for young families and young people starting their career. Technopark employees, university staff, teachers at local schools, lecturers, support staff at university are also another key market which is not sufficiently met.

Demand for student housing

Approximately 8 000 students at the University of Stellenbosch are in need of private accommodation off campus. Students who receive assistance from the National Student Financial Aid Scheme (NSFAS) have a housing allowance of approximately R60 000/year, or R5 000 /month. About 4 500 NSFAS students stay on campus but there is still about 2 500 who need to find their own accommodation. Although a number of private developers have started building for the wealthier student market (see pg 30), there is a gap for NFAS students who require a safe place to stay at around R5 000 per month.

Of the approximately 8 000 students who require private accommodation in town, about one quarter are in the rental bracket of R5 000/ month, another portion rent in the region of R8 000/month, while the wealthier segment rent units between R8 000 and R15 000 month. The gap in supply therefore remains for affordable private accommodation for lower income students, many of who receive NSFAS support.

Affordability

According to the 2021 MERO, the average monthly household income in Stellenbosch municipality in 2021 was R19 791, which exceeded the average for the country and the province. A household with this income could purchase a house priced approximately R796 000 with a mortgage.*

As shown in the table below, 32.8% of households in Stellenbosch town earn less than R3 500/month and 19.8% of households earn R3 501-R8 000/month. According to the calculations presented in the table, only 20.5% of Stellenbosch town households could afford to purchase a home worth approximately R1.2 million or more, with a mortgage. The following section explores whether there is a sufficient supply of houses in the price bracket which is affordable to these households.

Stellenbosch town household income brackets and affordable housing purchase price (2021)

Monthly household income bracket **	No. of households	Percent of total households	House affordable to household at lowest end of the bracket *	House affordable to household at top end of bracket
R0 - R3 500	11 557	32.8%	---	R142 112
R3 501 - R8 000	6 991	19.8%	R142 112	R328 887
R8 001 - R16 000	5 390	15.3%	R328 887	R649 654
R16 001 - R30 000	4 097	11.6%	R649 654	R1 218 103
R30 000 - R50 000	2 843	8.1%	R1 218 103	R2 030 171
R50 001 - R100 001	2 650	7.5%	R2 030 171	R4 060 343
> R100 000	1 739	4.9%	R4 060 343	---
Total	**35 267**	**100.0%**		

Source: ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021. Own calculations.
*Assuming a 7.75% interest rate, loan tenor of 20 years, 10% deposit, 30% housing premium to income ratio, and no FLISP. Also assuming the household has a regular formal income and is not accessing other finance. See cautionary notes of methodology on page 31.
** The G11 income brackets shown on pg 15 have been converted here to standard income brackets. The conversion assumes the number of households is evenly spread across the income bracket, which may not be true. The total number of households in this table differs slightly from the total on pg 15 because of the conversion.

Supply side assessment

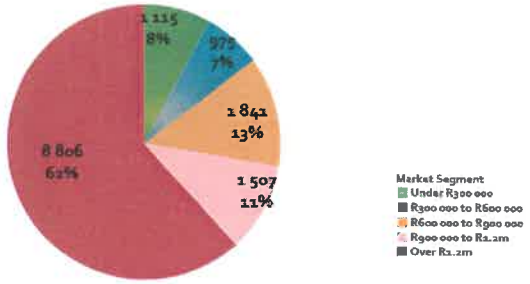
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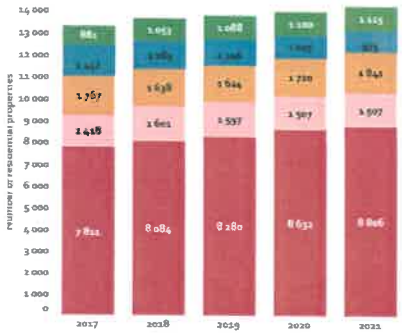
Ownership market – Housing stock by market segment

Market segmentation allows for analysis of how categories of properties have performed differently over time. Most properties under R300 000 were developed through government housing projects, with resale restrictions for houses under eight years old. Properties between R300 000 and R1.2 million are of current interest to government, investors and developers keen on providing more affordable housing, while houses valued over R1.2 million typically trade in more conventional and organic ways.

Number of residential properties by market segment
Stellenbosch, 2021



Number of residential properties by market segment
Stellenbosch, 2017 to 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

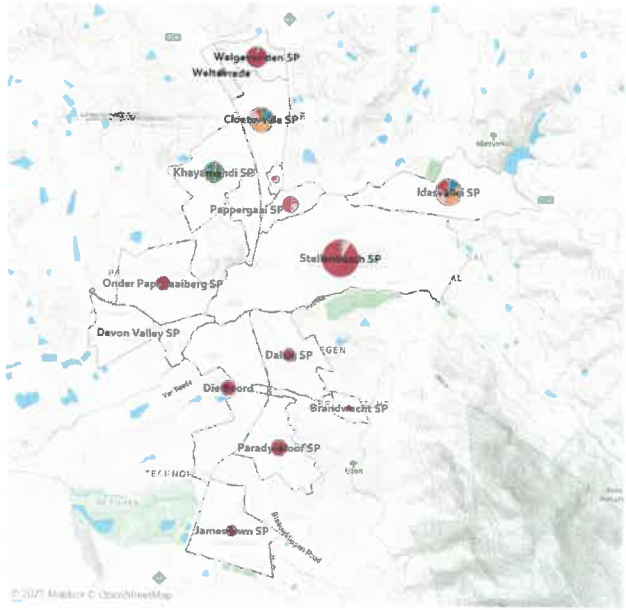
With a count of 14 244 residential properties, the total value of the residential property market of Stellenbosch town was is R32.39 billion in 2021, having increased by 4.7% from 2020, and an average of 3.65% per annum over the last five years.* Just 8% of Stellenbosch town's residential properties are in the entry market (under R300 000) and only 7% are in the affordable segment (R300 000 – R600 000), while 13% are in the conventional market valued between R600 000 and R900 000.

Eleven percent of residential properties in Stellenbosch town are in the high-end market (valued between R900 000 and R1.2 million), while the large majority (62%) are in the luxury market over R1.2 million. This means that only about 1 in 3 residential properties is under R1.2 million. Only 28% of the residential properties, or 3 931 houses, are valued R900 000 or less.

These properties valued over R1.2 million would require a minimum monthly household income of R29 600 in order to purchase with a mortgage. (This calculation—and others in this report—assume a 7.75% interest rate, 10% deposit, 30% housing premium to income ratio, 20-year loan tenor, and no FLISP subsidy.)

* NB: As noted in the Data Sources section above, the data purchased from Lightstone, and detailed in the Supply and Market Activity sections of this report, reflects only the Census sub-places contained within the study area (Stellenbosch town). The deeds data therefore reflects the study area, and *not* the entire municipality.

Distribution of residential properties by market segment
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Number of residential properties	Market Segment
2	Under R300 000
1 000	R300 000 to R600 000
2 000	R600 000 to R900 000
3 000	R900 000 to R1.2m
3 885	Over R1.2m

Of the 1 115 entry market properties, 92% are government-subsidised properties (GSP). As shown in the map above, the entry level housing is clustered in Khaymandi, while the bulk of properties valued over R1.2 million are located in the centre of town. Cloetesville is a fairly mixed neighbourhood with the majority of residential properties in the conventional market.

Comparing Lightstone deeds data to the Stellenbosch Valuation Roll

The Lightstone data for the study area as of 31 December 2021 includes 14 244 residential properties in total, while the Stellenbosch Valuation Roll (2 July 2020) contains 15 709 properties, approximately 1 500 more.

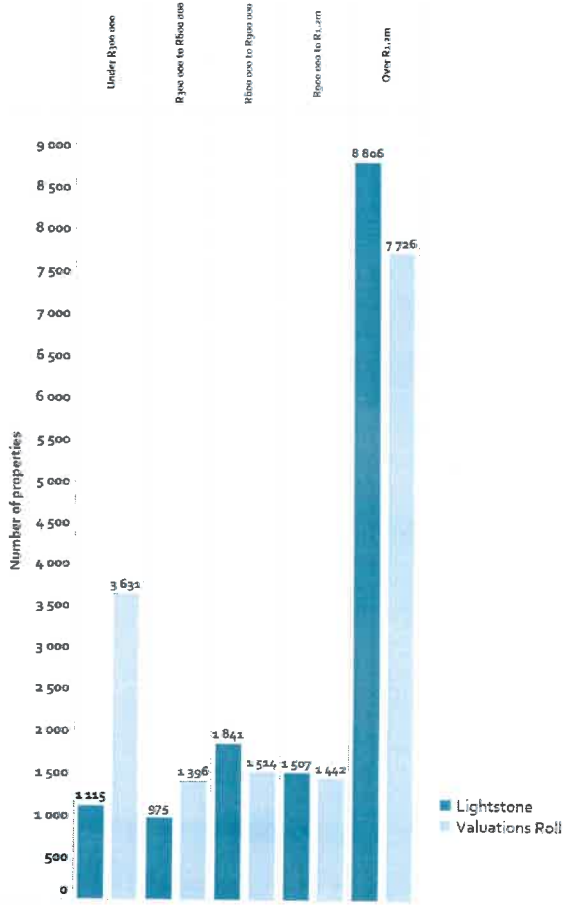
The difference between the total residential stock counts of Lightstone and the municipal valuation roll are to be expected, for a number of reasons. Firstly, there may be a difference in timing between the date that the municipality published their roll, and the updated data from the Deeds Office and Surveyor General which Lightstone uses for its count at any point in time.* Second, the municipality may categorise residential properties differently than Lightstone. Finally, municipalities may undervalue properties in order to avoid widespread disputes over rates.

Having acknowledged these differences in methodology, a comparison of the two datasets is still valuable as it provides a more detailed picture of the market. Furthermore, the municipal valuation roll permits sight into the market segment above R1.2 million.

In our analysis of the Stellenbosch Valuation Roll, we only included properties that are zoned residential and that are located in the neighbourhoods which are part of the Stellenbosch city area, inside the urban edge. The areas included in the Lightstone data are delineated in **Appendix A**.

The graph compares the data from the two sources and shows the number of properties in each market segment. The number of properties in the Lightstone data is higher than the valuation roll for the lower market segments (especially under R300 000), while the valuation roll has a bigger count of properties in the higher market segments, most notably above R1.2 million.

Stellenbosch town: Number of properties, by market segment (Lightstone and municipal VR)



Source: Lightstone data as of 31 Dec 2021. Stellenbosch Valuation Roll, July 2020.

Lightstone's valuation methodology

Lightstone's valuation approach is broadly based on three methodologies and uses a combination of these methodologies to estimate the value of a property at a given point in time:

1. Repeat sale valuation of the property: A previous sale price is inflated to current value using the Lightstone Residential Property Price Indices. Properties may have an extremely low purchase prices and as such these prices are often not used to generate a repeat sale valuation, but may sometimes be utilised where it appears that there are volumes that carried similar sale prices in the area.
2. Comparable sales valuation: This methodology uses comparable sales in the area in recent times inflated to current value using the Lightstone Residential Property Price Index. If low value sales occurred in the area, these values will affect the comparable sale valuation downwards.
3. Third party valuations: These are valuations completed by third parties such as municipalities and physical valuers which Lightstone uses as input at a property level in valuing a particular property. The Lightstone Residential Repeat Sale Indices is then used to bring historic valuations to current value.

* The date of valuation for the Stellenbosch VR was 2 July 2020. The roll was approved/implemented 1 July 2021.

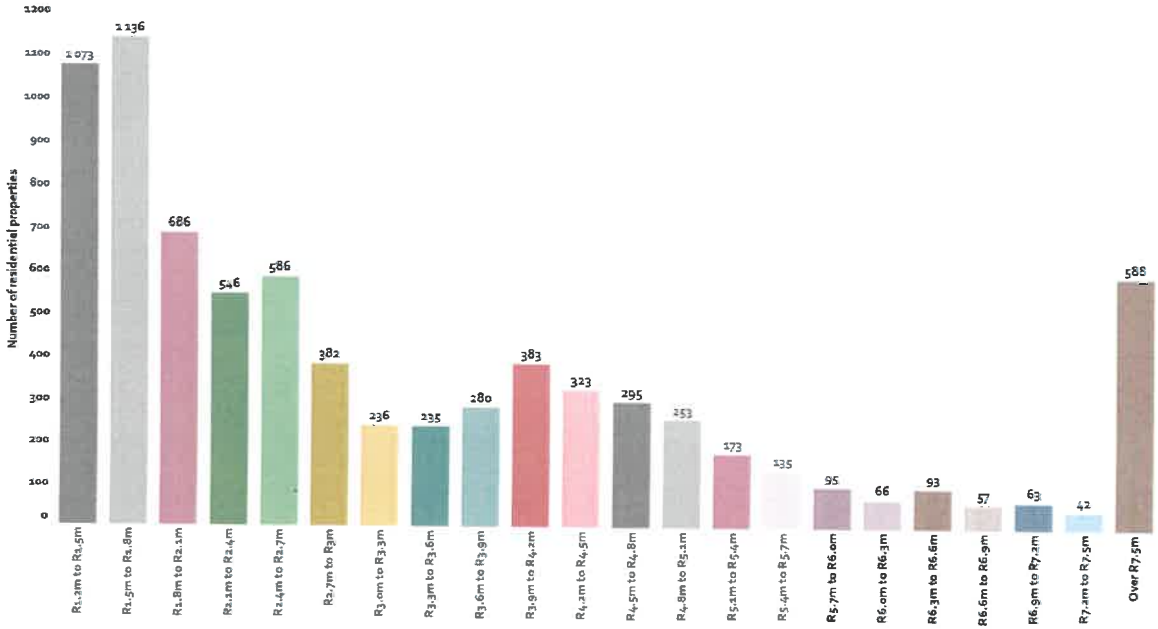
Comparing Lightstone deeds data to the Stellenbosch Valuation Roll

The graph below further segments the properties valued over R1.2 million, as per the Stellenbosch VR, and shows that many of the properties are grouped at the bottom end of the luxury segment—R1.2 million to R1.8 million.

- **Properties over R1.2 million**

A critical drawback of the five market segments we use to analyse the Lightstone data is that all properties valued above R1.2 million are grouped together and not separated into R300 000 increments, which would allow for more detailed and nuanced understanding of the upper end of the property market. The graph to the right displays the Lightstone market segmentation, alongside the detailed market segmentation possible with the VR data.

Stellenbosch town: Number of properties valued above R1.2 million, by market segment, per municipal valuation roll

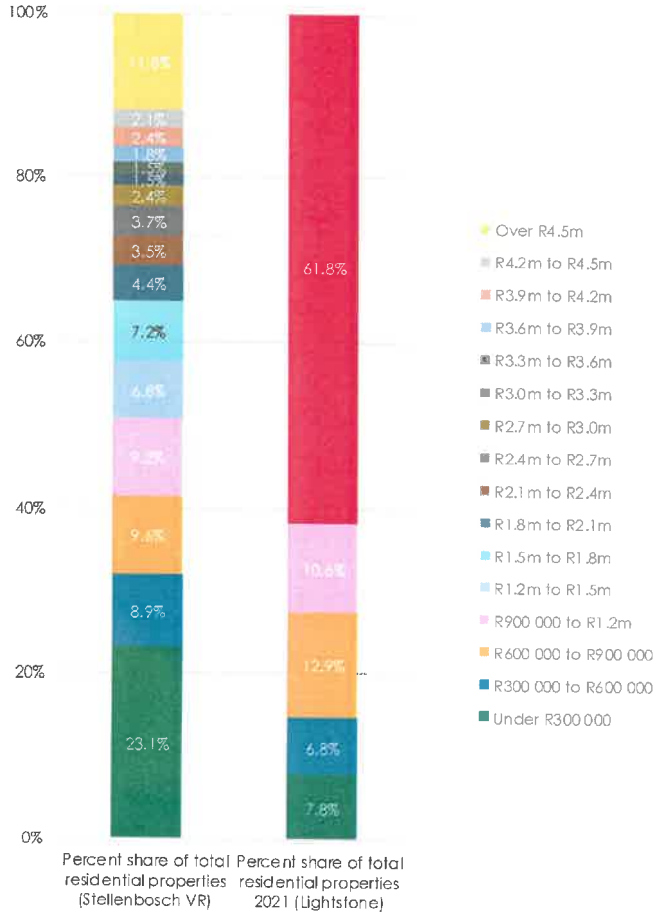


Source: Lightstone data as of 31 Dec 2021. Stellenbosch Valuation Roll, July 2020.

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Stellenbosch town: Lightstone data vs. municipal valuation roll, per market segment



Source: Lightstone data as of 31 Dec 2021. Stellenbosch Valuation Roll, July 2020.

Ownership market – Housing stock by property type

Property type categorization is particularly relevant because of its implications for affordability. Often estate properties are higher value, while sectional title—in some, but not all cases—offer a more affordable option. Second, the property type is particularly relevant to an inclusionary housing policy as typically estate properties are located outside the main urban areas, while sectional title units may be better located in relation to economic opportunities.

In Stellenbosch town, in 2021 the largest portion of residential properties are freehold title outside an estate (54.5%), followed by sectional title outside an estate including student rental (27.2%), and 18.0% freehold within a private estate. Fifty properties—0.4%–are sectional title properties within estates.*

- **Property type by market segment**

In 2021, 88% of freehold estate properties were in the luxury market—mostly located in Welgevonden to the north, as well as Paradyskloof to the south. The great majority of sectional title units (outside of an estate) are also in the luxury market (33.7% of luxury market stock). Much of the high end market is also sectional title (39%).

While freehold properties (outside of estates) exist in every market segment, all entry level properties are freehold (except for one sectional title unit). Notably, 93% of these entry level, freehold properties are government-subsidised properties.

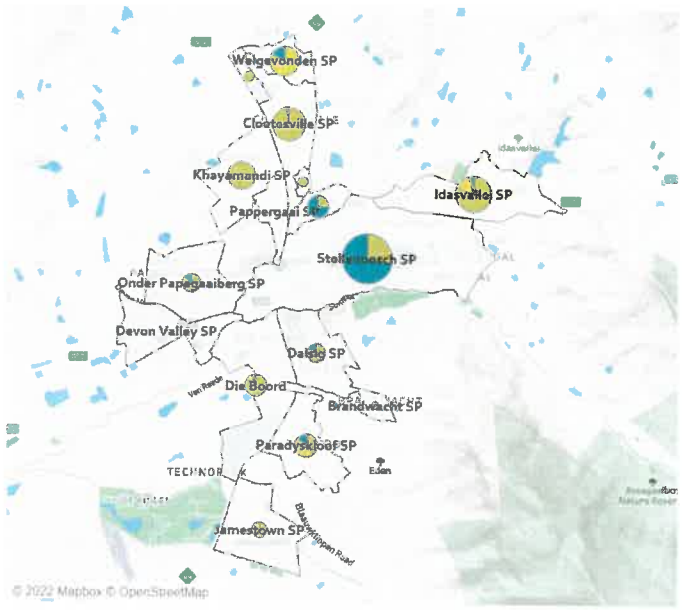
- **Property type by location**

As shown in the map above, not surprisingly, the great majority of sectional title units outside of estates are in central Stellenbosch, in the Stellenbosch sub place in the centre of town. A large portion of these properties would be student rental units. Typically rental units would be part of a sectional title development with a body corporate managing the complex, and common areas. A block of flats with one owner would also likely be a number of sectional title units on the same erf.

* The four property types used in the analysis of deeds data in this report are: freehold title (outside an estate); freehold title within an estate (referred to as freehold estate); sectional title (outside an estate); and sectional title within an estate (referred to as sectional title estate).

Distribution of residential properties by title type

Stellenbosch, 2021



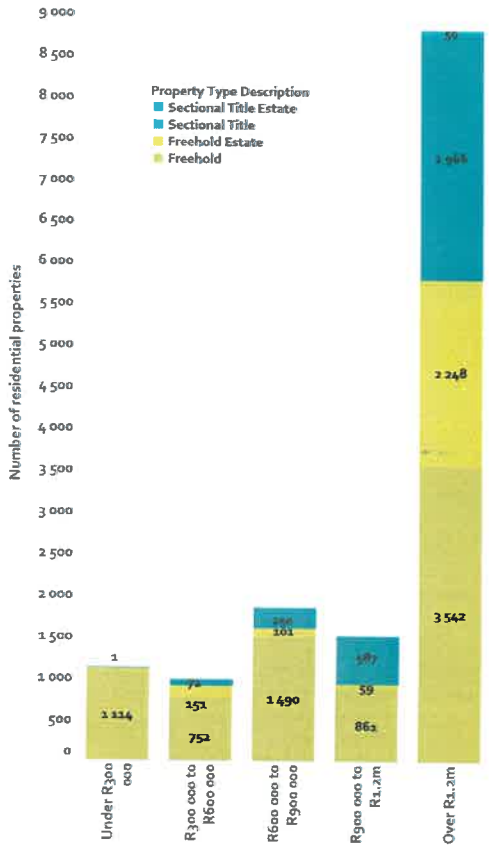
Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced June 2022).

Number of residential properties
2
1 000
2 000
3 000
3 885

Property Type Description
Freehold
Freehold Estate
Sectional Title
Sectional Title Estate

Total number of properties by title type by market segment

Stellenbosch, 2021



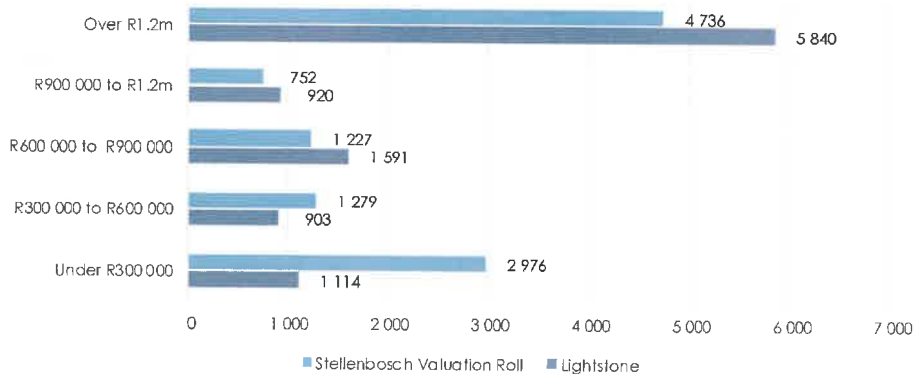
Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced June 2022).

Comparing Lightstone deeds data to the Stellenbosch Valuation Roll - Property types

These graphs below compare the data on the number of freehold and sectional title properties from the two data sources, the Stellenbosch Valuation Roll and the Lightstone deeds data (grouping together properties that are inside and outside private estates).* Notably, the overall split between freehold and sectional title in the Lightstone data is very similar to the ratio reflected in the Valuation Roll; the VR contains 69.8% freehold and 30.2% sectional title, while the Lightstone data is split 72.8% freehold and 27.2% sectional title.

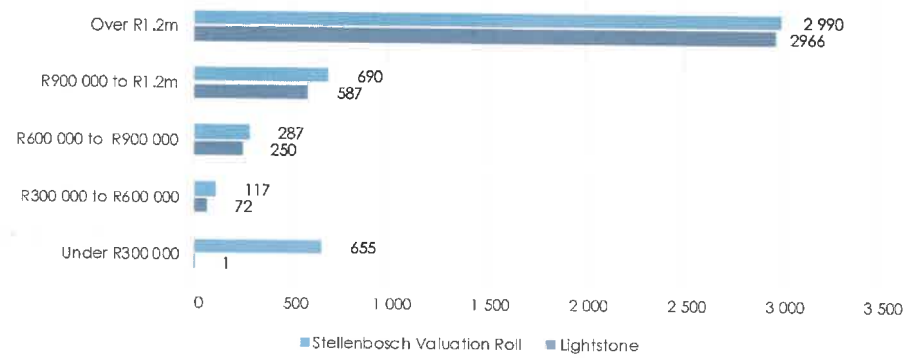
In total, the VR contains 602 more freehold properties than what is contained in the Lightstone data (10 970 Valuation Roll; 10 368 Lightstone). However, within the luxury market segment, approximately 1 100 more freehold properties are captured in the Lightstone data, as shown below.

Stellenbosch town: Number of freehold properties, by market segment (Lightstone & municipal VR)



NB: Both freehold properties inside and outside estates are included.
Source: Lightstone data as of 31 Dec 2021. Stellenbosch Valuation Roll, July 2020.

Stellenbosch town: Number of sectional title properties, by market segment (Lightstone and municipal VR)



NB: Both sectional title properties inside and outside estates are included.
Source: Lightstone data as of 31 Dec 2021. Stellenbosch Valuation Roll, July 2020.

Similar to freehold properties, the VR contains more sectional title units (863)than the Lightstone data. There are approximately 4 739 sectional title properties on the VR, compared to 3 876 in the Lightstone data.

In the entry market segment, again, there is a large disjuncture. The VR includes 655 sectional title properties below R300 000, while the Lightstone data has a single property.

In summary, the comparison of the stock data for freehold and sectional title properties from the VR and Lightstone reflects a similar pattern. For both property types, it appears the municipal valuation roll has a higher total count, with the difference most pronounced in the entry market where it appears that the either the VR contains an overcount or Lightstone is undercounting.

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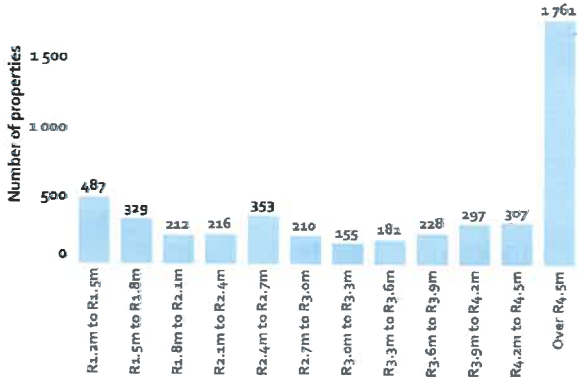
* The Stellenbosch Valuation Roll does not distinguish between freehold estate and freehold properties (outside private estates).

Comparing Lightstone deeds data to the Stellenbosch Valuation Roll - Property types

The data in the Stellenbosch Valuation Roll enables us to look at the properties valued over R1.2 million, in smaller market segments, to get a sense of the distribution. The graph on the left shows freehold properties over R1.2 million as per the Stellenbosch Valuation Roll.

In the Lightstone data, 56% of freehold properties (inclusive of properties inside and outside estates) are in the luxury segment (5 790), compared to only 43% of freehold properties in the municipal valuation roll (4 736).

Number of freehold properties over R1.2 million by market segment: Stellenbosch Valuation Roll

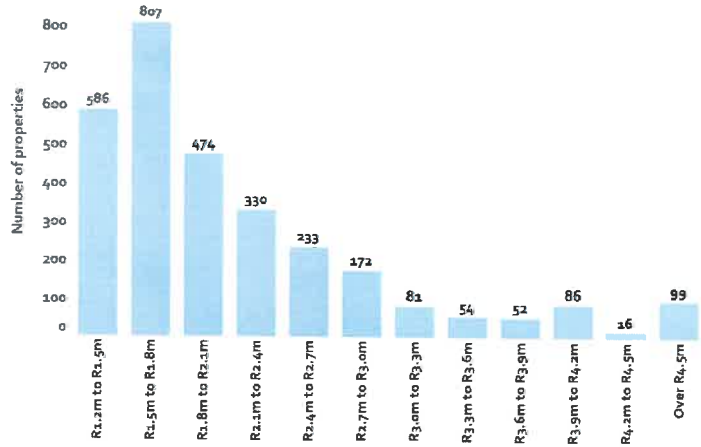


NB: Both freehold properties inside and outside estates are included.
Source: Lightstone data as of 31 Dec 2021. Stellenbosch Valuation Roll, July 2020.

The graph below looks at the sectional title properties valued over R1.2 million on the Stellenbosch Valuation Roll.

In the Lightstone data, 77% of sectional title properties (both inside and outside estates)are in the luxury segment (3 016), compared to only 43% of the sectional title properties listed in the municipal valuation roll (2 990). The considerable difference in the counts of sectional title luxury properties bears further exploration.

Number of sectional title properties over R1.2 million by market segment: Stellenbosch Valuation Roll



NB: Both sectional title properties inside and outside estates are included.
Source: Lightstone data as of 31 Dec 2021. Stellenbosch Valuation Roll, July 2020.

Comparing municipalities – By size, market segmentation, GSP and property type

The graph to the right compares the study areas in George, Mossel Bay, Stellenbosch and Paarl/Wellington (Drakenstein) with respect to: the number of residential properties by market segment, the share of government-subsidised properties (GSP), and property type.

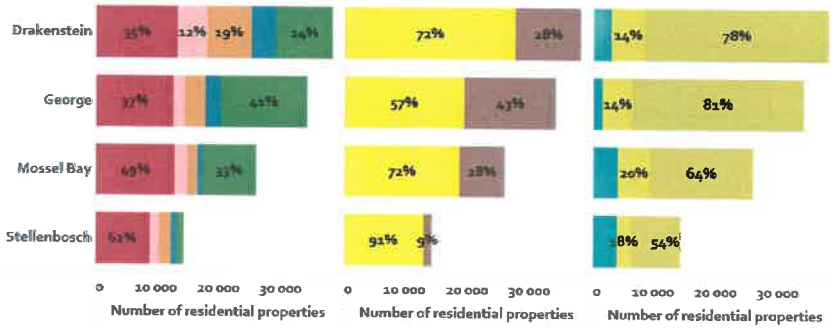
- **Market size and segmentation**

In terms of the number of residential properties, among the four study areas, Stellenbosch town has the smallest residential property market, with a total of 14 244 properties. As shown in the bottom graph, Stellenbosch town also has the smallest residential property market in terms of value (R32.35 billion in 2021).

Of the four areas, Stellenbosch town has the largest proportion of properties in the luxury market over R1.2 million (62%). Stellenbosch also has the smallest portion of residential properties in the entry market, just 7.8%, compared to George with 41% of properties valued below R300 000.

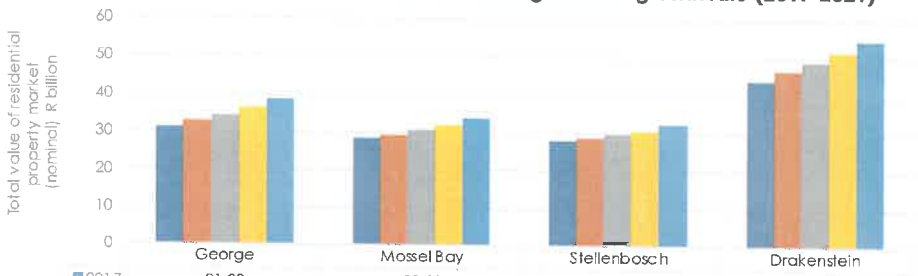
Residential market size

Properties by market segment, government -subsidised housing and property type
Western Cape Housing Study Municipalities, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced June 2022).

Total value of residential property markets and average annual growth rate (2017-2021)



	George	Mossel Bay	Stellenbosch	Drakenstein
2017	31.23	28.29	28.03	43.99
2018	33.02	29.45	29.02	46.97
2019	34.39	30.47	29.61	49.25
2020	36.39	32.15	30.89	51.94
2021	38.66	33.84	32.35	54.96
Annual average growth rate	6.5%	5.2%	2.0%	6.9%

Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

- **Contribution of government housing programmes***

In Stellenbosch town, only 9% of residential properties are government-subsidised, making up just 1.2% of the total residential property market in terms of value. In contrast, neighbouring Drakenstein has 28% GSP, while as much as 43% of the residential properties in George are GSP.

- **Property types**

Unlike the other three municipalities, only 54.5% of residential properties in Stellenbosch town are freehold title (outside an estate). This is likely due to the presence of student rental as well as the small number of GSP.

About 18% of properties are freehold houses in a private estate. Due to the university, Stellenbosch has the largest proportion of sectional title properties among the four areas (27.2%).

* GSP are identified through a proxy which is applied by Lightstone the deeds data. See further details on page 26 below.

Government-subsidised properties – Number and spatial distribution

Government-subsidised houses are not explicitly recognised or marked on the title deed. Therefore its necessary to use a proxy to identify these properties on the deeds registry—the proxy is based on common programme characteristics of BNG/RDP houses, including the year, first registration price and buyer type, maximum prices, and proximity to other similar housing types (see **Appendix B**). This analysis helps to understand the contribution of public investment in subsidised housing programmes, and the performance of these assets on the ground.

Notably, by virtue of the fact that the data is from the Deeds Office, these figures only include those subsidised houses where a title deed has been transferred to the beneficiary. According to the 2016 CS, title deed possession was low in Mossel Bay municipality (41%)—among both GSP and non-GSP properties. Due to the title deed backlog, these figures will not reflect those units delivered by government and handed over to beneficiary households who have not yet received a title deed.

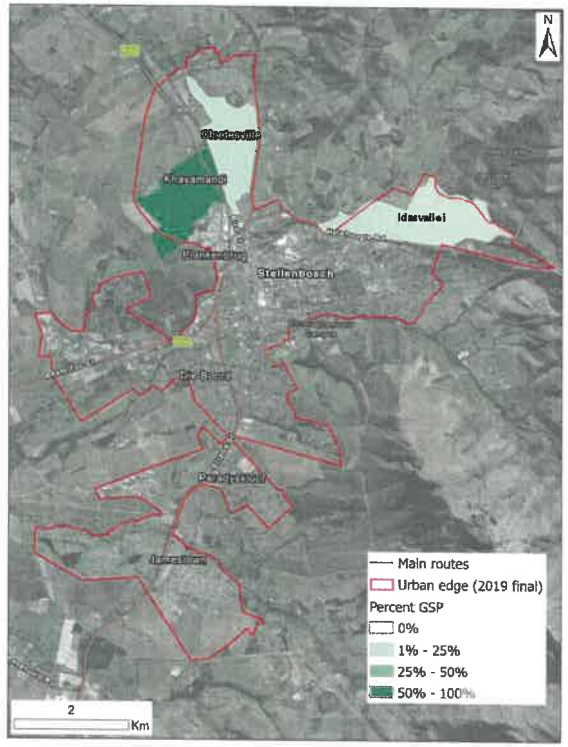
- **Number and location of GSP**

Stellenbosch town contains only **1 353 GSP**, making up **9.5% of residential properties** in 2021. The GSP in Stellenbosch town are fairly new, with 62% eight years old or less.

All of the GSP are concentrated in just three subplaces: Khayamandi, Cloetesville and Idas Valley.

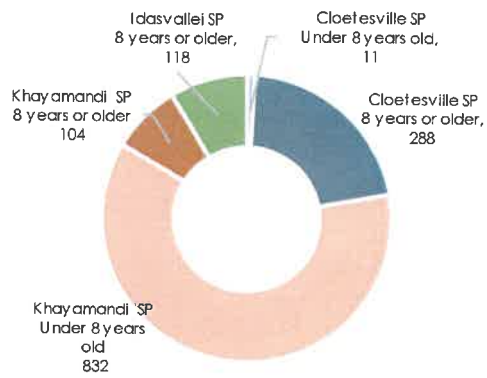
- Khayamandi contains 69% of the total GSP in the town. The area is almost entirely government-subsidised properties, with 78% of the houses subsidised by the state. Only 11% of these GSP are over 8 years old, indicating the area is a fairly new settlement.
- In contrast, Cloetesville is a more mixed neighbourhood with 18% of the residential properties GSP. However 96% of these GSP are over 8 years old, and thus eligible to be sold on the resale market.
- In Idas Valley, GSP make up only 6% of the total properties—all of which are over 8 years old.

Stellenbosch town: Distribution of GSP



Source: Lightstone data as of 31 Dec 2021; Municipal Demarcation Board (MDB), ESRI South Africa. .

Number of GSP by subplace and age (2021)



Source: Lightstone data as of 31 Dec 2021.

Subplaces containing GSP in Stellenbosch town (2021)

Subplace name	No. of GSP	GSP as share of total properties in subplace	Subplace share of total GSP in Stellenbosch town	No. of households (2021)	No. of GSP 8 years or older	No. of GSP 8 years or older as share of total GSP in subplace	Subplace share of total GSP over 8 years old in Stellenbosch town
Khayamandi SP	936	78%	69%	10 287	104	11%	20%
Cloetesville SP	299	18%	22%	2 923	288	96%	56%
Idasvallei SP	118	6%	9%	1 765	118	100%	23%
	1 353		**100%**	**16 617**	**510**	**38%**	**100%**

Source: Lightstone data as of 31 Dec 2021; ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021.

Government subsidised properties – Performance and role of GSP

Value of GSP properties

Together the 1 353 GSP in Stellenbosch town were valued at R378.6 million in 2021, with an average value of R279 848. In 2021, 76% of GSP in the Stellenbosch town were entry market properties valued under R300 000, with 13% in the affordable segment valued R300 000 to R600 000, and another 10% in the conventional market.

As shown in the left-hand graph, GSP dominate the entry level market in Stellenbosch town: 92% of entry level properties were built by government, and 18% of residential properties in the affordable market (R300 000 – R600 000). Thus, not only are most GSP in the entry market segment, most of the entry market segment are GSP.

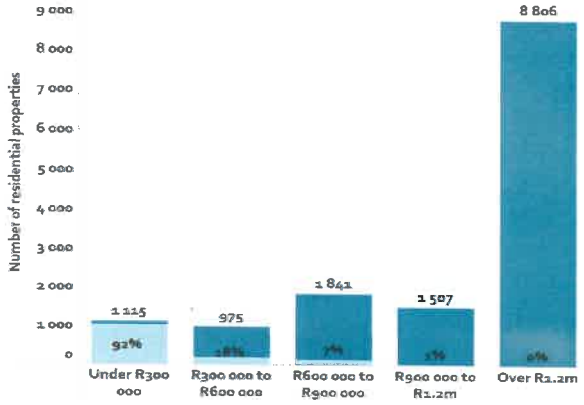
As shown in the bottom graph, the GSP in Stellenbosch town have appreciated over time. Unlike the other study areas that mostly have older GSP stock, only 38% of the GSP are over 8 years or older. However these 510 properties had an average value of R442 388 in 2021, much higher than in the other study areas. The newer GSP less than 8 years have a significantly lower average value of just R181 515. The performance of these properties over 8 years is particularly relevant as GSP older than 8 years are eligible to be sold in the formal property market.

Residential exclusion for property rates

Notably, the residential exclusion threshold as per the Stellenbosch rates policy is R250 000, meaning that the average owner of a GSP under 8 years old will not be levied any rates, while the average owner of a GSP over 8 years old would be levied rates on approximately R192 400, or 43% of the value of their property.*

* It is noted that the number of residential properties in Stellenbosch town valued under R250 000 was 3 272 in 2021, or 23%, meaning that 23% of total residential properties fall under the residential exclusion threshold.

Total number of residential properties
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

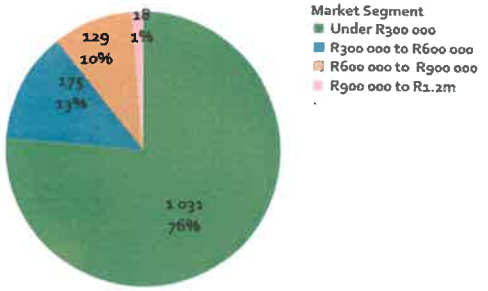
Number of government-subsidised housing
Number of residential properties

Total number of residential properties
Stellenbosch, 2021

Market Segment	Number of residential properties	Number of government-subsidised housing	Government-subsidised houses percent share of market segment
Under R300 000	1 115	1 031	92%
R300 000 to R600 000	975	175	18%
R600 000 to R900 000	1 841	129	7%
R900 000 to R1.2m	1 507	18	1%
Over R1.2m	8 806	0	0%
Grand Total	14 244	1 353	9%

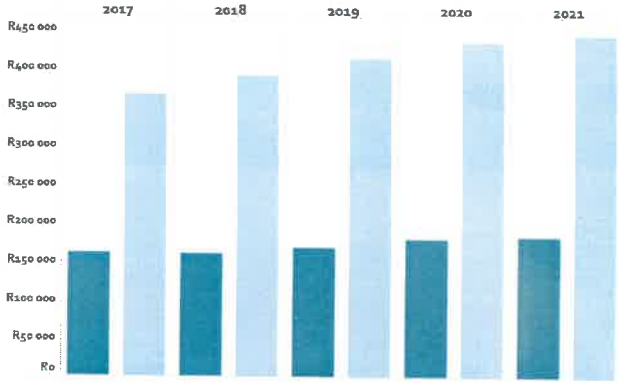
Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of June 2021 (sourced June 2022).

Number of residential properties by market segment: Government-subsidised properties
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced June 2022).

Average value of GSP under and over 8 years (2017 - 2021)
Stellenbosch, 2017 to 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced June 2022).

0-8 year old
More than 8 years old

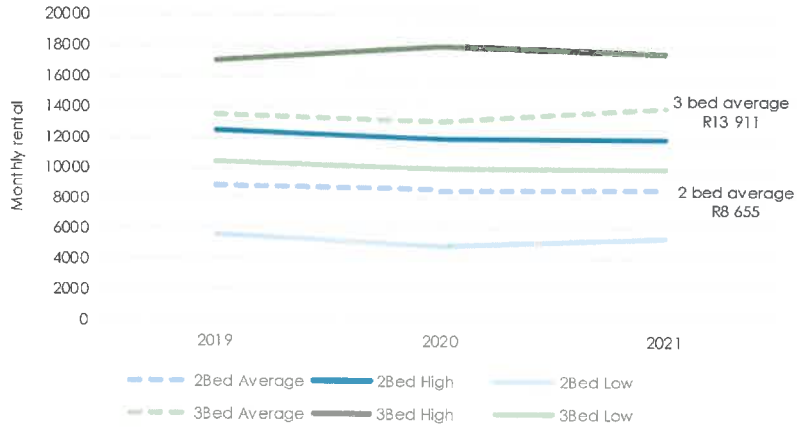
Rental market – Rental prices by property type and size

The TPN Credit Bureau provides updated data on the rental market, however its important to note that these figures are for the municipality as a whole, and not Stellenbosch town.

By number of bedrooms

According the TPN data, the average monthly rental for a 3 bedroom unit in 2021 in Stellenbosch municipality was R13 911, and for a 2 bedroom unit it was R8 655. These averages dropped very slightly in 2020—as shown in the graph below—and then returned to 2019 levels.

Monthly rental prices for 2 and 3 bedroom units (2019-2021)



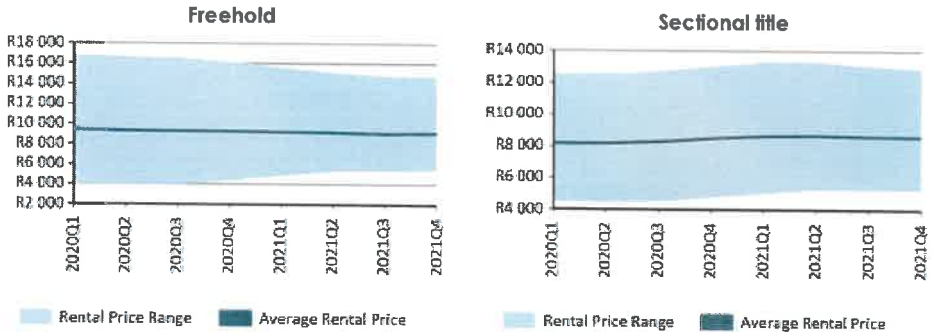
Source : TPN Credit Bureau, Investor Reports March 2022

By property type

On average, rental prices for sectional title units are more affordable than freehold property. (Notably, the TPN data does not disaggregate freehold properties inside and outside of private estates as the Lightstone data does.)

According to TPN data, at the end of 2021, average rent was around R9 000/month for freehold properties and around R8 000/month for sectional title units. The graphs below show the average rental price as well as the price range, from Q1 2020 to Q4 2021. As at the final quarter of 2021, the minimum rental price was approximately R5 000/month for both freehold and sectional title properties.

Rental price range (2020-2021)



Source : TPN Credit Bureau, Investor Reports March 2022

Target market

Assuming a benchmark of 30% of income spent on rent, the lowest-priced freehold or sectional title property (R5 000/month) would be affordable to households with a minimum income of R16 670/month—which is approximately 31% of households in Stellenbosch town.*

* Calculation based on income data from ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021.

Rental market – Rental price distribution

- **Rental price distribution**

The graphs to the right display the distribution of rental units (less than 3 rooms, 3 rooms, and more than 3 rooms) according to their rental price. Data is from TPN, for 2021, for Stellenbosch municipality as a whole.

For **freehold** properties, the largest share of rental units with *less* than three rooms (approximately 27%) go for a rental price of R8 000/month. However freehold property with less than three rooms can rent for as low as R3 000/month, and as high as R14 000/month.

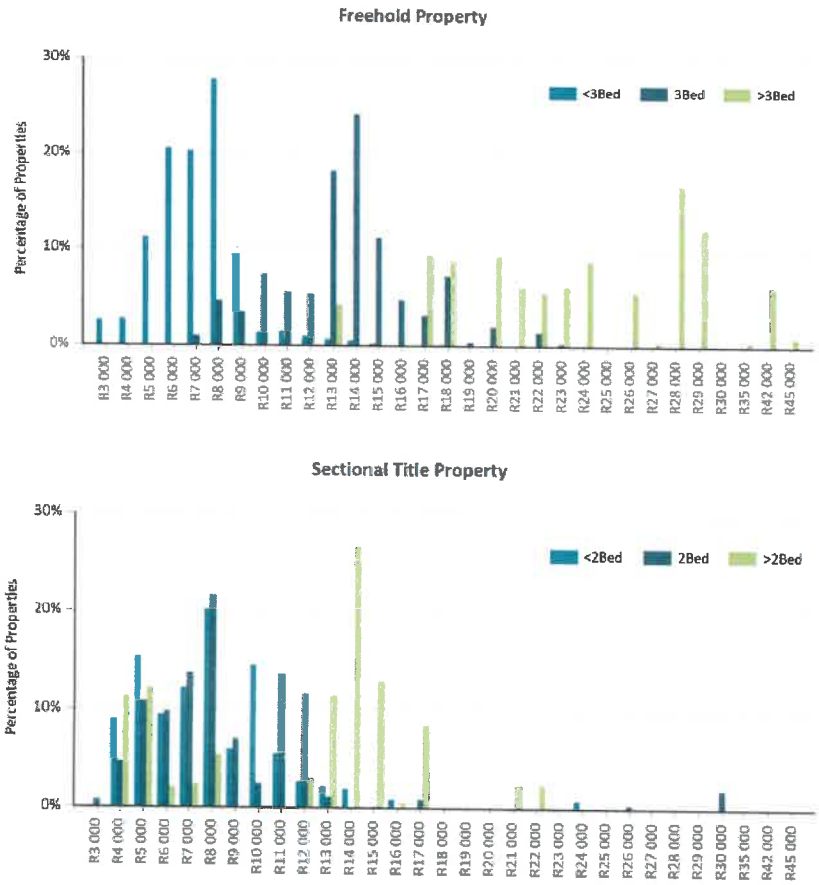
Most three bedroom units are priced R10 000 – R18 000 /month, but the range extends from R7 000 to R23 000 per month. Larger properties with *over* three bedrooms are all above R13 000/month and have the widest distribution of prices, from R13 000 to over R45 000 per month.

Again assuming a 30% rent to income ratio, a household would need a monthly income of R26 670 to rent the most common small freehold with *less* than three rooms (R8 000)—only an estimated 23% of households in the municipality earn this much or more.

For **sectional title** properties, the most common sectional title unit with 2 bedrooms rents for R8 000/month. The most common sectional title unit with *less* than 2 bedrooms rents for the same price, but it is easier to find units less than that (R4 000 – R5 000 / month). The biggest portion of larger sectional title units with more than 2 bedrooms rent at R14 000/month, but prices range from R4 000 to R22 000 per month.

The average household in Stellenbosch is unlikely to locate a rental unit in their price range. For example, a household looking for a 3 bedroom house in Stellenbosch municipality is most likely to find a R14 000/month freehold property (requiring an income of R46 670 /month)—only 13% of households fall in this category. Alternatively they if they are looking for a sectional title unit, they would typically find apartments for R8 000/month, which require a monthly income of R26 670. Approximately 23% of households in the municipality earn this much.

Rental price distribution (2021)



Source : TPN Credit Bureau, Investor Reports March 2022.

Rental housing for students

Rental price distribution

With a total student body of 22 000, the University of Stellenbosch is a critical force in the residential property market of the municipality, and especially Stellenbosch town itself. The university itself accommodates approximately 6 500 students in its residences, leaving around 8 000 students who require affordable accommodation in town.

A number of years ago, many students stayed in granny flats of houses in town, but more recently homeowners have converted these properties for tourist accommodation. Until the 2000's, the primary private student accommodation was blocks of flats which would work for students, or a small family. Small student flats were built in the CBD area, providing a good location, and bringing students closer to campus. However these private units were primarily affordable to wealthier students only.

Currently, there are a number of developers building for the higher income bracket of the student market, but there remains a gap in supply for students who receive support from the National Student Financial Aid Scheme (NSFAS). Much of the stock built now is narrowly targeted at the student market (with small rooms and shared facilities), and is not suitable for small families or young professionals.

In the next year, the University is planning on adding 400 units in the residences, and another 800 private student units will be developed for the top market.

High end student accommodation

The flagship residential development in Stellenbosch, called MySpace, was built by developer Abacus and serves as an example of the types of rental units being built presently which narrowly target wealthier students.

Currently there is one My Space Residence located in Paradys (125 units), with two more locations set to open in January 2023 in Drostdy and Dorpstreet with a further 550 beds. Most of the units are sharing, with some singles available.

Prices per bed range from R8 500 to R12 500 per month, and include a wide range of amenities including: study area, wifi, gym, lounge area, water and electricity. The least expensive beds (R8 500/month) are in a 24m^2 twin room, with a small kitchenette, bathroom and two beds. These units are not affordable to NSFAS students who receive an allowance of R5 000/month for accommodation.

Summary of supply side assessment

House prices in Stellenbosch have been rising for a number of years. Out of the four study areas, Stellenbosch town has the largest proportion of luxury market properties (62%) as well as the smallest portion of entry market units (8%). One developer operating in the area said that its very difficult to find residential properties for less than R900 000, and most properties under R700 000 would be of lower quality and size. Only 28% of residential properties, or 3 931 houses, are valued R900 000 or less.

Government-subsidised properties

In Stellenbosch town, just 9% of the residential properties are government subsidised (1 353). Stock in the entry market is almost entirely the result of public investment: 92% of entry market houses are GSP, with all concentrated in 3 subplaces: Khayamandi, Cloetesville and Idas Valley.

Most GSP in Stellenbosch town are fairly new—62% are less than 8 years old—but the older ones have seen significant appreciation over time. The 510 GSP 8 years or older had an average value of R442 388 in 2021, while the newer GSP have a significantly lower average value of just R181 515.*

Rental market

On average, rental prices for sectional title units are more affordable than freehold property. According to TPN data, at the end of 2021, average rent was around R9 000/month for freehold properties and around R8 000/month for sectional title units. The average monthly rental for a 3 bedroom unit in 2021 in Stellenbosch municipality was R13 911, and for a 2 bedroom unit it was R8 655.

The average household in Stellenbosch is unlikely to locate a rental unit in their price range—most units are only affordable to less than a quarter of households. A household looking for a 3 bedroom unit is most likely to find a R14 000/month freehold property which would require a monthly income of R46 670—only 23% of households fall in this bracket.

* It should be noted that the valuation of the GSP under 8 years old is likely an underestimation due to the fact that they have not been sold formally since primary transfer.

Estimated household incomes required to purchase property with a mortgage, per market segment (2021)

Market segment (residential property value)	No. of properties	% share of total properties	**Minimum** monthly household income needed to purchase in this market segment*	**Maximum** monthly household income needed
Entry level: < R300 000	1 115	7.8%	--	R7 300
Affordable: R300 000 - R600 000	975	6.8%	R7 300	R14 750
Conventional: R600 000 - R900 000	1 841	12.9%	R14 750	R22 200
High end: R900 000 - R1.2m	1 507	10.6%	R22 200	R29 600
Luxury: > R1.2m	8 806	61.8%	R29 600	--
Total	**14 244**	**100%**		

* Assuming 7.75% interest rate, 20 year loan tenor, 30% premium to income ratio, 10% deposit and no FLISP.
Source: Lightstone data as of 31 Dec 2021. Own calculations.

Affordability

Only 20% of residential properties (or approximately 2 800 houses) fall in the bracket between R300 000 and R900 000 (affordable and conventional market segments), which is theoretically accessible for purchase by households earning between R7 300/month and R22 000/month—see table above. As noted above, with the average monthly household income for Stellenbosch (R19 791), a household could only afford a house priced R796 000—but there are less than 3 500 properties valued this amount or less in the town.

Nearly 62% of residential properties are valued over R1.2 million (luxury market) and thus would require a monthly income of approximately R29 600 or more in order to purchase with a mortgage (no FLISP). This implies that those units would be out of reach for nearly 80% of households in the town.

Word of caution regarding affordability calculations

There are a number of important cautionary notes which should be raised with respect to these calculations:

- While house purchases below R1.2 million avoid transfer fees, there are other transfer costs which are not included here—see box on pg 43.
- Not all households purchase in the market segment they can afford: some may have additional funds from a once-off source, and some may have other competing expenses that prohibit them from spending the benchmark figure of 30% on housing.
- Some households may be living in properties that they accessed either by purchase or inheritance or gift, that today they could not afford to buy - in some cases properties appreciate faster than incomes.

Current market activity

New vs. resale market activity

Analysis of resale and new transactions provides a view into current market activity—which geographic areas are seeing more private development and new sales, and which properties are being traded more frequently, and where.

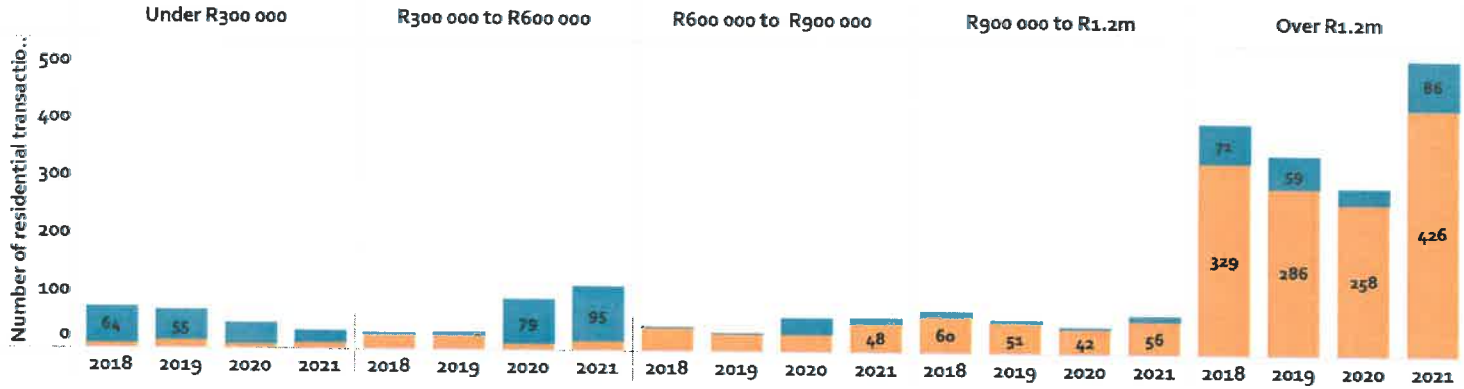
In Stellenbosch town, as in the rest of the country, the resale market is nearly twice as large as the new build market, accounting for the great majority of sales. In 2021, there were 554 resale transactions and 226 new transactions in the area.

Despite the continuation of the pandemic and restrictions into a second year, the market activity picked up significantly in 2021, compared to the first year of COVID. In 2020, there were just 343 resale transactions and 182 new transactions recorded.

As shown in the graph, Stellenbosch town saw far more transactions over R1.2 million than below. The exception was new construction in the affordable market segment, where there were 95 new transactions between R300 000 and R600 000 in 2021. This will be unpacked further in the sections below.

Number of new and resale transactions market segment

Stellenbosch, 2018 to 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Transaction Type
- New transactions
- Resale transactions

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Market for new build – New transactions by market segment

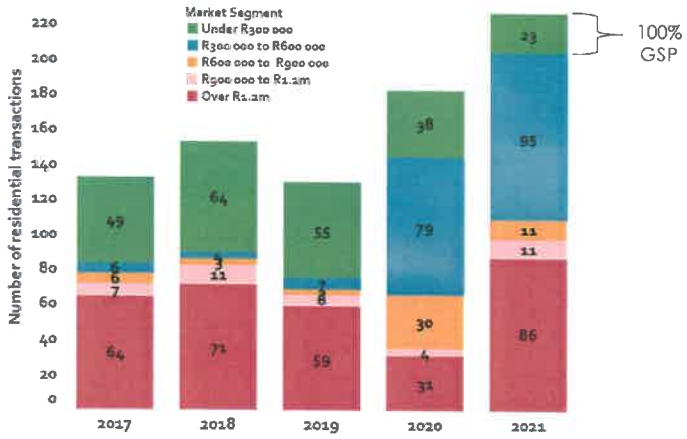
Unlike Mossel Bay and George, new transactions in Stellenbosch town were *increasing* pre COVID. Having dropped from 2018 to 2019, the volume of new transactions rose by 40% in 2020, driven primarily by more sales in the affordable and conventional markets. 2021 saw a further increase in new affordable transactions, as well as a jump in luxury sales, which together boosted the total number of new transactions by 24% in 2021.

In 2021, there were 226 new transactions in Stellenbosch town, totaling R252 million in value. New transactions in Stellenbosch town have averaged 165 per annum over the last five years.

Its important to note that new transactions include both the sale of houses newly constructed by private developers, as well as the transfer of new subsidised units to government housing programme beneficiaries.

For Stellenbosch town, the entirety of the new transactions in the entry market in 2021 (23 transactions) were GSP—there was no private sector construction of new houses below R300 000 in 2021. These 23 new transactions in the entry market were the only GSP registrations in 2021.

New residential transactions by market segment
Stellenbosch, 2017 to 2021

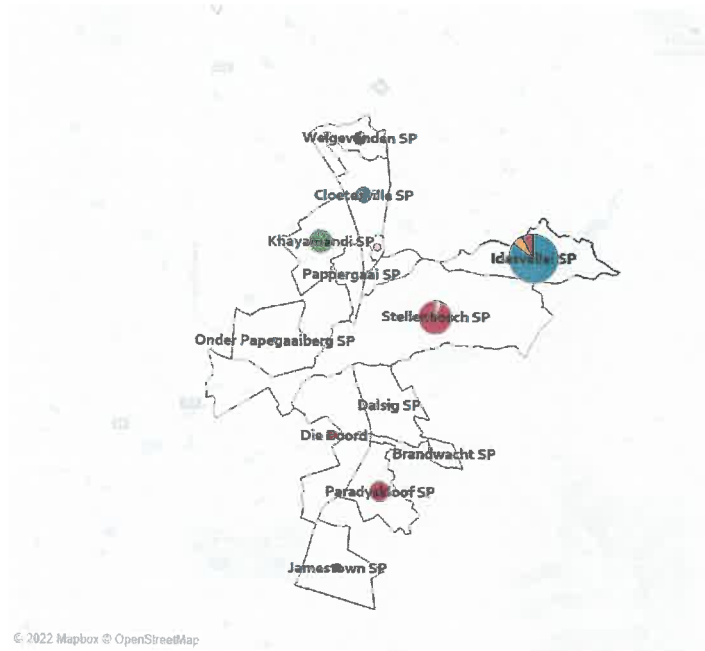


Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

In 2021, 90% of new transactions were sales of *non-GSP* houses which were built by the private sector. These non-GSP new transactions in 2021 totaled R62.7 million.

As shown in the map to the right, the entry level new transactions in 2021—all GSP—took place in Khayamandi, while the affordable new transactions were in Idas Valley. New construction and sales by private developers was centred in Stellenbosch central and Paradyskloof primarily.

Distribution of new transactions by market segment
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

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New build market – New transactions by property type

Analysis of new transactions (excluding GSP) by property type sheds light on the typologies of units which developers are constructing and bringing onto the market within Stellenbosch town.

New units from private sector

The graphs below show the number of new transactions each year, by property type, *excluding* GSP. Over the last five years, the consistent majority of units built and sold by the private sector have been freehold properties in estates (67%), with another 27% sectional title outside estates.

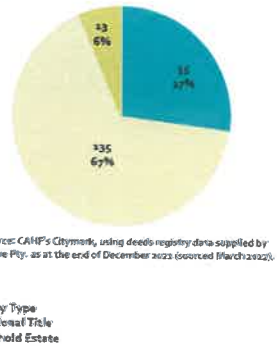
Very few regular freehold houses are being built by the private sector. Only 6% (just 13 houses) of new transactions in 2021 were freehold units outside of estates. The private sector is not building sectional title within estates—only two have been built and sold in Stellenbosch town in the last five years.

New residential transactions by property type: Non-subsidy properties
Stellenbosch, 2017 to 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

New residential transactions by property type : Non-subsidy properties
Stellenbosch, 2021



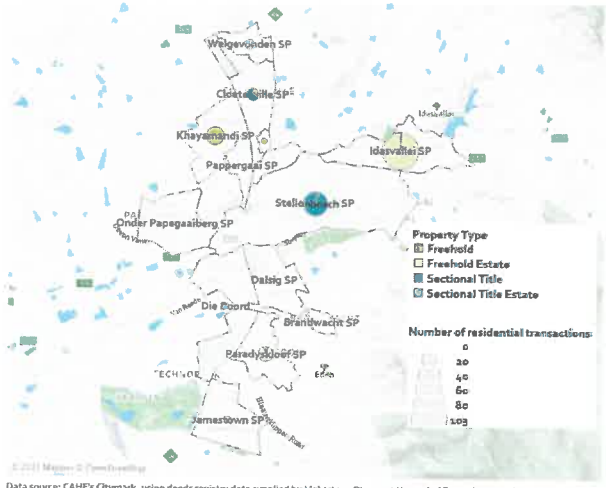
Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Total new transactions

The bar graph to the right *includes* GSP, and thus gives an overall picture of new units being sold or transferred each year. As indicated previously, the 23 new freehold transactions in the entry market are all GSP. However notably there is a significant number of new transactions of freehold estate properties in the affordable segment—88 transactions in 2021—which are not GSP. Many of these are part of the Idas Valley housing development—see next page.

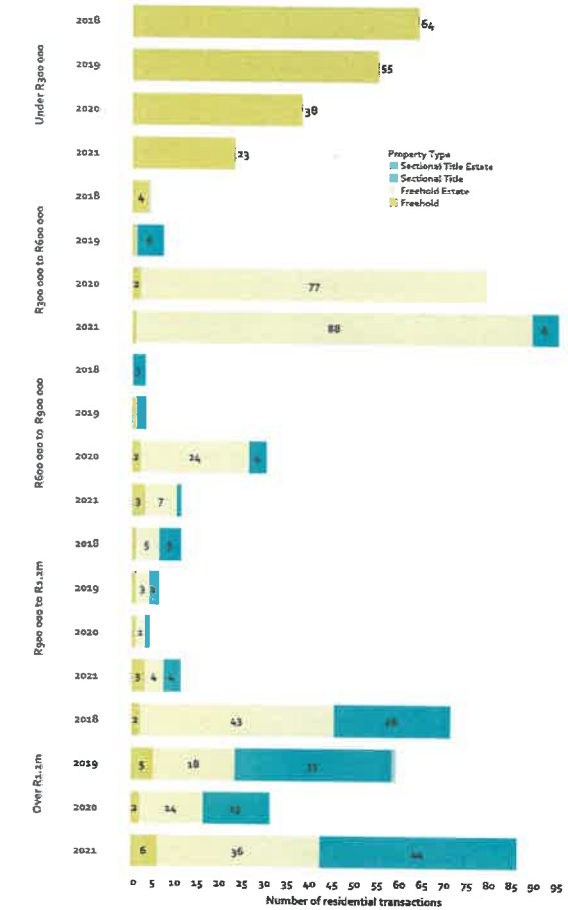
New transactions of sectional title units (outside an estate) are dominant in the luxury market, where there were 44 of these new units sold in 2021.

Distribution of new transactions by property type
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Number of new transactions by property type by market segment
Stellenbosch, 2018 to 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

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Idas Valley

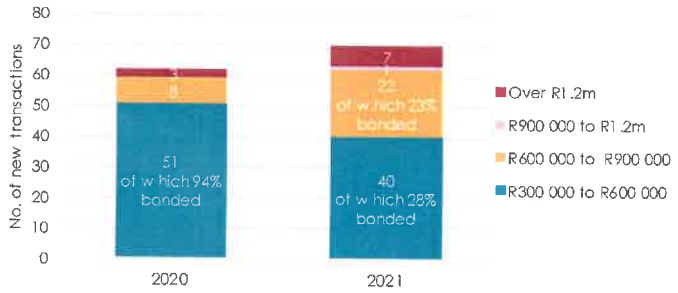
Located in the northern portion of Stellenbosch Municipality, north of Helshoogte Road and east of Lelie Street, Idas Valley has a stock of 1 953 residential properties in 2021, of which 39% are in the conventional market, between R600 000 and R900 000 as per the Lightstone data (see also pg 26).

The municipality appointed ASLA Magwebu to execute two projects in Lindida as part of the Idas Valley Housing Project. The project is a mixed housing development, with 113 GAP houses, and 87 fully subsidized units. It's a multi phased development, with families beginning to move in in 2019 and 2020. As part of the Khay Lam project, the Free Market Foundation has also been involved in facilitating the transfer of the properties so that owners receive their title deeds.*

The website of Oak Tree Village, one of the developments in the area, advertises the following new units for sale. These properties are targeted at first time home buyers with gross monthly income below R30 000:**

- 55.7 m^2 2 bedroom from R607 950
- 43.4 m^2 2 bedroom from R468 000
- 54.6m^2 3 bed from R699 500

Idas Valley: New transactions by market segment (2020 & 2021)



Source: Lightstone data as of 31 Dec 2021.

The Property24 and Private Property websites offer limited listings for sales of existing housing in Idas Valley below R1 million, as shown in online adverts.

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* Stellenbosch Monitor, 30 April 2021. "Idas Valley residents benefit from housing project."

** See https://www.oaktree-village.com/

Googlemaps screengrab of Idas Valley (24 July 2022)



Screengrabs from Property24 and Private Property websites (24 July 2022)



3 Bed House in Idasvalley

R 1 790 000

3 2

Harcourts



R 650 000

JUST PROPERTY

Idasvallei

43 m²



4 Bed House in Idasvalley

R 960 000

25 Gordon Street

4 1



R 1 900 000

JUST PROPERTY

Idasvallei

Resale market – Secondary market sales

The resale market has behaved somewhat differently than the new build market over the last few years in Stellenbosch town. Resale transactions were declining since 2017, and continued to drop into the first year of the pandemic. However in 2021, the total number of resale transactions shot up by 62%, to higher levels than 2017. This increase was driven almost entirely by a boost in resale transactions of properties in the luxury market over R1.2 million.

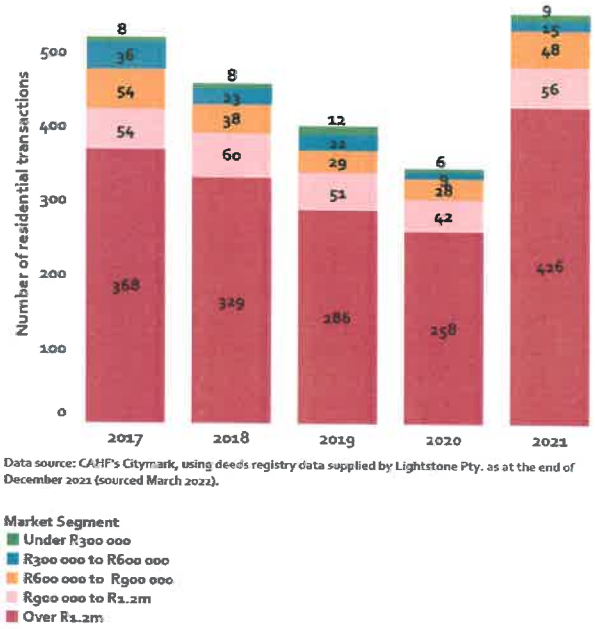
In total there were 554 resale transactions in 2021, totaling R1.38 billion in value. The great majority of these transactions were over R1.2 million (77%), 10% were in the high end market, 9% in the conventional market, and 3% in the affordable market. There were only 9 resale transactions of entry market properties in 2021.

Over the five-year period, the majority of resale transactions have been in the luxury market over R1.2 million, averaging approximately 73% of total resale transactions annually.

- **Resale transactions of GSP**

A number of resale transactions each year are sales of existing GSP which are older than 8 years (and thus no longer subject to sales restrictions). In Stellenbosch town, 62% (501) of the total 1 353 GSP are over 8 years old, comprising a total asset value of

Resale residential transactions by market segment
Stellenbosch, 2017 to 2021

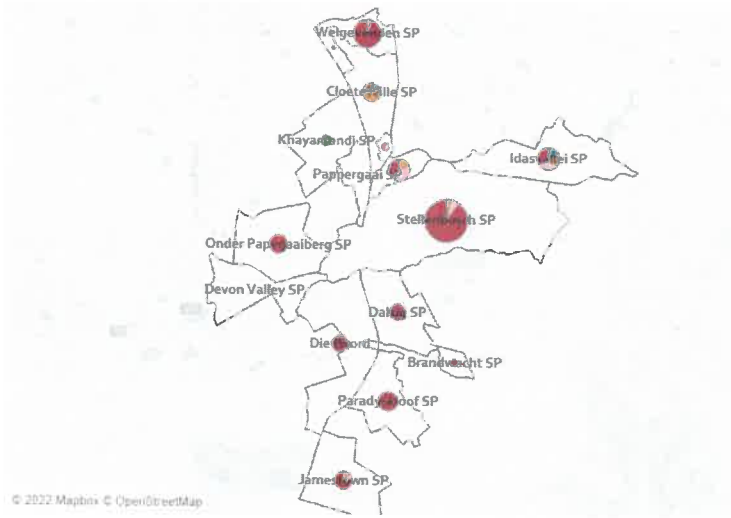


Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

R225.6 million. In 2021, 12 GSP were sold on the resale market, at an average price of approximately R254 583. These resale transactions of GSP made up just 2% of all resale transactions in 2021.

Eight of the 9 entry market resale transactions in 2021 were cases of GSP changing hands. This underlines the critical importance of GSP properties, not only in their original delivery to beneficiary households, but also their role in providing a critical supply of affordable housing for households purchasing property on the resale market.

Distribution of resale transactions by market segment
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

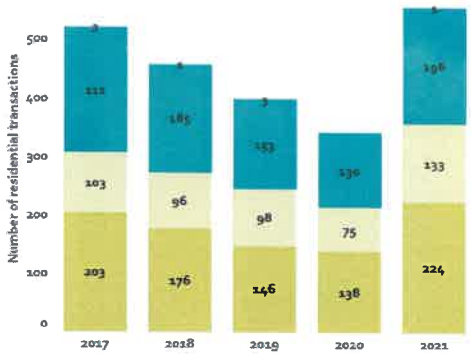
Resale market – Resale transactions by property type

As shown in the pie graph, the largest share of resale transactions are of regular freehold properties outside of private estates (40%). The resale of sectional title units outside estates accounted for 35% of total resale transactions in 2021, with the remaining 24% made up of resale transactions of freehold properties *inside* estates.

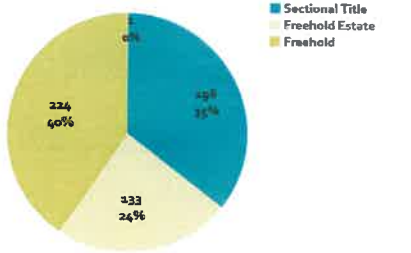
Most resale activity was transactions of properties valued over R1.2 million, both regular freehold and sectional title.

The sale of student units for rental would be reflected in the numbers of resale transactions of sectional title units outside estates. Most of these were properties over R900 000.

Resale residential transactions by property type
Stellenbosch, 2017 to 2021

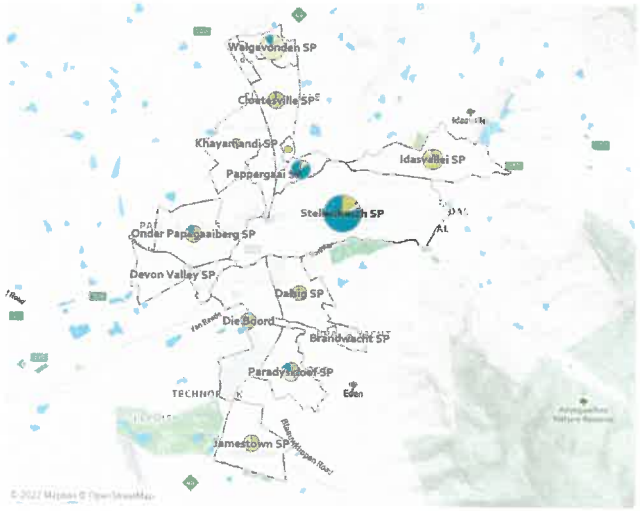


Resale residential transactions by property type
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

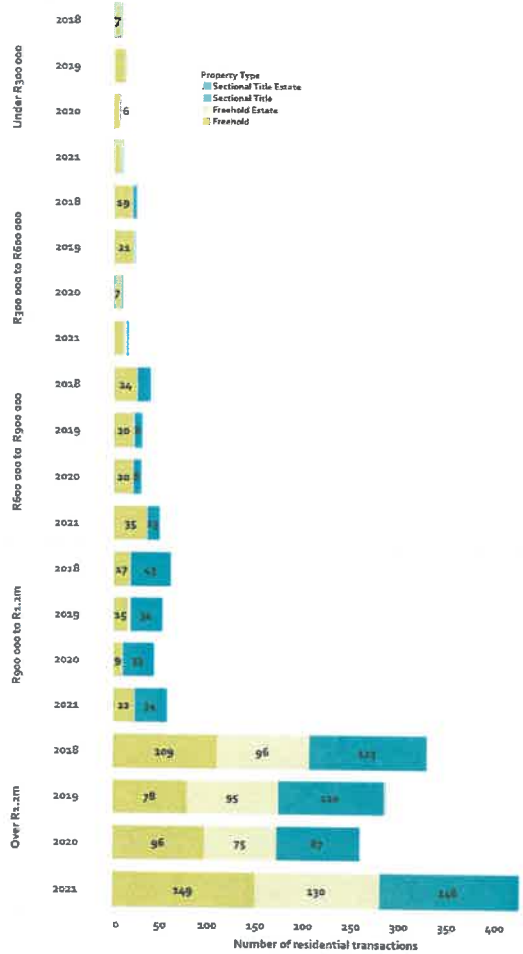
Distribution of resale transactions by property type
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

As shown in the map above, sectional title resale transactions are mostly in downtown Stellenbosch and Pappergaai—most of these sales are for units over R1.2 million.

Number of resale transactions by property type by market segment
Stellenbosch, 2018 to 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

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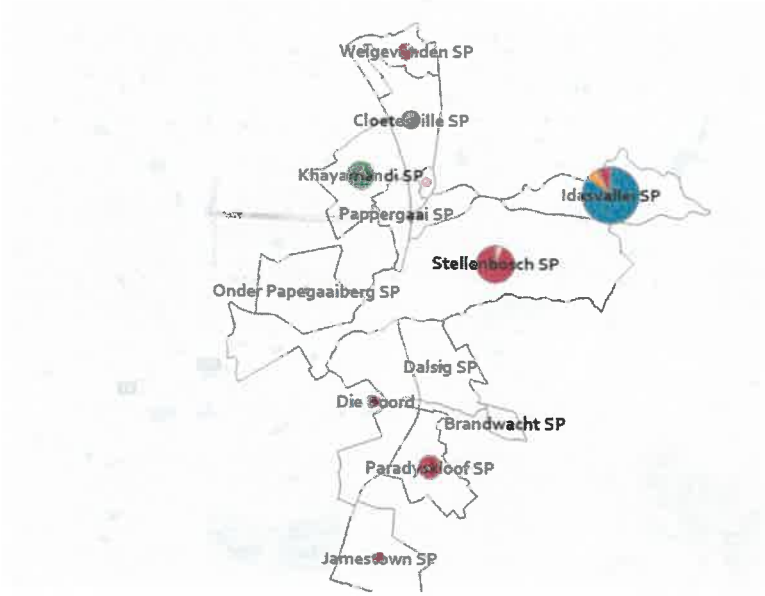
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Spatial distribution of new vs. resale market activity

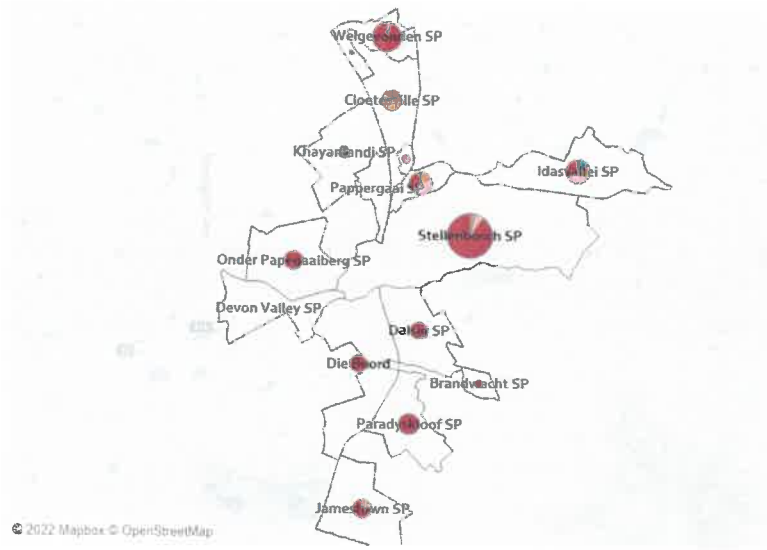
These two graphs illustrate the marked differences between the new build and resale markets in Stellenbosch town. A clear pattern is visible in new transactions: entry market new build of GSP in Khayamandi, new affordable segment transactions in Idas Vallley, and new build of luxury units over R1.2 million in central Stellenbosch.

Resale activity was overwhelmingly transactions valued over R1.2 million, and was spread across the town, with the majority of resale activity in Welgevonden and central Stellenbosch again.

Distribution of new transactions by market segment
Stellenbosch, 2021



Distribution of resale transactions by market segment
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Number of residential transactions	Market Segment
1	Under R300 000
50	R300 000 to R600 000
100	R600 000 to R900 000
150	R900 000 to R1.2m
214	Over R1.2m

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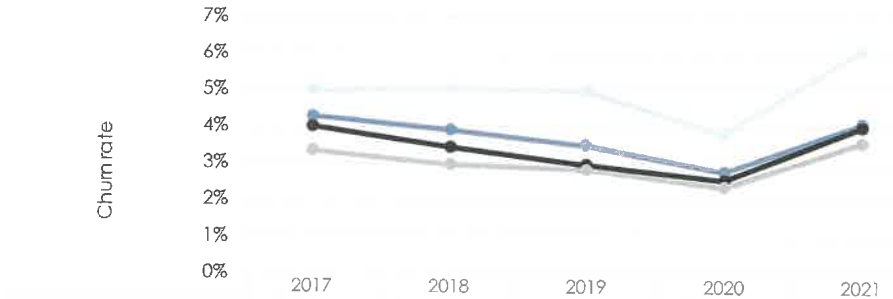
Churn – Levels of resale transactions by market segment

Another important indicator of market activity is the churn rate. Churn rates measure the rate of formal (registered) turnover of the property market: the total number of formal repeat transactions divided by the total number of properties less new registrations, calculated as an annual ratio. It serves as a useful indicator for understanding how well filtering is happening within the property market, or whether markets in particular neighbourhoods are constrained.* Churn can also indicate a level of market interest. More resale activity also brings new people into an area. Given apartheid's legacy of racially-divided cities, neighbourhoods with very low churn rates are unlikely to diversify quickly.

However it should be noted that churn rates may be undermined by the number of informal sales in the market, which would not be reflected in the formal deeds data.

Prior to the pandemic, the churn rate in Stellenbosch town had been falling, from 4.0% in 2017, to a low of 2.5% in 2020. However, resale activity picked up in 2021, returning to its 2017 level of 4.0%. The graph below shows how the churn rate for Stellenbosch town compare to the other four study areas. The George city area, Stellenbosch town and Paarl/Wellington have followed the same pattern over this five-year period, while the churn rate in the Mossel Bay city area has been consistently higher.

Churn rate for four study areas (2017-2021)



	2017	2018	2019	2020	2021
George city area	4.3%	3.9%	3.5%	2.7%	4.1%
Mossel Bay city area	5.0%	5.0%	5.0%	3.8%	6.1%
Stellenbosch town	4.0%	3.4%	3.0%	2.5%	4.0%
Paarl/Wellington	3.3%	2.9%	2.8%	2.3%	3.6%

Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

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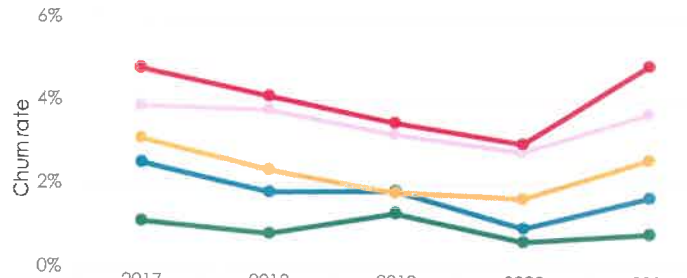
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* See Appendix D for a full explanation of filtering, and its importance to access to affordable housing.

- **Churn rates by market segment**

Churn varies significantly between market segments, with higher value properties changing hands more frequently than lower value properties. While the top market segment of properties worth more than R1.2 million have relatively high churn rates – reaching 4.89% in 2021—the bottom entry level market segment of properties worth less than R300 000 have churn rates of 0.82% in the same year. For properties in the affordable market, the churn rate is also low, 1.7%. This means that properties in those market segments are not selling – the potential benefits of filtering are not being realised.

Churn rate by market segment (2017-2021)



	2017	2018	2019	2020	2021
Under R300 000	1.09%	0.81%	1.28%	0.62%	0.82%
R300 000 to R600 000	2.50%	1.79%	1.84%	0.96%	1.70%
R600 000 to R900 000	3.07%	2.32%	1.79%	1.66%	2.62%
R900 000 to R1.2m	3.83%	3.77%	3.21%	2.79%	3.74%
Over R1.2m	4.75%	4.11%	3.48%	3.00%	4.89%

Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

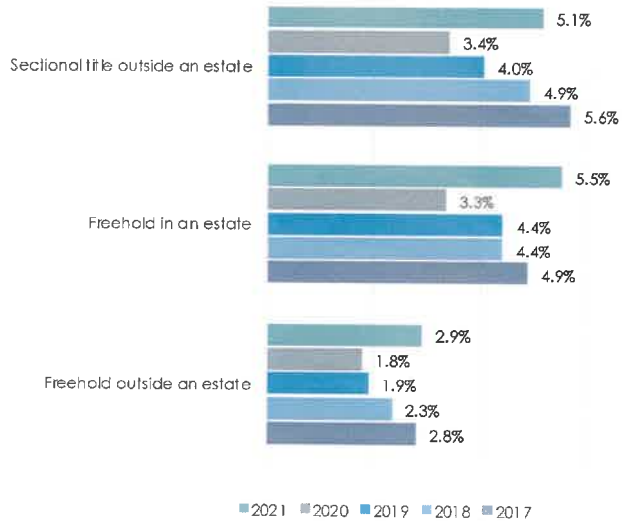
Churn – Turnover of GSP

Churn rates by property type

Resale market transaction rates (or churn) also vary significantly by property type. Freehold estate and sectional title properties (outside private estates) have relatively high levels of turnover – almost twice as large as regular freehold properties outside an estate (including GSP). This suggests a more vibrant market within private estates and sectional title properties outside of estates in Stellenbosch town, and substantial market interest in these property types. Given the demand for student housing, and the regular turnover as students locate there and then leave after their studies, the higher turnover for sectional title outside an estate makes sense.

The churn rates for all the property types was dropping prior to the pandemic, and then rebounded in 2021 to rates higher than the pre-pandemic rates.

Churn rates (2021) by property type



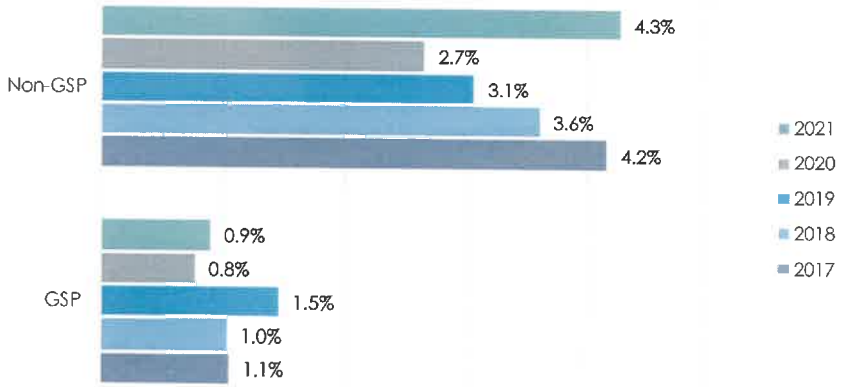
Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Churn rates of government-subsidised properties

The analysis by property type indicates that the lower levels of churn with freehold properties outside estates, is responsible for reduced overall average of 4.0% across Stellenbosch town. This is partly due to a very small churn rate for GSP—just 0.9% in 2021—largely because of the 8-year preemptive clause attached to government-subsidised properties.

However the impact of the Housing Act restriction on GSP sale in Stellenbosch town is limited, given that only 38% of GSP are 8 years or older and therefore can be transacted freely. The low resale activity of older GSP houses is a cause for concern, as the small churn rate indicates that homeowners are not realizing the asset value of their property.

Churn rates: GSP or non-GSP (2017-2021)



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

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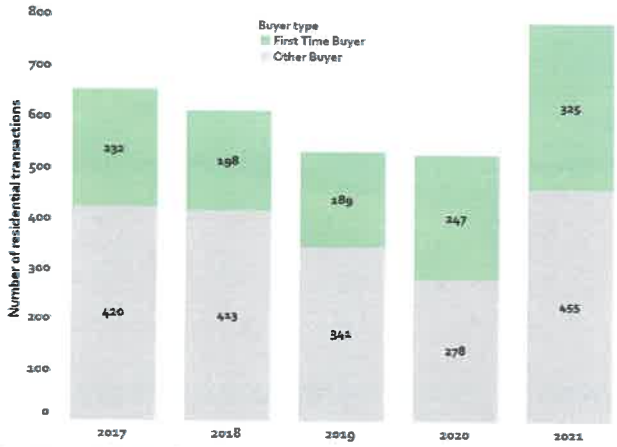
First-time home buyers – How do households step onto the property ladder?

FTHB as share of total transactions

First-time home buyers (FTHB) are a critical force in the residential property market, particularly the affordable housing segment, making up 42% of total transactions in Stellenbosch town last year. In 2021, 325 households became home-owners for the first time—of which only 7% received a new house from government.

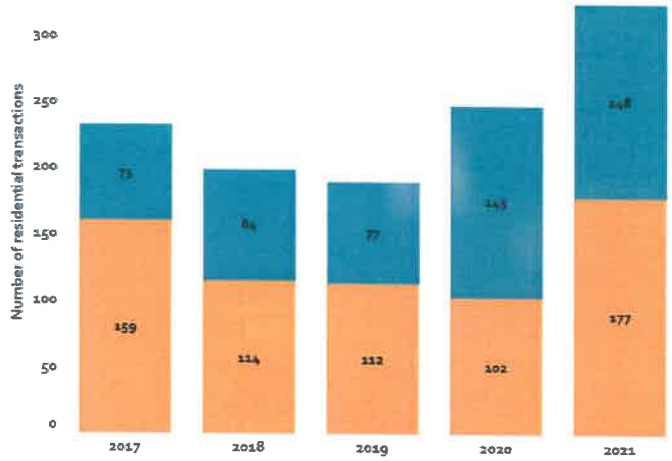
As shown in the middle graph, transactions by FTHB rose by about 32% in the second year of the pandemic. Likely influenced by the record-low interest rates in 2020, the number of bonded FTHB transactions went from 75 in 2019, to 136 in 2020. In 2021, 45% of FTHB transactions were bonded.

First time home buyers: Total residential transactions
Stellenbosch, 2017 to 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

First time home buyers: Total residential transactions
Stellenbosch, 2017 to 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

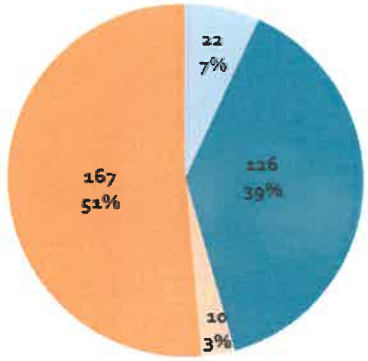
Sales Type
- New transactions
- Resale transactions

How do FTHB step onto the property ladder?

A little over half of FTHB purchase an existing house (55%). More households become home-owners by buying on the resale market, than by purchasing new affordable housing units from private developers.

Of the 177 resale transactions to FTHB, just 10 were older GSP being sold to FTHB. This small number makes sense given that only 38% of the GSP in Stellenbosch are over 8 years old and able to be sold.

First time home buyers
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Transaction type
- New transactions government-subsidised housing
- New transactions non-subsidy
- Resale transactions government-subsidised housing
- Resale transactions non-subsidy

The majority of FTHB who move into a new house did not receive it from government, but instead purchased it from a private developer (126 transactions, or 39% of FTHB).

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First-time home buyers – By market segment

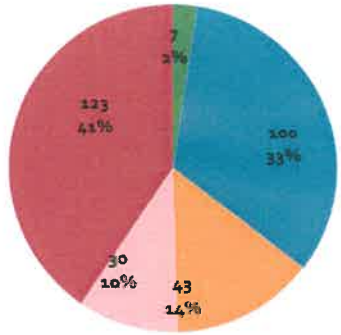
- **By market segment**

Excluding the 22 households who were beneficiaries of government-subsidised housing in 2021, approximately half of FTHB are purchasing properties which are R900 000 or less—see pie graph below. Ten percent are buying units in the high end market, and 41% are purchasing in the luxury market over R1.2 million.

FTHB are particularly important to the affordable market segments, making up 91% of sales in this market.

Number of first time home buyers by market segment

(Excludes new transactions of government-subsidised properties)
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Market Segment
- Under R300 000
- R300 000 to R600 000
- R600 000 to R900 000
- R900 000 to R1.2m
- Over R1.2m

Transfer payments and other costs associated with buying a house

For first-time homebuyers, there can be many unexpected associated costs to purchasing a home including VAT, bond initiation fees, bond registration fees and monthly loan account administration fees. However, the largest additional costs for a home-buyer are the transfer fees, and transfer duty payments.

Transfer fees are paid to the attorneys who complete the transaction paperwork and are typically the largest portion of the total transfer costs—ranging from R23 000 to R35 000 for a R1.2 million house.

Transfer duty payments are owed to the South African Revenue Service (SARS). Homes valued below the threshold of R 1 million are exempt from any duty payments. If the house is R1 million - R1.375 million, 3% of the value over R1 million is owed. The percentage owed continues to climb as the value of the house increases. Transfer duty payments are exempt for those who acquire a house through marriage, divorce, inheritance, or if a property purchase is canceled before it is registered at the Deeds Office.

The threshold adjustment for transfer duty payments took effect on March 1, 2020, prior to which the threshold was R900 000. This adjustment specifically enacted to aid those trying to enter the property market.

Mortgage market – New and resale bonded transactions

An analysis of bonded transactions provides a picture of the health of the mortgage market and the degree of confidence by the financial sector in the residential property market. In 2021, 53% of all transactions (419) in Stellenbosch town were bonded: of which, 80.5% were resale & 19.5% new transactions.

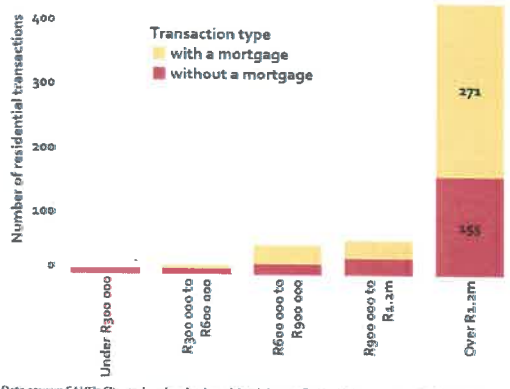
The graphs to the top right show the number of bonded transactions in each market segments—both new and resale. Overall, 36% of new transactions were bonded, although this number is impacted by the number of GSP which are transferred to beneficiaries, obviously without a bond. As noted above, 90% of the new transactions in 2021 were non-GSP. Of these 203 new transactions of non-GSP, only 40% were bonded, meaning that approximately 60% of the households who bought a new house from a developer in Stellenbosch town, did not require financing to do so. Interestingly, most of these cash purchases were for properties in the affordable segment (80).

In total, 61% of all resale transactions were bonded. Of the 337 bonded resale transactions, only one was a GSP.

As would be expected, banks primarily lend to the top of the market. There were no bonded transactions under R300 000 in 2021. Of the total bonded transactions, over 78% were for properties valued over R1.2 million in 2021. Only 28% of transactions under R900 000 were bonded, while 63% of transactions over R1.2 million were bonded.

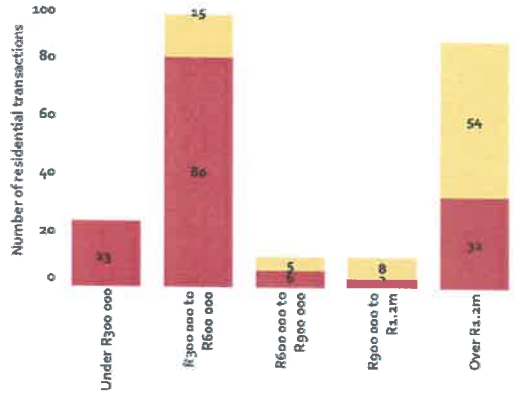
In an area such as Stellenbosch with a large number of wealthy residents, non-bonded transactions could be the result of high-income buyers who don't require financing, or low income households who can't access a mortgage. It may also be that these homes were purchased with non-mortgage loans. In Stellenbosch town, excluding new GSP registrations, 55% of all transactions in 2021 were bonded (see bottom graph), meaning that 45% of households (338 transactions) managed to buy a house cash. This proportion is low compared to Drakenstein at 62%, but higher than Mossel Bay, where only 34% of transactions (excluding new GSP) were financed with a bond.

Number of resale transactions
Stellenbosch, 2021 :554



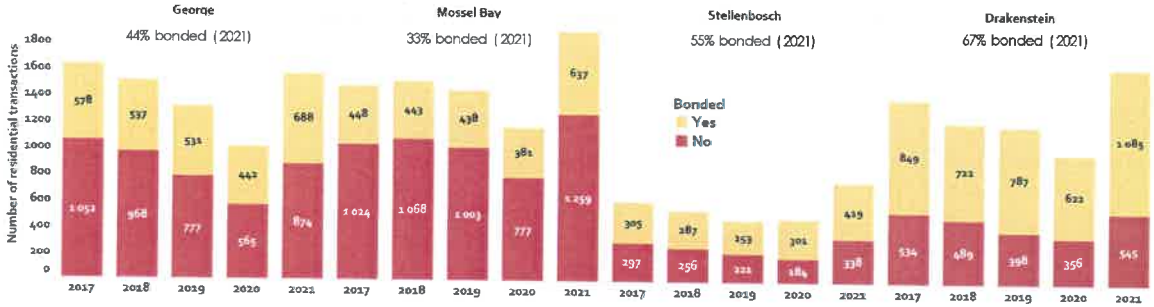
Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Number of new transactions
Stellenbosch, 2021: 226



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Number new and resale transactions: Bonded and non-bonded
(Excluding new government -subsidised transactions 2017 to 2021)



Source: Lightstone data as of 31 Dec 2021.

Mortgage market – Bonded transactions by lender and property type

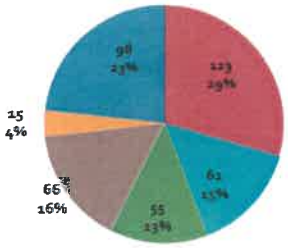
By lender

In total, 419 bonds were issued for new and resale transactions in 2021, over half of which were issued by Standard Bank and Absa.

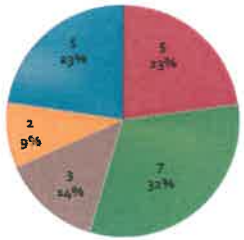
However, if we focus specifically on bonds for transactions under R600 000, the picture shifts. No bonds were issued in the entry market in 2021, and there were only 22 bonds issued in the affordable segment. Nedbank issued one third (7 bonds) with Absa and Standard Bank both issuing 5 bonds in the affordable segment—see bottom right pie graph.

All of the five main banks are lending in every segment (except the entry market) but the bulk of lending is for properties over R1.2 million.

Residential transactions by lender
Stellenbosch, 2021



Residential transactions by lender: Under R600 000
Stellenbosch, 2021



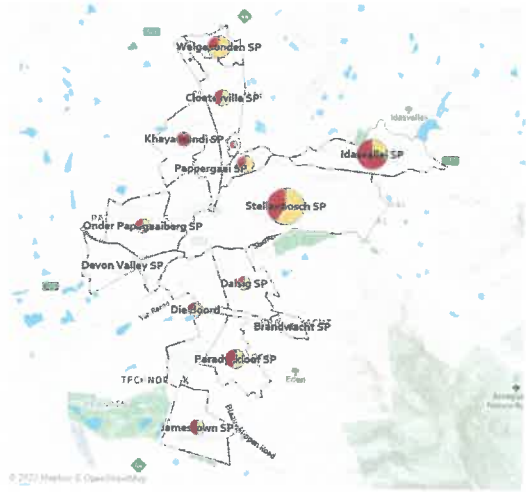
Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Lender
- Absa
- FNB
- Nedbank
- Other Lenders
- SA Home Loans
- Standard Bank

By geographic area

As shown in the map below, in 2021 the banks were primarily lending in central Stellenbosch, Welgevonden and Idas Valley. The graphs to the right zero in on two areas with much of the lending activity: Stellenbosch SP and Welgevonden. In both areas, Absa and Standard Bank issued the most bonds. And in both areas, the overwhelming majority of bonds were for properties valued over R1.2 million.

Distribution of new and resale transactions: Bonded and non-bonded
Stellenbosch, 2021

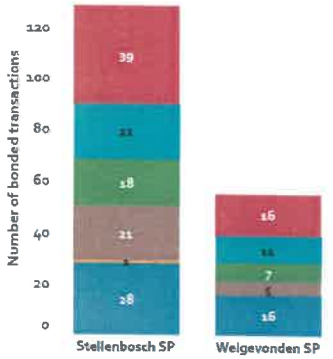


Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Number of residential transactions
0
50
100
150
219

Transaction type
- With a mortgage
- Without a mortgage

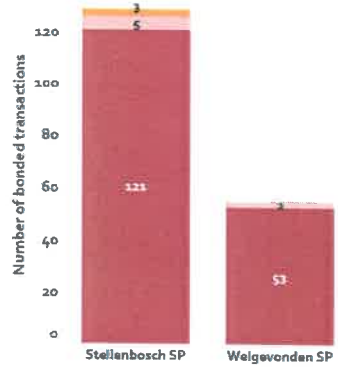
Number of new and resale bonded transactions by lender
Stellenbosch SP & Welgevonden SP
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Lender
- Absa
- FNB
- Nedbank
- Other Lenders
- SA Home Loans
- Standard Bank

Number of new and resale transactions: Bonded by market segment
Stellenbosch SP & Welgevonden SP
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Market Segment
- R600 000 to R900 000
- R900 000 to R1.2m
- Over R1.2m

By property type

Bonded transactions were fairly evenly spread between the three property types: 36% freehold, 34% sectional title, and 30% freehold estate. There were no bonded transactions for sectional title properties in estates in 2021.

The rate of bonded transactions was highest for freehold and sectional title properties (58% bonded), compared to 46% of freehold estate transactions which were bonded in 2021.

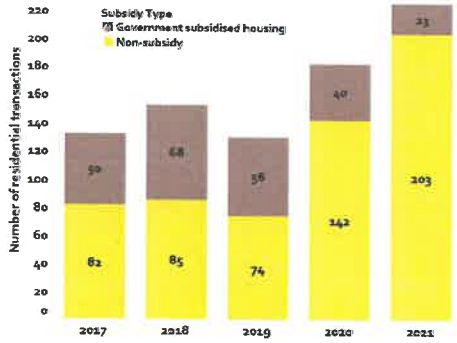
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Government housing delivery

According to the Lightstone deeds data, which uses a proxy to identify GSP, as described above, the number of new registrations of GSP in Stellenbosch town over the last five years was only 237 units, as shown in the graph below. Again, it must be noted that the deeds data will only reflect GSP where the beneficiary has received their title deed, and therefore will not necessarily match municipal or provincial figures of houses delivered.

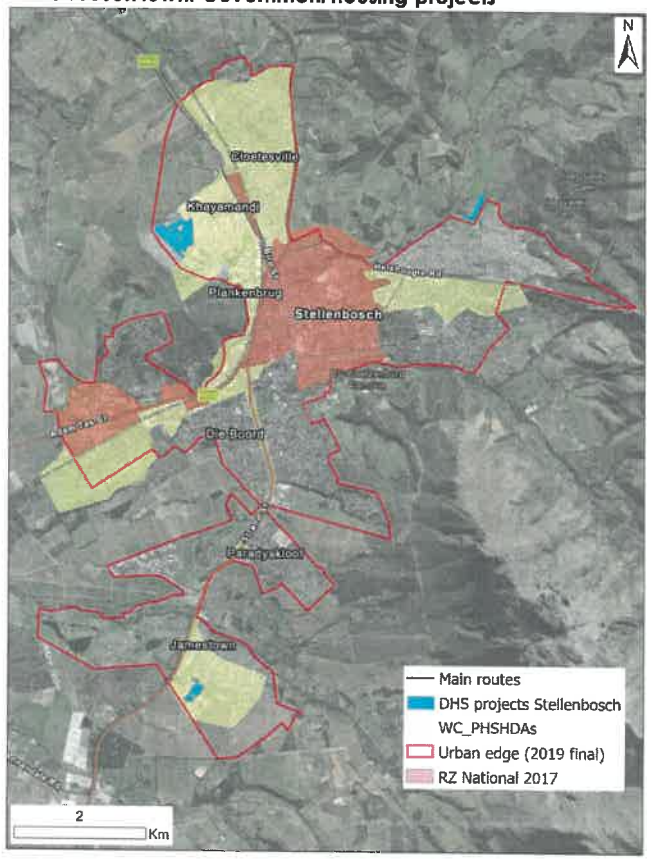
New residential transactions : GSP and non-GSP
Stellenbosch, 2017 to 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

The development of the Adam Tas corridor is positioned as the main catalytic project highlighted in the 2022-2027 IDP. This involves re-design and development of the land around the Adam Tas Road, along the R44 and the railway line, bringing in a range of housing typologies and different income groups. The intention is for the district to be residentially-led with mixed-use, high density development and an emphasis on non-motorized access to the town centre.

Stellenbosch town: Government housing projects



Data sources: Stellenbosch Municipality, Municipal Demarcation Board (MDB), ESRI South Africa.

The municipality's housing pipeline covers the ten-year period to 2030/31 and is focused on social housing, the provision of serviced sites, affordable housing, upgrading of informal settlements and mixed-use housing (formalized homeownership employer housing, especially farmworker housing) (2022-2027 IDP). Projects within the Stellenbosch town area include:

- Jamestown, Farm 527 (phases 2, 3 and 4)- Work is being undertaken to finalise the sub-division plan, and obtain development rights for mixed-use development, approximately 2000 housing opportunities. The project is a Mayoral priority.
- Idas Valley (erf 9445, Oak Tree Village)
- Rectification of Cloetesville subsidy houses at The Steps and Orlean Lounge – These are temporary units with toilets erected for temporary relocation of occupants (161 housing opportunities).
- Erf 7001, Cloetesville – The intention is to obtain development rights on erf 7001 in order to establish GAP housing (360 GAP housing units).
- Upgrade of the Khayamandi CBD – This project is also a Mayoral priority and involves approximately 1 854 housing opportunities.
- Development of the northern extension, Khayamandi – Approximately 5000-6000 housing opportunities.
- Upgrading of Zone 0 in Khayamandi – 711 housing opportunities.

Restructuring zones and social housing delivery

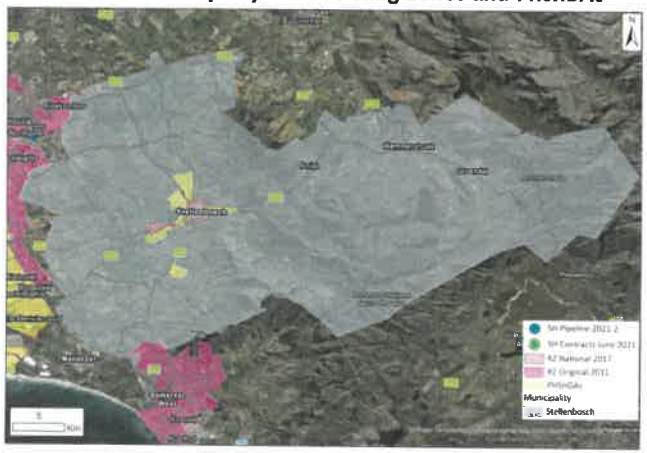
Activity in the rental market in Stellenbosch town includes government plans for social housing projects. Two Restructuring Zones for Stellenbosch municipality were included in the National 2017 Gazette: Greater Stellenbosch and Plankenburg.

In the map to the right, the area in red marks the RZ which includes central Stellenbosch, as well as the area around Adam Tas Street. The Priority Human Settlements and Housing Development Area (PHSHDA) for the Stellenbosch town is shown on the map in yellow. Some areas of the PHSHDA and RZ extend outside the current urban edge, but both are mainly within the urban edge.

Although there are not currently any social housing projects in implementation, there are four projects in pre-planning stage (and thus not reflected on the map):*

- Lapland Flats—This is a refurbishment of existing medium-rise council flats (400 units), with estimated delivery in 2022/23.
- Two projects in La Colline—The two projects total 550 units and are in early stages.
- Town Centre, Erf 2609—This involves unused or underused buildings that can be demolished and re-developed for social housing, yielding potentially 600 units.

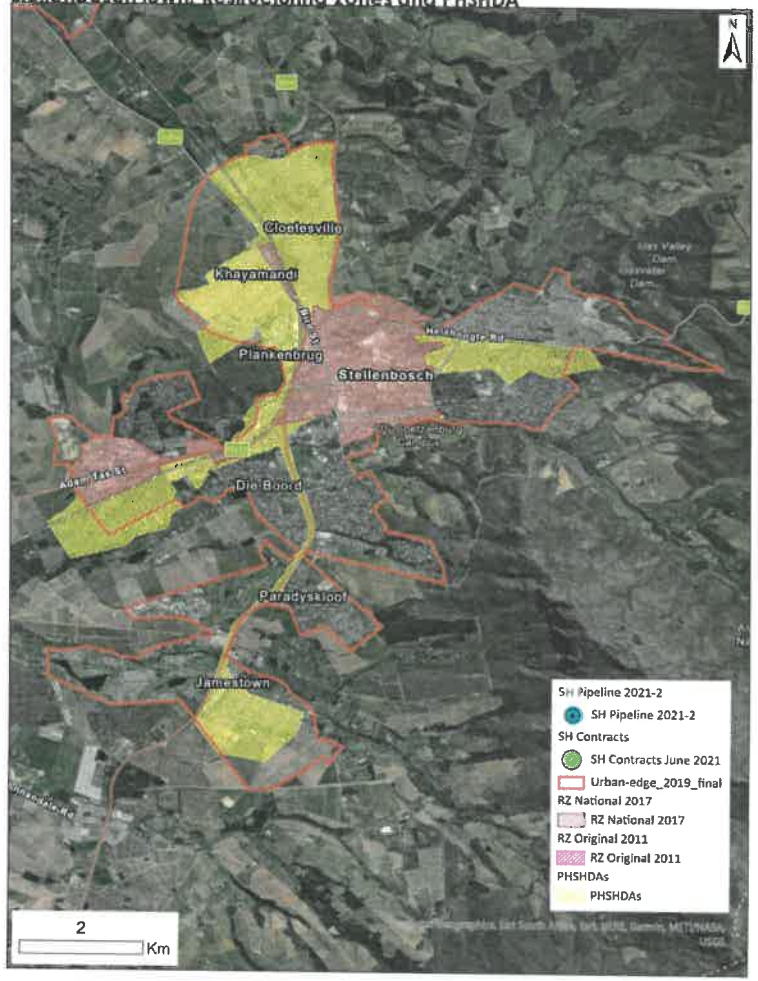
Stellenbosch municipality: Restructuring zones and PHSHDAs



Data sources: Stellenbosch Municipality, Municipal Demarcation Board (MDB), ESRI South Africa.

* Source: W C DHS, Credibility Provincial Analysis – Social Housing Pipeline updated December 2021.

Stellenbosch town: Restructuring zones and PHSHDA



Data sources: Stellenbosch Municipality, Municipal Demarcation Board (MDB), ESRI South Africa.

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Rental market

Rental yields provide an indication to landlords and potential landlords which properties would be profitable to rent out.

- **Freehold property rental yields**

Since 2010, the gross rental yield for freehold properties in Stellenbosch municipality has stayed below the national average, despite variations during the period. As at the end of 2021, the gross rental yield was approximately 5.1%, while the effective yield (taking into account outstanding rental payments) was a slightly less at around 4.9%.

- **Sectional title rental yields**

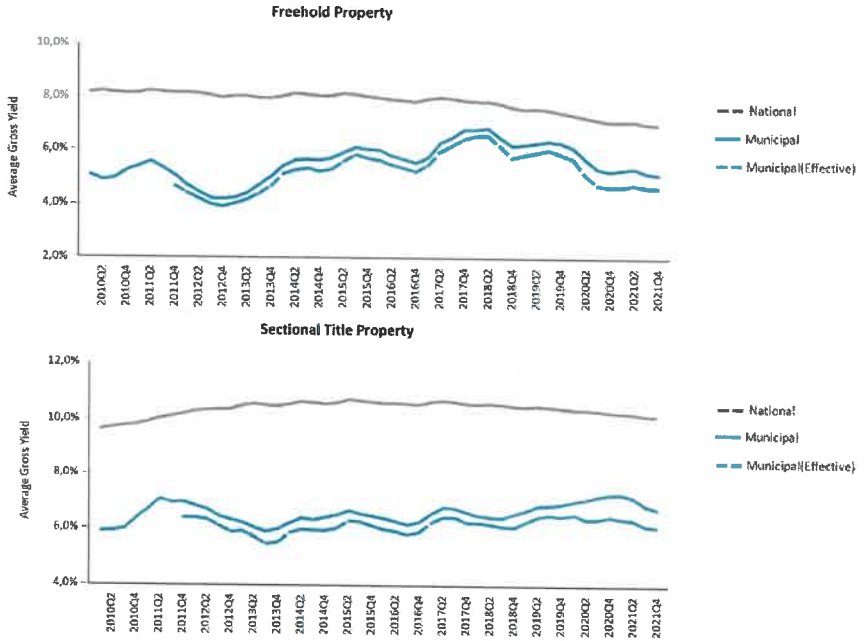
Gross rental yields for sectional title also stayed below the national average. At the end of 2021, the gross rental yield for sectional title (6.8%) was higher than that of freehold properties. Effective rental yield for sectional title was again slightly less, at approximately 6.2%. At the end of 2021, gross rental yield for sectional title was approximately 1.7 percentage points higher than for freehold units.

- **Percentage of tenants in good standing**

The percentage of tenants in good standing reflects the number of tenants who are up to date with their monthly payments,* and serves as another indicator of profitability for landlords. The indicator took a heavy hit in the second quarter of 2020, due to the economic impact of COVID and associated lockdowns. At that time the national average dropped to 74%. Since then the national average for percentage of tenants in good standing has substantially recovered, reaching 81.4% at the end of 2021.

At the end of 2021, the good standing rate for Stellenbosch municipality was strong (90.28%), higher than both the national and provincial averages.

Stellenbosch municipality rental yields (2010-2021)



Source : TPN Credit Bureau, Investor Reports March 2022.

Effective rental yields for four municipalities (Q4 2021)



Source : TPN Credit Bureau, Investor Reports March 2022.

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* Tenants in good standing includes those who have paid on time, those paying within the grace period, and those who have paid late.

Summary of current market activity

As with the other study areas, market activity picked up substantially in 2021—led by resale transactions of luxury properties. The property typologies that are seeing the most activity and higher churn rates are freehold estate (5.5%) and sectional title outside estate (5.1%).

- **New build market**

Unlike Mossel Bay and George, new transactions in Stellenbosch town were *increasing* pre COVID. Then in 2021 they shot up by 24%, due to growth in affordable and luxury transactions. In 2021, all of the new transactions in the entry market (23 transactions) were GSP—there was no private sector construction of new houses below R300 000 in 2021.

Over the last five years, the consistent majority of units built and sold by the private sector have been freehold properties in estates (67%), with another 27% sectional title outside estates. New transactions of sectional title units (outside an estate) are dominant in the luxury market, where there were 44 of these new units sold in 2021. Very few regular freehold houses (outside estates) are being built by the private sector—just 13 houses in 2021. Nor is the private sector building sectional title within estates—only two have been built and sold in Stellenbosch town in the last five years.

- **Resale market**

Unlike new transactions which have been on the rise, resale transactions in Stellenbosch town were declining since 2017, and continued to drop into the first year of the pandemic. However in 2021, the total number of resale transactions shot up by 62%, to higher levels than 2017, driven mostly sales in the luxury market over R1.2 million. In total there were 554 resale transactions in 2021, totaling R1.38 billion in value. The great majority of these transactions were over R1.2 million (77%), 10% were in the high end market, 9% in the conventional market, and 3% in the affordable market. There were only 9 resale transactions of entry market properties in 2021.

Resale activity of GSP is very thin, because stock of GSP in Stellenbosch town is very small (only 9%), of which only 62% of these units are over 8 years old. In total, 12 GSP changed handed formally in 2021.

The impact of student housing on the residential market is apparent. Given the university setting, 35% of resale activity was sectional title transactions outside estates, with another 40% being freehold properties outside estates. Despite the student market, the overwhelming portion of these transactions are over R1.2 million.

On the whole, the churn rate for Stellenbosch town is at the lower end of the four study areas (4.0% in 2021) yet slightly higher than nearby Paarl/Wellington (3.6%). Similar to the other intermediate cities, low value properties have lower churn rates—one fifth the rate of luxury properties.

- **First time home buyers**

In 2021, 325 households became home-owners for the first time—of which only 7% received a new house from government. Likely influenced by the record-low interest rates in 2020, the number of bonded FTHB transactions went from 75 in 2019, to 136 in 2020. More households become home-owners by buying on the resale market, than by purchasing new affordable housing units from private developers. Approximately half of FTHB are purchasing properties which are R900 000 or less, 10% percent are buying units in the high end market, and 41% are purchasing in the luxury market over R1.2 million. In 2021, 45% of FTHB transactions were bonded.

- **Mortgage market activity**

In the new build market, only 40% of non-GSP transactions were bonded, mostly in the affordable segment. In Stellenbosch town, excluding new GSP registrations, 55% of all transactions in 2021 were bonded . This proportion is low compared to Drakenstein at 62%, but higher than Mossel Bay, where only 34% of transactions (excluding new GSP) were financed with a bond.

In total, 419 bonds were issued for new and resale transactions in 2021, over half of which were issued by Standard Bank and Absa. There were no bonded transactions below R300 000 in 2021, and only 22 bonds issued in affordable segment.

Implications for inclusionary housing

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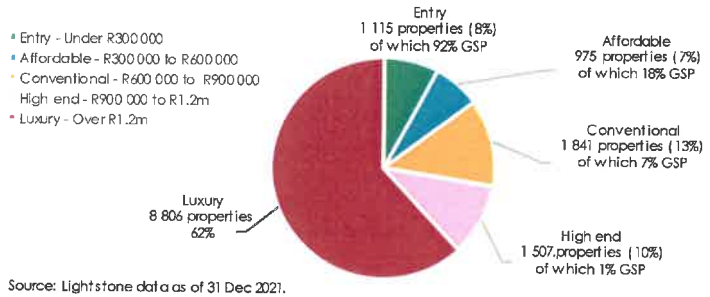
What is the profile of housing in Stellenbosch town?

In order to better understand the implications of the above analysis on inclusionary housing, we return to the key questions set out for this study:

- What is the profile of housing in the city? – by market segment, property type, neighbourhood
- What is the state of the residential market currently? – in terms of market performance, activity, key players, government and private sector delivery
- What is the affordability gap? – where is affordable housing needed, how much and what type? what is the target market for the affordable housing market?
- Is there an active property development market that would make the application of an inclusionary housing policy viable?

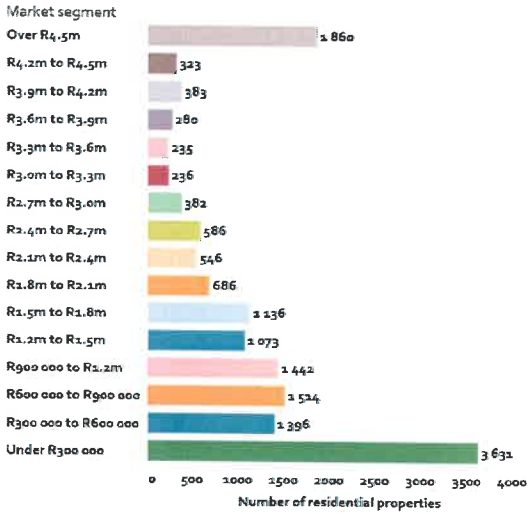
This concluding section of the report pulls together the main points of the above analysis to identify the characteristics and trends of the residential property market in Stellenbosch town which would critically impact on the success of an inclusionary housing policy.

Number of properties by market segment: Lightstone data (2021)



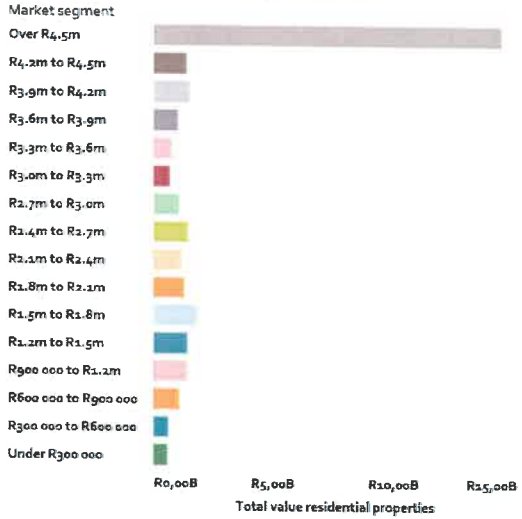
Source: Lightstone data as of 31 Dec 2021.

Number of residential properties by market segment: Stellenbosch VR (2020)



Source: Stellenbosch Valuation Roll, July 2020.

Total value of residential properties by market segment: Stellenbosch VR (2020)



Source.: Stellenbosch Valuation Roll, July 2020.

With approximately 35 300 households (as per GTI data), nearly one quarter of households in Stellenbosch town earn R2 379 or less. Of the four study areas, Stellenbosch town has the smallest residential property market in terms of number of properties, and also the smallest in terms of value (R32.35 billion), growing at an average 2.0% annually over the last five years.

The municipal valuation roll from July 2020 records 15 709 residential properties while the Lightstone data as at the end of 2021 has fewer (14 244). However both indicate a predominantly luxury market. More than the other three study areas, Stellenbosch town's residential property market is biased towards high value properties, with 62% valued over R1.2 million in 2021. Just 15% (or 2 0 90) are valued under R600 000, and over half of these lower value properties are government-subsidized units. The stock of GSP in Stellenbosch town is fairly low—just 1 393 units all located in Khayamandi, Cloetesville and Idas Valley; the majority of the GSP are under 8 years old.

Given the location of the university in town, rental rates are high and the share of sectional title properties outside estates (27%) is large.

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What is the state of the residential market currently?

Market activity in Stellenbosch town is centred in private estates, in the upper market segments, with sectional title resale playing a larger role due to the presence of the university.

New build market

Unlike Mossel Bay and George, new transactions in Stellenbosch town were increasing pre COVID, and continued to climb through the pandemic, driven largely by luxury market sales and the construction of some affordable housing developments.

Delivery of government housing programmes is limited, with 23 new registrations recorded in the Lightstone data in the entry market below R300 000 in 2021, in Khayamandi. However the private sector built and sold 203 units with a total value of R62.7 million, of which 46% were actually affordable housing valued between R300 000 and R600 000. A new development in Idas Valley saw the sale of 88 new homes in the affordable segment between R300 000 and R600 000 in 2021.

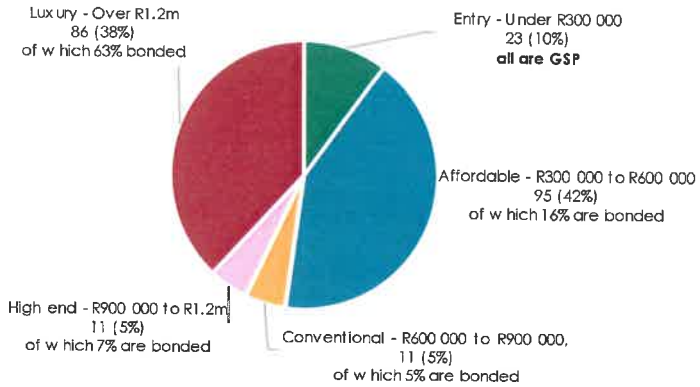
Over the last five years, the private sector has primarily been building freehold properties in private estates (67% of total new non-GSP transactions), with another 27% sectional title units outside estates—much of which is likely upper end rental housing for students. The private sector is mainly investing in new gated developments, or student rental housing. Very few regular freehold houses outside of estates are being built—less than 15 in 2021.

Notably, of the approximately 200 new transactions of non-GSP in 2021, only 40% were bonded (80), yet most of these non-mortgage purchases were for properties in the affordable segment. If the majority of units are bought without finance, it may be that these affordable housing developments are not reaching the target market, but instead are being purchased by higher-income households and/or buyers who are purchasing a second property with cash.

Resale activity

Resale activity has followed the same pattern as the other three study areas in the last five years, declining from 2017 to 2020, and then rebounding past 2017 levels in the second year of the pandemic. This was clearly driven by secondary sales of luxury properties, primarily in Stellenbosch SP, in the centre of town, as well as Welgenden.

Stellenbosch town: New sales by market segment (2021)



Source: Lightstone data as of 31 Dec 2021.

Some of these resale transactions are of GSP, but very few. As noted earlier, Stellenbosch town differs from the other three study areas in its small stock of GSP (only 1 353 houses in total, or 9% of total residential properties). Over half of these (62%) are newer GSP which are still bound by the 8 year sales restriction. In 2021, only 12 GSP changed hands on the secondary market, at an average price of R254 583.

Purchases by first time home buyers jumped to 325 transactions in 2021. Most first time home buyers are purchasing on the secondary market (54%), while 39% are buying new units from private developers. The data suggests that many first time home buyers are wealthier and/or have higher incomes: excluding government housing beneficiaries, 41% of first time home buyers are purchasing properties valued over R1.2 million, and just 49% are purchasing with a bond.

Mortgage lending

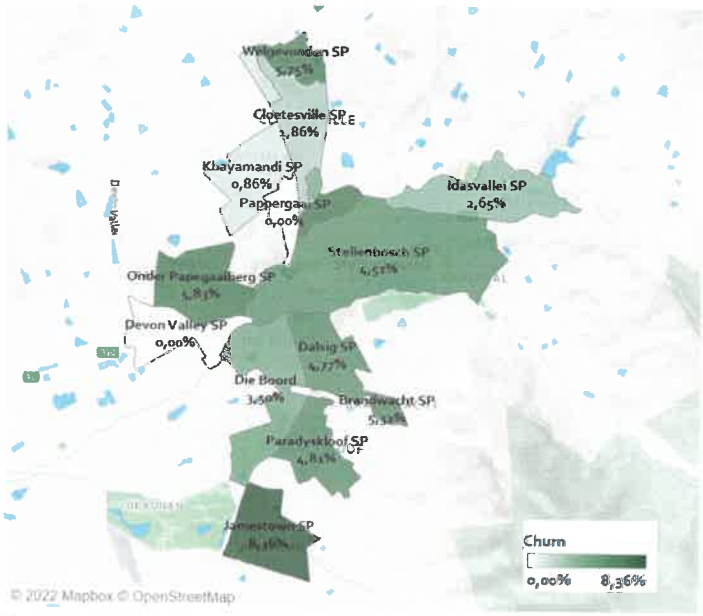
Excluding new GSP registrations, only 55% of all transactions in 2021 were bonded. Nearly 78% of the bonded transactions in 2021 were over R1.2 million, indicating that not only is the mortgage market limited in volume, it is also largely limited to high-value transactions. While some of these households may have drawn up once-off lump sum payments (e.g. pensions or inheritance), many of them will have been drawing upon equity from a previous home.

What is the state of the residential market currently?

Churn rates

After having declined 2018-2020, the overall churn rate for Stellenbosch town returned to 4.0% in 2021. As with the other study areas, the churn rate for the higher market segments exceeds that of the lower market segments—ranging form 0.82% for the entry market, to R4.89% for the luxury market.

Churn rates by subplace
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced June 2022).

As a result of the very low churn rates at the bottom end of the market, filtering is not taking place. This is important because, without turnover at the lower end of the ladder, current homeowners (both GSP and not) are unable to realise the asset wealth of their properties and move up the ladder.

As reflected in the churn rates, the market activity for sectional title outside estates and freehold properties in private estates is substantial.

Market activity is clearly concentrated in particular neighbourhoods and suburbs, as shown in the map. Highest churn rates in 2021 were in Jamestown (8.36%) and Onder Papegaaiberg (5.83%) and Welgevonden (5.75%). One developer interviewed described a process of gentrification in Jamestown as it transformed into a more up-market area, 85% of properties valued over R1.2 million.

Rental market

Data on the rental market is painfully scarce—the TPN data used in this report does not include absolute figures and thus does not assist with quantifying supply and demand. According to a representative of the university, there is a gap in supply of affordable private accommodation for lower income students, many of whom receive NSFAS support.

According to TPN's municipal level data, a 2 bedroom sectional title unit would typically rent for R8 000/month, which require a monthly income of R26 670. Approximately 23% of households in the municipality earn this much, and students dependent on national financial aid, would have a budget of R5 000/month only.

The graph below compares Stellenbosch municipality to the other three municipalities, demonstrating that effective rental yields for freehold *and* sectional title were smallest in Stellenbosch.

Effective rental yields for four municipalities (Q4 2021)



Source : TPN Credit Bureau, Investor Reports March 2022.

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What is the affordability gap? – Town level

The table to the right compares the stock of housing per market segment in Stellenbosch town, to the number of households with the income required to purchase a house with a bond in that market segment. The results point to:

- **Unmet housing needs in the lowest segment**

The unmet housing need is most pronounced in the lowest segment. The table shows a large number of households with a monthly income below R7 300— approximately 17 900 households, or 51% of the total. However there are only 1 115 formal houses on the deeds registry valued below R300 000. This would suggest an unmet need for affordable formal housing: many of these households may currently be renting, and/or staying in informal settlements or backyard dwellings which are not reflected in the deeds data.

Similarly, in the income segments between R7 300/month and R22 200/month, there are far more households (approximately 8 500) than there are houses in the corresponding market segment which would be affordable to households with this income (around 2 800). One possibility may be that a number of these households are renting, or staying in informal dwellings. The data does suggest there is an undersupply of houses valued in the affordable and conventional market segments.

- **Apparent market clearing in the high end segment**

In the high end market segment of houses valued between R900 000 and R1.2 million, there are 1 507 residential properties, and 1 562 households with monthly incomes that would theoretically enable them to purchase a house at this value. The supply appears to roughly match the demand.

- **Potential oversupply in the luxury market**

However there does appear to be a disjuncture at the top end of the market. There are about 8 800 residential properties valued over R1.2 million in Stellenbosch town (approximately 62% of the total), however there are only about 7 300 households with incomes over R29 600 which would enable them to purchase a house with a bond at this cost. This is consistent with the findings of this study which indicate private developers are focusing on the top end of the market.

Estimated household incomes required to purchase property with a mortgage, per market segment (2021)

Market segment (residential property value)	No. of properties in that market segment	% share of total properties in that market segment	**Minimum** monthly household income needed to purchase in this market segment*	**Maximum** monthly household income needed to purchase in this market segment	No. of 2021 households that fall in this income bracket**	Percent of 2021 households that fall in that income bracket
Entry level: < R300 000	1 115	7.8%	--	R7 300	17 909	50.8%
Affordable: R300 000 - R600 000	975	6.8%	R7 300	R14 750	5 447	15.4%
Conventional: R600 000 - R900 000	1 841	12.9%	R14 750	R22 200	3 035	8.6%
High end: R900 000 - R1.2m	1 507	10.6%	R22 200	R29 600	1 562	4.4%
Luxury: > R1.2m	8 806	61.8%	R29 600	--	7 316	20.7%
Total	**14 244**	**100%**			**35 269**	**100%**

* Assuming 7.75% interest rate, 20 year loan tenor, 30% premium to income ratio, 10% deposit and no FLISP.
** Assuming even spread of number of households at each income level, within an income bracket.
Source: Lightstone data as of 31 Dec 2021; ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021. Own calculations.

Word of caution regarding affordability calculations

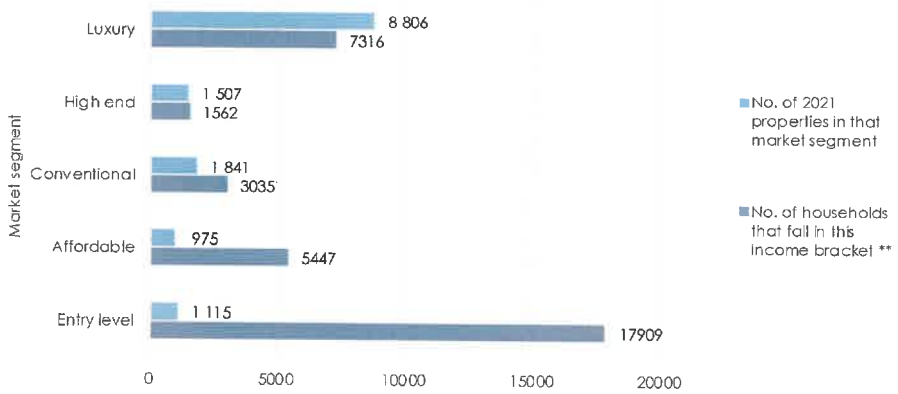
There are a number of important cautionary notes which should be raised with respect to these calculations:

- While house purchases below R1.2 million avoid transfer fees, there are other transfer costs which are not included here. See box on page 43.
- Not all households purchase in the market segment they can afford: some may have additional funds from a once-off source, and some may have other competing expenses that prohibit them from spending the benchmark figure of 30% on housing.
- Some households may be living in properties that they accessed either by purchase or inheritance or gift, that today they could not afford to buy - in some cases properties appreciate faster than incomes.

The affordability gap – Town level

The graph below shows the gap between the housing stock in each market segment and the number of households with an income required to purchase a house with a bond in that market segment.

Stellenbosch town: Number of properties per market segment and number of households in associated income bracket (2021)



* Assuming 7.75% interest rate, 20 year loan tenor, 30% premium to income ratio, 10% deposit and no FLISP.
** Assuming even spread of number of households at each income level, within an income bracket.
Source: Lightstone data as of 31 Dec 2021; ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021. Own calculations.

It should be emphasized that this analysis must be considered with caution and due recognition of its limitations (see box on prior page). This is not a quantification of demand, but only a comparison of the available stock and the number of households with an income required to purchase that stock with a bond. It does not consider the rental market, and does not take into account the multitude of circumstances that also impact on a household's housing choices and ability to pay e.g. large once-off income such as pension payout or inheritance; equity from a previous property; housing preferences and needs with respect to size, location and other factors; and other sources of credit.

Where is the affordability gap? – Neighbourhood view

With subplace level income data, its possible to undertake the same analysis we did at municipal level, comparing the number of properties per market segment to the number of households in the associated income band, at neighbourhood level. The graphs below display this comparison for three subplaces in Stellenbosch town, selected because they had a combination of average churn rates and sizable populations—Idas Vallei, Cloetesville and Welgevonden.

Idas Vallei and Cloetesville both have older GSP properties that make up 6% and 18% of the total, respectively. Idas Vallei's residential properties are fairly mixed in value, with the largest portion in the conventional market, due to recent new developments (see pg 36). There are a large number of households in the lowest income segment, yet no properties below R300 000. Its not likely the 'surplus' properties in the conventional and high end market are affordable for households with these incomes.

Similarly, Cloetesville has a disproportionate number of households in the lowest income segment, and clearly insufficient supply of entry level and affordable units in the area. Again, there appears to be an oversupply of conventional market units, relative to the income level of most households in the neighbourhood.

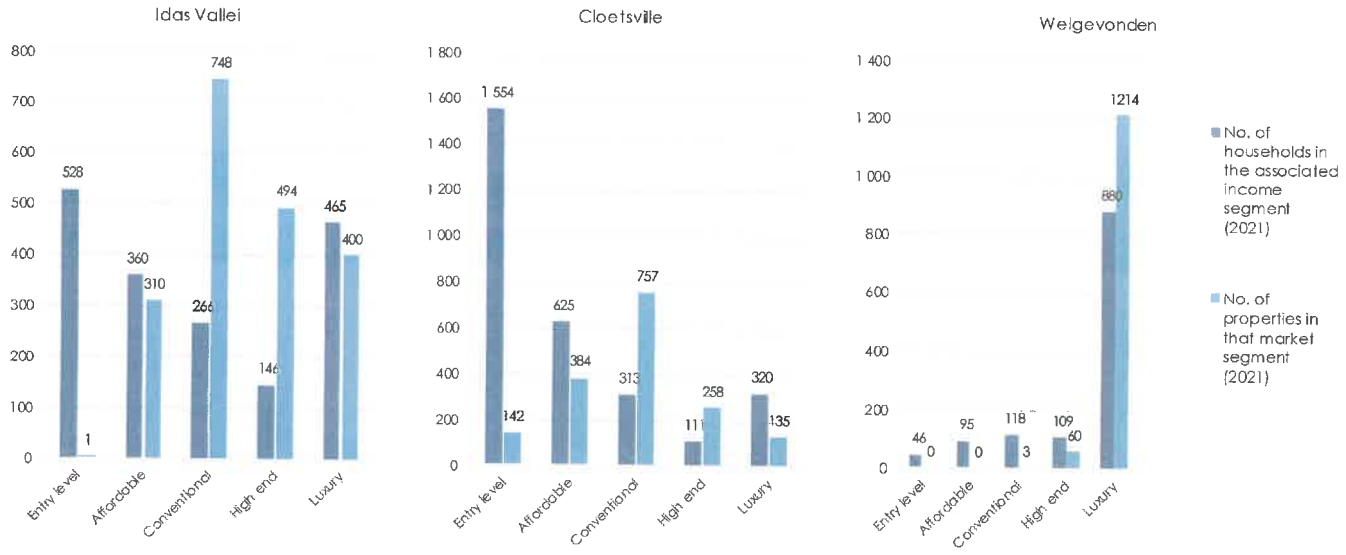
Welgevonden is an entirely different neighbourhood, with zero GSP and nearly all luxury properties. The majority of households are also in the top earning segment. It appears that private investment has resulted in an oversupply of homes over R1.2 million, or those units were likely developed with a target market in mind that comes from outside the area.

Churn, GSP and number of properties by market segment –selected subplaces (2021)

	Churn (2021)	GSP as share of total properties in subplace (2021)	Total no. of households in subplace (2021)	No. of GSP over 8 years as share of total GSP in subplace (2021)	Number of properties per market segment (2021)					Total residential properties (2021)
					Under R300 000	R300 000 to R600 000	R600 000 to R900 000	R900 000 to R1.2m	Over R1.2m	
Idas Vallei	2.66%	6%	1 765	100%	1	310	748	494	400	1 953
Cloetesville	1.86%	18%	2 923	96%	142	384	757	258	135	1 676
Welgevonden	5.75%	0%	1 248	-	0	0	3	60	1214	1 277

Source: Lightstone data as of 31 Dec 2021; ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021. Own calculations.

Number of properties per market segment and number of households in associated income bracket (2021) *



* Assuming 7.75% interest rate, 20 year loan tenor, 30% premium to income ratio, 10% deposit and no FLISP. Also assuming an even spread of number of households at each income level, within an income bracket.
Source: Lightstone data as of 31 Dec 2021; ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021. Own calculations.

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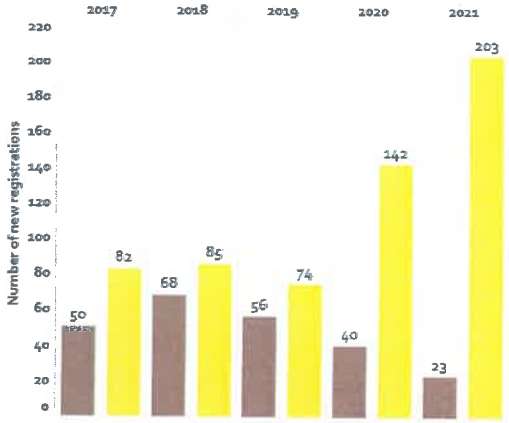
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Is there sufficient developer activity and interest? – Non GSP new transactions by market segment

Given that inclusionary housing leverages planning permissions to compel the incorporation of affordable housing units into private developments, the presence of strong developer interest is a necessary prerequisite for the regulatory mechanism to be effective.

The top left graph compares the number of new registrations of GSP and new transactions of non-GSP properties over the last five years. In 2021, 203 housing units were built and sold by private developers or households in Stellenbosch town.

New registrations and transactions of GSP and non-GSP (2017-2021)
Stellenbosch



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

New GSP transactions
New non-GSP transactions

The graph below then unpacks the non-GSP new transactions for each year, by market segment. The graph thus reflects the types of products that private developers are putting into the market, providing evidence of the degree and nature of recent private developer activity and investment.

As shown in the map to the right, the apart from the Idas Valley development which already is largely affordable housing, private investment in building new luxury units in the Stellenbosch SP has been substantial.

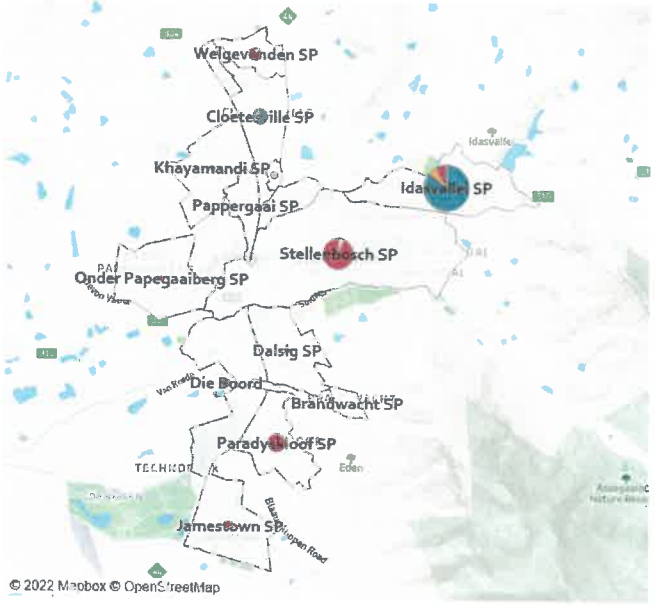
New transactions non-GSP by market segment (2017-2021)



	2017	2018	2019	2020	2021
Over R1.2m	64	71	59	31	86
R900 000 to R1.2m	7	11	6	4	11
R600 000 to R900 000	6	3	3	30	11
R300 000 to R600 000	5	0	6	77	95
Under R300 000	0	0	0	0	0

Source: Lightstone data as of 31 Dec 2021.

Distribution of new transactions by market segment: Non-subsidy properties
Stellenbosch, 2021



Data source: CAHF's Citymark, using deeds registry data supplied by Lightstone Pty. as at the end of December 2021 (sourced March 2022).

Number of residential transactions	Market Segment
0	Under R300 000
20	R300 000 to R600 000
40	R600 000 to R900 000
60	R900 000 to R1.2m
80	Over R1.2m
103	

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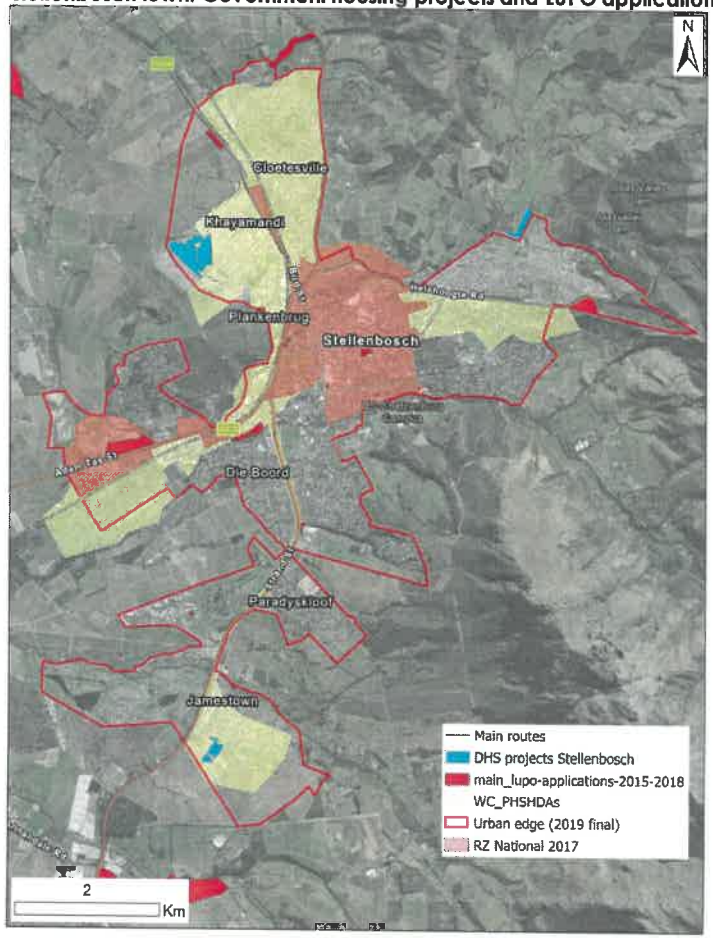
Is there sufficient developer activity and interest? – Evidence from land use management applications

The left-hand map shows the main LUPO applications (red) alongside the location of government housing projects (blue). It therefore gives a visualization of public investment alongside private sector intentions for development and investment.

The LUPO applications are centred in the Adam Tas corridor, in keeping with municipal plans for developing that area. Additional applications are for developments near Idas Valley and Cloetesville, and in the centre of town.

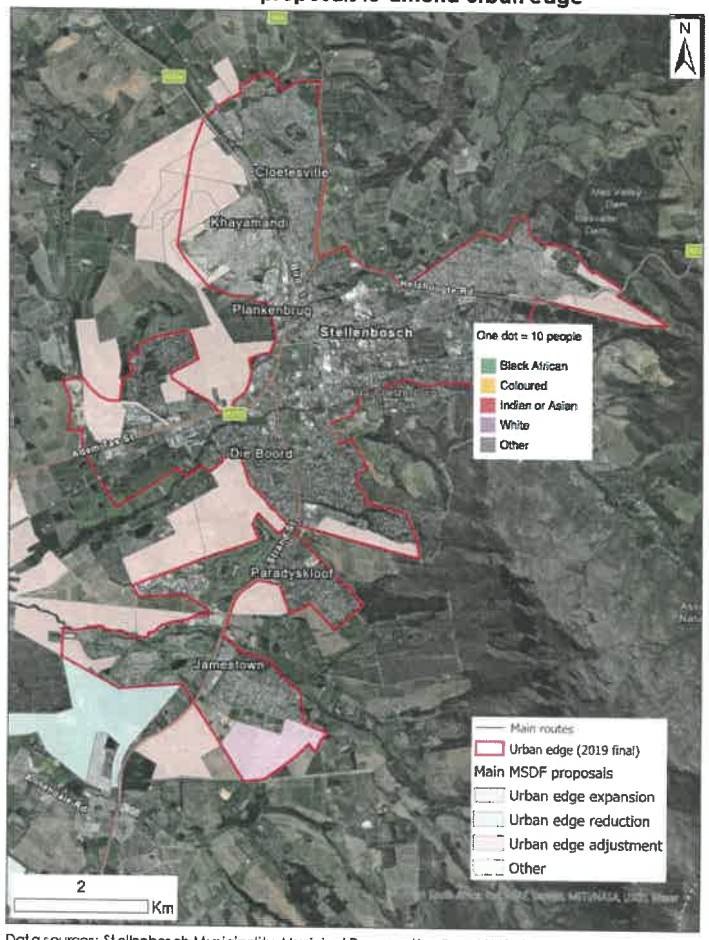
The map to the right displays areas proposed for changes to the current urban edge, which also provide an indicator of developer interest. Most are areas of expansion, near Khayamandi, and north and south of the Adam Tas corridor. There is also a proposed adjustment to the urban edge in Jamestown.

Stellenbosch town: Government housing projects and LUPO applications



Data sources: Stellenbosch Municipality, Municipal Demarcation Board (MDB), ESRI South Africa.

Stellenbosch town: MSDF proposals to amend urban edge



Data sources: Stellenbosch Municipality, Municipal Demarcation Board (MDB), ESRI South Africa.

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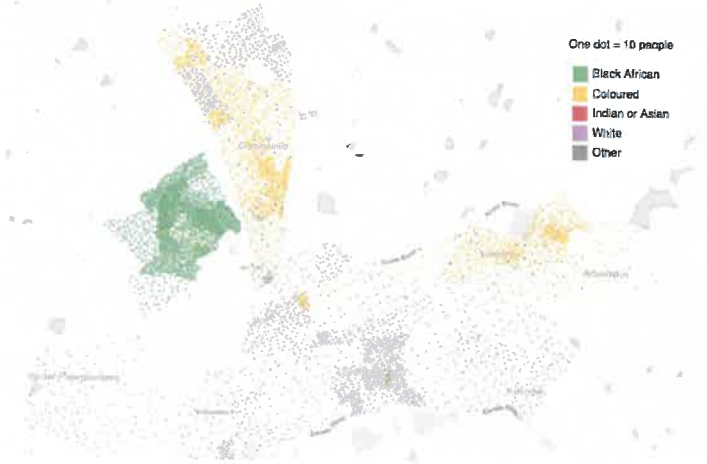
Conclusion

Inclusionary housing is intended to promote better located affordable housing, create more inclusive neighbourhoods and contribute to spatial transformation. The geographic target of an inclusionary housing policy would thus be areas that harbour a potential for greater inclusion and diversity in property value bands, while also containing the space and potential for new developments (in terms of appropriate residential zoning and the existence of bulk infrastructure), in addition to being well-located with respect to transport, jobs and amenities.

The demand and supply side assessments of the residential property market in Stellenbosch town point to opportunities to leverage private developer investment towards the construction of additional affordable housing, both ownership and rental, especially in those areas experiencing increased market activity post-COVID and high churn rates. This includes the centre of town (Stellenbosch subplace) as well as Idas Valley and Jamestown.

The map to the far right displays areas of residential zoning which would allow for further development. The map to the far left, apart from showing the striking racial divisions that continue to define Stellenbosch town spatially, suggests that there is considerable room in these largely-white areas to further densify, before moving to expand the urban edge.

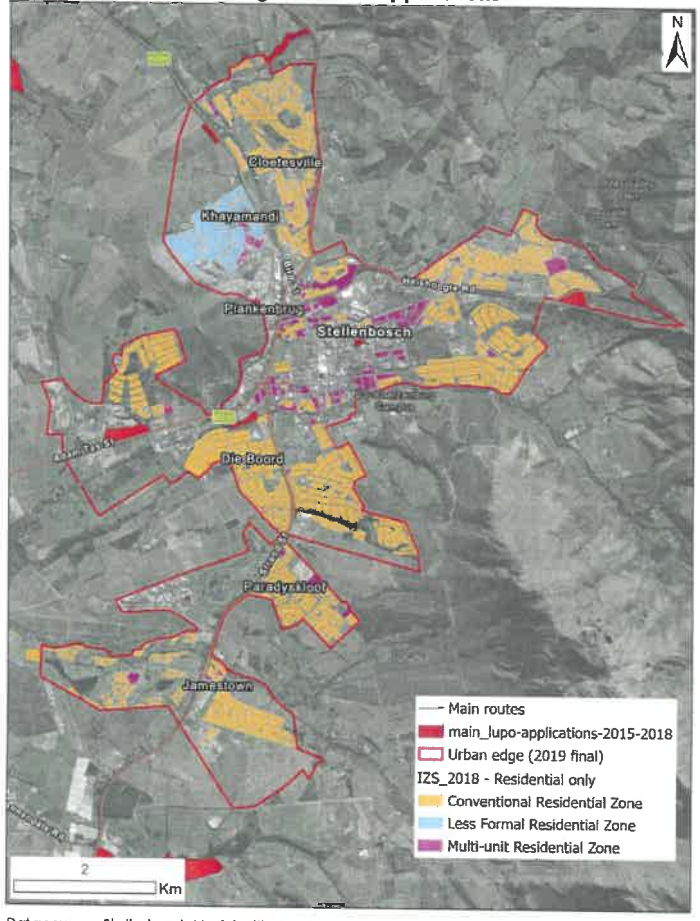
Stellenbosch town: Racial distribution



Source: Stellenbosch Municipality Spatial Development Framework, Approved by Council on 11 November 2019, pg. 36.

Despite the evidenced demand in the entry and affordable markets, private developers are currently focused on building luxury properties—mostly freehold estate and sectional title. An inclusionary housing policy has the potential to leverage this developer interest towards increased investment in affordable housing, thus increasing supply and contributing to mixed neighbourhoods. The challenge is to ensure that demand in each sub market is met, while preserving new affordable housing for the intended target market.

Stellenbosch town: Zoning and LUPO applications



Data sources: Stellenbosch Municipality, Municipal Demarcation Board (MDB), ESRI South Africa.

This report was prepared by the Centre for Affordable Housing Finance in Africa (CAHF) under the commission of the Western Cape Department of Environmental Affairs and Development Planning (WC DEA&DP) and the Western Cape Department of Human Settlements (WCDHS)

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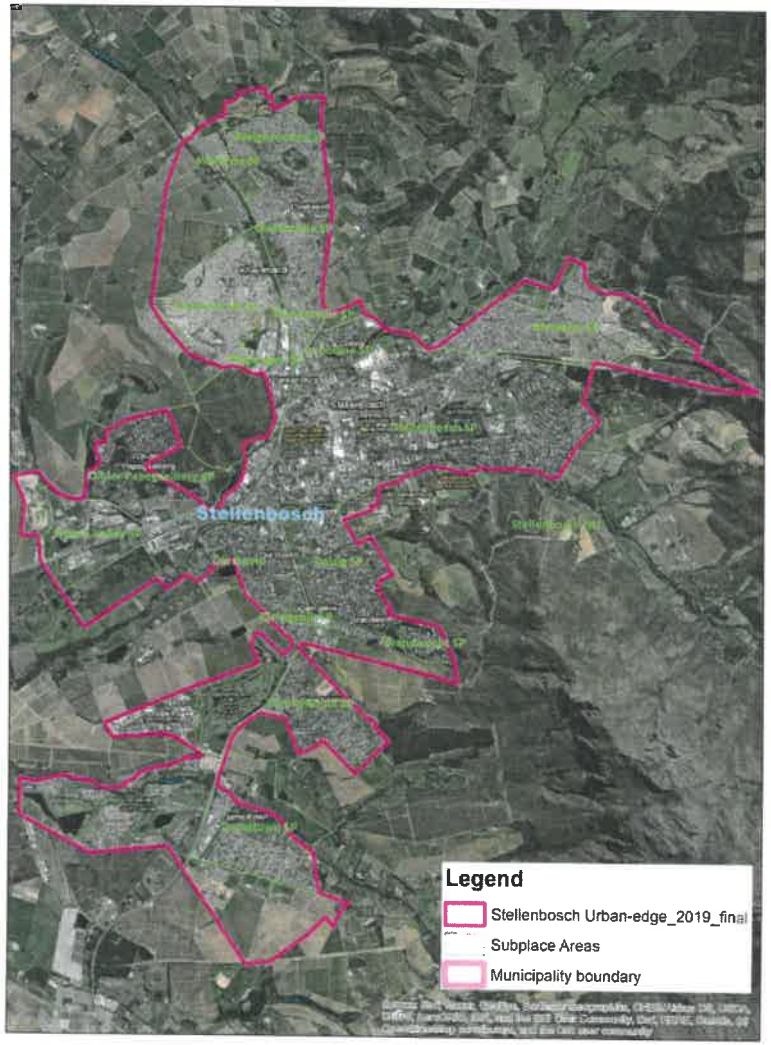
Appendix A. Scope of Lightstone deeds data

As noted in the Introduction of the report, the area identified for the focus of this study is the Stellenbosch town area within the urban edge. However the borders of the Census subplaces are not perfectly aligned with the urban edge. The map to the right shows the urban edge of Stellenbosch town in purple, which is also the boundary for the study area. The boundaries of the Census subplaces are shown in green.

We purchase the Lightstone indicators at Census sub-place level. For the most part, the boundaries of the Census subplaces align with the urban edge and thus the study area. However in some cases there are portions which fall inside the urban edge / study area, but are part of the expansive Stellenbosch NU which surrounds the town area and also covers the rural areas of the municipality. We identified four of these areas, as shown in the small maps to the right, and considered whether we should request deeds data for this particular portion of the Stellenbosch NU for the purposes of this study:

- Area 1: A luxury golf estate and thus not a priority to include in the study.
- Area 2 : A Technopark with mainly office buildings, and thus not a priority to include in the study.
- Area 3: An informal settlement, and thus would not reflect in the deeds data.
- Area 4: A formal residential development, fairly recent and therefore relevant for this study.

We therefore felt it worthwhile to include the data for area 4, as a particular subsection of Stellenbosch NU, and add this data to the 16 subplaces fully (or nearly fully) contained within the study area / urban edge (see list).









Sp Code	Subplace Name
167010001	Welgevonden SP
167011001	Weltevrede
167011002	Cloetesville SP
167012001	Khayamandi SP
167013001	Pappegaai SP
167015001	Tennantville SP
167017001	Idasvallei SP
167018001	Stellenbosch SP
167018002	Die Boord
167019001	Onder Papegaaiberg SP
167020001	Devon Valley SP
167022001	Dalsig SP
167024001	Paradyskloof SP
167025001	Brandwacht SP
167026001	Jamestown SP
167014001	La Colline SP

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Appendix B. Proxy for identifying government-subsidised housing

The term "government-subsidised properties" refers to any properties created as a result of government subsidies, including provision of land, construction of top structures, and where possible, financing. The definition is limited to the data indicators available from the deeds registry, and/or those extrapolated from Lightstone's databases. The methodology uses the knowledge of the government programmes, namely RDP/BNG, discount benefit scheme and 99-year leases, to identify particular characteristics of a residential property to designate it as "government subsidised."

Properties are deemed to be government subsidised, and under which programme, **if** *all* of the following conditions hold true:

RDP/BNG:

1. The property's first transaction price is less than the government subsidy amount (R184 658 for 2017; R187 275 for 2018-2021), plus R50 000, depending on the year of transacting, *and*
2. The property's first seller to a private owner should be a government entity or a major developer/development company,[2] *and*
3. The property should be a freehold non-farm property,[3] *and*
4. The stand size of the property should be less than or equal to 500 m^2,[4] *and*
5. New private transactions are not bonded,[5] *and*
6. The property's first registration should have taken place also after 1 January 1994,[6] *and*
7. The property should not fall in luxury/super wealthy areas or within a gated estate, *and* [7]
8. Properties located in suburbs (Lightstone suburb spatial layer) with 10 or more flagged active RDP/BNG properties. [7]

Subsidy Other:

In order to be classified as the 'Subsidy Other' subsidy type, all the following conditions must hold true:[8]

1. The property is not an RDP/BNG property as defined above, and
2. The title deed type should be freehold (non-farm), and
3. The transferor of the property to the first private owner is a government entity, and
4. The property's first private registration date occurs on or after 1 January 1989, and
5. The property is not located in a luxury or gated estate area.

Alternatively, the following conditions must be met which attempt to identify 99-year leasehold subsidy properties:

6. The property does not meet the RDP/BNG requirements, and
7. The property's first private transfer title deed begins with 'TL'.[9]

Note that 99-year leasehold properties are also classified as "Subsidy Other" subsidy type. **Properties identified in this report as GSP are a combination of both RDP/BNG and Subsidy Other.**

[1] Subsidy amounts were often used as the default property value on the deeds registry at the time of registration. An amount of R50 000 was added to these amounts to take into consideration the incidences where registrations attempted to consider actual market values.
[2] The Residential Development Programme (RDP) and Breaking New Ground (BNG) programmes provided funding to provinces, municipalities or developers to build housing directly on top of land made available for that purpose. Both were implemented after 1 January 1994. All RDP/BNG homes were transferred directly from the province or municipality or the developer to the owner directly.
[3] All RDP/BNG properties were transferred to owners in freehold title.
[4] The RDP/BNG programme implemented lot size limitations of up to 500 square metres.
[5] As RDP and BNG properties were provided to owners for free, there should be no bond.
[6] The programmes were implemented after 1994, with land initially designated in large plots to the developer, province or municipality, and delivered to the homeowners upon completion.

[7] Due to the programme guidelines, properties were only developed in large development tracts; this indicator is to prevent isolated properties which might meet other criteria from being inadvertently included (such as due to data entry errors).
[8] The two other major government housing interventions precede the RDP and BNG programme, namely the Discount Benefit Scheme and the 99-year lease programme.
[9] 99-year leaseholds were properties provided by the government, in order to adhere to national legislation preventing land ownership by race category. Leasehold ownership was created to provide collateral assurance to those lenders and investors providing acquisition loans. Note that bonded first-time private registrations are allowed for when classifying a property as a 99-year leasehold.

Appendix C. Comparison of municipal level income data from WC DEDT and GTI

For this project, income data was provided by the Western Cape Department of Economic Development and Tourism for 2021, at municipal level only. Income data obtained from GTI, also for 2021, was available at subplace level, allowing isolation of the study area.

Total number of households by municipality (2021) – GTI and WC DEDT data

	GTI total no. of households	DEDT total no. of households	Difference No. of households	Difference %
George	65 010	64 480	-530	-0.8%
Mossel Bay	41 649	33 137	-8 516	-25.7%
Stellenbosch	58 593	50 567	-8 034	-15.9%
Drakenstein	72 931	73 736	805	1.1%

Source: ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021; W C Department of Economic Development and Tourism, 2021.

Monthly household income distribution (2021) – GTI and WC DEDT data*

	GTI		WC DEDT	
	No. of households	Percent share	No. of households	Percent share
R0 - R2 379	16 704	29%	4 606	9%
R2 380 - R5 385	11 720	20%	10 282	20%
R5 386 - R11 675	9 805	17%	12 897	26%
R11 676 - R20 450	6 367	11%	6 267	12%
R20 451 - R30 329	2 935	5%	4 368	9%
R30 330 - R40 904	2 946	5%	2 498	5%
R40 904 - R63 008	2 670	5%	3 313	7%
R63 009 - R99 083	2 458	4%	3 230	6%
R99 084 - R162 667	1 635	3%	1 659	3%
R162 667 and more	1 352	2%	1 439	3%
Total	**58 593**	**100%**	**50 559**	**100%**

Source: ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021; W C Department of Economic Development and Tourism, 2021.

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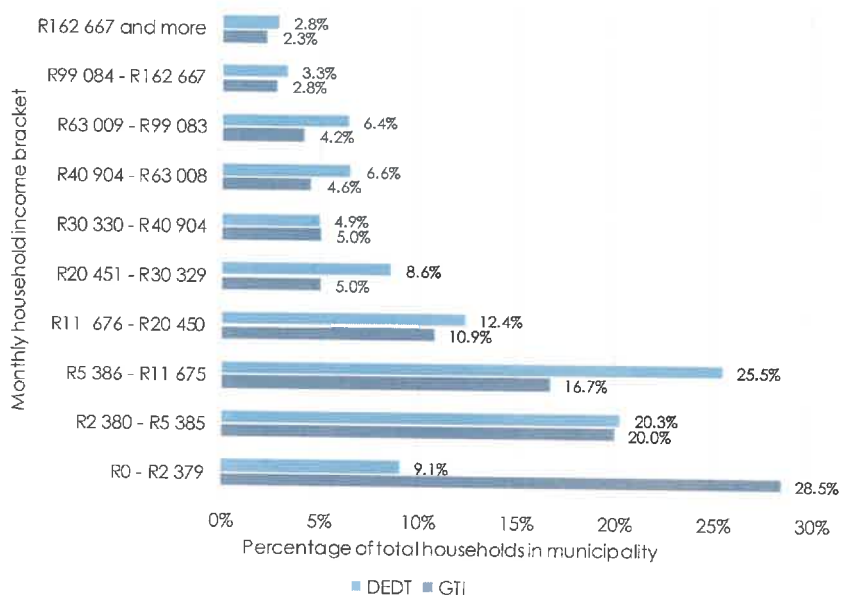
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* The municipal total for W C DEDT differs slightly from the total of income brackets due to calculations to convert W C DEDT income brackets to those of GTI.

At municipal level, the number of total households for 2021 does not differ significantly between the two data sources: according to GTI, total households for Stellenbosch municipality was 58 593, while DEDT reported 16% less, 50 567 households.

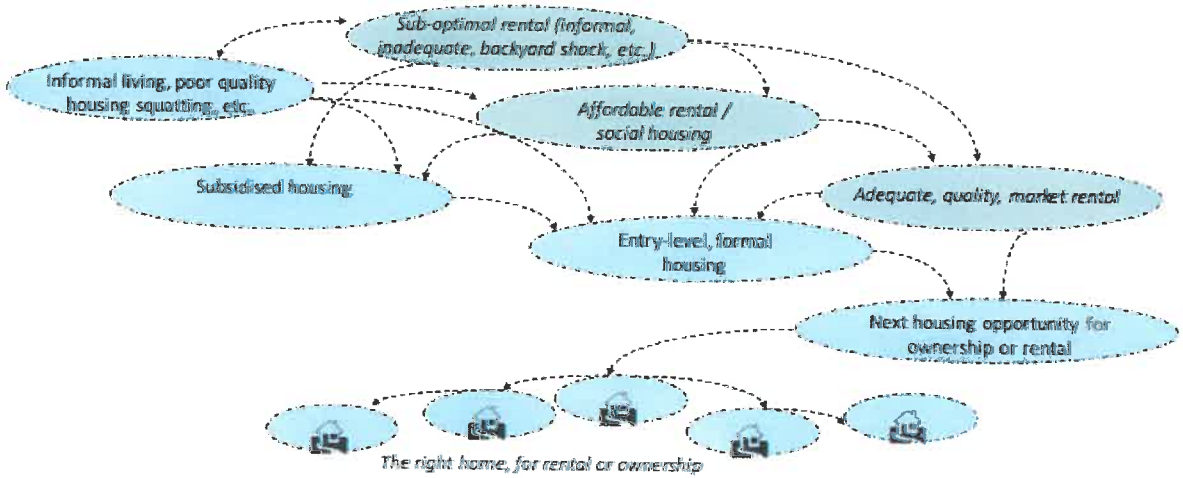
The data does differ significantly in its distribution however. The graph below compares the income data from the two sources. Given that the two sources used different income brackets, the DEDT data was converted into the GTI income segments, which required an assumption that the number of households in an income bracket is evenly distributed across the income range.*

Monthly household income distribution at municipal level (2021) – GTI and WC DEDT data



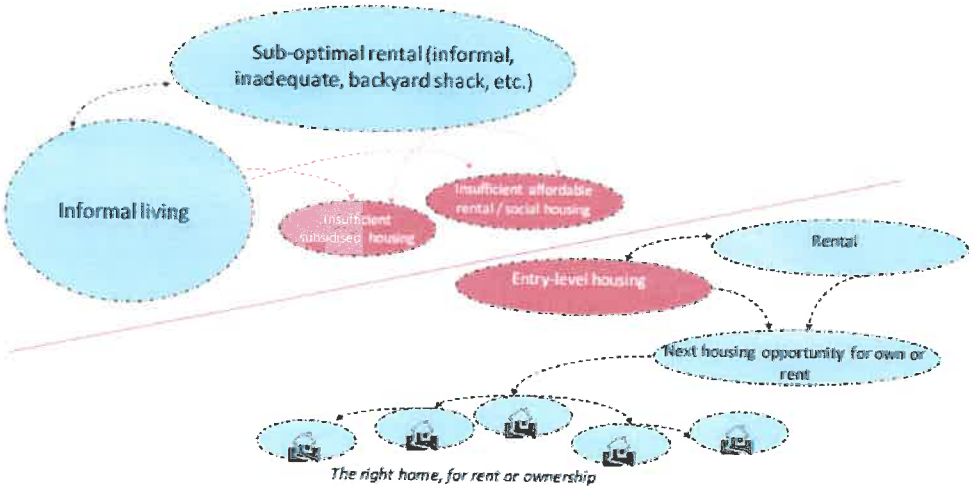
Source: ©GEOTERRAIMAGE – Neighbourhood Lifestyle Index™© (NLI™©) Release 2021; W C Department of Economic Development and Tourism, 2021.

Appendix D. Filtering in residential property markets



Filtering is when households move from one house to another to meet their needs affordably

- **New housing supply** and **functional resale markets** enable filtering
- When filtering works there is **sufficient supply of affordable housing** for ownership and rental, enabling **household mobility** and the **leverage of the housing asset.**
- When filtering doesn't work, **household mobility** is constrained, the **value of the housing asset declines**, and poor households cannot access the property market. This also depresses household affordability for entry-level housing, and widens the housing gap, as first time buyers come without equity.



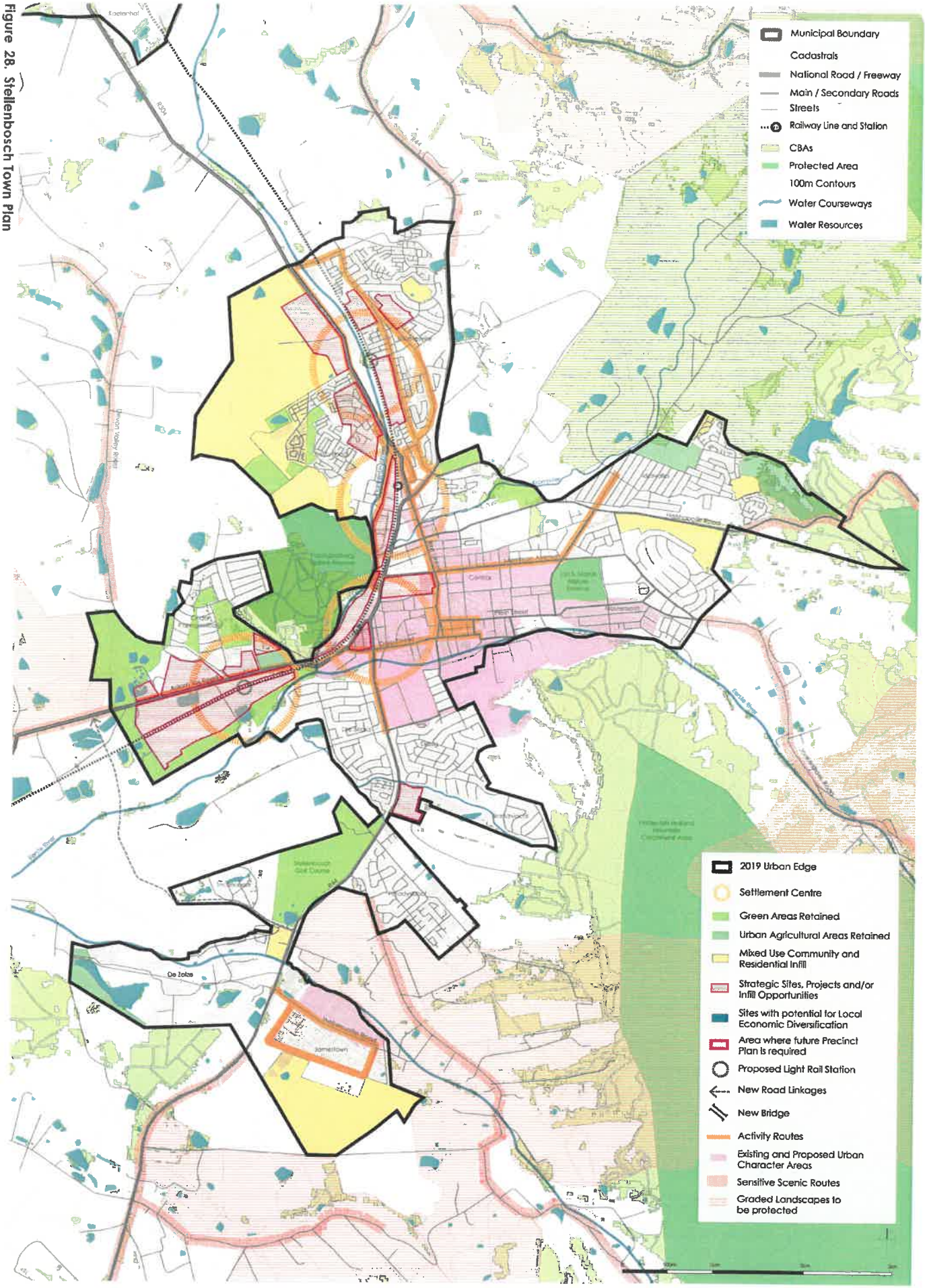
Source: CAHF (2018). Understanding housing markets: An analytical framework.

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ANNEXURE B

Figure 28. Stellenbosch Town Plan



STELLENBOSCH FRAMEWORK

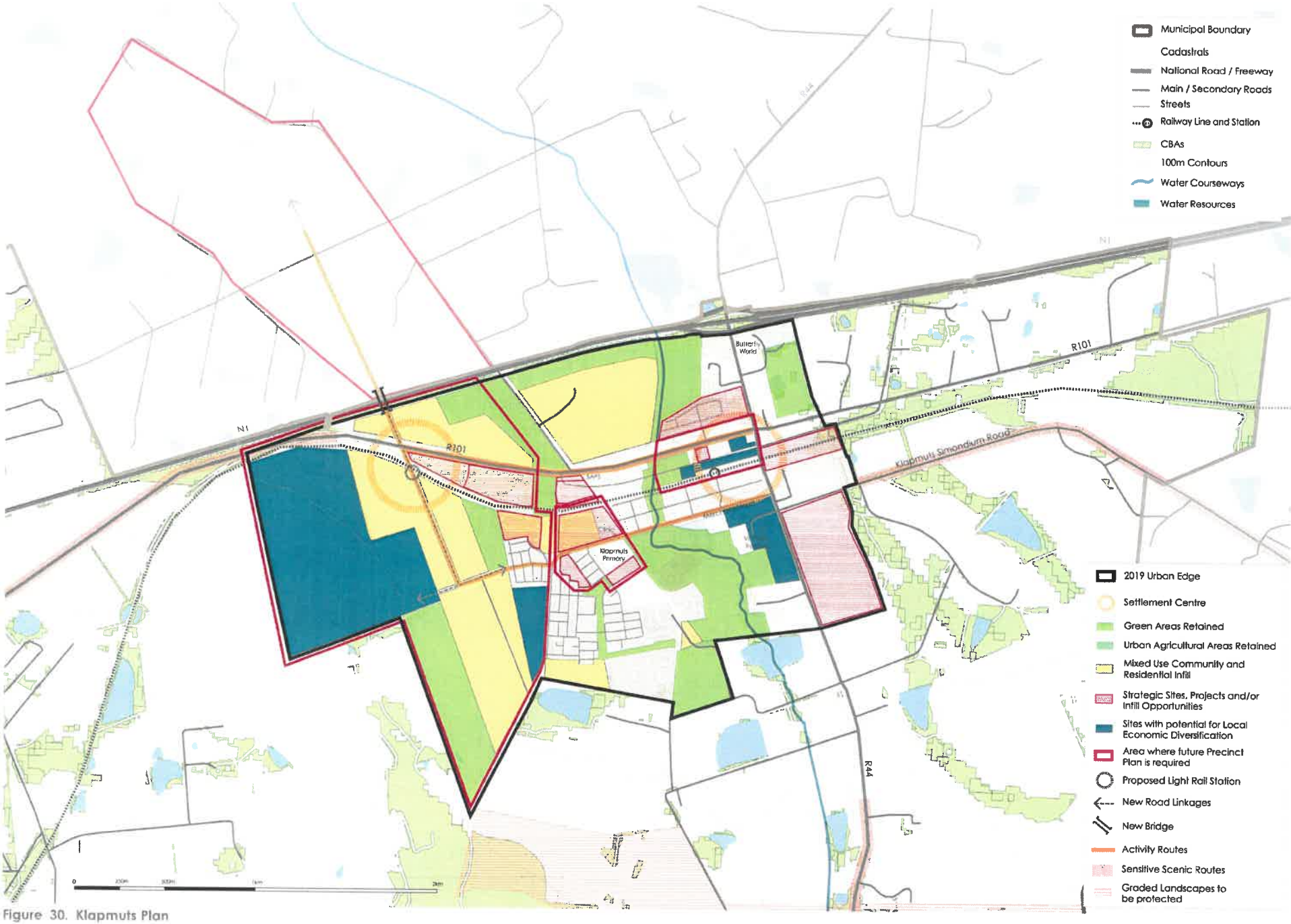
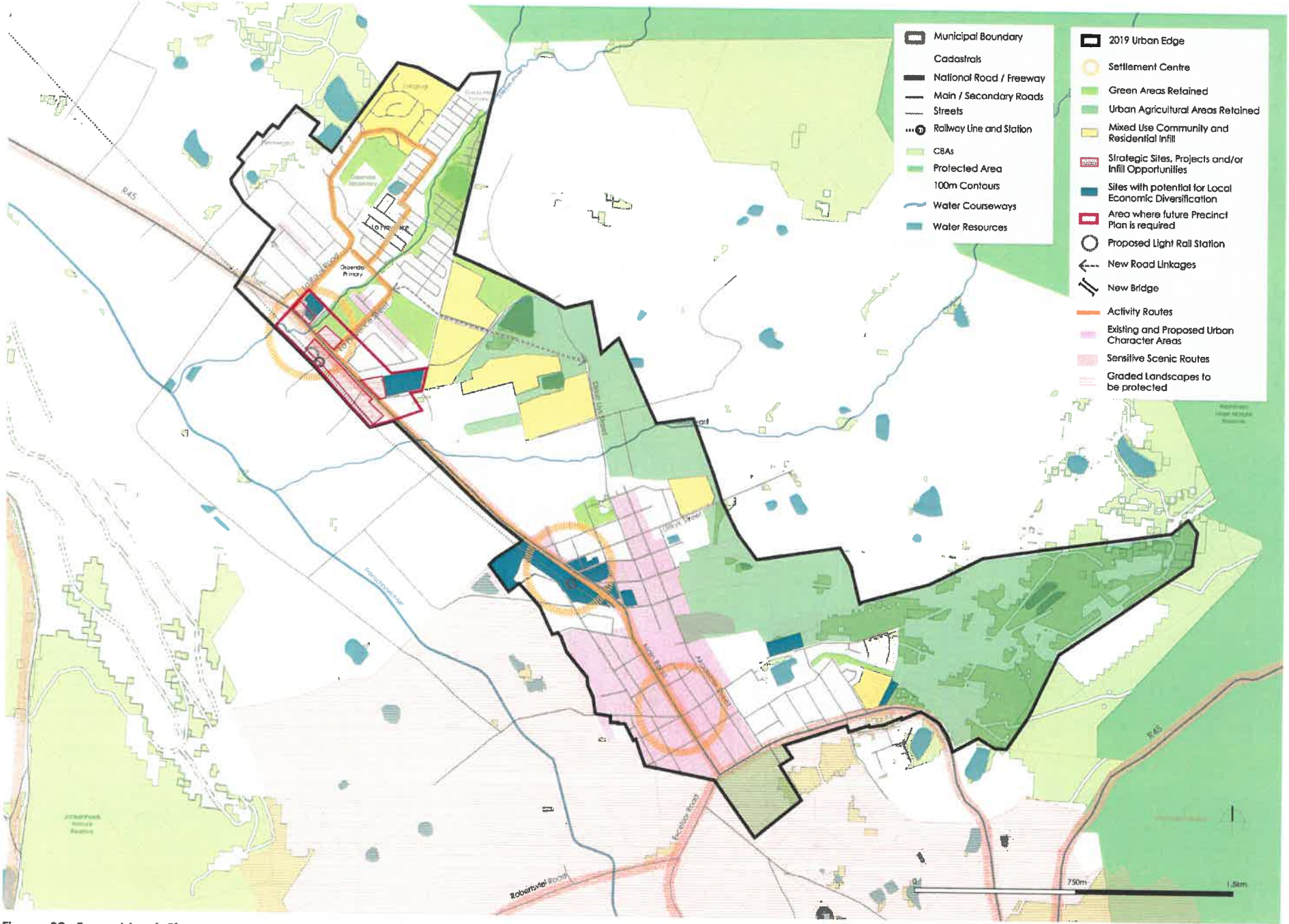


Figure 30. Klapmuts Plan



FRANSCHHOEK FRAMEWORK

Figure 32. Franschhoek Plan

ANNEXURE C

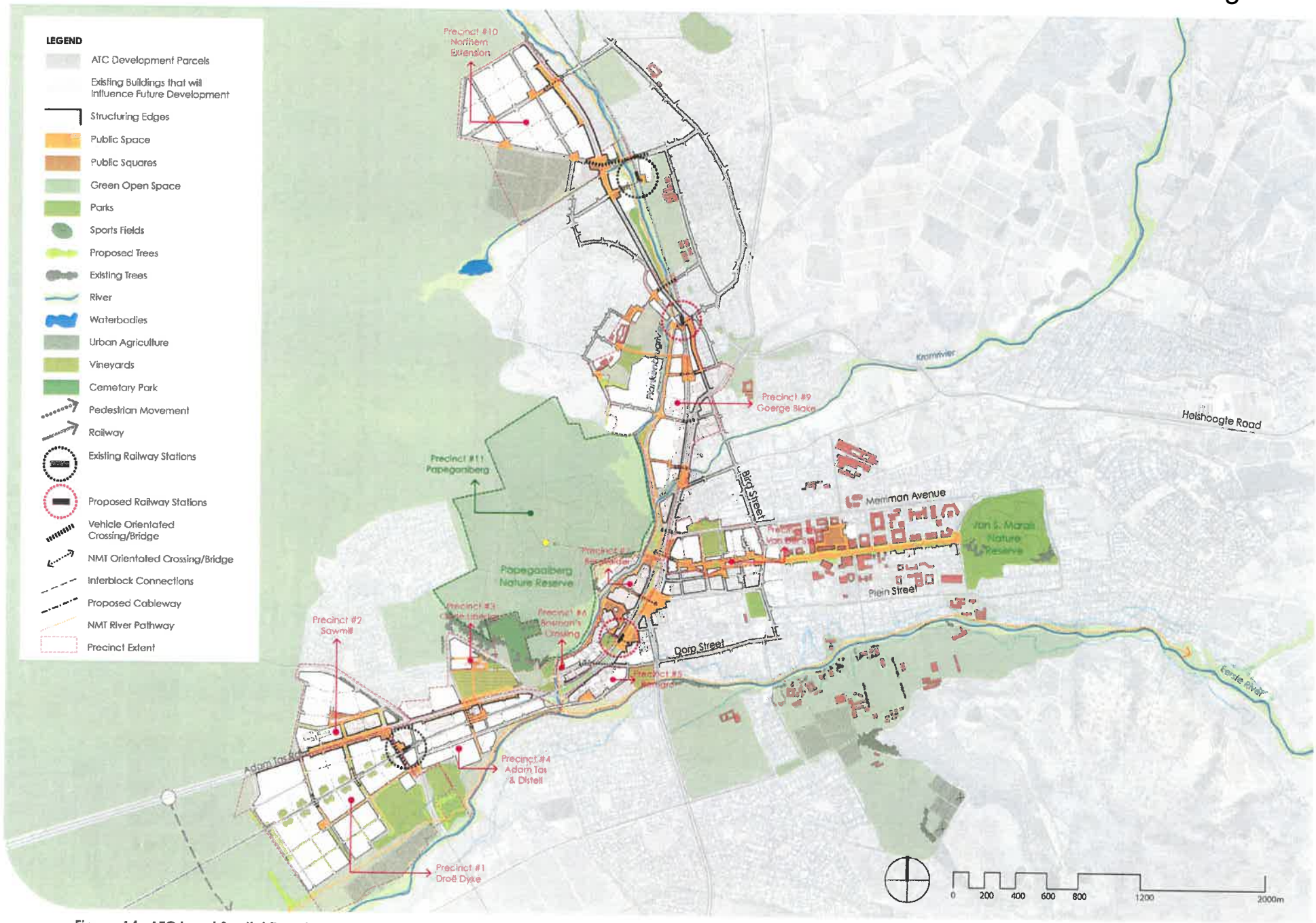


Figure 14. ATC Local Spatial Development Framework

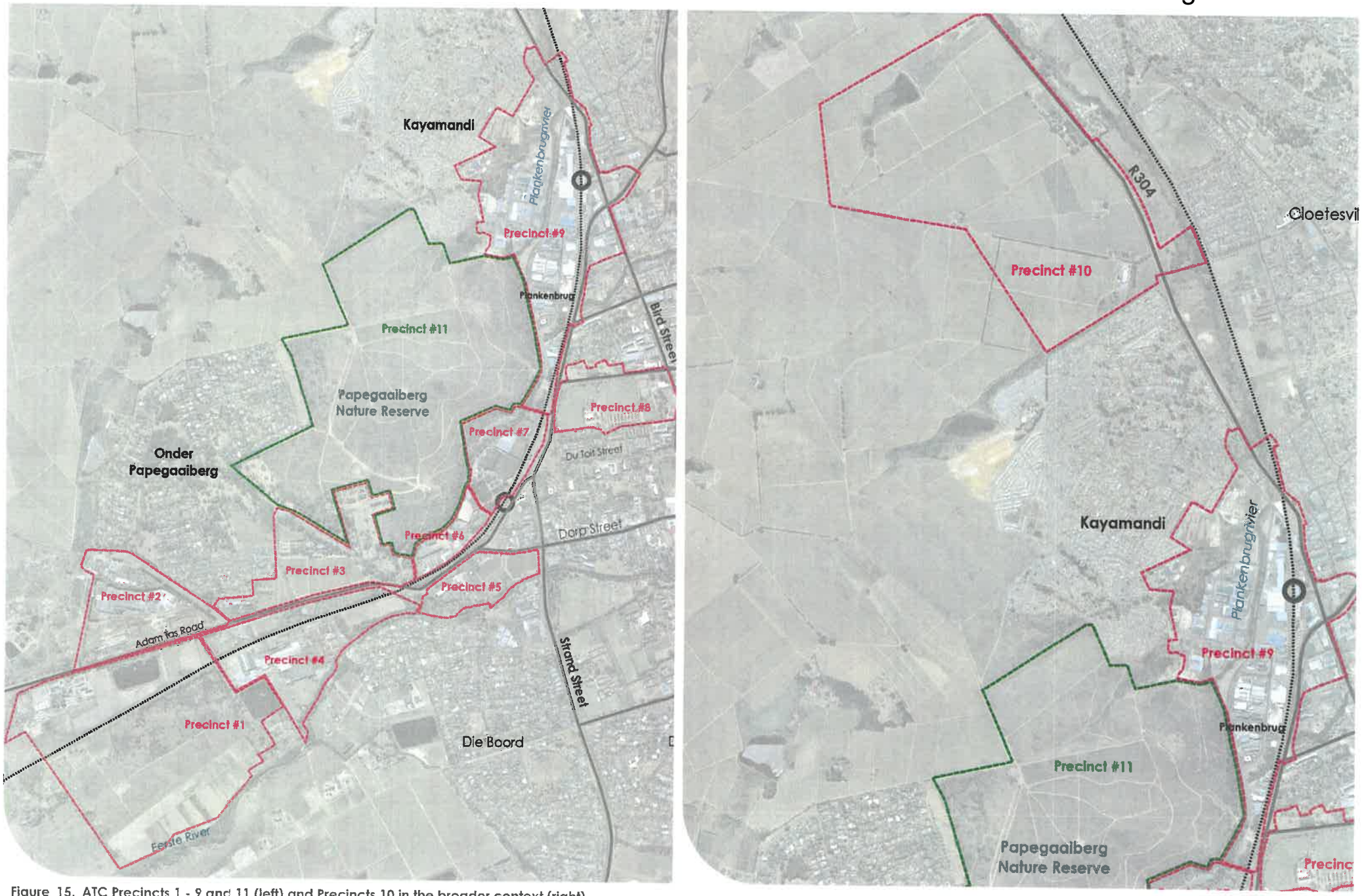


Figure 15. ATC Precincts 1 - 9 and 11 (left) and Precincts 10 in the broader context (right)

[i] Assuming 7.75% interest rate, 20 year loan tenor, 30% premium to income ratio, 10% deposit and no subsidy (i.e. FLISP). There are cautionary notes which should be considered in the interpretation of the calculations, namely – 1) house purchases below R1.2 million avoid transfer fees, there are other transfer costs which can be applicable to the household and have not been included; 2) not all households purchase in the market segment they can afford as some may have additional funds from a once-off source, and some may have other competing expenses that prohibit them from spending the benchmark figure of 30% on housing; 3) Some households may be living in properties that they accessed either by purchase or inheritance or gift, that today they might not be able to afford to buy.

7.8.3	**EXTENSION OF TERM OF OFFICE OF THE MEMBERS OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL (SMPT)**

Collaborator No: **743940**
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **15 February 2023**

1. SUBJECT: EXTENSION OF TERM OF OFFICE OF THE MEMBERS OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL (SMPT)

2. PURPOSE

To extend the term of office of the Stellenbosch Municipal Planning Tribunal (SMPT) to permit the conclusion of the current recruitment process for the identification and appointment of new members and term of office.

3. DELEGATED AUTHORITY

The extension of the term of office of the serving Municipal Planning Tribunal (MPT): **Council** by virtue of Delegation LUP57 for the appointment of the members of the MPT.

4. EXECUTIVE SUMMARY

In accordance with the decision of Council vide Item 11.8.1 dated 27 July 2022, the term of office of the current MPT members was extended to the end of February 2023 to allow for a process to recruit and appoint new members for a new term of office of the MPT.

As the response to the advertisement for the recruitment process was not satisfactory, the Municipal Manager sanctioned a re-advertisement. As the interviews and selection process still needs to be concluded, and the uninterrupted operation of the MPT needs to continue, it is the purpose of this report to present for consideration the further extension of the current term of office of the MPT.

5. RECOMMENDATIONS

(a) that the term of office of the current serving Stellenbosch Municiplal Planning Tribunal with the following serving members:

5.1.1 <u>External Members:</u>

(a) Dr. D.J. Du Plessis (Chairperson)
(b) Mrs. C. Havenga (Deputy Charperson)
(c) Mr. C. Rabie
(d) Dr. R. Pool-Sanvliet
(e) Mr. E. Delport
(f) Mr. J. Knight
(g) Mrs. H. Crooijmans-Lemmer

5.1.2 <u>Internal Members</u>

(a) Mr. M. Williams (Snr. Manager Legal Services)
(b) Mr. A. van der Merwe (Snr. Manager Community Services
(c) Mr. C. Alexander (Snr. Manager Development Planning

(b) that Mrs. M. Francis (Snr. Manager Infrastructure Planning, Development and Implementation) BE **EXTENDED** in terms of Section 73(1)(b) of the Stellenbosch Municipal Planning Bylaw (2015) for a period of three months or up until such

time as the new term of office of the MPT is published, whichever comes first.

6. DISCUSSION / CONTENTS

6.1 Background

An overview of the need and associated process to institute a new term of office for the Stellenbosch MPT was provided in the previous report to Council as per Item Item 11.8.1 dated 27 July 2022.

6.2 Discussion

To allow for a process to recruit and appoint new members for a new term of office of the MPT, the term of office of the current MPT members was extended up to the end of February 2023.

An advertisement process for the recruitment of new MPT members commenced on 15 September 2022. As the response to the advertisement for the recruitment process was not satisfactory, the Municipal Manager sanctioned a re-advertisement. This re-advertisement was launched on 9 December 2022, and due to the December holiday period, the closing date for applications had to be extended up to 16 January 2023.

As the interviews and selection process still needs to be concluded, and the uninterrupted operation of the MPT needs to continue, it is the purpose of this report to present for consideration the further extension of the current term of office of the MPT.

6.3 Financial Implications

The external panel members are paid and provision is made on the approved budget.

6.4 Legal Implications

The recommendations in this report will ensure that the Stellenbosch Municipality comply with the legal requirement to have a functional a MPT to continue with service delivery.

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

Council Resolution as per Item 11.8.1 dated 27 July 2022: Term of office of the members of the Stellenbosch Municipal Planning Tribunal (MPT).

6.7 Risk Implications

The risk is addressed through the content of the report.

FOR FURTHER DETAILS CONTACT:

NAME	Stiaan Carstens
POSITION	Senior Manager: Development Management
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	Stiaan.carstens@stellenbosch.gov.za
REPORT DATE	6 February 2023

7.9	**LOCAL ECONOMIC DEVELOPMENT AND TOURISM:(PC: CLLR R DE TOIT)**

NONE

7.10	**RURAL MANAGEMENT: (PC: CLLR J WILLIAMS)**

NONE

7.11	**MUNICIPAL MANAGER**

NONE

8.	**REPORTS SUBMITTED BY THE EXECUTIVE MAYOR**

NONE

9.	**URGENT MATTERS**

10.	**MATTERS TO BE CONSIDERED IN-COMMITTEE**