



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2023-04-14

MAYORAL COMMITTEE MEETING
WEDNESDAY, 2023-04-19 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, 2023-04-19 at 10:00** to consider the attached agenda.

EXECUTIVE MAYOR, ALD GM VAN DEVENTER

CHAIRPERSON

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2023-04-19
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STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2023-03-22

MINUTES

MAYORAL COMMITTEE MEETING:

2023-03-22 AT 10:00

MINUTES
MAYORAL COMMITTEE MEETING
2023-03-22
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PRESENT: Executive Mayor, Ald GM Van Deventer (**Chairperson**)
Deputy Executive Mayor, J Fasser

Councillors: R du Toit
P Johnson
J Joon
L Nkamisa
C van Wyk
J Williams

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

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

1.	OPENING AND WELCOME
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The Chairperson, Executive Mayor welcomed everyone present at the Mayoral Committee Meeting.

2.	COMMUNICATION BY THE CHAIRPERSON
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- Sincere condolences to the family and friends of late councillor Ansaaf Crombie. Not only was she a phenomenal councillor but also a person who left a legacy in her community. May her soul rest in eternal peace.
- Also welcome new councillor elect, Mynard Slabbert. He is the new ward councillor for Ward 21.
- Was the birthday of Premier Winde this past weekend. We wish him a belated happy birthday and thank him for all the good work he is doing for our province.
- Must inform councillors that Premier Winde and Minister Tertius Simmers (Infrastructure – Western Cape Provincial Government) visited Stellenbosch last week for high level discussions about road infrastructure and safety concerns. As everyone is aware, traffic issues and road infrastructure are major concerns everywhere in the Stellenbosch municipality.
- Loadshedding remains a major concern and problem for the municipality, and we are doing everything in our power to ensure we will be able to assist our residents. I

encourage residents to read the information on the municipal website about the plans and timeline Stellenbosch will follow to ensure the reduction of loadshedding for Stellenbosch residents in the future.

- As with loadshedding, water consumption also remains a problem. We welcome the first rains that fell but this is hardly enough to ensure the dam levels in the Western Cape, and specifically the Cape Winelands, will reach the levels where there will be no concern about this resource. Water is a scarce resource, and every resident of Stellenbosch municipality must do their bit to ensure the water consumption does not spiral out of control. Please report leaks and pipe bursts immediately on the Let's Fix It portal. Close taps properly and try to save water wherever you can.

- Yesterday, we celebrated Human Right's Day, an important day on the South African calendar. It is fundamental that we protect and cherish these rights afforded to us in the Constitution.

- On Monday, Stellenbosch municipality was privileged to welcome the graduation of new peace officers. This is part of an initiative of the Provincial government, with the training facilitated by the City of Cape Town. These peace officers will strengthen our efforts to ensure by-law enforcement and the safety of residents in Stellenbosch. I can ensure you this will be an ongoing partnership to bring about the goal of a safer Stellenbosch for all.

- On the eve of Ramadan, I want to wish all our Muslim residents and staff all the best with the fast. Ramadan Mubarak.

3.	DISCLOSURE OF INTERESTS
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NONE

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

Cllr R Adams

Cllr Z Dalling

Director: Community & Protection Services (G Boshoff)

Director : Infrastructure Services (S Chandaka)

5.	CONFIRMATION OF PREVIOUS MINUTES
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The minutes of the Mayoral Committee Meeting held on 2023-02-15 were **confirmed as correct without any amendments.**

6.	STATUTORY MATTERS
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6.1	ANNUAL REPORT OVERSIGHT REPORT 2021/22
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Collaborator No: 746217
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: ANNUAL REPORT OVERSIGHT REPORT 2021/22

2. PURPOSE

To submit to Council, the Annual Report Oversight Report 2021/22 for **Adoption**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The draft Annual Report 2021/22 was referred by the Council, on 30 January 2023, to the Municipal Public Accounts Committee (MPAC) which fulfilled the function of the Oversight Committee. The appointment and mandate of the MPAC / Oversight Committee were informed as per the MFMA Circular 32 of 2006.

The MPAC members, including the two co-opted members, scrutinised the draft Annual Report 2021/22 and requested, where necessary, responses from the relevant Directorates. The draft Annual Report 2021/22 was objectively reviewed by the MPAC members to ascertain whether the draft Annual Report 2021/22 is a true and accurate reflection of the municipality's performance for the 2021/22 financial year.

The public was invited to attend a public hearing and to submit any representations on the draft Annual Report 2021/22. All the councillors were also invited to attend the public hearing and to deliberate on the draft Annual Report 2021/22.

No members of the community attended the public hearing.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 6.1

- (a) that the Council, having fully considered the Annual Report Oversight Report 2021/22 of the Stellenbosch Municipality, **ADOPTS** the Annual Report Oversight Report 2021/22;
- (b) that the Council, having fully considered the Annual Report 2021/22, attached as **ANNEXURE B** to the Annual Report Oversight Report 2021/22, **APPROVES** the Annual Report 2021/22 without any reservations;
- (c) that the Annual Report Oversight Report 2021/22 be made public in accordance with Section 129(3) of the MFMA, and;
- (d) that the Annual Report Oversight Report 2021/22 be submitted in accordance with Section 129(2) and 132(2) of the MFMA to the Auditor General of South Africa, Provincial Treasury: Western Cape, Department of Local Government: Western Cape and the Provincial Legislature: Western Cape.

6.2	DRAFT 1st REVIEW OF THE 5th GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027 AND THE IDP AND BUDGET PUBLIC PARTICIPATION MEETING SCHEDULE FOR APRIL 2023
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Collaborator No: 746216
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: DRAFT 1st REVIEW OF THE 5th GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027 AND THE IDP AND BUDGET PUBLIC PARTICIPATION MEETING SCHEDULE FOR APRIL 2023

2. PURPOSE

To table to the Council for consideration:

- (a) The draft 1st Review of the 5th Generation IDP 2022 – 2027, attached as **ANNEXURE A**, to be released for public comment/s; and
- (b) The IDP and Budget Public Participation Meeting Schedule, April 2023, attached as **ANNEXURE B**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

In terms of Section 34(a)(i)(ii) of the Local Government: Municipal Systems Act, 2000 (Act. No. 32 of 2000) (MSA), each municipal council must review its Integrated Development Plan annually in accordance with an assessment of its performance measurements in terms of Section 41 of MSA and to the extent the changing circumstances so demand. Therefore, taking into account the changing circumstances in the municipal environment, including the community's needs and priorities.

The draft 1st Review of the 5th Generation IDP 2022 – 2027 informs the budget of the municipality and also details the municipality's actions to address the vision, mission, strategic objectives and needs of the community.

The municipal IDP must be reviewed annually to ensure that:

- municipalities and communities keep track of the progress in implementing development projects and the spending of the municipal budget; and
- communities are provided with an opportunity to review their needs and to make possible revisions to the priorities listed in the municipality's IDP.

The Council should take note that the Safety and Security Plan information will be updated in the final IDP document, which will be presented to the Council in May 2023.

A once-off close-out report on the 4th Generation IDP 2017 – 2022 is attached as an annexure to the draft 1st Review of the 5th Generation IDP 2022 – 2027 to provide the Council with a summary of the IDP deliverables achieved during the 4th Generation IDP period of 2017 – 2022. The report also contains multi-year projects and programmes that are scheduled for completion during the 5th Generation IDP 2022 - 2027 period.

At an all-ward councillor meeting on Friday, 10 February 2023 it was resolved that the Stellenbosch Municipality will return to the traditional public participation approach for April 2023. Therefore, area-based physical meetings will be held in the respective areas of Stellenbosch, see attached **ANNEXURE B** for the IDP and Budget public participation meeting schedule.

The public participation period will comprise the period Monday, 3 April – Monday, 24 April 2023, to allow members of the community and stakeholders ample time to provide written inputs and or comments on the draft 1st Review of the 5th Generation IDP 2022 – 2027. The area-based public participation meetings will be held from Wednesday, 12 April to Tuesday, 18 April 2023 in the respective areas with a central venue. The municipality will provide transportation, with pick-up points specified on the meeting schedule.

The listed platforms below will be made available for the community and stakeholders to provide input and comments on the draft 1st Review of the 5th Generation IDP 2022 – 2027:

- A link to an electronic submission form will be active from Monday, 3 April – Monday, 24 April 2023 on the municipal website: www.stellenbosch.gov.za;
- The link to the electronic form will be broadcast via WhatsApp and Email and published on Facebook, Twitter and Stellenbosch Citizen App;
- 'Have your Say' boxes will be placed at ward offices and libraries; and
- Submissions may be done via:
 - Email: idp@stellenbosch.gov.za;
 - WhatsApp: 067 427 1556;
 - Stellenbosch Citizen App: Download from Google Play Store, iStore, Windows Store and Java.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 6.2

- (a) that the Draft 1st Review of the 5th Generation IDP 2022 – 2027 of Stellenbosch Municipality be approved in terms of Section 34 (a)(i)(ii) of the Municipal Systems Act (MSA) for the purpose of obtaining public inputs and comments, attached as **ANNEXURE A**;
- (b) that an advertisement be placed on the official website of the municipality and the local newspaper notifying the public that the Draft 1st Review of the 5th Generation IDP 2022 – 2027 is open for public inputs and comments for a period of 21 days;
- (c) that the Draft 1st Review of the 5th Generation IDP 2022 – 2027 be submitted to the Western Cape: Department of Local Government, Western Cape: Provincial Treasury, National Treasury and the Cape Winelands District Municipality; and
- (d) that the IDP and Budget Public Participation Meeting Schedule for April 2023 be noted, attached as **ANNEXURE B**.

6.3	TABLING OF THE REVISED CAPITAL EXPENDITURE FRAMEWORK
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 March 2023

1. SUBJECT: TABLING OF THE REVISED CAPITAL EXPENDITURE FRAMEWORK

2. PURPOSE

Is to obtain Council's approval of the Revised Capital Expenditure Framework (CEF).

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Integrated Urban Development Framework (IUDF) was approved by Cabinet in April 2016, which led to the Integrated Urban Development Grant (IUDG). The IUDG was introduced in the 2019/2020 Division of Revenue Act as a Consolidated Grant for Intermediate City Municipalities (ICMs). Stellenbosch Municipality was identified as one of the municipalities to benefit from this new grant, subject to specified criteria.

The purpose of the ICMs support strategy is to help translate IUDF policy into practical programmes of action in the ICMs.

The business plan for the IUDG is a three-year capital programme that is aligned with a long-term plan (CEF). With the revisions to the SDF and the implementation of the Adam Tas Corridor it required a review of the current Capital Expenditure Framework.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 6.3

that Council approve the revised Capital Expenditure Framework for public comment.

FOR FURTHER DETAILS CONTACT:

NAME	Mr. Kevin Carolus
POSITION	Chief Financial Officer
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 – 808 8528
E-MAIL ADDRESS	Kevin.Carolus@ Stellenbosch.gov.za
REPORT DATE	15 March 2023

6.4	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2023/2024-2025/2026
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 March 2023

1. SUBJECT: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2023/2024-2025/2026

2. PURPOSE

The purpose of this report is as follows:

- a) The Executive Mayor to table the Medium-Term Revenue and Expenditure Framework (inclusive of property rates charges and taxes, tariffs and service charges), annexures and proposed amendments to the budget related policies and other policies to Council for approval in terms of Section 16(2) of the Municipal Finance Management Act, (Act 56 of 2003).
- b) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the amount of R560 million of which over the MTREF R200 million will be required in year one, R200 million in year two and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms draft approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

EXECUTIVE SUMMARY

BUDGET

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: 2023-03-22: ITEM 6.4

- (a) that the Draft High Level Budget Summary, as set out in APPENDIX 1 – PART 1 – SECTION C; be approved for public release;
- (b) that the Draft Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1** – PART 1 – SECTION D, be approved for public release;
- (c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1** – PART 2 – SECTION J, be approved for public release;
- (d) that the three-year Capital Budget for 2023/2024, 2024/2025 and 2025/2026, as set out in **APPENDIX 1** – PART 2 – SECTION N, be approved for public release;

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- (e) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3**, be approved for public release;
- (f) that the proposed amendments to existing budget related policies and other policies as set out in **APPENDICES 5 - 34**, be approved for public release.
- (g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R560 millions of which R200 million will be required in year one, R200 million in year two and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirm approval of same;
- (h) that Council specifically take note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially; and
- (i) that Council takes note of MFMA circulars 122 and 123 that was published to guide the MTREF for 2023/2024 to 2025/2026 as set out in APPENDICES 35 – 36.

FOR FURTHER DETAILS CONTACT:

NAME	KEVIN CAROLUS
POSITION	DIRECTOR: FINANCIAL SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	kevin.carolus@ Stellenbosch.gov.za
REPORT DATE	14 March 2023

6.5	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2023
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

22 March 2023

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 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.

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 February 2023.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 6.5

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

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]
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7.1	PROTECTION SERVICES: (PC:)
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NONE

7.2	YOUTH, SPORTS AND CULTURE: [PC: CLLR R ADAMS]
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NONE

7.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
7.3.1	APPLICATION HORIZON HOUSE TO EXTEND LEASE: ERF 3722 AND PORTIONS OF ROAD RESERVE

Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

22 March 2023

1. SUBJECT:APPLICATION HORIZON HOUSE TO EXTEND LEASE: ERF 3722 AND PORTIONS OF ROAD RESERVE

2. PURPOSE

To inform Council of the request from Horizon House to extend the lease agreement entered into in 2020.

3. DELEGATED AUTHORITY

Council where an agreement exceeds 9 years and 11 months, or the value is above R5 million.

4. EXECUTIVE SUMMARY

Horizon House, situated on the outskirts of Onder Papegaaiberg, is an NGO catering for the needs of people living with disabilities. They indicated in 2020 that they have received a donation to put up new fencing around the facility and to develop walking trails, to be use by their residents, and also the greater public. They wanted to extend the area onto a portion of municipal land, situated to the south of their property for this reason, on an encroachment basis. Council considered the matter and approved for a period of 9 years and 11 months after a public participation process and considering the comments received.

Due to the nature of an encroachment this legal vehicle is no longer used for applications to use council land for whatever reason is proposed. An agreement was entered into with Huis Horizon, attached as **APPENDIX 1**. We have received a further request from them for a longer lease period – appendix 2 attached. It seems from the information provided that none of the improvements envisaged in 2020 has materialised. They are requesting a longer lease period, but it is not clear how long. If this is considered favourably an information statement will have to be published for public comment/alternative proposals in terms of the asset transfer regulations.

EXECUTIVE MAYORAL COMMITTEE MEETING: 2023-03-22: ITEM 7.3.1

RESOLVED

that this item be referred back to the Administration for refinement.

7.3.2	REQUEST TO RELEASE ERVEN 622 AND 623, STELLENBOSCH FOR RESTITUTION PURPOSES TO THE REGIONAL LAND CLAIMS COMMISSIONER: WESTERN CAPE
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Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

22 March 2023

1. SUBJECT: REQUEST TO RELEASE ERVEN 622 AND 623, STELLENBOSCH FOR RESTITUTION PURPOSES TO THE REGIONAL LAND CLAIMS COMMISSIONER: WESTERN CAPE

1. PURPOSE

To consider a request by the Regional Land Claim Commissioner: Western Cape (RLCC: WC) for the release of erven 622 and 623, Stellenbosch for restitution purposes (now part of erf 9672, Stellenbosch).

3. DELEGATED AUTHORITY

Council must consider the request.

4. EXECUTIVE SUMMARY

The Rynse Sending Gemeente Kerk lodged a claim when the RLCC: WC on 1997-03-25 and has indicated that they would prefer restoration of the properties as preferred method of compensation. The claim has subsequently been accepted by the RLCC WC as a *prima face* complaint.

They have requested Stellenbosch Municipality, the current owner of erf 9672, Stellenbosch, to release the property to the RLCC WC at a minimal cost or gratis, for restitution purposes. Council must consider the request.

There are also plans in the pipeline on the precinct plan – future development and utilisation of the Rhenish complex flowing from a study requested by council in 2022 – see input from Director Planning and Economic Development in 6.8.1 below.

EXECUTIVE MAYORAL COMMITTEE MEETING: 2023-03-22: ITEM 7.3.2

RESOLVED

that this item be referred back to the Administration for further discussion.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.gov.za
REPORT DATE	09.11.2022

7.4	FINANCIAL SERVICES: (PC: CLLR P JOHNSON)
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NONE

7.5	HUMAN SETTLEMENTS: (PC: CLLR J FASSER)
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7.5.1	THE ANNUAL REVIEW OF STELLENBOSCH MUNICIPALITY HOUSING PIPELINE FOR THE MTREF PERIOD OF 2023 – 2026
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Collaborator No: 746213
IDP KPA Ref No: Good Governance
Meeting Date: 22 March 2023

1. SUBJECT: THE ANNUAL REVIEW OF STELLENBOSCH MUNICIPALITY HOUSING PIPELINE FOR THE MTREF PERIOD OF 2023 – 2026

2. PURPOSE

To seek Council's approval of the Stellenbosch Municipality's Housing Pipeline (Projects) for the Medium-Term Revenue and Expenditure Framework (MTREF) period 2023 to 2026 attached herein as **ANNEXURE A**.

To inform Council of the draft Human Settlement Development Grant (HSDG) and the draft Informal Settlements Upgrading Partnership Grant (ISUPG) allocation for human settlements development projects received from the Provincial Department of Human Settlements (PDoHS) for the (MTREF) 2023 to 2026.

To request that the Housing Pipeline be submitted to the Provincial Department of Human Settlements (PDoHS) upon attainment of Council's approval.

To inform Council of the new strategic shifts pertaining the provision of human settlements development from the National Department of Human Settlements (NDoHS) and Provincial Departments of Human Settlements (PDoHS).

To provide a status report to Council on the progress of existing human settlement development projects that were previously on the approved Housing Pipeline.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

This Council item relates to the annual review of the Stellenbosch Municipality's Housing Pipeline for the MTREF period 2023 – 2026.

The PDoHS requires that every Municipality must have a Housing Pipeline. The Housing Pipeline is premised on a ten-year horizon and serves as the planning and budgeting tool for the implementation of Human Settlements initiatives. Each Municipality's Housing Pipeline is an integral component of the Department of Human Settlements' Business Plan. It is required that the Housing Pipeline must be annually reviewed.

According to the PDoHS housing demand database, Stellenbosch Municipality's current housing demand waiting list comprises of 18 263 applicants. The Municipality currently has numerous housing development projects under consideration to ensure a healthy delivery pipeline towards fulfilling the housing demand and its legislative mandate. The overall housing pipeline of the Municipality articulates active housing development projects that are at various stages of planning and implementation.

In 2020, the Minister of Human Settlements Gazetted the declaration of the Priority Human Settlements and Housing Development Areas (PHSHDA's). The PHSHDAs intends to advance Human Settlements Spatial Transformation and Consolidation by ensuring that the delivery of housing is used to restructure and revitalise towns and cities, strengthen the livelihood prospects of households and overcome apartheid spatial patterns by fostering integrated urban forms.

In 2020, the Provincial Department of Human Settlements (PDoHS) presented new strategic shifts in human settlements development projects to enable the residents of the Western Cape to have access to liveable, accessible, safe, and multi-opportunity settlements. The specific strategic objectives are radical acceleration of housing opportunities, radical integration approach to human settlements, radical implementation of innovative solutions and radical economic growth and job creation.

The Department: Spatial Planning has collaborated with the Department of Environmental Affairs and Development Planning (DEA&DP) and undertaken a Housing Market Study for the Stellenbosch CBD to determine the needs and demand for affordable housing within the government housing subsidy programmes and private sector housing developments.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.5.1

- (a) that **Council approve** the reviewed annual Housing Pipeline (Projects) for the Medium-Term Expenditure Framework ("MTREF") period 2023 to 2026 for Stellenbosch Municipality, attached as **ANNEXURE A** to this report;
- (b) that **Council take note** of the draft Human Settlement Development Grant ("HSDG") and draft Informal Settlements Upgrading Partnership Grant ("ISUPG") budget allocations for human settlements development projects received from the Provincial Department of Human Settlements (PDoHS) for the MTREF period of 2023 to 2026;
- (c) that **Council take note** of the new strategic shifts pertaining the provision of human settlements development from the National Department of Human Settlements (NDoHS) and Provincial Departments of Human Settlements (PDoHS);
- (d) that **Council take note** that the reviewed annual Housing Pipeline is aligned to the Stellenbosch Municipality's Spatial Development Framework ("MSDF") as amended in 2023; and the Stellenbosch Municipality's Capital Expenditure Framework (CEF);
- (e) that **Council approve** the submission of the revised Stellenbosch Municipality's Housing Pipeline to the Provincial Department of Human Settlements;
- (f) that **Council take note** of the progress of the human settlements development projects that are at pre-planning, and/or planning phase as reflected in table 1 below, as contained in this report;

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- (g) that **Council take note** of the projects under construction (within the implementation phase which is dealt by the Department: Project Management Unit) as reflected in table 2 below contained in this report; and
- (h) that **Council approves** that the reviewed Housing Pipeline for the MTREF period of 2023 to 2026 be advertised as an appendix to the Stellenbosch Municipality's Municipal Spatial Development Framework (MSDF) as amended during 2023.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Lester van Stavel</i>
POSITION	<i>Manager: Housing Development</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	<i>021 808 8462</i>
E-MAIL ADDRESS	<i>Lester.vanstavel@ Stellenbosch.gov.za</i>
REPORT DATE	<i>6 March 2023</i>

7.6	INFRASTRUCTURE SERVICES : (PC : CLLR Z DALLING)
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7.6.1	PROGRESS ON THE PROVISION OF A PUBLIC TRANSPORT SERVICE FOR STELLENBOSCH
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Collaborator No: 742663
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: PROGRESS ON THE PROVISION OF A PUBLIC TRANSPORT SERVICE FOR STELLENBOSCH

2. PURPOSE

Council to note the Section 78(1) Assessment Report, and to note the proposed approach by the Infrastructure Services Directorate.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Western Cape Government's Department of Transport and Public Works (DTPW) had previously provided assistance to Stellenbosch Municipality and compiled a Section 78 (1) Assessment Report on the provision of a public transport service, for Stellenbosch. See attached **APPENDIX 1**. The report was based on a study that, at the time, proposed a conventional (largely bus-based) public transport system, that would be managed by the Municipality.

The key findings by the DTPW's, Section 78(1) Assessment Report is as follows:

- The municipality is better suited to an incremental upgrade rather than a brand new large scale bus-based system.
- Irrespective of the mechanism selected to deliver a public transport service (internal vs. external) and based on the lessons learned from the public transport implementation of George, Cape Town etc, the Municipality should consider pursuing an alternative approach to a public transport service.
- The municipality does not have the capacity nor potential future capacity to furnish the skills, expertise and resources necessary for the provision of a municipal public transport service.

Taking into account recommendations from the current Comprehensive Integrated Transport Plan (CITP), advice from industry experts, advice from the DTPW, and lessons learned from other Municipalities (where conventional public transport services were rolled out), an alternative approach to a public transport service for Stellenbosch is proposed.

The Directorate therefore proposes that the municipality adopts an incremental approach to bring about improvements to existing systems. This will allow adaptations to existing public transport modes, incremental budgeting to be used for those improvements, as well

as existing arrangements with the bus and taxi operators and associations to be tweaked accordingly, rather than a “Big-Bang” new approach to be implemented.

The incremental approach, being more flexible at incorporating and assigning the different modes of public transport, is most suitable for a developing area such as Stellenbosch.

The Directorate also proposes that a Public Transport Plan first be developed. The Public Transport Plan will set the framework and context of the public transport service and identify necessary projects to be implemented.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.6.1

- (a) that Council notes the Section 78(1) Assessment Report on the provision of public transport services. (**APPENDIX 1**);
- (b) that Council accepts that all the requirements of Section 78(1), has been complied with;
- (c) that Council concurs with the finding of the study i.e.
 - The municipality is better suited to an incremental upgrade rather than a brand-new large-scale bus-based system.
 - Based on the lessons learned from the public transport implementation of George, Cape Town etc, the Municipality should consider pursuing an alternative approach to a public transport service.
 - The municipality does not have the internal capacity nor potential future capacity to furnish the skills, expertise and resources necessary for the provision of a municipal public transport service.
- (d) that Council considers an alternative approach, namely the Incremental Approach that progressively moves towards improved public transport services and, over time, establishes the most efficient public transport service; and
- (e) that a Public Transport Plan be compiled to facilitate improvements to existing public transport services, identifying necessary projects to ultimately establish an efficient public transport service.

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	Shane.Chandaka@ Stellenbosch.gov.za
Report Date	6 January 2023

7.6.2	LEASING OF EIKESTAD PARKING AREA, CONSIDERATION OF COMMENTS RECEIVED
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Collaborator No: 746262
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: LEASING OF EIKESTAD PARKING AREA, CONSIDERATION OF COMMENTS RECEIVED

2. PURPOSE

That Council takes note of this report and approves the proposals contained herein.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Municipality reviewed parking management models previously implemented, and also reviewed proposals received for the management of parking areas by adjacent landowners. The Municipality subsequently approved in-principal, the short-term lease and management of Eikestad Parking Area by Eikestad Mall until the Public Private Partnership (PPP), currently underway, is finalized.

The Municipality published its intention to lease and outsource the management of the parking area on 26 July 2022, on the Municipal Website, and on 28 July 2022 in the Eikestad News.

Comments were received from 2 organisations namely, the Economic Freedom Fighters (EFF) and Stellenbosch Interest Group (SIG). Meetings were held with both groups to address concerns and to provide clarity.

Although organisations both were not opposed to the proposed leasing, it was requested that the concerns be taken into account in processes that follow.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.6.2

- (a) that Council takes note that a public participation process that was followed;
- (b) that Council considers the comments received;
- (c) that Council approves the leasing and management of the Eikestad Parking Area, on a short-term basis with the option of an annual renewal until the PPP process or any other process to build the parking garage is decided on or is finalised; and
- (d) that the Municipal Manager be authorised to negotiate and conclude the lease agreement, taking into account inputs from public participation process, including the employment of local labour.

7.6.3	LEASING A PORTION OF THE BERGZICHT TAXI RANK UPGRADE FOR THE DEVELOPMENT OF AN ELECTRIC MINIBUS TAXI (E-MBT'S) CHARGING FACILITIES
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Collaborator No: 746239
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: LEASING A PORTION OF THE BERGZICHT TAXI RANK UPGRADE FOR THE DEVELOPMENT OF AN ELECTRIC MINIBUS TAXI (E-MBT'S) CHARGING FACILITIES

2. PURPOSE

Is to inform the Executive Mayor in consultation with the Executive Mayoral Committee about an application of FLX EV to lease a portion of the Bergzicht Taxi Rank with the purpose to create a facility where electric taxis can be charged.

3. DELEGATED AUTHORITY

Executive Mayor in consultation with the Mayoral committee if the lease is valued less than R5 million and for a period of less than 10 years.

4. EXECUTIVE SUMMARY

The Stellenbosch Municipality sought to create places that are attractive and have a distinct identity by fusing the various threads of environmental responsibility, social equity, and economic viability together. With this goal in mind, the Municipality adopted a design of the proposed upgrade of the Bergzicht taxi rank to create a facility that is more environmentally friendly, can be fully sustainable, and uses photovoltaics to generate its own energy to run the facility and feed any excess energy back into the grid.

FLX EV approached the municipality and expressed interest in establishing an E-charging facility for electric minibuses. The design at the Taxi rank already made provision for a space that could be utilized in the future as a charging facility.

Flex EV is a private startup company with support from the Industrial Development Corporation (IDC) and funding from uYilo kick start projects to develop South Africa's first e-MBT public transport interchange. The company will implement all related charging equipment associated with the system with its own capital funds and does not need any funding for the necessary equipment.

The goal is to use electric minibus taxis to decarbonize the minibus taxi industry. For these vehicles to have a sufficient daily range, public charging stations are required. After conducting a thorough investigation into the operations of the 65-minibus taxi (MBT's) that currently uses the taxi rank, it has been found that the taxi rank is the best location for these facilities.

Detailed plans have been developed for the installation of electric minibus taxis (e-MBT) charging stations at the taxi rank using a data-driven methodology. These facilities, which incorporate cutting-edge technologies to effectively address potential electrical grid supply issues, are built to support the daily charging of 60–80 e-MBTs. The facility's main energy supply will be solar-generated energy, with grid-tied electricity as a backup option. The facility will have its own solar power system and will aim to use the extensive solar power generation network of the Stellenbosch municipality on a prepaid basis in order to ensure

a sustainable and efficient power supply.

Due to its emphasis on innovation and transformation, Stellenbosch Municipality is the preferred location for the first charging facility. The MBT charging station is slated to become the first public electric minibus taxi charging station in the entire world and is a significant step in the direction of lowering the environmental impact of African paratransit systems.

The Municipality will derive income from the electricity usage by the charging facility and also from the leasing of Bergzicht taxi rank. Clarification needs to be reached as to which of the Infrastructure will be retained by the Municipality at the end of the lease period. FLX EV will be responsible for their own security and surveillance to monitor and manage the e-charging facility.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.6.3

- (a) that the Executive Mayor, in consultation with the Mayoral Committee, notes the application of FLX EV to lease a portion of the Bergzicht Taxi rank on a private treaty basis (**ANNEXURE A**);
- (b) that Council identify the portion of Bergzicht Taxi rank, (identified 950 square meters), as land not needed to provide the minimum level of basic municipal services;
- (c) that Council resolve to lease the identified portion to FLX EV in principle, provided that the intention to lease the portion be advertised for public input/comments/alternative proposals.
- (d) that a lease term be proposed in the return item taking into consideration the capital investment that FLX EV intends to make.
- (e) that the Municipal Manager be mandated to negotiate a market related rental with FLX EV taking into account the capital advantage for the municipality; and
- (f) that the item be returned to the Executive Mayor in consultation with the Executive Mayoral Committee after the public participation process to consider the inputs before a final decision is taken.

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	Director
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Shane.chandaka@ Stellenbosch.gov.za
REPORT DATE	23 February 2023

7.6.4	ACCEPTANCE OF THE FINAL REPORT OF THE MUNICIPAL ELECTRICITY MASTERPLAN (MEMP) ON ELECTRICITY PATHWAYS FOR STELLENBOSCH MUNICIPALITY: MINIMISING ELECTRICITY COSTS WHILST IMPROVING ENERGY SECURITY AND DECARBONIZING POWER SUPPLY
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Collaborator No: 746353
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: ACCEPTANCE OF THE FINAL REPORT OF THE MUNICIPAL ELECTRICITY MASTERPLAN (MEMP) ON ELECTRICITY PATHWAYS FOR STELLENBOSCH MUNICIPALITY: MINIMISING ELECTRICITY COSTS WHILST IMPROVING ENERGY SECURITY AND DECARBONIZING POWER SUPPLY

2. PURPOSE

To present to Council the final report of the Municipal Electricity Masterplan (MEMP) on electricity pathways for Stellenbosch Municipality: Minimising electricity costs whilst improving energy security and decarbonizing power supply.

3. DELEGATED AUTHORITY

For notification by the Municipal Council.

4. EXECUTIVE SUMMARY

During the advent of more frequent loadshedding periods by Eskom, Council decided to investigate ways and means to reduce the impact on civil society and businesses by means to co-generate electricity. To this end, the Municipality entered into a Memorandum of Understanding with:

- The University of Stellenbosch
- Council for Scientific and Industrial Research (CSIR) as well
- The Western Cape Government

The Investigation into the best ways forward were made into the following topics:

- Energy Master plan – Requested CSIR to do this investigation
- Cost-of-Supply study – Appointed Consultants to investigate the cost of supply
- Energy Storage Investigation – Appointed the University of Stellenbosch to conduct this viability study
- Electricity Master Plan – Appointed Consultants adjust the network to cater for all future possible additions.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.6.4

- (a) that this report be noted; and
- (b) that Council accepts the report on “MUNICIPAL ELECTRICITY MASTER PLAN (MEMP)
- Electricity pathways for Stellenbosch Municipality” as authored by the CSIR.

FOR FURTHER DETAILS CONTACT:

NAME	Preshane Chandaka
POSITION	Director: Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	shane.chandaka@ Stellenbosch.gov.za
REPORT DATE	27 February 2023

7.6.5	ACCEPTANCE OF STELLENBOSCH MUNICIPALITY'S ELECTRICITY RINGFENCING AND COST OF SUPPLY STUDY FINAL REPORT
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Collaborator No: 746224
 IDP KPA Ref No: Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: ACCEPTANCE OF STELLENBOSCH MUNICIPALITY'S ELECTRICITY RINGFENCING AND COST OF SUPPLY STUDY FINAL REPORT

2. PURPOSE

To present to Council the final report of Stellenbosch Municipality's Electricity Ringfencing and Cost of Supply Study for acceptance and approval.

3. DELEGATED AUTHORITY

For notification by the Municipal Council.

4. EXECUTIVE SUMMARY

During the advent of more frequent loadshedding periods by Eskom, Council decided to investigate ways and means to reduce the impact on civil society and businesses by means to co-generate electricity. To this end, the Municipality entered into a Memorandum of Understanding with:

- The University of Stellenbosch
- Council for Scientific and Industrial Research (CSIR) as well
- The Western Cape Government

Conducting an electricity Cost of Supply Study has been identified as one of the three investigations to be done.

The electricity Cost of Supply (COS) study contains 2 main components.

- Ringfencing electricity. The key objective of this part of the study is to establish the true cost and revenue of electricity supply in the municipality.
- The Cost of Supply study. The objective of the cost of supply study is to know the cost of supplying customers on each tariff and to compare this with the revenue from current tariffs and thus the cross-subsidies.

This report describes the details relating to the two components of the study undertaken for Stellenbosch Municipality. It contains the detailed results for the whole area.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.6.5

- (a) that Council accepts the report on "ELECTRICITY RINGFENCING AND COST OF SUPPLY STUDY" - as authored by the Neil Lyners and Associates Consulting Engineers;
- (a) that Council note the recommendations made in the report regarding the pricing and setting of future electricity tariffs;

- (b) that Council adopts the final cost of supply study report, as the report to be used in future to develop new electricity tariffs and derive percentage increases on the existing electricity tariffs.

FOR FURTHER DETAILS CONTACT:

NAME	Preshane Chandaka
POSITION	<i>Director: Infrastructure Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	021 808 8213
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REPORT DATE	07 March 2023

7.6.6	STATUS UPDATE AND MAINTENANCE PLAN OF THE STELLENBOSCH WASTEWATER TREATMENT WORKS
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Collaborator No: 746259
 IDP KPA Ref No: Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: STATUS UPDATE AND MAINTENANCE PLAN OF THE STELLENBOSCH WASTEWATER TREATMENT WORKS

2. PURPOSE

To inform the Executive Mayor and Mayoral Committee about the current status and maintenance plan at the Stellenbosch Wastewater Treatment Works (WWTW) for this financial year.

3. DELEGATED AUTHORITY

FOR NOTIFICATION.

4. EXECUTIVE SUMMARY

The Municipality experienced a temporary outage at the Stellenbosch WasteWater Treatment Works (WWTW) on 9th February 2023 due to a pump issue as a result of wear and tear due to loadshedding. This was resolved within two hours of the outage being experienced.

A secondary temporary outage was experienced on 28th February 2023, due to an unplanned breakdown in the mechanical screens works. The Municipality immediately activated our internal maintenance team as well as the service provider to repair the screens and unblock the flow. The repair was completed by 17.30 the same day on 28th February 2023.

It is further recorded that the second outage was unrelated to the first outage and that this was not a continuous flow of treated effluent from the first to the second outage.

The status of maintenance items at the plant at present are as follows:

All flow has been stabilized and operations have resumed to acceptable treated effluent discharge standards.

Mechanical Membranes: All 48 mechanical membranes have been inspected by the Infrastructure Water Services Senior Manager and will be inspected by our qualified water treatment service provider. All but one is operational, which is not a risk at present.

Inlet Screens: The Inlet screens are being manually raked by staff where required. Our specialist service provider has also been to site to repair the one defective inlet screen.

Fine Screens: Three of the four repaired fine screens are operational at present. The fourth screen requires a bearing to be replaced and this is being sourced at present.

Emergency overflow sludge Ponds: Emergency ponds are only an emergency facility for unplanned spillages and have been maintained in order to ensure that they are fit for purpose should the need arise again.

The Telemetry SCADA (Supervisory Control and Data Acquisition) software system is in working order and may require an upgrade within the next financial year.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE ADOPTED FOR NOTIFICATION TO COUNCIL : 2023-03-22: ITEM 7.6.6

- (a) that Council notes that the status of the plant, in light of recent outages, is intact and operational; and
- (b) that longer term maintenance items which may be required will be packaged and presented in terms of budget, staff and equipment items and will presented in preparation for the 2023-24 budget process.

7.6.7	REQUEST FOR APPROVAL OF THE DRAFT COMPREHENSIVE INTEGRATED TRANSPORT PLAN 2022-2026
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Collaborator No: 746231
 IDP KPA Ref No: Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: REQUEST FOR APPROVAL OF THE DRAFT COMPREHENSIVE INTEGRATED TRANSPORT PLAN 2022-2026.

2. PURPOSE

That Council approves the Draft Comprehensive Integrated Transport Plan (CITP) 2022-2026.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Provincial Minister of Transport and Public Works had designated Stellenbosch Municipality as a Type 1 Planning Authority, in terms of the National Land Transport Act 2009, Stellenbosch Municipality must therefore compile a Comprehensive Integrated Transport Plan (CITP). CITP's are valid for a five-year period, are overhauled / reviewed every 5 years and are updated annually.

The CITP is strategic in nature and focusses on the longer-term outcomes as derived from national, provincial legislation as well as from local policies and inputs. The CITP guides the restructuring and development of the transportation network and services. Extensive consultations had been carried out with the public and with interested and affected parties in order to achieved the desired outcomes of the CITP. Outcomes from the CITP includes:

- Improved mobility, access and travel times;
- Reduction of congestion and parking challenges;
- Affordability of transport to all users of the system,
- An increased use of non-motorised transport (NMT).

The CITP also presents the Municipality's long term transport vision and objectives, and provides the strategy that would enable the Municipality to realise its transport vision. The proposed draft transport vision for the Municipality is:

Stellenbosch Municipality has an integrated, effective and sustainable transport system, which unlocks economic opportunities and is accessible, safe, reliable and affordable to all communities serviced by the Municipality.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.6.7

- that Council notes that extensive consultations had been carried out with the public and with interested and affected parties;
- that council takes note of the proposed draft transport vision;

- (c) that the Draft Comprehensive Integrated Transport Plan (CITP), attached as **ANNEXURE A**, be accepted;
- (d) that Council grants approval for the draft CITP to be published for public comment;
- (e) that the comments received from the public be considered before approval of the CITP; and
- (f) that the CITP, once approved by council, be submitted to the Provincial Minister of Transport and Public Works for final approval.

7.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J JOON)
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NONE

7.8	PLANNING :(PC: CLLR C VAN WYK)
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7.8.1	PRECINCT PLAN: FUTURE DEVELOPMENT AND UTILIZATION OF THE RHENISH COMPLEX AND SURROUNDS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 March 2023

1. SUBJECT:PRECINCT PLAN: FUTURE DEVELOPMENT AND UTILIZATION OF THE RHENISH COMPLEX AND SURROUNDS

2. PURPOSE OF REPORT

To obtain approval from Council to commence with a public participation process for the possible future development of the Rhenish Complex and surrounding area. It has generally been recognized that the Rhenish Complex is of significant cultural and heritage importance and is an invaluable asset for the town which demands proper maintenance and appropriate utilization. Several municipally initiated and supported studies and development frameworks have focused on the complex and its surrounds over preceding years. The report is the result of the evaluation and analysis of all existing planning and planning related documentation, current lease agreements and any documentation as it relates to the future utilization of the Rhenish Complex, its buildings and open space, the Braak and public spaces around the Braak including the potential linkage of Church Street with the Braak and Rhenish Complex.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Several municipally initiated and supported studies and development frameworks have focused on the complex and its surrounds over preceding years. These include:

- 1) Stellenbosch Conservation Strategy; Kruger Roos; 1997. (Approved by Council in 1997)
- 2) Die Braak, Voorlopige Ontwikkelingsraamwerk & Rekonstruksie; Kruger Roos, 1997.
- 3) Stellenbosch Historical Centre, Mill Square and Surrounds; Kruger Roos, 1998.
- 4) Heritage Study, Binnetuin Park, Stellenbosch; Pistorius and Harris, 2005.

- 5) Het Erfgoedbeleid van Stellenbosch. Het opstellen van ondersteunende komen – Die Braak en het Rijnse Complex als katalysator; Carton & Ryckeboer, 2012.
- 6) Kerkstraat sluiting, Piet Louw & Dave Dewar, 2020
- 7) Proposals call for the utilization of the Braak, Mayor 2019

While there are many relevant and good ideas included in the above-mentioned studies, the project allowed for an opportunity to consider the study area as a totality, as well as the site's integrated relationship with the general surroundings. A key question therefore is:

'What should structure the whole or the totality, in urban design terms, and how can the site, most of which is embedded, be unlocked to become part of the daily-use fabric of the town, from a public perspective?'

The project entailed the following processes.

- 1) The evaluation and analysis of all existing planning and planning related documentation, current lease agreements and any documentation as it relates to the future utilization of the Rhenish Complex, its buildings and open space, the Braak and public spaces around the Braak including the potential linkage of Church Street with the Braak and Rhenish Complex.
- 2) The identification of and exploratory discussions with Interested and Affected Parties as it relates to their understanding and ideas for the future use of the Rhenish Complex and gardens including the keeping of notes and minutes of such discussions.
- 3) The preparation and drafting of professional urban design proposals based on the existing studies and proposals linked to the preferred future use of the buildings, gardens and/or portions of buildings/gardens as well as other public space which might have an impact on the Rhenish Complex.
- 4) Drafting a framework for the Rhenish complex and surrounding properties linking the site to the historical centre and public spaces such as Die Braak, Dorp Street, Church Street etc.
- 5) The preparation of an urban design report and power point presentation with illustrations summarizing and motivating the future use of the Rhenish Complex.

The report provides an urban design framework which serves as a precinct plan that guides the future utilization, preservation and development of the study area with a view to unlock the potential of this area to play an important role to activate the Rhenish complex as a key site of cultural and heritage significance.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.8.1

- (a) that Council take note of the precinct plan for the Rhenish Complex attached as **APPENDIX 1** to the agenda;
- (b) that Council gives approval for the commencement of a public participation process and advertisement of the precinct plan for the Rhenish Complex for a period of 60 days; and

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- (c) that after the process of public participation is concluded, the precinct plan for the Rhenish Complex must be resubmitted to Council together with all comments received for consideration within 2 months.

FOR FURTHER DETAILS, CONTACT:

NAME	BJG de la Bat Pr Pln
POSITION	Manager: Spatial Planning
DIRECTORATE	PLANNING AND ECONOMIC DEVELOPMENT
CONTACT NUMBERS	021 808 8653
E-MAIL ADDRESS	Bernabe.delabat@ Stellenbosch.gov.za
REPORT DATE	10 November 2022

7.8.2	APPROVAL OF THE FIRST DRAFT AMENDED MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) AND TO OBTAIN COUNCIL APPROVAL FOR THE COMMENCEMENT OF THE PUBLIC PARTICIPATION PROCESS
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

22 March 2023

1. SUBJECT: APPROVAL OF THE FIRST DRAFT AMENDED MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) AND TO OBTAIN COUNCIL APPROVAL FOR THE COMMENCEMENT OF THE PUBLIC PARTICIPATION PROCESS

2. PURPOSE

For Council to:

- a) Support and adopt the status quo report of the MSDF, 2019 as recommended by the project steering committee.
- b) Support and approve the first draft of the amendments to the MSDF as proposed by the project steering committee for public comment and to request comment from the Provincial Minister of Environmental Affairs and Development Planning and the Cape Winelands District Municipality.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Council approved the commencement of the proposed amendment of the Municipal Spatial Development Framework, 2019 to achieve strategic, spatial, and financial alignment and to enable the coordination of policies within the municipality.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.8.2

- (a) that Council supports and approve the status quo report of the first draft of the proposed amendments to the MSDF;
- (b) that the first draft of the proposed amendments to the MSDF, February 2023, be approved in principle; and
- (c) that the first draft amended MSDF, February 2023, be advertised for public comment for 60 days where after same be resubmitted to Council for final consideration and subsequent approval in terms of the relevant legislation.

FOR FURTHER DETAILS CONTACT:

NAME	Chantel Hauptfleisch
POSITION	Senior Spatial Planner
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8607
E-MAIL ADDRESS	Chantel.hauptfleisch@stellenbosch.gov.za
REPORT DATE	7 March 2023

7.9	LOCAL ECONOMIC DEVELOPMENT AND TOURISM:(PC: CLLR R DE TOIT)
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7.9.1	APPROVAL TO COMMENCE WITH THE PUBLIC PARTICIPATION PROCESS FOR THE ECONOMIC DEVELOPMENT STRATEGY FOR THE STELLENBOSCH MUNICIPALITY IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, NO 32 OF 2000 AND REGUALTIONS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 March 2023

1. **SUBJECT: APPROVAL TO COMMENCE WITH THE PUBLIC PARTICIPATION PROCESS FOR THE ECONOMIC DEVELOPMENT STRATEGY FOR THE STELLENBOSCH MUNICIPALITY IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, NO 32 OF 2000 AND REGUALTIONS**

2. **PURPOSE OF REPORT**

To obtain approval from Council to commence with the public participation process for the draft Economic Development Strategy in line with The Local Governement: Municipal Systems Act, No 32 of 2000 and Regualtions, to obtain comment on the draft Economic Development Strategy that will enable the Directorate Planing and Economic Development to finalise the Economic Development Strategy and submit the strategic document to Council for consideration.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

The purpose of the Economic Development Strategy is to enable economic development and build up the economic capacity of a local area to improve its economic future and the quality of life for all. It is a process by which public, business and non-governmental sector partners work collectively to create better conditions for economic growth and employment generation.

Therefore to enable this strategy in terms of the The Local Governement : Municipal Systems Act, No 32 of 2000 and Regulations Section 26C requires that the council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.9.1

- (a) that Council take note of the draft Economic Development Strategy attached as **APPENDIX 1** to the agenda;
- (b) that Council gives approval for the commencement of the public participation process in respect of the draft Economic Development Strategy subject to the following conditions:
 - i) The public participation phase of the project will take place over 60 days (2 months).

- ii) The draft Economic Development Strategy will be advertised in the local newspaper, municipal web page and notice boards within two weeks after the decision by Council.
- (c) that after the public participation process is concluded, the draft Economic Development Strategy must be resubmitted to Council together with all comments received for consideration.

7.10	RURAL MANAGEMENT: (PC: CLLR J WILLIAMS)
7.10.1	FEEDBACK ON THE PUBLIC PARTICIPATION PROCESS ON THE REQUEST TO LEASE ERF 502 BH 1 AND 2, LYNEDOCH, STELLENBOSCH TO STELLENBOSCH UNIVERSITY FOR A EUROPEAN UNION FUNDED RESEARCH ENDEAVOUR

Collaborator No: 746264
 IDP KPA Ref No: Good Governance
 Meeting Date: 22 March 2023

1. SUBJECT: FEEDBACK ON THE PUBLIC PARTICIPATION PROCESS ON THE REQUEST TO LEASE ERF 502 BH 1 AND 2, LYNEDOCH, STELLENBOSCH TO STELLENBOSCH UNIVERSITY FOR A EUROPEAN UNION FUNDED RESEARCH ENDEAVOUR

2. PURPOSE

To provide feedback to Council on the notice that was published to inform the public of the municipality's intention to lease Erf 502 for the purposes of European Union (EU) funded Research Endeavour, in Partnership with Lynedoch Farmers, to Stellenbosch University.

3. DELEGATED AUTHORITY

In terms of Delegation EM85 the Executive Mayor, in consultation with the Executive Mayoral Committee, has the delegated authority to "*Approve Lease Agreements on Council properties for a period shorter than 10 years and a contract value of less than R5M*".

4. EXECUTIVE SUMMARY

The item deals with the outcomes of a public participation process that was followed in terms of the Policy on the Management of Council-owned Properties allow for direct negotiations (private treaty) in specific circumstances, *inter alia* for the purpose of Agricultural Purposes, with the intention of following an appropriate process for the consideration of the application from Stellenbosch University for a lease period of 3 (three) years.

The ownership of Erf 502 vests with the Municipality. The Policy on the Management of Council-owned properties allow for direct negotiations (private treaty) in specific circumstances, *inter alia* for the purpose of agricultural purposes.

A copy of the request is attached as **APPENDIX 1**.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2023-03-22: ITEM 7.10.1

- (a) that Council take note of the fact no submissions were received on the notice published to express the municipality's intention of following an appropriate process for the consideration of the application from Stellenbosch University for a short-term lease agreement for Erf 502, Lynedoch where they are involved in a project assessing the potential value of seven technologies to enhance the productivity of emerging farmers;
- (b) that the Municipal Manager be authorized to conclude the contract or agreement after above is finalized in terms of the applicable Act/Regulation;
- (c) that the Municipal Manager be mandated to determine the monthly rental amount;

MINUTES**MAYORAL COMMITTEE MEETING****2023-03-22**

- (d) that farm No.502BH, Stellenbosch Division, be identified as land not needed for Municipal Services;
- (e) that the importance of the study be noted as it will enhance the sustainability of emerging farmers and other farmers as far as possible; and
- (f) that Stellenbosch University enter into an agreement with the Municipality and be responsible for the payment of all services.

7.11	MUNICIPAL MANAGER
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NONE

8.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

9.	URGENT MATTERS
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10.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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The meeting adjourned at 12:45

CHAIRPERSON:

DATE:

Confirmed on

6.	STATUTORY MATTERS
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6.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR MARCH 2023
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 April 2023

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

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 March 2023.

5. RECOMMENDATION

that Council notes the deviations as listed for the month of March 2023.

6. DISCUSSION / CONTENTS

6.1. Background/Legislative Framework

The regulation applicable is as follows:

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

Deviation from and ratification of minor breaches of, procurement processes

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

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

(i) in an emergency;

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

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

(iv) acquisition of animals for zoos; or

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

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

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

6.2. Discussion

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

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

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 09/23	16 March 2023	Metsi Chem Ikapa Powercomm solutions Kaizen Water Group	Request approval to deviate from process to procure disinfectant chemicals: Chlorine gas, sodium hypochlorite and chlorman chips as per quoted prices	Emergency	<p>Water and Wastewater Services Department operate five (5) wastewater treatment plants and 3 water treatment plants. To ensure drinking water quality comply to national SAN241 drinking water quality standards and effluent quality complies with discharge limits the water are treated with chlorine gas or alternatives as disinfectant, to remove or inactivate pathogenic micro-organisms in order to prevent the spread of waterborne diseases and also to minimize public health problems.</p> <p>All services providers that were approved on B/SM 83/20 to supply disinfectant chemicals have indicated that they cannot adhere to the approved prices for the 2022/2023 financial year as per the BAC approval dated 11th September 2020. The Municipality has a valid tender in place until June 2023</p>	<p><u>Metsi Chem Ikapa:</u> 100kg cylinder – R35,00/kg 67kg cylinder – R43,50kg</p> <p><u>Kaizen:</u> Chemicals tablets – R59,26 Granules HTH – R51,56 HTH Chips - R63,24</p> <p><u>PowerComm:</u> Klorman/25kg – R1678.,26</p>

6.4 Legal Implications

The regulation applicable is:

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

6.5 Staff Implications:

No staff implications

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

That the market may not be tested.

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

6.8 Comments from Senior Management:

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

6.8.1 Municipal Manager

Supports the recommendations.

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	05 April 2023

6.2	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 3 (01 JANUARY 2023 – 31 MARCH 2023)
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 April 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 3 (01 JANUARY 2023 – 31 MARCH 2023)

2. PURPOSE

To submit to Management a report for the period 01 January 2023 – 31 March 2023 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.

5. RECOMMENDATIONS

- (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.

6 DISCUSSION/CONTENTS

6.1 Background

SCM must report within 10 days before the end of each quarter on the implementation of the SCM System.

6.2 Constitutional and Policy Implications

Paragraph 2(1) of Council's SCM Policy determines that all officials and other role players in the supply chain management system of the Stellenbosch Municipality must implement the SCM Policy in a way that gives effect to section 217 of the Constitution and Part 1 of Chapter 11 of the Municipal Finance Management Act (56 of 2003) and other applicable

provisions of the Act; is fair, equitable, transparent, competitive and cost-effective; complies with the Regulations and any norms and standards that may be prescribed in terms of section 168 of the MFMA; is consistent with other applicable legislation; does not undermine the objective for uniformity in supply chain management systems between organs of state in all spheres; and is consistent with national economic policy concerning the promotion of investments and doing business with the public sector.

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

6.3 Environmental implications

None.

6.4 Financial Implications

The financial implications are the transactions for the procurement of goods and services that were processed during the 01 January 2023 – 31 March 2023 on the implementation of Council's Supply Chain Management Policy. The report and the payments that will derive from these commitments.

6.5 Legal Implications

The Municipal Finance Management Act (section 112) stipulates that the SCM Policy should comply with a prescribed framework as set out in section 112(1) and section 112(2) that stipulates that the regulatory framework for the municipal supply chain management must be fair, equitable, transparent, competitive, and cost-effective. Reporting back in terms of paragraph 6(3) of the SCM Policy 2022/2023 to the Executive Mayor and Council on the implementation of the supply chain management system and processes enables the Executive Mayor and Council to maintain the oversight role over the implementation of the SCM Policy as approved by Council.

6.6 Staff Implications

None.

6.7 Previous / Relevant Council Resolutions

None.

APPENDICES

ANNEXURE A: Report for the period 01 January 2023 – 31 March 2023 on the implementation of Council's Supply Chain Management Policy. The report on the Implementation of Council's Supply Chain Management Policy

ANNEXURE A

STELLENBOSCH MUNICIPALITY

IMPLEMENTATION OF SYSTEM – SUPPLY CHAIN MANAGEMENT

**SECTION 6 (3) OF SCM REGULATIONS:
OVERSIGHT ROLE OF COUNCIL OVER THE IMPLEMENTATION OF SCM POLICY**

PERIOD: 01 JANUARY 2023 – 31 MARCH 2023

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLE- MENTED	COMMENTS
3(1)(a)	Prepare and submit a draft supply chain management policy complying with regulation 2 to the council of the municipality for adoption.	Accounting Officer	Chief Financial Officer	YES	Done
3(1)(b)	Review at least annually the implementation of the policy.	Accounting Officer	Chief Financial Officer	YES	Done
3(1)(c)	Submit when considered necessary, proposals for amendment of the policy by the Council.	Accounting Officer	Chief Financial Officer	YES	The SCM Policy was sent for amendment in December 2022 to accommodate changes brought forth from the new PPR 2022.
3(2)(a)	Make use of any Treasury guidelines determining standards for municipal supply chain management policies, and submit to the council that guidelines standard or modified version therefore, as a draft policy.	Accounting Officer	Chief Financial Officer	YES	All NT guidelines are included in standard documents and the municipalities SCM policy is aligned with the Model SCM policy of NT.
3(2)(b)	Ensure that a draft policy submitted to council that differs from the guideline standard complies with Regulation 2.	Accounting Officer	Chief Financial Officer	YES	Not Applicable
3(1)(c)	Report any deviation from the guideline standard to the National Treasury and relevant provincial treasury	Accounting Officer	Chief Financial Officer	YES	Not Applicable
3(4)	Must, in terms of section 62(1)(f)(iv) take all reasonable steps to ensure that the municipality has and implements a supply chain management policy	Accounting Officer	Chief Financial Officer	YES	Done

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	as set out in Regulation 2				
5(2)(a)	Make a final award above R10 million (VAT included).	Accounting Officer (after considering recommendation of Bid Adjudication Committee)		YES	In the third quarter, there were three (3) final awards above R10 million.
5(2)(b)	Make a final award above R200 000(VAT included), but not exceeding R10 million (VAT included).	Accounting Officer	Bid Adjudication Committee	YES	In the third quarter, there were four (4) final awards above R200 000 but not exceeding R10 million.
5(2)(c)	Make a final award not exceeding R200 000(VAT included) including the appointment of consultants	Accounting Officer	CFO and Senior Manager - SCM and Senior Accountants	YES	Operational Delegations are in place with clear segregation of duties as stipulated in MFMA section 115 (b)
5(3)	Submit to the officials referred to in regulation 5(4) within five days of the end of each month a written report containing particulars of each final award, except procurements made out of petty cash, made during that month, including – (a) the amount of the award; (b) the name of the person to whom the award was made; (c) the reason why the award was made to that person; and (d) the BEE/HDI status of that entity/person.	Bid Adjudication Committee (refer regulation 5(4)(a) Chief Financial Officer – 5(4)(b)	Chief Financial Officer Senior Manager SCM	YES	The awards made were submitted on the following dates within this quarter: 03 February 2023 03 March 2023 03 April 2023
6(1)	Maintain oversight over the implementation of the supply chain management policy	Municipal Council		YES	The Supply Chain Management policy has been submitted to council in the last quarter of the previous financial year as part of the Budget Related policies. Also sent for Amendment in

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
					December 2022.
6(2)(a)(i)	Submit a report to council within 30 days of the end of each financial year on the implementation of the supply chain management policy of the municipality.	Accounting Officer		YES	Done
6(2)(a)	Immediately submit a report to council whenever there are serious and material; problems in the implementation of the supply chain management policy, including such a report from any municipal entity as envisaged by this Regulation 6(2)(a)(iii)	Accounting Officer		N/A	To date no serious or material problems occurred in implementing the SCM policy.
6(3)	Submit a report to the mayor of the municipality within ten days of each quarter on the implementation of the supply chain management policy.	Accounting Officer	Chief Financial Officer	YES	Done.
7(1)	Establish a supply chain management unit.	Accounting Officer	Chief Financial Officer	YES	Unit operates under direct supervision of CFO
12(1)	<u>Direct that:</u> a) cash purchases up to transaction value as defined I Council's Petty Cash policy b) one verbal quotation be obtained for any specified procurement of a transaction value lower than R2,000 (VAT included); c) written or verbal quotations for procurement of goods and/or services of a transaction value between R 2, 000.00 and R 10 000.00 (VAT included) d) formal written price quotations for procurement of goods and/or services of a transaction value between R 10,000.00 and R 200,000.00 e) a competitive bidding process be followed for any specific procurement of a transaction value higher	Accounting Officer	Operational delegations in place	YES	The SCM unit is responsible for procurement within these thresholds. Delegations approved and signed by the relevant officials.

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	than R200 000.				
12(2)(a)	Allow the Accounting Officer to lower, but not to increase, the different threshold values specified in sub regulation(1).	Accounting Officer	Chief Financial Officer	YES	Delegated officials act within delegated thresholds.
14(1)(a)(ii)	Invite prospective providers of goods and services at least once a year through newspaper commonly circulating locally, the website of the municipality	Accounting Officer	Senior : Manager SCM	YES	Done
14(1)(b)	Specify the listing criteria for accredited prospective providers.	Accounting Officer	Chief Financial Officer	YES	Listing criteria is contained within the registration form.
14(1)(c)	Disallow the listing of any prospective provider whose name appears on the National Treasury's database as a person prohibited from doing business with the public sector.	Accounting Officer		YES	SCM consult National Treasury's database of defaulters before awarding of tenders and quotations
14(2)	Update the list of prospective providers at least quarterly to include any additional prospective providers and any new commodities or types of services.	Municipal Council	Chief Financial Officer	YES	Done
15	Requesting reconciliation's on petty cash purchases on a monthly basis.	Chief Financial Officer	Manager: Expenditure section	YES	Done
16(c)	If it is not possible to obtain at least three written quotations, record and report quarterly to the accounting officer, or another official designated by the accounting officer, the reasons for this.	Accounting Officer	Chief Financial Officer	YES	Reports were submitted on the following dates within this quarter: 03 February 2023 03 March 2023 03 April 2023

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
16(e)	Record the name of potential providers requested to provide written quotation with their quoted prices.	Accounting Officer	Chief Financial Officer	YES	Reports were submitted on the following dates within this quarter: 03 February 2023 03 March 2023 03 April 2023
17(1)(c)	Approve the recorded reasons for not obtaining at least three written price quotations.	Chief Financial Officer	Senior Manager SCM & CFO: below R200,000 Accountants: Acquisitions, Contracts and SCM: Accountant Demand and Chief Buyer: below R200,000	YES	
17(1)(d)	Record the names of the potential formal written price quotation providers and their written quotations.	Accounting Officer	Senior Manager: Supply Chain Management	YES	
17(2)	Report to the CFO within three days at the end of the month on any approvals given during that month by that the designed official referred to in sub-regulation (1) (c).	Chief Financial Officer	Senior Manager: Supply Chain Management	YES	
18 (a)	All requirements in excess of R30,000 (VAT included) by means of formal written price quotations should be advertised for at least 7 days on the website and municipal official website.	Chief Financial Officer	Senior Manager: Supply Chain Management	YES	Done
18 (b)	When using the list of accredited prospective providers, it should promote ongoing competition amongst providers by inviting providers to submit quotations on a rotational basis.	Chief Financial Officer	Senior Manager: Supply Chain Management	YES	Done
18(c)	Must take all reasonable steps to ensure that the procurement of goods and services through written quotations or formal written price quotations is not abused.	Accounting Officer	Chief Financial Officer	YES	Quotations and Formal written quotations are placed on the website and only opened on the closing date and time and mitigate the risks during

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
					the calling for quotations.
18(d)	Notify the Accounting Officer or CFO in writing on a monthly basis of all written quotations and formal written price quotations accepted by the official acting in terms of a sub-delegation	Chief Financial Officer	Senior Manager: Supply Chain Management	YES	Reports were submitted on the following dates within this quarter: 03 February 2023 03 March 2023 03 April 2023
22 (b) (i)	The publication notice must contain the closure date for the submission of bids, which may not be less than 3 weeks in case of transactions over R10m (VAT included), or which are of long term nature, or 14 days in any other case, from date on which the advertisement is placed in a newspaper.	Accounting Officer	Bid Specifications Committee	YES	For quarter three, sixty-three (63) tenders specifications served before the Bid Specifications committee.
22(2)	The Accounting Officer may determine the closure date for the submission of bids which is less than the 30 days or 14 days requirement, but only if such shorter period can be justified on the grounds of urgency or emergency or any exceptional case where it is impractical or impossible to follow the official procurement process	Accounting Officer		YES	None
23(a) (i)(ii)	The handling, opening and recording of bids should be (i) be opened in public (ii) must be opened at the same time and as soon as possible after the period for the submission of bids has expired;	Accounting Officer	Senior Manager: Supply Chain Management	YES	Done
23 (c)	(ii) make the register available for public inspection (iii) publish the entries in the register and the bid results on the website of the municipality	Accounting Officer	Senior Manager: Supply Chain Management	YES	Done
24(1)	Negotiate the final terms of a contract with bidders	Accounting Officer	Relevant user department	YES	Provision for the signing of a Form of

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	<p>identified through a competitive bidding process as preferred bidders, provided that such negotiation –</p> <p>(a) does not allow any preferred bidder a second or unfair opportunity;</p> <p>(b) is not to the detriment of any other bidder; and</p> <p>(c) does not lead to a higher price than the bid submitted.</p> <p>Minutes of such negotiations must be kept.</p>		Head of Department or Director		Tender/Service Level Agreement with successful vendors is being made in the tender documents
26(1)(b)	Appoint the members of the bid specification, evaluation and adjudication committees, taking into account Section 117 of the MFMA.	Accounting Officer		YES	Done
26(1)(c)	Appoint a neutral or independent observer to a bid specification, evaluation or adjudication committee for an attendance and oversight process when this is appropriate for ensuring fairness and promoting transparency.	Accounting Officer		N/A	Not Applicable
26(3)	Apply the committee system to formal written price quotations.	Accounting Officer		N/A	Committee system is applied for goods/services above R200 000
27(1)	Compile specifications for the procurement of goods and services by the municipality.	Accounting Officer	Bid Specifications Committee, upon advice of the relevant user department	YES	The Director signs for items to serve on Specification committee.
27(2)(g)	Approve specifications compiled by the bid specification committee prior to publication of the invitation for bids.	Accounting Officer	Bid Specifications Committee, upon advice of the relevant user department	YES	The specifications are accompanied with a questionnaire that the relevant department has to complete. Meetings are held according pre-determined schedule.
28(1)(a)	<p>Evaluate bids in accordance with –</p> <p>(i) the specifications for a specific procurement ; and</p> <p>(ii) the points system as must be set out in the</p>	Accounting Officer	Bid Evaluation Committee upon advice of the relevant user department.	YES	Have regular BEC scheduled meetings.

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	supply chain management policy of the municipality in terms of Regulation 27(2)(f) and a prescribed in terms of the Preferential Procurement Policy Framework Act.				
28(1)(b)	Evaluate each bidder's ability to execute the contract.	Accounting Officer	Bid Evaluation Committee, upon advice from SCM	YES	Currently part of the Standard Evaluation Report
28(1)(c)	Check in respect of the recommended bidder whether municipal rates and taxes and municipal service charges are not in arrears.	Accounting Officer	Bid Evaluation Committee	YES	Has a screening list that has to be completed.
28(1)(d)	Submit to the adjudication committee a report and recommendations regarding the award of the bid or any other related matter.	Bid Evaluation Committee		YES	Currently part of the Standard Evaluation Report
29(1)(a)	Consider the report and recommendations of the bid evaluation committee where the award value exceeds R200 000 (VAT incl.) and make the award up to value of R10m (as per delegated authority)	Accounting Officer	Bid Adjudication Committee	YES	In the third quarter there were six (6) BAC meetings
29(1)(b)(i)	For bids above R10 million, the SCM BAC will make recommendation to the Municipal Manager to make the final award.	Accounting Officer		YES	In the third quarter there were three (3) final awards above R10 million.
29(1)(b)(ii)	Make another recommendation to the accounting officer on how to proceed with the relevant procurement.	Accounting Officer		YES	None.
29(3)	Appoint the chairperson of the bid adjudication committee.	Accounting Officer		YES	Delegations given is kept for record purposes
29(5)(a)	If a bid adjudication committee decides to award a bid other than the one recommended by the bid evaluation committee, the bid adjudication committee must prior to awarding the bid – (i) check in respect of the preferred bidder whether that bidder's municipal rates and taxes and municipal service charges are not in arrears; and	Bid Adjudication Committee		YES	None

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	(ii) notify the accounting officer.				
29(5)(b)	(i) After due consideration of the reasons for the deviation, ratify or reject the decision of the bid adjudication committee referred to in Regulation 29(5)(a); and (ii) If the decision of the bid adjudication committee is rejected, refer the decision of the adjudication committee back to that committee for reconsideration.	Accounting Officer		YES	None
29(6)	Refer any recommendation made by the evaluation committee or adjudication committee back to that committee for reconsideration of the recommendation.	Accounting Officer		YES	No items were referred back to the BEC in the third quarter
29(7)	Comply with Section 114 of the MFMA within ten working days.	Accounting Officer		YES	Not applicable
31(1)	Request the State Information Technology Agency (SITA) to assist the municipality with the acquisition of IT related goods or services through a competitive bidding process.	Accounting Officer	Bid Adjudication Committee	YES	Not Applicable
31(2)	Enter into a written agreement to regulate the services rendered by, and the payments made to, SITA.	Accounting Officer		YES	Not Applicable
31(3)	Notify SITA together with a motivation of the IT needs of the municipality if –	Accounting Officer		YES	Not Applicable
	(a) the transaction value of IT related goods or				

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	<p>services required by the municipality in any financial year will exceed R50 million (VAT incl); or</p> <p>(b) the transaction value of a contract to be procured by the municipality whether for one or more years exceeds R50 million.</p>				
31(4)	Submit to the Council, the National Treasury, the relevant provincial treasury and the Auditor General the SITA comments and the reasons for rejecting or not following such comments if the municipality disagrees with SITA's comments.	Accounting Officer	Senior Manager: Supply Chain Management	YES	Not Applicable
32(1)	<p>To procure goods or services for the municipality under a contract secured by another organ of state, but only if –</p> <p>(a) the contract has been secured by that organ of state by means of a competitive bidding process applicable to that organ of state;</p> <p>(b) the municipality has no reason to believe that such contract was not validly procured;</p> <p>(c) there are demonstrable discounts or benefits for the municipality; and</p> <p>that other organ of state and the provider have consented to such procurement in writing.</p>	Accounting Officer	Bid Adjudication Committee	YES	None
35(1)	Procure consulting services above the value of R200 000 (VAT incl.) provided that any Treasury guidelines in respect of consulting services or CIDB guidelines in respect of services related to the build environment and construction works are taken into account when such procurements are made.	Accounting Officer	Bid Adjudication Committee	YES	New tender has been advertised

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
35(4)	Ensure that copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system or process designed or devised, by a consultant in the course of the consultancy service is vested in the municipality.	Municipal Council	Relevant user Department	YES	Not Applicable
36(1)(a)	<p>Dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only –</p> <ul style="list-style-type: none"> (i) in an emergency; (ii) if such goods or services are produced or available from a single provider only; (iii) for the acquisition of special worker of art or historical objects where specifications are difficult to compile; (iv) acquisition of animals or zoos; or (v) in any other exceptional case where it is impractical or impossible to follow the official procurement processes (vi) any contract relating to the publication of notices and advertisements by or on behalf of the municipality (vii) any purchase on behalf of the municipality at a public auction (viii) any contract with an organ of state, local authority or a public utility corporation or company (ix) any contract in respect of which compliance therein would not be in the public interest or interest of Council (x) ad-hoc repairs to plant and equipment where 	Accounting Officer	BAC considers deviations and recommend to the Accounting Officer.	YES	Delegations are in place for BAC to recommend deviations to the Accounting Officer. Records and recordings are kept of all meetings. Departments draft memorandums and table items at BEC for consideration and recommendation to the BAC. The BAC upon approval will recommend deviation to the Accounting –Officer.

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	it is not possible to ascertain the nature or extent of the work required in order to call for bids (xi) workshop strip & quote				
36(1)(b)	Ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.	Accounting Officer		YES	Done
36(2)	Record the reasons for any deviations in terms of Regulations 36(1)(a) and (b); and Report them to the next meeting of the Council and include as a note to the annual financial statements.	Municipal Council	Accounting Officer	YES	Done
37(2)	Decide to consider an unsolicited bid but only if – (a) the product or service offered is a demonstrably or proven unique innovative concept; (b) the product or service will be exceptionally beneficially to, or have exceptional cost advantages for, the municipality; (c) the person who made the bid is the sole provider of the product or service; and (d) the reasons for not going through the normal bidding processes are found to be sound by the accounting officer.	Accounting Officer		NO	None
37(4)	Submit written comments received pursuant to Regulation 37(3), including any responses from the unsolicited bidder, to the National Treasury and the relevant provincial treasury for comment.	Accounting Officer		NO	None
37(5)	Consider and may award the bid or make	Accounting Officer	Bid Adjudication Committee	YES	None

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	recommendations to the accounting officer depending on the delegations to the adjudication committee.				
37(7)	When considering an unsolicited bid, take into account where considering an unsolicited bid – (i) any comments submitted by the public; and any written comments and recommendations of the National Treasury or the relevant provincial treasury.	Accounting Officer		NO	None
37(8)	Submit to the Auditor General, the relevant provincial treasury and the National Treasury the reasons for rejecting or not following any recommendations of the National Treasury or provincial treasury in regard to the unsolicited bid.	Accounting Officer	Senior Manager: Supply Chain Management	NO	None
38(1)(a)	Take all reasonable steps to prevent abuse of the supply chain management system.	Accounting Officer	Chief Financial Officer	YES	The National Treasury Code of Conduct has been circulated and communicated to municipal staff at various formal and informal meetings.
38(1)(b)	Investigate any allegations against an official or other role player of fraud, corruption, favoritism, unfair or irregular practices or failure to comply with the supply chain management policy, and when justified – (i) take appropriate steps against such official or other role player; or (ii) report any alleged criminal conduct to the South African Police Service.	Accounting Officer	Internal Audit	YES	None
38(1)(c)	Check the National Treasury's database prior to awarding any contract to ensure that no recommended bidder, or any of its directors, is listed as a person prohibited from doing business with the public sector.	Accounting Officer	Senior Manager: Supply Chain Management	YES	The National Treasury website information of the List of Defaulters is currently used to verify.

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
38(1)(d)	<p>Reject any bid from a bidder –</p> <p>(i) if any municipal rates and taxes or municipal service charges owed by that bidder or any directors to the municipality are in arrears for more than three months.</p> <p>(ii) who during the last five years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.</p>	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place
38(1)(e)	Reject a recommendation for the award of a contract if the recommended bidder, or any of its directors, has committed a corrupt or fraudulent act in competing for the particular contract.	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place
38(1)(f)	<p>Cancel a contract awarded to a person if – the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract; or</p> <p>(i) an official or other role player committed any corrupt or fraudulent act during the bidding process or the execution of the contract that benefited that person.</p>	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place
38(1)(g)	<p>Reject the bid of any bidder if that bidder or any of its directors –</p> <p>(i) has abused the supply chain management system of the municipality or has committed any improper conduct in relation to such system;</p>	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	<p>(ii) has been convicted for fraud or corruption during the last five years;</p> <p>(iii) has willfully neglected or reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or</p> <p>(iv) has been listed in the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).</p>				
38(2)	Inform the National Treasury and relevant provincial treasury in writing of any actions taken in terms of Regulation 38(1)(b)(ii), (e)	Accounting Officer	Bid Adjudication Committee Senior Manager: Supply Chain Management	YES	Bid Evaluation checklist is in place
40(1)	The Supply chain policy must provide for an effective system of disposal management for the disposal or letting of assets, including unserviceable, redundant or obsolete assets, subject to sections 14&90 of MFMA	Municipal Council	Chief Financial Officer	YES	Delegations are in place
40(2) a	<p>A Supply Chain management policy must specify the ways in which assets may be disposed of, including by –</p> <p>(i) Transferring the asset to another organ of state in terms of a provision of the MFMA enabling the transfer of assets</p> <p>(ii) Transferring the asset to another organ of state at market related value or, when appropriate, free of charge</p>	Municipal Council	Chief Financial Officer	YES	As per delegations

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	(iii) Selling the asset (iv) Destroying the asset				
40(2) (b)	Stipulate that – Immoveable property may be sold only at market related prices except when public interest or the plight of the poor demands otherwise	Municipal Council		YES	Not Applicable
40(2)(b)(ii)	Movable assets may be sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous to the municipality	Accounting Officer	Chief Financial Officer	YES	As per delegations
40(2)(b)(iii)	In the case of the free disposal of computer equipment, the Provincial Department of Education must first be approached to indicate within 30 days whether any of the local schools are interested in the equipment.	Accounting Officer	Chief Financial Officer	N/A	Not Applicable
40(2)(b)(iv)	In the case of the disposal of firearms, the National Conventional Arms Control Committee has approved any sale or donation of firearms to any person or institution within or outside the Republic	Accounting Officer		N/A	Not Applicable

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
40(2)(c)(ii)	All fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed	Municipal Council		YES	Not Applicable
40(2)(d)	Ensure that where assets are traded in for other assets, the highest possible trade-in is negotiated	Municipal Council		N/A	None
40(2)(b)(iii)	In the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.			N/A	Not Applicable
41(1)	A Supply chain management policy must provide for an effective system of risk management for the identification, consideration and avoidance of potential risks in the supply chain management system	Accounting Officer	Internal Audit	YES	Busy implementing a system for risk management
42	Establish and implement an internal monitoring system in order to determine, on a retrospective analysis, whether the authorized supply chain management processes were followed and whether the objectives of this policy were achieved.	Accounting Officer	Chief Financial Officer	YES	Implemented a system for performance management in SCM
43(2)	Check with SARS whether a person's tax matters are in order before making an award to such person.	Municipal Council	Senior Manager: Supply Chain Management	YES	The Tax Clearance of vendors registered on the Central Supplier Database are checked regularly and before awards are made.
45	Disclose in the notes to the annual financial statements of the municipality particulars of any award of more than R2,000 to a person who is a spouse, child or parent of a person in the service of the state, or has been in the service of the state in the previous twelve months, including – (a) the name of that person; (b) the capacity in which that person is in the	Municipal Council	Chief Financial Officer	YES	This information was disclosed within financial statements of the municipality.

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
	service of the state; and (c) the amount of the award.				
46(3)(a)	Keep a register of all declarations in terms of Regulation 46(2)(d) and (e).	Accounting Officer	Senior Manager: Supply Chain Management	YES	SCM keep record of it.
46(3)(b)	Declarations must be made to the mayor of the municipality who must ensure that such declarations are recorded in the register.	Accounting Officer	Chief Financial Officer	YES	Declarations are kept at SCM section and hard copy on file.
46(4)	Adopt the National Treasury's code of conduct and Schedule 2 of the Systems Act for supply chain management practitioners and other role players involved in supply chain management.	Accounting Officer	Senior Manager: Supply Chain Management Council's Speaker	YES	Code of conduct are circulated annually to all officials
47(2)	Report any alleged contravention of Regulation 47(1) to the National Treasury for considering whether the offending person, and any representative or intermediate through which such person is alleged to have acted, should be listed in the National Treasury's database of persons prohibited from doing business with the public sector.	Accounting Officer	Chief Financial Officer	YES	Not Applicable
48	Disclose to the National Treasury and the relevant provincial treasury any sponsorship promised, offered or granted to the municipality whether directly or through a representative or intermediate, by any person who is – (a) a provider or prospective provider of goods or services to the municipality; or (b) a recipient or prospective recipient of goods disposed or to be disposed, of by the municipality.	Accounting Officer	Senior Manager: Supply Chain Management	YES	None.

REG. NO.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	IMPLEMENTED	COMMENTS
49	Persons aggrieved by decisions or actions taken in the implementation of this supply chain management system, may lodge within 14 days of the decision or action, a written objection or compliant against the decision or action.	Accounting Officer		YES	Have an administrative process in place.
50(1)	Appoint an independent and impartial person to assist in the resolution of disputes between the municipality and other persons and to deal with objections, complaints or queries as described more fully in Regulation 49.	Accounting Officer		YES	Done.
50(1)(a)	Responsible to assist the person appointed in terms of Regulation 50(1) to perform his or her functions effectively.	Accounting Officer		YES	Done
50(4)(b)	Appointed must submit monthly reports to the Accounting Officer on all disputes, objections, complaints or queries received, attended to or resolved.	Accounting Officer		YES	The appointed official is responsible for the submission of the monthly report to the Municipal Manager.
51	Service provider that acts on behalf of municipality to provide any service or act as a collector of fees, service charges or taxes and the compensation payable to service provider, contract must stipulate a cap on compensation payable to the service provider; that such compensation must be performance based.	Accounting Officer		YES	Done

6.3	SECTION 52 3RD QUARTER PERFORMANCE REPORT
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**ITEM WILL BE DISTRIBUTED UNDER
SEPARATE COVER**

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER]
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7.1	PROTECTION SERVICES: (PC:)
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7.1.1	REVIEW OF DISASTER MANAGEMENT PLAN
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Collaborator No: 747710
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 April 2023

1. SUBJECT: REVIEW OF DISASTER MANAGEMENT PLAN

2. PURPOSE

To notify the Committee of the recently reviewed Disaster Management Plan.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality, as prescribed by the Disaster Management act, do have a disaster plan. Due to the dynamic nature of disaster management, an annual review of the disaster plan is necessary. The disaster section therefore embarked on a consultative process and engaged widely with various stakeholders and institutions to collect and verify information and data needed to amend the current plan, where required.

5. RECOMMENDATION

that Council approves and adopts the revised Disaster Management Plan.

6. DISCUSSION / CONTENTS

6.1 Background

The Stellenbosch Municipality is legally obliged to prepare a Disaster Management Plan for its area according to the circumstances prevailing in the area; to co-ordinate and align the implementation of its plan with those of other organs of state and institutional role players; and to regularly review and update its plan. The municipality also consulted the local communities within its area regarding the preparation and amendment of its plan.

6.2 Discussion

The Disaster Management Amendment Act, 2015 (Act 16 of 2015) commenced on 1 May 2016. The Proclamation that was published in the Government Gazette No 399430 on 22 April 2016 (hereafter referred to as "the Act") requires:

Each municipality must:

- a) conduct a disaster risk assessment for its municipal area;

-
- b) identify and map risks, areas, ecosystems, communities and households that are exposed or vulnerable to physical and human induced threats;
 - c) prepare a Disaster Management Plan setting out:
 - i) the way in which the concept and principles of disaster management must be applied in its municipal area, including expected climate change impacts and risks for the municipality;
 - ii) its role and responsibilities in terms of the national, provincial or municipal Disaster Management Framework;
 - iii) its role and responsibilities regarding emergency response and post-disaster recovery and rehabilitation;
 - iv) its capacity to fulfil its role and responsibilities;
 - v) particulars of its disaster management strategies;
 - vi) contingency strategies and emergency procedures in the event of a disaster, including measures to finance these strategies; and
 - vii) specific measures taken to address the needs of women, children, the elderly and persons with disabilities during the disaster management process;
 - d) co-ordinate and align the implementation of its plan with those of other organs of state and institutional role-players;
 - e) provide measures and indicate how it will invest in disaster risk reduction and climate change adaptation, including ecosystem and community-based adaptation approaches;
 - f) develop early warning mechanisms and procedures for risks identified in the municipal area;
 - g) regularly review and update its plan; and
 - h) through appropriate mechanisms, processes and procedures established in terms of Chapter 4 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), consult the local community on the preparation or amendment of its plan. "...prepare a Disaster Management Plan for its area according to the circumstances prevailing in the area and within the ambit of its municipal Disaster Management Framework." Section 53(2) (a) of the Act specifies that the Disaster Management Plan for a municipality must form an integral part of the municipality's integrated development plan (IDP). Section 26(g) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) lists "applicable Disaster Management Plans" as core components of an IDP

The current Disaster Management Plan was comprehensively reviewed a year and a half ago and all of its content is still relevant, but non the less required some minor changes.

The following minor amendments was made to the existing plan:

- Updating of the key contact list, to reflect the new administrative and political office bearers (**ANNEXURE C**)
- Inclusion of a risk mitigation plan (**ANNEXURE B**)

6.3 Financial Implications

As per the approved budget.

6.4 Legal Implications

All actions and functions performed in line with 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 contents of the report.

6.8 Comments from Senior Management:

No comments requested.

ANNEXURES**Annexure A:**

Reviewed Disaster Management Plan

FOR FURTHER DETAILS CONTACT:

NAME	Wayne Smith
POSITION	<i>Manager: Fire Services and Disaster Management</i>
DIRECTORATE	<i>Community and Protection Services</i>
CONTACT NUMBERS	<i>Ext 8771</i>
E-MAIL ADDRESS	<i>wayne.smith@ Stellenbosch.gov.za</i>
REPORT DATE	<i>3 April 2023</i>

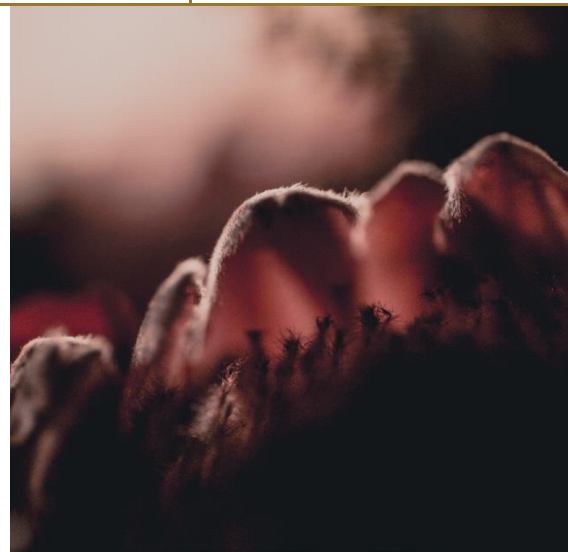
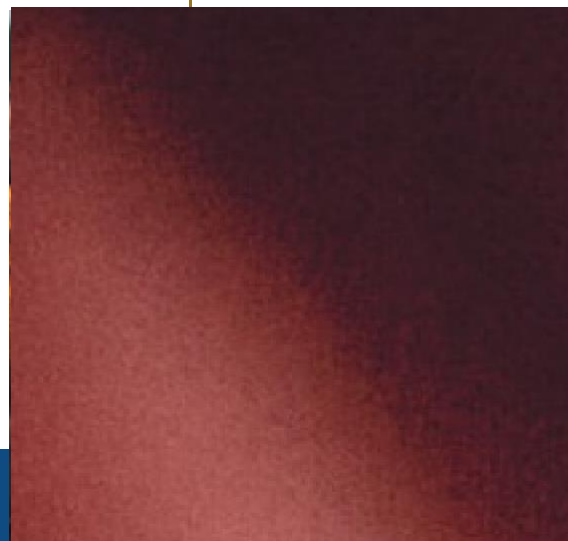
DIRECTOR: COMMUNITY & PROTECTION SERVICES

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

ANNEXURE A

MUNICIPAL DISASTER MANAGEMENT PLAN

STELLENBOSCH MUNICIPALITY



Core Plan for inclusion within the IDP
of the Stellenbosch Municipality

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1. INTRODUCTION

This plan confirms the arrangements for managing disaster risk and preparing for and responding to disasters within the Stellenbosch Municipality as required by the Disaster Management Act, 2002 (Act 57 of 2002). In case of an emergency, the user of this document should immediately turn to the attached preparedness plan for guidelines on managing the response.

1.1 Legal Requirements

The Stellenbosch Municipality is legally obliged to prepare a Disaster Management Plan for its area according to the circumstances prevailing in the area; to coordinate and align the implementation of its plan with those of other organs of state and institutional role players; and to regularly review and update its plan. The municipality must also consult the local municipalities within its area and local communities on the preparation or amendment of its plan.

The Disaster Management Amendment Act, 2015 (Act 16 of 2015) commenced on 1 May 2016. The Proclamation that was published in the Government Gazette No 399430 on 22 April 2016 (hereafter referred to as "the Act") requires:

1. Each municipality must
 - a. conduct a disaster risk assessment for its municipal area;
 - b. identify and map risks, areas, ecosystems, communities and households that are exposed or vulnerable to physical and human-induced threats;
 - c. prepare a Disaster Management Plan setting out
 - i. the way in which the concept and principles of disaster management must be applied in its municipal area, including expected climate change impacts and risks for the municipality;
 - ii. its role and responsibilities in terms of the national, provincial or municipal Disaster Management Framework;
 - iii. its role and responsibilities regarding emergency response and post-disaster recovery and rehabilitation;
 - iv. its capacity to fulfil its role and responsibilities;
 - v. particulars of its disaster management strategies;
 - vi. contingency strategies and emergency procedures in the event of a disaster, including measures to finance these strategies; and
 - vii. specific measures taken to address the needs of women, children, the elderly and persons with disabilities during the disaster management process;



- d. coordinate and align the implementation of its plan with those of other organs of state and institutional role players;
- e. provide measures and indicate how it will invest in disaster risk reduction and climate change adaptation, including ecosystem and community-based adaptation approaches;
- f. develop early warning mechanisms and procedures for risks identified in the municipal area;
- g. regularly review and update its plan; and
- h. through appropriate mechanisms, processes and procedures established in terms of Chapter 4 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), consult the local community on the preparation or amendment of its plan. "...prepare a Disaster Management Plan for its area according to the circumstances prevailing in the area and within the ambit of its Municipal Disaster Management Framework."

Section 53(2) (a) of the Act specifies that the Disaster Management Plan for a municipality must form an integral part of the municipality's Integrated Development Plan (IDP). Section 26(g) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) lists "applicable Disaster Management Plans" as core components of an IDP.

The municipality must submit a copy of its Disaster Management (DM) Plan, and of any amendments to the plan, to the Disaster Management Centre of the Western Cape Province and the National Disaster Management Centre.

1.2 Key Outcomes

This plan seeks to achieve the following key outcomes:

- integration of Disaster Risk Management into the strategic and operational planning and project implementation of all line functions and role players within the municipality;
- resilient communities; and
- an integrated, fast and efficient response to emergencies and disasters by all role players.

1.3 Linkage with the Integrated Development Plan of the Stellenbosch Municipality

Both the Municipal Systems Act and the Disaster Management Act require the inclusion of this plan into the Integrated Development Plan (IDP) of the Stellenbosch Municipality. It would however not be practical to include the complete Disaster Management Plan with all its annexures within the Integrated Development Plan of the Stellenbosch Municipality.

Therefore, the complete plan can be considered as an annexure to the IDP, while this core document without annexures will be submitted for inclusion within the IDP document.

A separate Disaster Management Plan included into the IDP, but standing on its own and isolated from the rest of the IDP, does not necessarily give evidence of the integration of disaster management into the IDP.

All departments and role players submitting input to the content of the current and future IDP of the municipality are therefore urged to consider the inclusion and integration of disaster risk management into their strategies, operational planning and project implementation.

It is strongly recommended that the municipality institutes the compulsory consideration of disaster risk management in the planning and execution stages of all IDP projects.

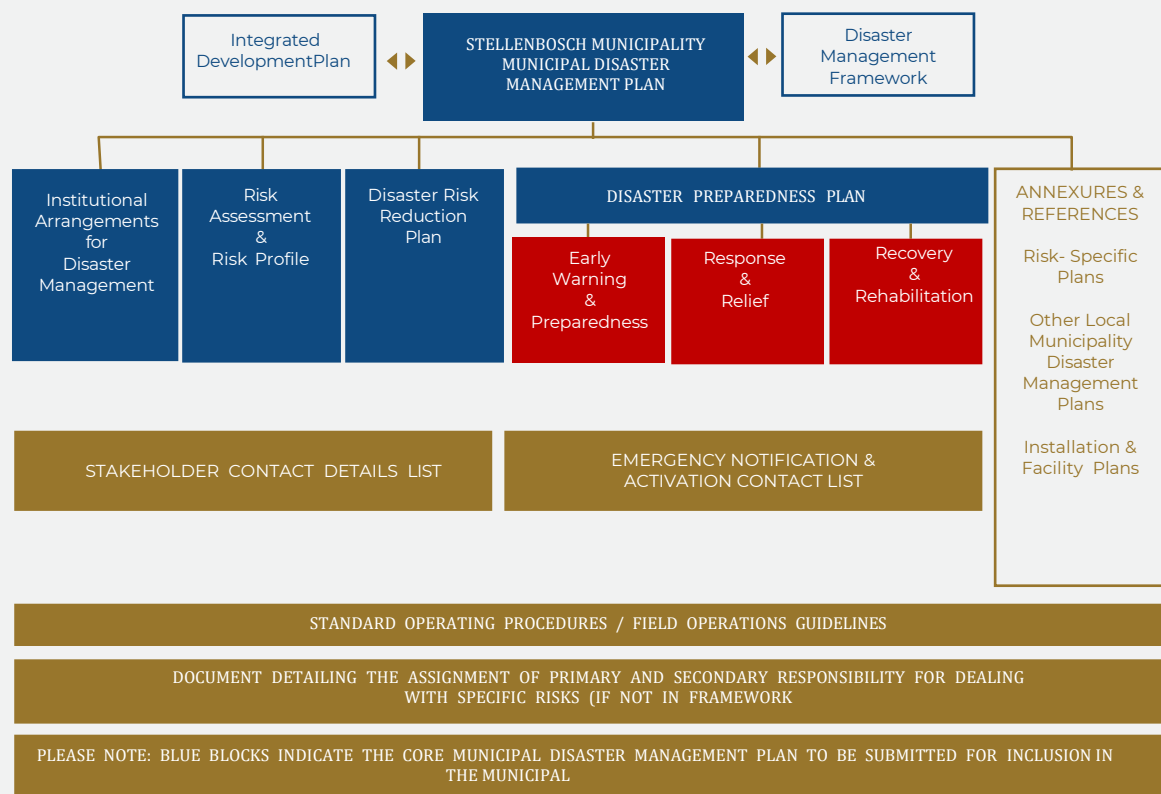
This will ensure the integration of disaster management into the IDP, and will ensure that all plans and projects are focused on contributing to disaster risk reduction and disaster preparedness – thus reducing the impact of disasters on lives, property, community activities, the economy and the environment in the Stellenbosch Municipality. Annexure E illustrates the linkage between the IDP and the Disaster Management Plan.

1.4 Linkage with the Disaster Management Framework of the Cape Winelands District Municipality

The Stellenbosch Municipality must prepare and execute its Disaster Management Plan within the Disaster Management Framework of the Cape Winelands District Municipality. The National, Western Cape Provincial and Cape Winelands frameworks will guide the development of this plan and future versions of this plan.

1.5 Structure of the Plan

The Municipal Disaster Management Plan of the Stellenbosch Municipality consists of the components as indicated in the figure below.



1.6 Definitions and abbreviations

ASAP	As Soon As Possible
DMC	Disaster Management Centre
LA	Local Authority
JOC	Joint Operations Centre
SAWS	South African Weather Service
DOC	Disaster Operational Centre

2. INSTITUTIONAL ARRANGEMENTS

2.1 Shared Responsibility for Disaster Management

The responsibility for reducing disaster risk, preparing for disasters, and responding to disasters is shared among all departments and employees of the Cape Winelands District Municipality, local municipalities within the Cape Winelands District Municipality, all departments and employees of the Stellenbosch Municipality, all provincial and national organs of state operating within the municipality, all sectors of society within the municipality and, perhaps most importantly, all the residents of the municipality.

2.1.1 Nodal Points for Disaster Management

Although the municipal department within the Stellenbosch Municipality assigned with the Disaster Management function should direct and facilitate the disaster risk management process, it cannot perform the whole spectrum of disaster risk management activities on its own.

It is required that each municipal department within the municipality assign a person or section within the department/local municipality to be the nodal point for disaster management activities in that department/local municipality. The same applies to national and provincial departments operating within the municipality.

The disaster management activities to be performed within departments and local municipalities include participation in disaster risk reduction, as well as preparedness and response.

Status: The Disaster Management Centre of the Stellenbosch Municipality continuously reviews the nodal points in its area of jurisdiction.

2.1.2 Departments with Primary Responsibility for Specific Hazards and Disaster Risks

Where a department has primary responsibility for a specific hazard, the department's role in disaster risk management for that specific hazard will be more than mere participation: it will have to lead risk reduction, as well as preparedness activities due to its expertise in the field. Stellenbosch Disaster Management can support such a department with advice, information, facilitation and coordination.

Status: The Disaster Management Centre of the Stellenbosch Municipality maintains a list of hazards that may affect the municipality with associated primary role players indicated for risk reduction, as well as preparedness for each specific hazard. (See next section for the process of assigning such responsibility.)

The plans for disaster risk reduction and preparedness compiled by these primary role players should be attached to this plan or should be referenced as supporting documentation as indicated in Figure 1: Structure of the Stellenbosch Municipal Disaster Management Plan, on page 7. These documents must be easily accessible to all relevant role players.

2.1.3 Assignment of Responsibility to Deal with Specific Disaster Risks (Page 13, No 3.2)

Departments that are responsible for specific services in normal conditions will remain responsible for such services during disasters.

**“DISASTER RISK
MANAGEMENT
IS EVERYBODY’S
BUSINESS.”**

The declaration of a state of disaster and the tighter coordination instituted during disasters do not absolve any agency of its assigned responsibilities. Legislation assigns responsibility for most disaster risks to specific departments or functions.

There is, however, grey areas related to some disaster risks.

In order to ensure clear roles and responsibilities and enhance integrated disaster risk management efforts, such grey areas must be addressed and clearly assigned responsibilities must be confirmed.

Status: The risk profile of the Stellenbosch Municipality is considered on a continuous basis and primary and supporting role players will be identified for each identified risk. Such allocation of primary and supporting roles is done in consultation with all relevant role players, is informed by existing legal frameworks, and assignments done on a consensus basis.

The above assignment of responsibilities will be revisited and confirmed on an annual basis, and will be recorded and distributed in the format indicated in Table 1 below.

TABLE 1: ASSIGNMENT OF PRIMARY AND SUPPORTING ROLE PLAYERS FOR DISASTER RISKS

DESCRIPTION OF DISASTER RISKS IDENTIFIED IN THE RISK PROFILE OF THE MUNICIPALITY (COMPLETE ONE TABLE PER RISK)	Primary role player in risk reduction to be indicated here	Supporting role players
	Primary role player in preparedness to be indicated here	Supporting role players
	Primary role player in response and relief to be indicated here	Supporting role players
	Primary role player in recovery and rehabilitation to be indicated here	Supporting role players

The document assigning responsibilities becomes an annexure of the Municipal Disaster Management Plan of the municipality.

2.2 Corporate Disaster Management Structure for the Stellenbosch Municipality

The Corporate Disaster Management Structure for the Stellenbosch Municipality must deal with both proactive and reactive disaster management issues, and encompasses more than the department which is responsible for the function. The structure can include the following elements, which may be collapsed into a smaller number of elements if less complexity is required:

2.2.1 Stellenbosch Disaster Management

The Directorate: Community and Protection Services within the municipality is assigned with the Disaster Management function. A local municipality is not legally obliged to establish a Disaster Management Centre, but it is recommended.

The Disaster Management Centre of the Stellenbosch Municipality aims to prevent or reduce the risk of disasters, mitigate the severity or consequences of disasters, prepare for emergencies, respond rapidly and effectively to disasters and implement post-disaster recovery and rehabilitation within the municipality by monitoring, integrating, co-ordinating and directing the disaster risk management activities of all role players.

A fully established and functioning Municipal Disaster Management Centre is a key element of this plan.

Status: Stellenbosch Municipality has established and maintains a partially staffed and resourced Disaster Management Centre.

2.2.2 Municipal Disaster Management Advisory Forum

Metropolitan or District Municipalities may establish municipal disaster management advisory forums as described in Section 51 of the Disaster Management Act, 2002. Local municipalities are not required to establish advisory forums.

It is, however, advantageous for a municipality to establish such a forum to coordinate strategic issues related to disaster management, such as risk assessments, and to approve and/or review the Disaster Management Plan for the municipality before it is submitted to Council. The frequency of meetings of such a body is two to four times per year or as required.

Status: Stellenbosch Municipality is represented at the well-established Disaster Management Advisory Forum: Cape Winelands District Municipality, of which compulsory bi-monthly meetings are held)

2.2.3 Interdepartmental Disaster Management Coordination

Internal coordination will occur at manager level where instructions and identified projects from the Advisory Forum can be implemented and tracked. Municipal top-management meetings can serve as a coordination forum for disaster management issues within the municipality.

Although a dedicated structure can be created for this purpose, this role will be performed by the top management team of the municipality to reduce the complexity of the disaster management structure. Ad-hoc external representation may form part of the deliberations upon invitation.

Status: Council-wide Disaster Management coordination is in place to ensure effective and efficient services throughout Greater Stellenbosch.

2.2.4 Nodal Points for Disaster Management within Municipal Departments

Refer to section 2.1.1 and 2.1.3 above.

2.2.5 Departmental Planning Groups

This element relates to planning groups that can be established within departments within the municipality to deal with internal disaster management issues, such as the compilation of departmental or local municipal Disaster Management Plans and contingency plans for facilities and services of the department or local municipality.

The disaster management nodal points of such departments or local municipalities will be involved in these planning groups.

Status: Nodal points are established, empowered and supported by their departments/organisations to manage and participate in departmental and/or local municipal planning groups.

2.2.6 Risk Reduction Project Teams

A multi-disciplinary project team convened to address and reduce a specific disaster risk. Convened by the primary role player for the risk and supported by Disaster Management.

Status: The primary role players for specific hazards or disaster risks, in collaboration with Stellenbosch Disaster Management, aim to establish and manage preparedness planning groups as required or when requested by the Disaster Management Advisory Forum: Cape Winelands District Municipality. (Existing structures are used as far as possible to prevent duplication and reduce the meeting burden on role players.)

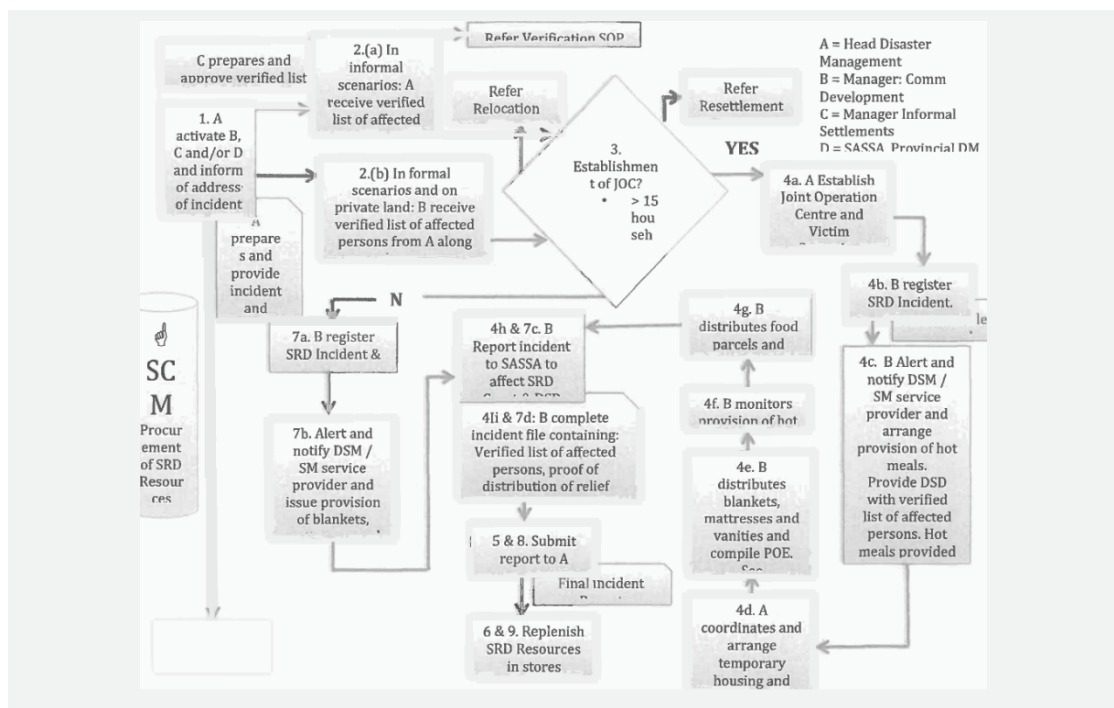
2.2.7 Preparedness Planning Groups

A multi-disciplinary planning group convened to ensure a high level of preparedness for a specific disaster risk. Convened by the primary role-player for the risk and supported by Disaster Management.

2.2.8 Joint Response and Relief Management Teams

Mostly flowing from a preparedness planning group, this team is mobilised to deal with the immediate response and relief required during or immediately after major incidents and disasters. The team will normally convene in the Disaster Operations Centre (see diagram below) and must utilise the Standard Operating Procedure (SOP) for primary relief assistance.

Status: The preparedness planning group for each hazard will detail how the activation of a joint response and relief management team for that specific hazard will be managed, and who will form part of the team. The procedure outline can be seen in Annexure 12 (SOP: Primary Relief Assistance).



2.2.9 Recovery and Rehabilitation Project Teams

These are project teams managing recovery and rehabilitation after disasters, mostly on a project-management basis. Disaster recovery and rehabilitation must focus on risk elimination or mitigation. Departments responsible for the maintenance of specific infrastructure are also responsible for the repair or replacement of such infrastructure after disasters.

Status: The preparedness planning group for each hazard will detail how the activation of recovery and rehabilitation project teams for that specific hazard will be managed, and who will form part of the teams.

2.2.10 Stellenbosch Disaster Management Communications Centre

This is the centre that provides 24-hour emergency and essential services contact points to the public within the municipal area. The centre is responsible for day-to-day emergency response by municipal departments and for the establishment of strategic communication links. Stellenbosch Fire and Rescue Services Control Centre will liaise closely with the Emergency Control Centres/Groups of the local municipalities and other stakeholders within the Stellenbosch Municipality on an ongoing basis.

Status: Stellenbosch Disaster Management maintains a fully staffed and resourced municipal Fire and Rescue Services and Law Enforcement Control Centre, and if required, collaborate with other agencies to maintain 24-hours per day, 7 days per week public emergency call-taking capacity.

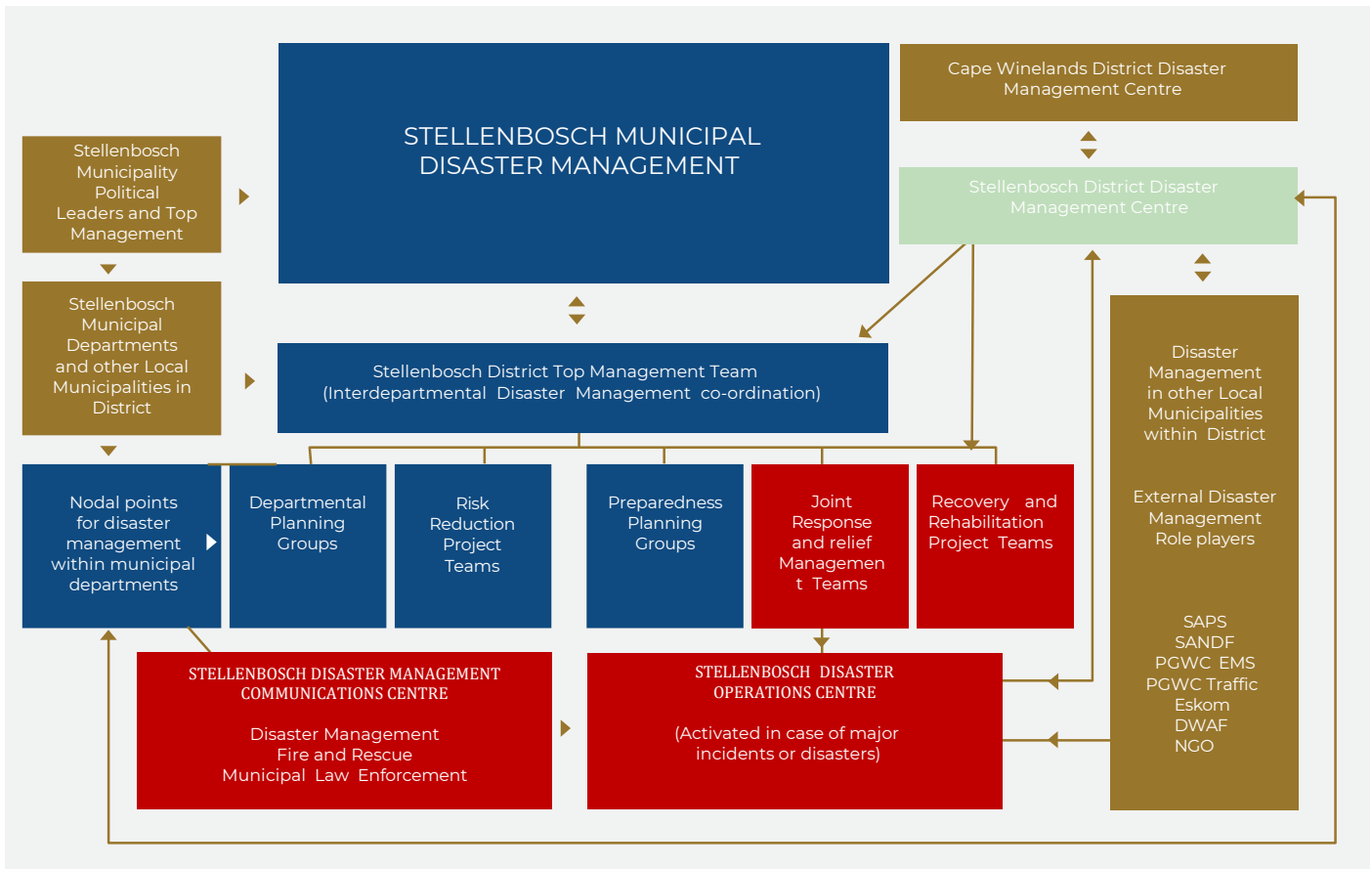
2.2.11 Stellenbosch Disaster Operations Centre (DOC)/Joint Operations Centre (JOC)

Stellenbosch Municipality have a new and purpose-built facility (mini disaster management center) at Stellenbosch fire brigade, from where disasters can be coordinated. The facility consists of:

1. A refurbished CCTV monitoring room, which can accommodate numerous disaster agencies;
2. An equipped war room where decision makers can meet to manage and coordinate incidents.

Status: Stellenbosch Disaster Management has a well-established and maintained Fire and Rescue Services and Law Enforcement Control Centre for activation.

FIGURE 2: MUNICIPAL DISASTER MANAGEMENT STRUCTURE (CAN BE COLLAPSED INTO FEWER ELEMENTS IF LESS COMPLEXITY IS REQUIRED)

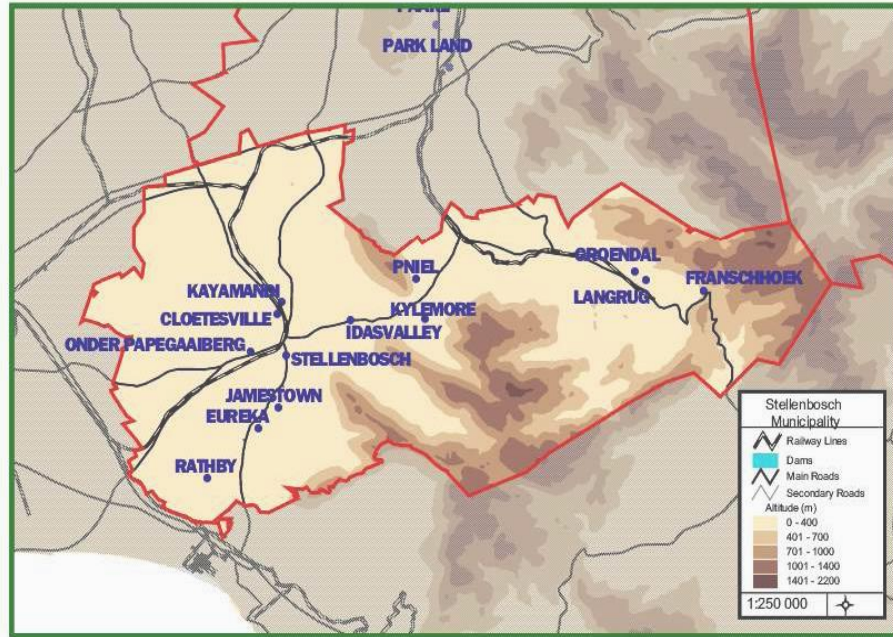


3. RISK ASSESSMENT

3.1 Background

Disaster Risk Assessments is a tool used to determine the risks affecting a community. A risk assessment is a methodology to identify and determine the nature and the extent of a risk by analysing potential hazards and evaluating existing conditions of vulnerability. These conditions could have a negative impact or potentially harm exposed people, property, services, livelihoods and the environment on which they depend.

Risk assessments will be used to inform the Stellenbosch Municipality's Disaster Management and Integrated Development Plans.



3.2 Legal Requirements

Section 53(1) of the Disaster Management Act, No 57 of 2002 as amended in 2015 (Act No 16 of 2015), states that:

‘Each municipality must

- (a) conduct a risk assessment for its municipal area;
- (b) identify and map risks, areas, ecosystems, communities and households that are exposed or vulnerable to physical and human-induced threats.’

Key Performance Area 2 of the National Disaster Management Framework of 2005 explains that disaster risk assessments are essential for:

- effective disaster risk management and risk reduction planning;
- sustainable development planning;
- shaping and focusing disaster risk reduction programmes for specific threats;
- identifying high risk periods and conditions; and
- activating preparedness and response plans.

3.3. Aim

Stellenbosch Municipality, in collaboration with Cape Winelands District Municipality, conducted an all ward-based risk assessment for the WC024 area. The aim of conducting a risk assessment in this way is to enable ward councillors to take ownership of the identified risks in their respective wards and to ensure that these risks are addressed during their term of office.

As the environment is dynamic and constantly changing, so are the risks that affect our communities. In the period since the risk assessments took place, some of these risks would have been addressed by projects implemented by municipalities, however, new risks might have also emerged. Therefore, it is necessary to regularly review the risk assessments.

3.4 Data Collection Methods

During the risk assessment, all relevant role players and the community were consulted in order to gather information concerning the risks that they are facing. This was done in the following way:

1. Meetings were held with officials from relevant departments operating within the Stellenbosch Municipal area.
2. Focus group consultations took place with Ward Councillors and the Ward Committee members of each Ward.
3. Community workshops were held in each ward. These group meetings provided an opportunity for the community members residing in that ward to provide information regarding the hazards affecting their communities.
4. A community sample survey was also conducted per ward with the purpose of reaching a broader community input.

Several risks were identified during the consultation sessions with the local municipal officials and community members.

3.5 Priority Risk Identification

Several risks were identified during the consultation sessions with the local municipal officials and community members. However, six risks were identified by the Director of Community Services of Stellenbosch Municipality to be high priority risks.

These high priority risks include:

A. Inability to control urbanisation

“Urbanisation – the increase in the number of people living in towns and cities, resulting in the growth of urban populations.”

Several disadvantages occur with rapid and unplanned urban growth. These disadvantages include, but are not limited to, poor infrastructure/inadequate housing, water and sanitation, waste disposal and pollution, transport and healthcare services.

B. Increased poverty and unemployment

According to the 2020-2021 Stellenbosch IDP and the latest annual report, Stellenbosch Local Municipality has a total population of 192 879, of whom 11.3% are unemployed. Youth unemployment rate is said to be 21.5% (STATSSA). Poverty and unemployment directly correlate with the quality of life of the members of the community.

The rising unemployment is again highlighted as a socio-economic risk in the 2020-2021 Stellenbosch Municipal IDP. Furthermore, the risk is exacerbated by the expansion of the informal sector and a low skills base population.

C. Access to basic services

Basic services include water, sanitation, refuse removal and electricity.

Total percentage of Stellenbosch population with access to basic services:

- Flush toilet connected to sewage: 87.1%
- Weekly refuse removal: 87%
- Piped water inside dwelling: 72.4%
- Electricity for lighting: 92,9%

The lack of basic services results in major personal and environmental health concerns. Lack of formal electrical infrastructure also results in structural fire risks within the informal settlements.

D. Safety and security

Human-induced hazards such as crime (which includes theft, robbery, rape, and murder), gangsterism, alcohol and drug abuse remain one of the top hazards in most wards within the Stellenbosch municipal area.

E. Poor/no electricity

Inadequate electricity supply is a result of cable theft, but also the continuing population growth – specifically within the informal settlements. Increased population growth leads to the increased erection of informal structures that require electricity. In most cases, the electricity is obtained illegally through illegal electrical connections.

Cable theft is becoming more common in larger parts of South Africa and the Stellenbosch municipal area is not excluded from this phenomenon. This hinders the operations of businesses, households and transportation systems.

F. Illegal dumping

Illegal dumping poses great environmental health risks. Not only are these locations from where infectious diseases spread, but they also attract unwanted pests such as cockroaches, mice and rats. In most cases, illegal dumping occurs in highly populated informal settlements and due to a lack of proper and frequent waste disposal.

3.6 Synopsis of All Identified Risks per Ward

WARD	PRIORITY RISKS	WARD SPECIFIC RISKS
1	A, B, C, D, E, F	Crime, illegal electricity cables, localised flooding due to blocked stormwater drains, traffic accidents, human diseases, water pollution, flooding and veld fires
2	A, B, C, D, E, F	Drug abuse, illegal electrical cables, domestic wastewater pollution, localised flooding, structural fires, traffic accidents, veld fires
3	A, B, C, D, E, F	Crime, drug abuse, illegal electrical connections, localised flooding, traffic accidents, drug abuse, solid waste pollution, alcohol abuse and FAS, structural fires, traffic accidents, animals, pests, water pollution, veld fires
4	A, B, C, D, E, F	Drug abuse, crime, domestic solid waste and water pollution, alcohol abuse and FAS, structural fires, traffic accidents, human disease, animals, water pollution, veld fires,
5	A, B, C, D, E, F	Drugs, gangsterism, crime, domestic solid waste and water pollution, open water source, alcohol abuse, traffic accidents, animals, human disease, pests, water pollution, drought, veld fires
6	A, B, C, D, E, F	Drug abuse, crime, illegal electricity, domestic solid waste and water pollution, alcohol abuse and FAS, road accidents, animals, water pollution, drought, veld fires

7	A, B, C, D, E, F	Crime, domestic wastewater, traffic accidents, high risk installations, animals, water pollution, riverine flooding, drought, veld fires.
8	A, B, C, D, E, F	Drug abuse, gangsterism, protests, crime, domestic waste pollution, alcohol abuse and FAS, localised flooding due to blocked drains, traffic accidents, human disease, riverine flooding, drought, wind storms, veld fires
9	A, B, C, D, E, F	Drug abuse, gangsterism, public unrest, crime, localised flooding due to blocked stormwater drains, traffic accidents, human disease, pests, water pollution, drought, wind storms, domestic solid waste pollution, alcohol abuse and FAS
10	A, B, C, D, E, F	Crime, gangsterism, localised flooding due to blocked stormwater drains, traffic accidents, human disease, water pollution, pests, windstorms
11	A, B, C, D, E, F	Drug abuse, public unrest, crime, domestic solid waste and water pollution, alcohol abuse and FAS, structural fires, animals, pests, water pollution, drought, wind storms, veld fires
12	A, B, C, D, E, F	Drug abuse, crime, illegal electricity connections, domestic solid waste and water pollution, open water sources, alcohol abuse and FAS, localised flooding due to blocked stormwater drains, informal settlement fires, high risk installations, human disease, animals, pests, water pollution
13	A, B, C, D, E, F	Drug abuse, gangsterism, crime, illegal electricity cables, domestic solid waste and water pollution, open water source, alcohol abuse, localised flooding due to blocked stormwater drains, structural fires, traffic incidents, train accidents, human disease, pests, water pollution, drought
14	A, B, C, D, E, F	Crime, illegal electricity cables, domestic wastewater pollution, alcohol abuse and FAS, localised flooding due to blocked drains, structural fires, human disease, pests, water pollution
15	A, B, C, D, E, F	Drug abuse, crime, domestic solid waste and water pollution, alcohol abuse and FAS, fires due to lack of electricity ,human disease, animals, pests
16	A, B, C, D, E, F	Gangsterism, crime, illegal electricity connections, domestic solid waste and water pollution, informal settlement fires, train accidents, human disease
17	A, B, C, D, E, F	Crime, gangsterism, drug abuse, illegal dumping, localised flooding due to blocked drains, animals, human disease
18	A, B, C, D, E, F	Drug abuse, gangsterism, xenophobia, crime, illegal electricity cables, domestic solid waste and water pollution, alcohol abuse and FAS, localised flooding due to blocked drains, structural fires, traffic incidents, train accidents, human disease, animals, pests, veld fires

19	A, B, C, D, E, F	Drug abuse, gangsterism, crime, domestic solid waste and water pollution, structural fires due to lack of electricity, traffic and train incidents, animals, water pollution, drought
20	A, B, C, D, E, F	Drug abuse, public unrest, crime, illegal electrical cables, domestic solid waste and water pollution, alcohol abuse and FAS, traffic accidents, dam failure, human disease, drought, veld fires
21	A, B, C, D, E, F	Crime, illegal electricity cables, domestic solid waste pollution, structural fires, traffic accidents, transportation of hazardous materials, human disease, pests, water pollution, drought, veld fires
22	A, B, C, D, E, F	Crime, traffic accidents, veld fires

3.7 Stellenbosch Municipality's Comment on the 2020/2021 WBRA Report:

The WBRA report serves as a handguide to all government levels for the purpose of risk reduction, elimination and preparedness. It provides an indication of the degree of vulnerability of communities within each ward of the Stellenbosch municipal areas.

All wards experience different risks and hazards according to their demographics, locations and proximity. However, one cannot disregard the most vulnerable communities to disaster-causing hazards, i.e. informal settlements.

Each ward thus requires the capacity to reduce their respective risks. This can be done through lesser actions, such as the implementation of community projects/awareness, to more significant efforts, such as the cooperation of local/provincial municipal efforts.

3.8 Covid-19

Covid-19 was first reported in China, but it has now spread throughout the world. The disease spreads from person to person through infected air droplets that are projected during sneezing or coughing. It can also be transmitted when humans have contact with hands or surfaces that contain the virus and then touch their eyes, nose, or mouth with the contaminated hands. As the virus spread globally, South Africa and Stellenbosch were not spared. The numbers are ever-increasing as we still find ourselves in the midst of the pandemic.

A national state of disaster was declared by the President on 15 March 2020 and the entire country was subsequently put in various stages of lockdown – from alert level 5 to the current level one, each level with supporting regulations.

The Provincial Disaster Centre was activated, which in turn propelled local municipalities, via the District forums, into action. All the local municipalities and other external role players meet regularly under the umbrella-coordinating body of the CWDM and a district-wide strategy against the Covid-19 spread was formulated. (Also see Appendix 1.3)

3.8.1 Risk-adjusted Strategy

As the government gradually started with the easing of the lockdown restrictions from level 5 to level 1 to allow for more activity, the municipality also followed suit by means of its risk-adjusted strategy (Appendix 1.4). During each level of lockdown, Council's operational and service delivery responses were adjusted to allow for more activity. A risk-adjusted strategy was formulated and approved, which provided clear guidelines in terms of Council delegations, the rendering of essential services and workplace readiness. It also resulted in the revision of our risk register and the inclusion of Covid-19 as a strategic risk for Council. A Covid-19 risk register was subsequently developed, which reflects the pending risks and also the mitigating strategies against these risks.

3.9 Risk Profile of the Stellenbosch Municipality

Risks represent significant uncertainties about outcomes. Any uncertainty may be measured in two dimensions: the likelihood of the risk event occurring and the extent of the consequences if it were to occur. Risk analysis generally involves the assignment of an overall risk rating to each of the risk events identified by following these steps:

- Analyse inherent risk – What is the likelihood and consequence of a risk event if it were to occur in an uncontrolled environment?
- Identify and evaluate controls – What existing controls are in place to address the identified risk and how effective are these controls in design and operation?
- Analyse residual risk – What is the likelihood and consequence of a risk event if it were to occur in the current control environment?

The following risks were identified within the geographical area of Stellenbosch:

RISK
Aircraft incidents
Chemical spills: Hazmat incidents
Chlorine stations
Climate change (high/strong winds, heatwaves, cold fronts)
Communicable disease: Covid-19 pandemic, (H1N1 influenza, ebola)
Dam wall failure
Drought
Environmental pollution (air, water, ground contamination, pest infestation)
Erosion
Explosive storage (fuel, gas)
Fire – veld and runaway fires
Floods
Infrastructure decay
Insufficient hydrants
IT – Failure of system: access to info
Poverty
Power failure
Rock falls
Seismic hazards
Service disruption (electricity, sewerage and drainage, solid waste management, water supply)
Strikes/social conflict
Transport incidents (road, railway accidents)
Tree fell

The above lists illustrate the types of disasters that pose the highest risks within the area of the

Stellenbosch Municipality and their possible effects.

The communities at risk can be derived from the risk lists, and are also shown in the risk assessment that was conducted for the area. More detailed risk descriptions, inclusive of hazards, vulnerability and capacity descriptions, are available in the original risk assessment document.

3.9.1 Rating a Risk

Risk rating is the process of assessing the risks involved in the daily activities of the organisation, whereby they are classified accordingly (Table 1 below).

RISK RATING	DESCRIPTION
Severe	<ul style="list-style-type: none">Intolerably high risk and a disaster in the making.Urgent risk reduction interventions required; preparedness and response plans.
Major	<ul style="list-style-type: none">High risk.Combination of risk reduction interventions and preparedness plans.These plans must be implemented.
Moderate	<ul style="list-style-type: none">Medium risk which must be monitored and considered for development.Implementation of risk reduction and preparedness plans.
Minor	<ul style="list-style-type: none">Tolerable risk but should be monitored.

These identified hazards will then be rated accordingly. This will enable the organisation to affect or adopt control measures to reduce or eliminate the risk further.

Where frequency of exposure is an important consideration, the following may be appropriate:

4. DISASTER RISK REDUCTION PLANS

Disaster risk reduction plans providing for prevention and mitigation strategies have been compiled through a participative process and have not been vetted or submitted to feasibility studies.

The plans outlined in this document and its annexures, which are implementable, must be considered for inclusion into the IDP projects of the municipality. If included, they must be budgeted for in terms of the operating and capital budgets of the municipality. Each project should be evaluated to determine which municipal department can lead its implementation. When a lead department is assigned through consensus in the DMAF, such a lead department must manage all planning and budgeting processes for said project. The Disaster Management department of the Stellenbosch Municipality must assist in this regard.

Where the proposed project falls outside the mandate of the municipality, the municipality should establish a lobbying and monitoring mechanism to motivate the need for the project in the correct governmental or societal sector and to track progress on the project. It is anticipated that many projects will need to be executed on a partnership level, and in such cases the department of the municipality responsible for service delivery partnerships should take the lead with support from the Stellenbosch Disaster Management Centre.

4.1 Risk Reduction Plans for the Stellenbosch Municipality

Risk reduction project proposals for priority risks are listed in the attached risk reduction plan document.

4.2 Risk Reduction Capacity for the Stellenbosch Municipality

The organisational structure for risk reduction within the municipality includes Stellenbosch Disaster Management, the Disaster Management Advisory Forum, the top management team of Stellenbosch Municipality, the nodal points for disaster management within municipal departments within the municipality, departmental planning groups, risk reduction project teams and preparedness planning groups. See Figure 2: Municipal Disaster Management Structure on page 16. The total structure of the municipality with every member of personnel and every resource should also be committed to disaster risk reduction. Ongoing capacity-building programmes will be required to ensure the availability of adequate capacity for risk reduction.

5. PRE-DISASTER RISK REDUCTION AND PREPAREDNESS

Pre-disaster risk reduction and preparedness should form part of the primary objectives of this Municipal Disaster Risk Management Plan. All departments/services must pursue disaster risk reduction and mitigation in all their activities.

In order for a comprehensive and holistic approach to disaster risk reduction and preparedness, all departments within the local municipality have been requested to provide inputs/risk reduction plans as per their departments respectively. These plans have been integrated into the Disaster Risk Management Plan and will assist in eliminating any uncertainties during an emergency situation.

It would however not be practical to include all the plans within the Disaster Management Plan and as such, the respective disaster guideline inputs have been included as brief summaries/flow charts as annexures.

Please refer to Annexure A for disaster preparedness guidelines as received by the respective departments.

5.1 Prevention and Risk Reduction/Mitigation Strategies

Integrated strategies must be developed and implemented covering disaster prevention and disaster risk reduction through the following:

1. Policies and legislation
2. Economic development programmes and the Stellenbosch Municipal IDP
3. Continuing disaster-risk, vulnerability and manageability assessments
4. Risk reduction studies and projects
5. Training and community awareness
6. Environmental impact assessments
7. Hazard management
8. Community education and capacity building
9. Insurance
10. Early warning systems

It is the responsibility of the Stellenbosch Municipality to compile pro-active Disaster Risk Management programmes that support disaster risk reduction and preparedness. Integrated strategies must therefore be developed and implemented across all municipal departments, which cover disaster preparedness through the following:

1. Emergency response and recovery planning
2. Contingency planning
3. Drills, rehearsals and exercises
4. Training and exercises
5. Management and institutional arrangements
6. Mutual aid agreements
7. Early warning systems

5.2 Standard Operating Procedures (SOPs)

The Disaster Risk Management Department should formulate SOPs that outline the details of their own systems of operating and actions under especially emergency conditions to create this awareness amongst its staff members. These will be linked to the DRM Plans to expand on the specific operations required during a particular hazardous situation.

These SOP's will also form the basis for a more comprehensive disaster response.

6. PREPAREDNESS PLANS

Preparedness plans are compiled to enable fast and efficient response to predicted and unpredicted emergencies. In case of an emergency, the user of this document should immediately turn to the attached preparedness plan for guidelines on managing response.

6.1 Preparedness Plans of the Stellenbosch Municipality

Risk-specific preparedness plan proposals for priority risks are listed in the attached preparedness plan document, along with a standard response procedure for Disaster Management. The risk-specific preparedness plans have been compiled through a participative process.

6.2 Preparedness Capacity for the Stellenbosch Municipality

The organisational structure for preparedness within the municipality includes Stellenbosch Disaster Management, the Disaster Management Advisory Forum: Cape Winelands District Municipality, the top management team of the Stellenbosch Municipality, the nodal points for disaster management within municipal departments within the municipality, departmental planning groups, preparedness planning groups, Joint Response and Relief Management teams, Recovery and Rehabilitation project teams, and the Stellenbosch Municipal Fire and Rescue Services Control Centre. See Figure 2: Municipal Disaster Management Structure on page 16.

The total structure of the municipality, with every member of personnel and every resource can potentially form part of preparedness capacity. Ongoing capacity-building programmes will be required to ensure the availability of adequate capacity for disaster preparedness.

The Stellenbosch Fire and Rescue Services Control Centre is responsible for the operational procedures associated with day-to-day operational responses to emergencies by municipal departments.

The Stellenbosch top management team is jointly responsible for the emergency management policy framework and organisation that will be utilised to mitigate any significant emergency or disaster affecting the municipality.

7. RESPONSE AND RECOVERY

During response and recovery operations the relevant disaster preparedness plans of the municipality will be executed by the disaster management structures.

7.1 Response Procedure

During Disaster Response the Unified Command approach will be implemented and the Western Cape Disaster Preparedness Response and Relief Plan (DPRRP) will be utilised. The duplication of the DPRRP inside this plan would constitute unnecessary duplication. Therefore, the DPRRP is seen as a reference document, while the response and relief procedure from the DPRRP will be summarised here for quick reference. The basic steps and actions of the response and relief management procedure are summarised below.

TABLE 2: STEPS IN THE RESPONSE AND RELIEF PROCEDURE

NUMBER	STEPS	COMPONENTS
7.1.1	Notification and activation	<ul style="list-style-type: none"> • Detection • Mobilisation
7.1.2	Rapid assessment	
7.1.3	Response management structure	<ul style="list-style-type: none"> • Structures to coordinate response • Flexible organisation • Standardised terminology • Tactical incident structures • On-site incident coordination point • Joint incident management team • Determining primary role players for incidents • Communications
7.1.4	Re-assess	Resources
		Hazard
		Situation
7.1.5	Objectives	
7.1.6	Plan of action	Planning
7.1.7	Implementation	Monitor/evaluate/review
7.1.8	Strategic response management structure	JOC
7.1.9	Monitor/evaluate	Observing of principles
7.1.10	Close incident	
7.1.11	De-mobilise	Returning to normality
7.1.12	Complete review	Post mortem
7.1.13	Corrective actions	Lessons learned and recommendations

This procedure is compatible with KPA 4 of the SA National Disaster Management Framework.

7.1.1 Notification/Activation

During the notification phase, it must be ensured that management and operational staff are informed and mobilised as speedily and effectively as possible. To facilitate the foregoing, it is imperative that 24-hour duty and standby rosters are kept current and available at the 24-hour communication facilities for the PDMC and all service communications centres that have an emergency and/or disaster response role in the Province.

Such call-out lists must indicate the first response mobilisation and second line responders clearly.

It is therefore necessary to design standardised response procedures and protocols for specific incidents and also consider variables such as season, time of day, etc.

7.1.2 Rapid Initial Assessment

The basis for any effective response is the initial rapid, but accurate on-scene assessment of the situation, i.e. the nature of the hazard, resource requirements, immediate threats to people, property and the environment, magnitude and boundaries of current and possible future impacts, and to be able to communicate this information in a predetermined standardised format.

Rapid and effective response can also be facilitated if a standardised initial report-back includes response

suggestions and needs. The rapid initial assessment must be as accurate as possible with accurate predictions of what may still occur.

7.1.3 Establish Response Management Structure

Once the initial response has been affected and services arrive on the scene, the process for the implementing of the secondary response must be initiated as soon as possible. This response must be based on the needs received from the scene as a result of the rapid assessment.

This response must build on existing response levels and strengthen the deployments and actions on scene.

Structures to coordinate response

The establishment of a structure to manage, coordinate and integrate response actions at the scene of an incident is imperative and a priority for all services involved at an incident. Such a basic structure should be contained in a Standardised Incident Management Plan agreed to beforehand by all role-players.

There are a number of essential elements to the structure and principles, which should be observed at all times.

Flexible organisation

The composition of the organisation must be adapted to the size, magnitude and nature of the incident. The organisation must be adapted (increased or decreased) as circumstances dictate.

Standardised terminology

All services must be informed and be familiar with the organisation and terms used by services, which may be involved in an incident.

Tactical incident management facilities/structures

As part of the management structure, there are a number of essential facilities/structures, which may need to be established at the scene of an incident. These can include:

- Outer perimeter/cordon/public exclusion zone
- Inner perimeter
- Establishing a landing zone
- Staging area
- Incident command post
- Casualty clearing post
- Information point/media liaison
- Communications network
- Access control to incident site and emergency infrastructure

The above elements are described in further detail in the disaster response activities and their action steps.

On-site incident coordination point

This is an on-scene facility where tactical decision-making and control of inter-disciplinary coordination takes place, also known as Incident Command Post (ICP)/On-site JOC/Forward Control/Command Post (FCP).

This is the single point of command for all on-site operations during the response phase of an emergency and will be located at an appropriate location at or near the scene of the emergency, normally within the outer perimeter.

The incident commanders/managers from key response agencies will operate under unified command to coordinate incident operations.

Joint incident management team/unified command

One of the main objectives to ensure effective on-scene management of services is to establish a 'Unified Incident Management' system. This system allows for a structure whereby overall incident objectives and strategies can be formulated.

In incidents involving multiple jurisdictions, a single jurisdiction with multi-agency involvement, or multiple jurisdictions with multi-agency involvement, unified command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability.

In this regard it is important that the representative is suitably mandated and take full responsibility and charge of its service at that level. It will ensure that the agreed upon operational plan and integrated tactical strategies are implemented by making optimum use of available resources. It is normally structured to facilitate activities in five major functional areas:

- Command
- Operations
- Planning
- Logistics
- Finance and administration

This organisation should also include the following elements depending on the situation:

- Safety
- Media/public liaison – information
- Liaison – supporting agency/jurisdiction liaison (DisMan well-placed for this)

Depending on the situation, the estimated duration of the incident must be established in order to plan the need for the rotation of staff and to plan meals, etc.

Determining the primary role-player for an incident or activity

If a situation occurs where there is no immediate agreement between parties regarding who should be the primary role-player in a specific emergency situation, the DPRRP contains a procedure that should be followed.

Communications

For Provincial communication networks and structures, see the main document to which this document is an annexure.

7.1.4 Re-assess

The first very important step after the Joint Incident Management Team has been established is for them to re-assess the situation. During this process, there are three aspects which must be addressed.

Re-assess resources

The team need to establish:

- present deployment and how effective it is;
- possible further immediate, medium and long-term resource needs.

An analysis of special equipment, services and needs must be done at this stage.

When evaluating the mobilising of additional resources, the following needs must be taken into account:

- the type of human resources required, i.e. skills and type of tasks to be performed;
- what equipment and supplies are required and which must come first (priorities);
- who will be responsible for the control of essential supplies;

- which essential services are required and/or should be restored first (priorities);
- observe and ensure that supply chain management/logistics are complied with (accountability); and
- possible invoking of mutual aid arrangements and/or other formalised agreements.

Re-assess hazard

A thorough analysis of the potential impact of the hazard must be made. In this regard, the following should be assessed:

- Present impact
- Potential hazard impact (worst case scenario)
- Also think beyond present situation
- Obtain specialist input
- Consider implementation of risk specific plans

Re-assess situation

In this regard, the following aspects must be carefully analysed and assessed:

LOOK UP Establish present weather and get a prediction for the next 24 hours. It is important to consider what impact the weather may have on the situation and what short- and long-term changes may be predicted.	
LOOK AROUND Look at the topography and natural environment and establish what effect it would have on the hazard behaviour and impact.	
LOOK DOWN Look at the built environment, the natural environment and the economic activities and establish how the hazard can possibly affect these activities. It is also important to consider/establish land owner and type of facility, e.g. key points being affected.	

Do a complete evaluation to establish the severity and implications of the problem (direct and indirect implications).

7.1.5 Establish Incident Management objectives

Once the re-assessment has been completed, the team should decide on the incident management objectives. The following should receive attention:

- Broad statement of intent
- Think strategically
- Determine priorities
- Ensure public protection and secure affected area

It is important to observe emergency worker and public protection throughout the process of setting objectives.

7.1.6 Plan of Action

Once the incident management objectives are complete, a well-framed and well-prepared plan of action is essential for the effective execution of the operation.

To plan effectively, the following should be considered:

- Situational analysis (clearly mapped)
- Resource status and response levels (accurate recording)
- Think of worst case scenario (think ahead)
- Plan for all phases (response, relief, recovery, rehabilitation and reconstruction)
- Decide on key objectives and responsibilities

- Consult with external organisations
- Protective actions (response activities)
- Protective action strategies (response management strategies)
- Incident communication planning (radios, IT, public and media)
- Develop alternatives (think beyond the normal)
- Review alternatives
- Decide on plan of action

7.1.7 Implementation

Once a decision has been made on the plan of action, the plan must be communicated clearly to all role-players. In this regard, the following should receive particular attention:

- Communicate objectives, responsibilities, and timeframes clearly.
- Action tasks clearly and to specific services and/or sections.
- Motivate staff and support implementation throughout.

7.1.8 Strategic Response Management Structure Disaster

Operations Centre/Joint Operations Centre

The Disaster Operations Centre is an off-site, centralised facility, which is provided by the Provincial or Municipal Disaster Management Centre, where multi-disciplinary coordination and strategic decision-making takes place. It is a fully equipped, dedicated facility within the Western Cape Provincial Disaster Management Centre.

For the purpose of multidisciplinary strategic management of response and recovery operations, this facility must be capable of accommodating any combination of emergency and essential services representatives, including all relevant role players and stakeholders identified in response and recovery plans.

This facility must be activated when a local, provincial or national disaster occurs or is threatening to occur. The Disaster Operations Centre may be activated immediately upon receipt of information of a specific type of incident, or may be activated upon request or advice of the joint incident management team(s) at the scene of the incident(s).

Initial Strategic Situation Analysis

Once the initial activation has taken place, the following should take place:

- Convene meeting in the JOC.
- Review the situation on available information.
- All possible role players must be identified and mobilised if not yet present.
- Identify and appoint an incident Coordinator.
- Ensure all services required have been activated and are responding to their areas of responsibility.
- Compile an initial situation report for distribution to all stakeholders – internal and external.
- Establish public notification needs.
- Establish public safety advisory needs.
- Generate a media release for public communication.
- Monitor, assess and support services on-scene.
- Establish possible resource needs.
- Evaluate resources available vs. resources possibly required.
- Establish availability of resources – consult database.
- Establish possible need for invoking mutual aid agreements and do initial notifications of possible support required.
- Monitor, re-assess and adapt strategy.

Structures to provide relief

Additional off-site structures may need to be established to provide relief. These could include:

- Mass care centres
- Victim information centres
- Reconciliation areas (where victims and their friends/family can be reunited)
- Data processing centres
- Media briefing facilities
- Counselling facilities
- Animal holding areas

7.1.9 Monitor/Evaluate

The successful implementation and execution of any plan is very dependent on sustained and effective monitoring and evaluation of its effectiveness. This must be ensured by observing the following principles:

- To constantly receive and evaluate feedback reports from line departments.
- To regularly direct requests and ask questions.
- To take note of and observe status changes on an ongoing basis.
- To analyse actions and anticipate problems/changes (be flexible).
- To regularly re-assess the situation and the effectiveness of actions and adapt strategies as circumstances dictate. Repeat process – schedule meetings at agreed-upon regular times.

7.1.10 Close Incident and Document

Once an incident has been effectively managed and services can return to normal operations, the following actions must be taken:

7.1.11 Demobilise

Once the response to an incident is completed and there is consensus amongst all role players that the point has been reached for services to stand-down from the incident and to return to their normal activities, the demobilisation phase is reached.

Ensure that all services have received demobilising orders and are reporting to their work stations.

7.1.12 Complete Review (Post Mortem)

After each incident, copies of all messages, reports and incident logs of all services must be submitted to the PDMC for joint analysis and review.

There must be a formal and structured critical review of all actions and all findings and/or areas of concern must be recorded and included in a report with the necessary recommendations and/or corrective actions to improve response in future.

7.1.13 Corrective Actions

Corrective action plans must be drawn up. These plans are designed to implement changes that are based on lessons learned and recommendations made from reports and reviews after actual incidents or from training and exercises.

Such actions and recommendations must include timeframes and deadlines for implementation.

7.2 Declaration of a State of Disaster and Disaster Classification

It is advisable that the Stellenbosch Municipal Council adopts a formal policy for the declaration of a local state of disaster. Such a policy will replace this section of the plan, which provides a general description of issues surrounding the declaration of a state of disaster.

When a disastrous event occurs or is threatening to occur in the area of the municipality, the DMC/Section will determine whether the event is a disaster in terms of the Act, and, if so, the Head of the Centre will immediately

- initiate efforts to assess the magnitude and severity or potential magnitude and severity of the disaster;
- alert Disaster Management role players in the municipal area that may be of assistance in the circumstances;
- initiate the implementation of the disaster response plan or any contingency plans and emergency procedures that may be applicable in the circumstances; and
- inform the National Disaster Management Centre and the Western Cape Provincial Disaster Management Centre via the Cape Winelands District Disaster Management Centre of the disaster, and its initial assessment of the magnitude and severity or potential magnitude and severity of the disaster.

When informing the National Centre and the Western Cape Provincial Disaster Management Centre via the Cape Winelands DMC, the Stellenbosch Disaster Management Centre may make recommendations regarding the classification of the disaster as appropriate.

Irrespective of whether a local state of disaster has been declared or not, the municipality is primarily responsible for the coordination and management of local disasters that occur in its area.

Whether or not an emergency situation is determined to exist, municipal and other agencies may take such actions under this plan as necessary to protect the lives and property of the inhabitants of the municipality.

Declaration of a local state of disaster: In the event of a local disaster, the municipal council may, by notice in the provincial gazette, declare a local state of disaster if existing legislation and contingency arrangements do not adequately provide for the municipality to deal effectively with the disaster; or other special circumstances warrant the declaration of a local state of disaster.

If a local state of disaster has been declared, the Council may make by-laws or issue directions, or authorise the issue of directions to:

- Assist and protect the public;
- Provide relief to the public;
- Prevent or combat disruption; or
- Deal with the destructive and other effects of the disaster.

8. TESTING AND REVIEW OF THE PLAN

The municipality will regularly review and update its plan, as required by Section 48 of the Disaster Management Act, 2002. The Disaster Management Advisory Forum shall be responsible for the review of the municipal Disaster Management Plan on an annual basis.

Status: Stellenbosch Municipality Disaster Management Plan is reviewed on an annual basis.

9. REFERENCE DOCUMENTS

- Cape Winelands District Municipality Draft Disaster Management Framework.
- Cape Winelands District Municipality Community-Based Risk Assessment, 2008.
- Towards Disaster Management Plans for the Cape Winelands District Municipality (Hazard Identification, Vulnerability Assessment, and Risk Prioritisation), 2005.
- Sensitising Document: Transport of Hazardous Materials in Bulk: Spoornet, Undated.
- Agricultural Disaster Risk Management: Agricultural Drought Management Plan, Department of Agriculture, Aug 2007.
- Emergency Preparedness and Response Plan, Drakenstein Local Municipality, March 2009.
- Contingency Plan, Metrorail Western Cape, October 2008.
- Hospital Emergency Plans, Medi-Clinic – Worcester, Paarl.
- Hospital Emergency Plans, Western Cape Department of Health.
- Outbreak Response Team.
- Education: Principal from each school is responsible. Plan per school. Unannounced visits and testing of emergency plans. Schools must have plans for when things go wrong with transport. Organised into circuits.
- a) Constitution of the Republic of South Africa, 1999.
- b) Disaster Management Act, 2002 (Act 57 of 2002).
- c) National Disaster Management Framework, 2005 (Government Notice 654 of April 2005: A Policy Framework for Disaster Risk Management in South Africa).
- d) Fire Brigade Services Act (Act 99 of 1997) as amended.
- e) Fund Raising Act (Act 107 of 1978) (FRA).
- f) Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).
- g) Major Hazardous Installations Regulations of the Occupational Health and Safety Act.
- h) Road Traffic Act.
- i) Social Assistance Act, 1992 (Act 59 of 1992).

ANNEXURE A-E

10. ANNEXURE A: DISASTER PREPAREDNESS GUIDELINES

NB: New risks and the resulting plans can be completed after the conclusion of the Risk Assessment and added as the plan is reviewed and updated.

10.1 Disaster Preparedness Plan: Fire

NO	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Inform fire services	First person to notice incident	Local authority fire call centre	Immediately	To respond resources
	Respond resources	Fire Services Control Centre	Local authority fire call centre	Immediately	To limit impact
	For facilities: activate facility fire teams	Facility manager or as per plan	Facility manager's office	Immediately when the incident is reported	To contain situation
	For facilities: fire team to extinguish small fires	Trained fire team	At the point of incident	ASAP	To prevent/minimise the chance of the fire spreading
	For facilities: evacuate facility	Evacuation teams/SAPS/ fire	At facility	ASAP	To prevent injuries/deaths
	For facilities: Check the list of names of all evacuated people	Trained control team	At specific control points (assembly areas) outside the building/facility	ASAP after evacuation	To ensure everyone is out of the building/facility
	Assess situation	First responders on scene	At scene	On arrival	To determine needs
	Request additional resources	First responders on scene	From scene through local authority fire call centre	After assessment	To manage situation
	Implement appropriate emergency intervention	First responders on scene	At scene	On arrival	To protect life and property and neutralise any impacting hazard
	Set up command post	Senior officer on site	Safe area on site	Immediately	To plan and implement correct immediate responses
	Establish incident management plan per service	Services on scene	On scene	ASAP	To effect appropriate immediate response and relief actions
	Assess impact	Services on scene	On scene	Immediately	To determine future relief and recovery actions

NO	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Notify Disaster Management team of major incident	Services on scene/senior officer on scene	From command post	As soon as required	To facilitate multi-disciplinary coordination and major incident management support
	Crowd and traffic control	SAPS, traffic, law enforcement, private security if appropriate	Around scene	Immediately	To control people and traffic at the incident
	Assemble joint incident management team	Senior representatives of all services on scene	At appropriate single command post, in case of fire incident, preferably at fire command post	Immediately once more than one service working on scene	To ensure multi-disciplinary coordination that enables effective response and relief
	Design joint incident action plan	Joint incident management team	Command post/FCP	ASAP	To manage situation
	Implement joint plan of action	Joint incident management team	On scene	ASAP	To normalise situation
	Seek missing people	Search team/fire/EMS/SAPS	Through the whole building/facility/affected area	ASAP once missing people have been reported	To rescue missing persons
	Treat injured people	Trained first aid team/EMS/fire	At the first aid post/triage area	Immediately when injury is reported	To treat injuries
	Inform next of kin of injured people	Facility manager/SAPS/ EMS	At the facility manager/director's office/from scene	Immediately when injury is reported	To inform family members of the conditions of the injured relative and how to reach them
	Monitor actions	Joint incident management team	On scene	Ongoing during incident management	To ensure effective planning and execution
	Area/facility clean-up	All services	On-site	On completion of rescue/immediate emergency actions	To prevent further incidents/environmental impacts
	On-site inspection	EMS/traffic/fire/SAPS forensics	On scene	On completion of emergency actions	To ensure site is safe for use again
	Provide social relief	Relevant stakeholders (to be specified)	At affected area/relief centre	After assessment	To minimise impact to those affected by the hazard
	Stand down	All services	On scene	Once site is declared safe	To normalise service operations
	Debrief	All role-players	Pre-determined venue	Within one week	To evaluate actions and improve future response
	Update plans and procedures	All role-players	At service HQ	ASAP	Effective service delivery

10.2 Disaster Preparedness Plan: Flooding

NO.	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Notify response teams (municipal engineering, SAPS, Fire, EMS, Department of Water Affairs, SAWS)	Local authority	24-hour call centre	Immediately	To activate response teams
	Activate response teams	Fire services, disaster management and services standby teams	From locations/standby positions	Immediately	To assess impact and actions required
	Identify affected and damaged area	Fire services, disaster management and services standby teams	In affected area	Immediately	To determine the extent of the damage in order to assess the affected area
	Determine impact	Disaster management and services standby teams	In affected area	Immediately	To determine the actions and level of response required
	Implement appropriate emergency intervention	First responders on scene	At scene	On arrival	To protect life and property and neutralise any impacting hazard
	Activate JOC	Disaster and senior management of all services/jurisdictions involved	Fire services or alternative	Immediately if major flooding incident	To plan strategically and coordinate multi-disciplinary response, relief and rehabilitation
	Assess information	All services	JOC	Immediately	To plan actions
	Design plan of action	Disaster management coordination team/JOC team	JOC	After assessment	To facilitate response and relief
	Implement response actions	Disaster management team, fire services, SAPS, EMS	Affected area	ASAP	To prevent injury/mortality and to provide basic needs/services
	Provide social relief	Relevant stakeholders (to be specified)	At affected area/relief centre	After assessment	To minimise impact to those affected by the hazard
	Mopping up	Relevant stakeholders	Affected area	ASAP	To normalise community
	Assess possibility of further flooding	Disaster management team, SAWS	Entire area	Immediately	To minimise and/or prevent further disruption/damage

NO.	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Issue early warning to areas vulnerable to further flooding	Disaster management team, SAWS	Vulnerable areas	Immediately	To minimise and/or prevent further disruption/damage
	Institute recovery measures	CWDM DM, PDMC, Treasury, relevant departments	JOC	Once situation is under control	To restore normal activities in area
	Road closures	Municipality/provincial traffic	On-site	ASAP	To prevent loss of life and property
	Communicate with population of affected areas	Municipality/media/ disaster management/ SAPS	On-site media liaison point/media centre close to JOC	ASAP	To prevent loss of life and property through public communication
	Arrange temporary accommodation	Municipality/social services/NGO's	Available venues	When needed	To provide temporary accommodation – emergency shelter
	Organise medical search parties	EMS/Fire and Rescue	On-site	ASAP if people reported missing/unaccounted for	To treat medical cases
	Flood management	Department of Water Affairs	On-site and downstream	ASAP	To manage the effects of the flood
	Rapid initial impact assessment	Municipal engineer and provincial roads engineer	In affected area	Once flooding has subsided, if infrastructure damage suspected	To establish impact and immediate required repair to infrastructure, as well as assistance required from province/ national
	Prioritise, plan and implement emergency repairs to infrastructure	Infrastructure owner	Areas with damaged infrastructure	ASAP – depending on prioritisation and available resources	To restore critical and essential services
	Verification of impact assessment	CWDM DM, Province/ NDMC/ contracted impact assessment team	Areas with damaged infrastructure	ASAP after rapid initial impact assessment	To quantify and verify infrastructure damage and repair/replacement cost in monetary terms

10.3 Disaster Preparedness Plan: Earthquake

NO.	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Notification and activation	Any person observing impact	Fire 24-hour Control Centre	ASAP	To activate response teams
	Activate response teams	Fire 24-hour Control Centre	Fire 24-hour Control Centre	ASAP	To assess and determine needs
	Activate JOC	DMC	DMC/appropriate alternative	ASAP	To coordinate actions
	Assess and establish the extent of the earthquake	Survivors and emergency services	In area	ASAP	To determine needs and strategies
	Collate info	JOC Team	JOC	ASAP	To determine priorities
	Determine evacuation needs	JOC Team	At affected areas	ASAP	To provide relief to affected people
	Establish plan of action	JOC Team	JOC	After initial assessment	To provide relief to affected people
	Arrange accommodation for evacuees	JOC Team	Identified halls and mass care centres	ASAP	To provide relief to affected people
	Treat injured people	EMS, hospital and clinic staff	First aid posts, hospital and clinics	ASAP	To treat injuries and prevent fatalities
	Arrange search and rescue	JOC Team	In identified areas	ASAP	To rescue trapped people and animals
	Arrange trauma counselling	JOC Team	Affected areas	ASAP	To assist all traumatised people
	Monitor and re-assess	JOC Team	Affected areas	After initial assessment and planning	To evaluate actions
	Adapt planning	JOC Team	JOC	ASAP	To facilitate normalisation
	Arrange an infrastructure impact/damage assessment	JOC Team	Affected areas	ASAP	To create a report of damaged infrastructure and determine needs

NO.	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Establish a central call centre	Local authority	Affected area	As needed	To address shelter/ housing needs
	Set up satellite operation centres	Appointed site commanders	On-site/in areas as required	As needed	To coordinate response
	Determine short-, medium- and long-term needs	JOC Team	JOC	ASAP	To plan service restoration
	Develop reconstruction and redevelopment plans and strategies	JOC Team	JOC	ASAP	To normalise and resettle area
	Provide social relief	Relevant stakeholders (to be specified)	At affected area/relief centre	After assessment	To minimise impact to those affected by the hazard
	Implement reconstruction programme	JOC Team	Affected areas	After initial emergency response	To normalise and resettle area
	Monitor actions	JOC Team	JOC	Ongoing	To ensure effective planning
	Area clean-up	All services	Affected areas	On completion of rescue/ immediate emergency actions	To prevent further incidents/environmental impacts
	On-site inspection	All services	Affected areas	On completion of emergency actions	To ensure area is safe for use again
	Stand down	All services	Deployment points	Once area is declared safe	To normalise service operations
	Debrief	All role-players	Pre-determined venue	Within one week	To evaluate actions and improve future response
	Update plans and procedures	All role-players	DMC	ASAP	Effective service delivery

10.4 Disaster Preparedness Plan: Infrastructure Failure

NO.	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Notify service	Any person observing failure	Fire 24-hour Control Centre	ASAP	To activate response teams
	Activate response teams	Service Control Centres	Service Control Centres	ASAP	To restore service
	Assess situation	Response teams	At site of failure	On arrival	To determine needs
	Request additional resources	Response teams	Service Control Centre	ASAP	To facilitate rapid restoration of service
	Determine plan of action	Service management with other involved parties	At site	ASAP	To coordinate response
	Secure area	SAPS, local and provincial traffic	At site	ASAP	To protect workers and public
	Implement plan	Services responsible	At site	ASAP	To restore services
	Monitor actions	Service management, Service Control Centres	On scene, Service Control Centres	Ongoing	Ensure effective planning
	Area/road clean-up	All services	At site	On completion of rescue/immediate emergency actions	To prevent further incidents/environmental impacts
	On-site inspection	EMS/Traffic/Fire/SAPS forensics	On scene	On completion of emergency actions	To ensure site is safe for use again
	Stand down	All services	On scene	Once site is declared safe	To normalise service operations
	Debrief	All role-players	Pre-determined venue	Within one week	To evaluate actions and improve future response
	Update plans and procedures	All role-players	At Services HQ	ASAP	Effective service delivery
	No water: Make use of reserve tanks	Technicians	Hospitals	ASAP	Water is vital in the effective functioning of hospitals
	No electricity: make use of generators	Technicians	In the area of the incident	ASAP	To rectify the situation
	Identify sewage system failure	Technicians	Hospitals	ASAP	To prevent pollution
	No refuse removal: contact the municipality	Hospital manager	Hospitals	ASAP	Refuse needs to be removed – can pose as health risk
	Roads and RDP houses must be repaired and maintained	Individuals	In the area of the incident	ASAP	Fix the problem area
	Dam overflow: contact Department of Water Affairs	Individuals	In the area of the incident	ASAP	Prevent the loss of water

10.5 Disaster Preparedness Plan: Transport Incidents

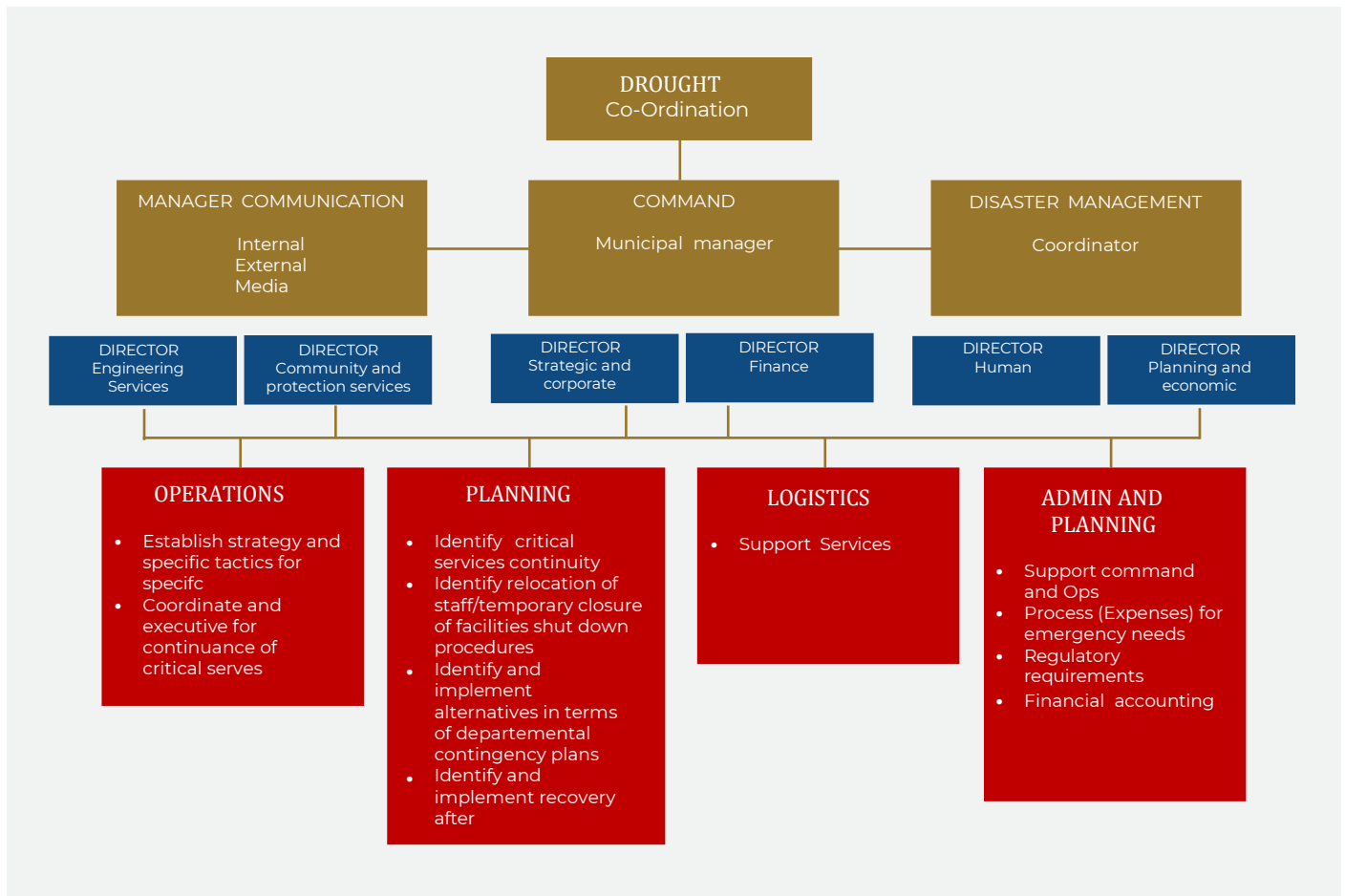
NO.	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Notify Control Centre	Public/official witnessing incident	Fire 24-hour Control Centre	ASAP	To trigger response
	Contact Fire, Traffic Services, SAPS, EMS	Fire 24-hour Control Centre	Fire 24-hour Control Centre	ASAP	To limit effects of incident
	Notify response teams	Service Control Centres	Service Control Centres	ASAP	To control/normalise traffic See to people involved
	Assess and set up command post	Incident Management Team	On scene	On arrival	To plan response and relief
	Activate additional response	Services	On scene	After initial assessment	To ensure effective response actions and resources
	Determine action plan	Incident Management Team	On scene	ASAP	To implement integrated response actions
	Execute action plan	Response teams	On scene	ASAP	To prevent or limit loss of life and property
	Monitor actions	Incident Management Team	On scene	Ongoing	Ensure effective planning
	Area clean-up	All services	On-site	On completion of rescue/ immediate emergency actions	To prevent further incidents To prevent environmental impacts
	On-site inspection	EMS/Traffic/Fire/SAPS forensics	On scene	On completion of emergency actions	To ensure site is safe for use again
	Stand down	All services	On scene	Once site is declared safe	To normalise service operations
	Debrief	All role-players	Pre-determined venue	Within one week	To evaluate actions and improve future response
	Update plans and procedures	All role-players	At Service HQ	ASAP	Effective service delivery

10.6 Disaster Preparedness Plan: Hazardous Materials Incidents

NO.	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Notify Fire Department/ SAPS	Member of public/official observing incident First person on scene (10111/112/10177/021 887 4446)	On-site (safe distance from incident)	ASAP	To action response
	Notify hazmat team and Fire/Local and Provincial Traffic/EMS/SAPS/ Transnet	Emergency Call Centre/ fire dispatcher	Call centre	ASAP	To activate response
	Identify type of hazmat	Responding agencies/ hazmat technician	On-site	ASAP	To determine appropriate response
	Identification of affected area	Responding agencies/ hazmat technician	On-site	ASAP	To determine appropriate response
	Assess and set up on-site command centre	Hazmat team	On-site	Immediately	Coordination
	Removal of hazardous material	Hazmat team, e.g. within fire department or contractor	On-site	ASAP	To increase the safety of the area
	In case of rail, notify Transnet	Fire dispatcher	Call centre	ASAP	To activate response
	Assess the situation	Hazmat crew	On-site (at a safe distance)	Once on scene	To facilitate plan of action and assess situation
	Saving of lives	Hazmat crew/primary respondent	On-site	ASAP	To save lives
	Secure the area	Traffic/SAPS/Transnet	On-site	Once on scene	Personnel, public and environmental safety
	Evacuation	SAPS/Fire/Traffic	On-site	Immediately once determined necessary	To protect life
	Command vehicle/ establish incident management team	Fire department dispatcher/fire department/senior fire officer on duty	On-site	Once area layout is established	To facilitate coordination/draw up a plan of action
	Deploy contaminant specialist	Transnet/transport company	On-site	After area is secured	To ensure correct measures are taken
	Stop leakage, if any	Hazmat crew	On-site	ASAP	To stop further leakage
	Containment of spill	Hazmat crew	On-site	ASAP	To contain spill
	Activate clean-up specialist	Command vehicle/ incident management team	On-site	If extent of incident requires it	To clean up properly
	Notify DWAF	Command vehicle/ incident management team	Command vehicle/ incident management team	ASAP	To analyse water quality

NO.	WHAT MUST BE DONE	WHO MUST DO IT	WHERE IT MUST BE DONE	WHEN IT MUST BE DONE	WHY IT MUST BE DONE
	Notify and caution downstream Water Users Association/agricultural unions/local/district and neighbouring municipalities	Command vehicle/ incident management team	From site (via control centres)	Once nature of spill confirmed	To prevent usage of affected water
	Notify DEA	Command vehicle/ incident management team	From site (via control centres)	Once nature of spill confirmed	Analyse water quality
	Notify Cape Nature	Command vehicle/ incident management team	From site (via control centres)	Once nature of spill confirmed	Analyse water quality
	Re-assessment	Command vehicle/ incident management team	On-site	Regularly during incident management	To determine effectiveness and appropriateness of current response
	Mobilise clean-up specialist If rail – Transnet recovery unit	Command vehicle/ incident management team	On-site	If extent of incident requires it	Final clean-up
	Incident stand down	Command vehicle/ incident management team	On-site	Once situation is normalised and under control	To close incident and restore normal operations
	On-site debriefing	Command vehicle/ incident management team	On-site	After stand down	Compilation of detailed incident report
	Final debriefing	Incident management team	Appropriate meeting venue	Within one week of incident	To learn from mistakes, update plans
	Follow up testing of soil and water	DEA	In situ follow-ups after the incident	As required	Follow-up studies

10.7 Disaster Preparedness Plan: Drought – 90-day action plan



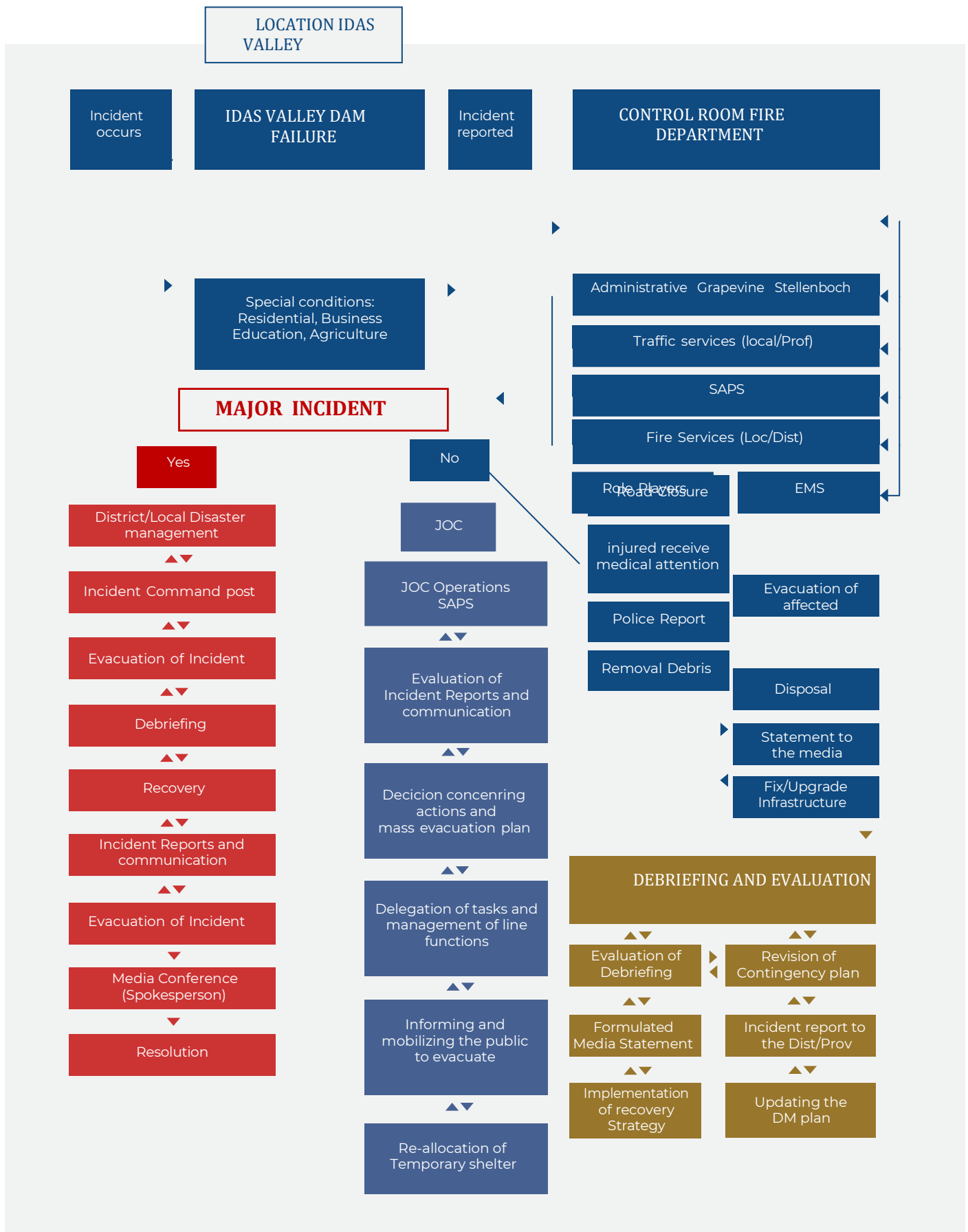
10.8 Disaster Preparedness Plan: Prolonged Electricity Interruptions

NO	INCIDENT	ACTION	TO BE PUT IN PLACE	RESP
1.	Power goes off	Determine if this is normal load shedding by checking the websites and other news. If it is not country- or province-wide, chances are that it is more than load shedding and may be a blackout. The actual frequency of electricity just before the outage could also indicate that a blackout has occurred.	A power frequency logger, which will give an advance warning if the frequency goes below 49.3Hz.	Frequency meters/ loggers to be arranged by Shane Chandaka
2.	Call in emergency blackout JOC	Chances are that cell phones will still operate for another four hours. All JOC members must automatically proceed to Stellenbosch JOC room when it has been determined that this blackout is wider than normal load shedding	All JOC members and support staff must be fully aware of their responsibilities.	Municipal manager as main member – Shane Chandaka if municipal manager has not reacted
3.	Report to JOC room	Try to get as much information as possible from government, Eskom and other sources.	Key personnel from national, provincial government, district municipality, SAPS, hospitals, university need to be available.	
4.	Obtain full set of support to JOC	Call out: 1. Fire Chief if not already on-site as part of JOC. Fire Chief must respond upon finding out that the power outage is most likely a large region blackout. 2. Call out all standby staff. Staff to automatically proceed to JOC room when determining that it is likely a large region blackout. 3. Managers: Electricity Stellenbosch operations and Dwars River operations to be called out/immediately respond and report to JOC when it is determined that a large regional blackout has most likely occurred.		
5.	JOC and support members arrive at JOC room	All JOC and supporting members to report to the JOC room where the JOC Committee will start operating procedures.	JOC room to be established and equipped with all necessary equipment. Must have all forms of communication – from cell phones to two-way radios and communications through loud hailing and written messaging. MM staff to ensure needs in and around JOC chamber.	

6.	Conduction of JOC Meeting	Most senior member of JOC committee takes up chairman of the committee, until the MM arrives, after which she will chair and guide the process. She will indicate who will be chair upon her leaving the room. The JOC will jointly sit and conduct all operations on an ongoing basis. JOC members must be relieved by backup members when the need arises.	Convenient meeting room with telephones, radios, television and cooking utensils.	
7.	Communication	<p>All forms of communication will be used:</p> <ol style="list-style-type: none"> 1. During first part of the blackout, normal communication via cell phone should be available, as well as normal telephone communication. 2. At some stage, cell phones and normal telephones will fail, after which two-way radio communication must be used. <p>If all of the above fails, communication will be done via messenger by travelling to the person that needs to receive the message or by loud hailing any messages to the public.</p>	All possible communication methods must be available and stocked. Communication team must be in charge of message creation and controlling the send-out of messages.	
8.	Preparation for a long blackout	<p>Once it has been determined that the blackout will last for a long time (longer than two days), preparations must be made to assist public with emergency services. It needs to be determined whether the District Emergency JOC has been activated and a member from Stellenbosch JOC must meet with the District JOC. District JOC to liaise with Provincial JOC. Various methods of communication must be established between JOCs. Various external members must join the various JOCs, such as:</p> <ol style="list-style-type: none"> 1. Senior member of SAPS 2. Senior member from University 3. Senior members from each hospital 	<p>SOPs to be drawn up for any possible actions needed during blackout:</p> <ol style="list-style-type: none"> 1. Making maximum use of fridge and freezer. 2. Cooking/preparing food for long-term storage. 3. Obtaining and rationing of long-term unperishable foods. 	
9.	<p>Actions to be taken to prepare for a long blackout. Note that there will be no electricity and therefore no streetlights or floodlights. Few restaurants working. University will not be able to supply cooked food. No alarms will work, no SCADA will work.</p>	<ol style="list-style-type: none"> 1. All electricity networks to be switched such that any emergency electricity can reach key points on the network. 2. Inform the public how to conserve and/or prepare food. 3. Communal ward food-preparing sites may be arranged. 4. All deep freeze food from houses, supermarkets, shops need to be brought to these centres to be prepared and sealed in order to last for at least 14 days. 5. Long-lasting food, such as tinned food must be obtained from supermarkets to distribute evenly to public. 6. Various methods of lighting units need to be obtained. 	<p>Various scenarios need to be assessed and SOPs written:</p> <ol style="list-style-type: none"> 1. Diesel stocking during long-term outage. 2. Fighting fires with no vehicles and pumps. 3. Obtain assistants from SANDF to assist with field kitchens and rations. 4. Obtain material to build PV installations such as PV panels, inverters. <p>Key buildings need to be equipped with PV solar installations, such as:</p> <ol style="list-style-type: none"> a. Fire station; b. Main building of JOC quarters; and c. Town hall kitchen. <p>Mobile units for pump stations.</p>	

10.	Pre-arranged tasks to staff and co-ordinators of each function	<p>Staff members to be allocated pre-arranged tasks:</p> <ol style="list-style-type: none"> 1. Electricians to maintain and operate all generators and solar power installations, including fuelling and batteries. 2. Water staff to maintain all water networks that are operating as normal. 3. Sewage staff to maintain all sanitation plants and networks that are operating as normal. 4. Roads staff to assist with directing of traffic at all major crossings until moving vehicles have diminished considerably. 5. All infrastructure services planning staff and customer care staff to assist with administration and communication matters. 6. All waste staff to operate all possible waste removal functions. 7. All protection services staff to go into protection mode, including all traffic police and law enforcement. Patrol streets on a three-shift basis. 8. Fire & Rescue responsible for all emergency incidents. 9. Community service staff, corporate services staff and planning staff to communicate and inspect public facilities. 10. All SCM staff to actively procure any material, food, services needed for emergency services. 11. HR to be in charge of recruiting volunteers for all sorts of associated services. 12. EPWP/LED/Housing responsible for obtaining enough labour, food and energy to operate food corners. 13. All other staff to procure food, wood, gas. 14. Special care for informal settlements with no backup of food or energy. 	Staff to operate in three shifts.	
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10.9 DISASTER PREPAREDNESS PLANS: IDA'S VALLEY DAM WALL FAILURE



11. ANNEXURE B: DISASTER RISK REDUCTION GUIDELINE

11.1 Disaster Risk Project Proposals: Fire

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
PHYSICAL PLANNING MEASURES	1 Build fire stations.
	2 Plan and provide for buffer zone between residential and vegetation areas.
	3 Plan and provide access roads for fire trucks in informal settlements.
	4 Plan to prevent illegal electricity connections in informal settlements.
	5 Plan fire services in line with new development needs.
	6 Ensure that development of dwellings does not take place before adequate bulk services are provided.
	7 Encourage and facilitate integrated catchment management planning.
ENGINEERING AND CONSTRUCTION MEASURES	8 Ensure compliance with fire regulations and by-laws.
	9 Install fire alarms in buildings.
	10 Plan and provide fire escape routes and doors.
	11 Plan and provide fire breaks in high risk vegetation areas.
	12 Provide suitable roads as evacuation routes in informal settlements.
	13 Provide informal areas with fire-resistant materials.
	14 Plan and develop early fire warning systems.
	15 Provide additional fire hydrants.
	16 Research and upgrade/improve firefighting equipment/trucks/ hydrants.
	17 Provide fire hydrants in informal settlements.
	18 Install watch towers, fire breaks, fire extinguishers in forestry areas.
	19 Improve the quality and provide appropriate firefighting equipment at all levels.
	20 Ensure that fire hydrant water supply is sufficient in higher lying areas.
ECONOMIC MEASURES	21 Provide for capital projects in municipal budget.
	22 Provide funds for upgrading of fire equipment.
	23 Fines for illegal electrical connections.
	24 Implement programme to decrease high risk housing.
	25 Authorities to develop a project to make fire extinguishers more affordable for every household, as well as a means of making the maintenance thereof less expensive.
	26 Property rebates for rural areas under conservation.
	27 Action plans in place.
	28 Reaction plan in place.
	29 Train fire marshals for commercial/industrial complexes.
	30 Appoint/train appropriate staff.
	31 Conduct fire and evacuation drills.

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
	32 Ensure evacuation doors are unlocked.
	33 Run programmes for arson prevention.
	34 Maintenance programme for fire extinguishing equipment.
	35 Identify and procure appropriate equipment.
	36 Structured and sustained fire-prevention inspections.
	37 Cleaning of undergrowth around buildings.
	38 Train and deploy firefighting volunteers at fire stations and roadworks.
	39 Identify high risk fire areas (hotspots).
	40 Identify safer alternatives for cooking and lighting, i.e. stoves, lamps, etc.
	41 Ensure correct storage of combustible materials.
	42 Develop and implement maintenance programmes for access routes in high risk fire areas.
	43 Train and develop fire response teams.
	44 Training at all levels to improve the implementation of an incident command system as a standard operating procedure.
	45 Develop a management policy for the sale of paraffin.
	46 Establish and support Fire Protection Association.
	47 Develop area fire management plans.
	48 Refrain from using recycling cardboard containers for recycling of paper.
	49 Revisit policy for evicting shack dwellers.
	50 Maintenance programme.
	51 Develop fire evacuation procedures for commercial/industrial complexes.
	52 Declare non-smoking areas.
	53 Prohibit fires in high risk areas.
	54 Conduct fire hazard awareness programmes.
	55 Conduct community awareness programmes in communities.
	56 Implement community-based programmes for the proper care/maintenance of electrical equipment.
	57 Include fire prevention education in school curriculum.
	58 Include disaster risk management in school curriculum.
	59 Implement fire education, fire risk awareness, recruitment of volunteer firefighters, social responsibility, ownership system, e.g. hydrants.

11.2 Disaster Risk Project Proposals: Hazmat Incidents (HMIs)

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
PHYSICAL PLANNING MEASURES	1 Zoning for HMIs (building codes).
	2 Proactive hazmat classification of installations.
	3 Proper planning into the placement of factories and plants.
	4 Manage development around HMIs.
	5 Limit population figures around HMIs.
	6 Enforce and evaluate risk assessment for major hazardous installations.
	7 Enforce and evaluate EIAs for HMIs.
	8 Enforce proper labeling of chemicals and poisons (labels).
	9 Monitor, restrict and manage routes for hazmat materials in transit (railways/roads).
	10 Safe packaging and storage to prevent leakage and seepage of hazmat and poisons.
	11 Identify specific parking areas for hazmat vehicles along the roadside.
	12 Increased hazmat capabilities allocated to areas on main routes where hazmat freight vehicle parking areas can be found.
ENGINEERING AND CONSTRUCTION MEASURES	13 Enforcement of construction needs to be determined by type of particulates being used and stored.
	14 Identify containment sites and measures.
ECONOMIC MEASURES	15 Fines for non-compliance.
	16 Awards to compliant companies.
	17 Fines for not having correct signage when transporting hazmat.
	18 Fines for not having correct paperwork when transporting hazmat.
	19 Spiller fine structure for hazmat spillage and enforcement thereof.
	20 Polluter pays.
	21 Local economic development, assistance to non-compliant small businesses.
SOCIETAL MEASURES	22 Community/individual training.
	23 Regular awareness published in newspapers.
	24 Education of farm workers on how to handle/store hazmat/ poisons/protective clothing.
	25 Information sessions on pesticide poisonings on farms/misuse/misapplication.
	26 Notification of times of 'in-line' dosage of pesticides and poisonings.
	27 Early warning system for spills/exposures.
	28 Community-based training/awareness.

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
MANAGEMENT AND INSTITUTIONAL MEASURES	29 Compliance with storage and handling specifications.
	30 Annual compliance certificate for hazmat/lpg coupled with an inspection, using of approved/certified service providers.
	31 Declaration of what is being transported, and enforcing escorts for high risk cargo.
	32 Inform local municipality of cargo passing through its boundaries, especially if alternate routes are used.
	33 Regulate overnight stops for trucks transporting hazmat.
	34 Introduce measures that regulate the times during which hazmat can be transported.
	35 Spiller to use accredited/competent mop-up teams.
	36 Create capacity for regular site inspections.
	37 Create capacity for regular vehicle inspections.
	38 Enforce registers of hazmat on the premises.
	39 Increased monitoring by law enforcement (road/railway)
	39 Regular training of rescue personnel and transport personnel (drivers) in contact and handling of hazmat.
	40 Education campaign for local cellars and farmers who transport spirits as mixed loads.
	14 Identify and manage nodal points of inspection – yard/weighbridges/destination.
	41 Regulate bulk sale of fuel.
	42 Enforce occupational health and safety adherence.
	43 Registration/compliance of all hazmat and hazmat installations (databases).
	44 Identify and register all MHIs/inspect and liaise per area.
	45 Enforce storage regulations.
	46 Enforce AVCASA regulations for pesticides.
	47 Shift from reactive to proactive measures.
	48 Annual compliance certificate for hazmat/lpg coupled with an inspection, using of approved/certified service providers.
	49 Effective communication of hazmat/poisons requirements.
	50 Operational plans/and response teams that are trained and practiced at hazmat installation.
	51 Training exercise to improve response management skills.
	52 Address lack of capacity at times of detours when passing small poor towns (resource skills distribution).
	53 Monitoring, accreditation and registration of clean-up teams and disposal sites, and a contact database.
	54 Enforcement of NEMA Section 30.
	55 Enforcement of spiller-pays regulation of using approved service providers.
	56 Simplify coding system for hazmat.
	57 Promote co-operative governance between organs of state responsible for control of hazmat.
	58 Simplify recognition system of cargos to effect quicker and correct response in case of incident.

11.3 Disaster Risk Project Proposals: Flooding

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
PHYSICAL PLANNING MEASURES	1 The enforcement of Environmental Impact Assessment (EIA) with all development projects.
	2 Plan for the upgrading of existing infrastructure to cope with new developments.
	3 Identify and plot vacant high risk flood areas for future reference and avoid human settlements in such areas.
	4 Avoid development and settling of communities along rivers and within the flood line.
	5 Apply and update zoning regulations regularly.
	6 Identify alternate suitable venues/facilities for emergency services.
	7 Apply low intensity land use in 1:100 flood line areas.
	8 Study and understand the impact of climate change on development.
	9 Signage.
	10 Asset management.
	11 Maintenance.
ENGINEERING AND CONSTRUCTION MEASURES	12 Study EIA to inform construction and building measures.
	13 Identify flood measuring and early warning systems.
	14 Plan and build retention dams to reduce risk of flooding.
	15 Restore and maintain water catchment areas
	16 Build retaining walls to protect buildings.
	17 Improve and upgrade stormwater reticulation systems regularly.
	18 Develop and maintain early warning systems.
	19 Develop and maintain sustained cleaning programmes for rivers and dams.
	20 Plan bigger capacity dams to regulate flow of water.
	21 Implement programmes and measures to prevent erosion.
	22 Plan and erect visible warning signs in low lying areas.
ECONOMIC MEASURES	23 Provide for disaster relief funds.
	24 Ensure adequate provision for the maintenance of stormwater systems.
	25 Farmers developing areas for agricultural use in flood-prone areas should pay increased insurance on crops in those areas.

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
MANAGEMENT AND INSTITUTIONAL MEASURES	26 Plan for the support of affected communities.
	27 Develop and maintain flood emergency response teams.
	28 Develop and supervise maintenance programmes.
	29 Ensure that SOP for disasters are developed and maintained.
	30 Facilitate strategic planning of resources to cover all areas during emergencies.
	31 Plan and ensure Strategic distribution of disaster management resources across area
	32 Ensure the provision of emergency flood kits.
	33 Mutual aid agreements to be established for relief and response.
	34 More command centre vehicles.
	35 Quality assessments.
	36 Asset management.
SOCIETAL MEASURES	37 Develop awareness training and workshops in high risk areas.
	38 Develop and inform communities of response actions to early warning systems.
	39 Ensure coordination and cooperation with NGO's.
	40 Community awareness.
	41 Early warning systems.

11.4 Disaster Risk Project Proposals: Earthquake

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
PHYSICAL PLANNING MEASURES	1 Identify earthquake-prone areas/geological faults.
	2 Develop suitable building codes (and enforcement thereof).
	3 Develop zoning codes for high risk areas.
	4 Limit development in high risk areas.
ENGINEERING AND CONSTRUCTION MEASURES	5 Only approve single storey buildings in high risk areas.
	6 Enforce area-specific building methods/codes.
	7 Design strong earthquake resistant infrastructure/services.
ECONOMIC MEASURES	8 Disaster relief funds from National Government.
	9 Household insurance (act of God).
	10 MOUs with suppliers of emergency materials/supplies.
	11 Incentives for compliance with building codes.
MANAGEMENT AND INSTITUTIONAL MEASURES	12 Develop institutional capacity for management of incidents.
	13 Good response support services (police, fire department, etc.).
	14 Develop good evacuation plans.
	15 Plan for the relocation of people in high risk areas.
	16 Development and training for mass casualty response team.
	17 Development and communication of recovery plans and strategies.
	18 Identify effective communication systems other than cell phones or radios.
	19 Investigate and plan for air evacuation system.
	20 Development and training of search and rescue teams and strategies.
	21 Identify mass care facilities outside possible affected areas.
	22 Develop mass care strategy.
	23 Develop strategy and process for public notification and to inform communities about the risk.
	24 Develop mutual aid agreements and MOUs for identified tasks.
	25 Plan and develop strategies and procedures for trauma counselling.
	26 Plan for the management and care of emergency responders.
	27 Strict enforcement of building codes in identified earthquake prone areas.
SOCIETAL MEASURES	28 Education on warning systems.
	29 Awareness raising (how to act/react).
	30 Develop self-reliant communities/emergency preparedness.
	31 Inclusion of programmes in schools in earthquake prone areas.

11.5 Disaster Risk Project Proposals: Infrastructure Failure

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
PHYSICAL PLANNING MEASURES	1 Perform composite risk assessments before developing services.
	2 Research and develop alternative energy sources other than electricity, e.g. generators.
	3 Research effective and correct waste removal and storage.
	4 Development of standards and quality assurance of RDP houses.
	5 Development and enforcement of minimum standards for service delivery.
	6 Standardise a planning horizon of at least 50 years.
	7 Monitor and respond to farmers altering river courses.
	8 Planning of user -friendly public transport services.
ENGINEERING AND CONSTRUCTION MEASURES	9 Apply minimum standards for all services.
	10 Structured maintenance programs for service infrastructure
	11 Safeguard essential service infrastructure.
	12 Maintain the integrity of dams, dam walls, etc.
	13 Proper assessment of building material and architectural plans.
	14 Preventative maintenance and upgrading of equipment/facilities.
ECONOMIC MEASURES	15 Fines for exceeding limits.
	16 Improve ineffective systems that lead to loss of revenue.
	17 Fines for transgressions, i.e. littering/dumping.
	18 Implement more effective road restrictions and toll fees.
	19 Blacklist corrupt service providers.
	20 Implement more structured bulk service infrastructure contributions.
	21 Budget for sustained infrastructure maintenance.
	22 Implement more effective basic service rates for all users.
	23 Buildings should have ISO 14001 accreditation in terms of water usage.
	24 Mitigation/emergency measures/strategies should be in place in the event of sewage system failure.
	25 Structured and sustained maintenance programmes for service infrastructure.
	26 Design and develop emergency measures in the event of service failure (departmental emergency plans).
	27 Implement safe public transport systems.
	28 Design/upgrade bulk services before development.
	29 Structured asset management with regards to infrastructure development and maintenance.
	30 Emergency procedure development for all service disruptions.
	31 Enforce of energy saving laws at all levels.

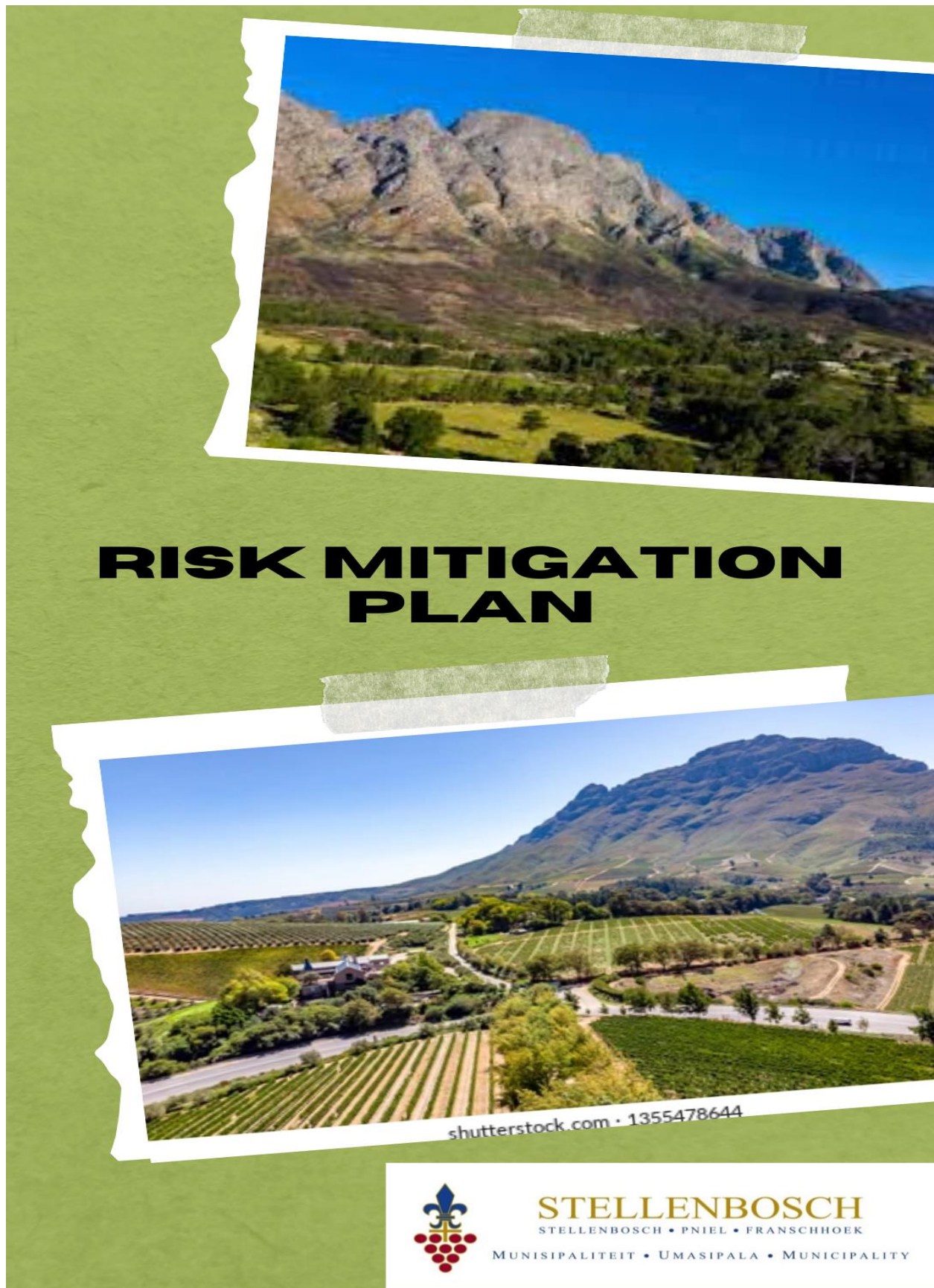
RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
MANAGEMENT AND INSTITUTIONAL MEASURES	32 Define and develop early warning systems linked to management plan.
	33 Monitor community responsibility with regards to feedback on structure service and quality.
	34 Enforce water conservation measures and/or by-laws.
	35 Dedicated government supervision and quality assurance on all contracts.
	36 Appoint competent individuals to manage and monitor.
SOCIETAL MEASURES	37 Ensure aid agreements and supplier agreements in case of specific infrastructure failure.
	38 Community awareness in terms of water usage and economic use of services.
	39 Transport management, i.e. 'lift clubs' to reduce road traffic.
	40 Advocacy campaign, i.e. saving measures (electricity).
	41 Structured and sustained training and education (correct use of infrastructure).

11.6 Disaster Risk Project Proposals: Transport Incidents

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
PHYSICAL PLANNING MEASURES	1 Plan alternative routes/road capacity required for increase in traffic.
	2 Research and plan safe sites for airports.
	3 Research and plan public transport safety measures.
	4 Incorporate pedestrian-safety into new developments.
	5 Plan for increased, improved and effective infrastructure with regards to public transport.
	6 Plan and ensure correct placement of railway crossings and pedestrian crossings.
ENGINEERING AND CONSTRUCTION MEASURES	7 Plan and design safe railway crossings.
	8 Determine need and planning of pedestrian crossings.
	9 Effective management of time delays in changing of traffic lights.
	10 Make use of traffic circles to slow down traffic.
	11 Construction of speed bumps in residential areas
	12 Set standards and update aviation standards.
	13 Design and implement bicycle lane for cyclists.
	14 More effective traffic light programming for peak and off-peak times.
	15 Enforce exhaust emission standards.
	16 Plan for effective bus lanes, as well as heavy vehicle lanes on major routes.
ECONOMIC MEASURES	17 Ensure constant maintenance of all transport infrastructure.
	18 Decrease in public transport travelling costs to promote public transport and decrease road traffic.
	19 More effective management and processing of fines for all traffic offenders.
	20 Introduce cost-effective and time-effective rail transport for commuters and freight to reduce road transport.

RISK REDUCTION CATEGORY	RISK REDUCTION PROJECT PROPOSALS
MANAGEMENT AND INSTITUTIONAL MEASURES	21 Design and implement points demerit system for transgressors.
	22 Identify and enforce alternate routes for heavy duty vehicles.
	23 Develop good institutional capacity and programmes to promote transport safety.
	24 Develop good infrastructure and capacity to facilitate effective law enforcement.
	25 Capacity and structured audits for licensing.
	26 Train and implement more scholar patrols.
	27 Promote use of reflective bands for children.
	28 Implement capacity to manage register for traffic offenders.
	29 More advanced and affordable skills development programmes for professional drivers.
	30 More structured and vigilant testing/monitoring of licensed drivers and vehicles.
	31 Use accredited contractors and building materials for road construction.
	32 Enforce clear road signs/warnings and markings during construction periods.
	33 Implement and manage structured general road maintenance programmes.
	34 Implement restriction measures to control the times and routes of heavy vehicles.
	35 Design and implement traffic management plans.
	36 Learner license and driver training programmes in schools to develop young responsible drivers.
	37 Develop a system whereby intoxicated pedestrians are effectively removed from busy roadways and prosecuted.
	38 Permit system.
SOCIETAL MEASURES	39 Discourage aggression/road rage.
	40 Promote alternative transport.
	41 Structured education on road safety.
	42 Structured programme to increase awareness of pedestrians.

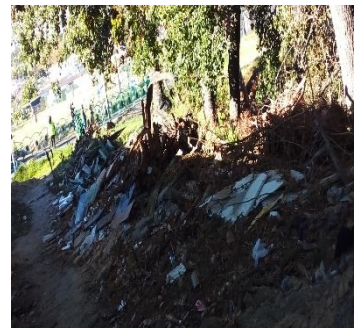
11.7 Ward Base Risk Assessment

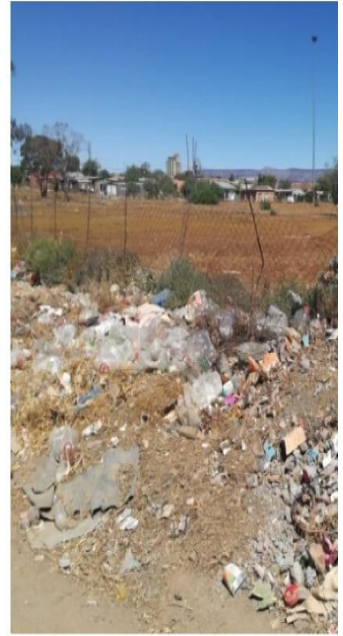


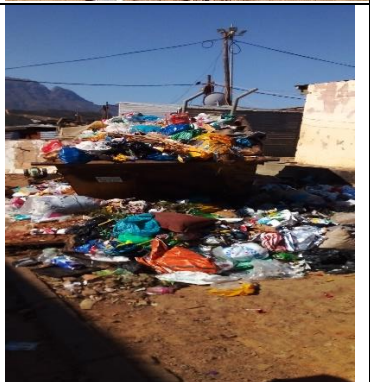
CROSS CUTTING ISSUES IDENTIFIED FROM WARD BASED ASSESSMENT: -

SOLID WASTE POLLUTIONS

WARD	SUMMARY OF RISK AS IDENTIFIED IN WBRA AND SELECTED AS CROSS-CUTTING ISSUES	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
3	The dumping of household waste in the area is an environmental health concern to the members of the community. This risk is often experienced within Maasdorp, as well as Ou Winkel in Main Road in Lanquedoc.	The attraction of unwanted pests, such as mice and rats. Environmental health concern.	MODERATE	Cape Winelands District Municipality Disaster Management, Department of Housing, NGO's, Roads and Stormwater, CBO's, Utility Services including Water Services, Solid Waste Management, Department of Health, Community Development, Environmental Health, Fire and Emergency Services, Planning, including Integrated Development Planning.	
4	Illegal dumping of household waste. This risk is regularly experienced within several areas including: (A) Kylemore cemetery (B) Open properties amongst the residential structures. (C) Outskirts of residential area in Kylemore. (D) Opposite high school in Kylemore. Solid waste pollution can lead to:	Attraction of unwanted pests, such as mice and cockroaches. Illnesses can also occur as dogs and children often play amongst the piles.	MODERATE	Private properties responsibility is with owner. Cape Winelands District Municipality.	

WARD	SUMMARY OF RISK AS IDENTIFIED IN WBRA AND SELECTED AS CROSS-CUTTING ISSUES	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
5	Open fields and open properties have been identified as hotspots for the dumping of household waste. This risk is experienced frequently within Idas Valley. Solid waste pollution can lead to:	The attraction of unwanted pests and can cause major environmental health concerns.	HIGH	Cape Winelands District Municipality Always involve NGO's, CBO's and CDW's. They can help to build communication links between residents and service providers and assist in capacity-building. They can also assist with reporting on breakdowns and negotiating support and improvements in provision, operation and maintenance of essential basic services. Also, actively involve those who are most at risk. This includes people living close to water-points, standing water, contaminated water sources and areas where solid waste is dumped. Groups such as women, children, the elderly and the chronically ill are likely to suffer the worst effects. The elderly and those suffering from HIV and AIDS and tuberculosis (TB) are also more vulnerable in unhygienic environments, where they come into contact with more germs and contaminants. Illness places an additional burden on carers – usually women – who may be less able to care either for themselves or all the others in their care. These groups should be able to voice their concerns and participate in generating and implementing solutions.	 

WARD	SUMMARY OF RISK AS IDENTIFIED IN WBRA AND SELECTED AS CROSS-CUTTING ISSUES	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
6	<p>The dumping of household waste occurs at the local sports field.</p> <p>The concern has been raised about a unsafe and unhygienic surroundings as result of the dumping.</p> <p>Solid waste pollution can lead to:</p>	<p>Environmental health concern, illnesses due to contact with unhygienic items and the attraction of unwanted pests.</p>	LOW	<p>Cape Winelands District Municipality</p> <p>Hazard mapping helps to establish the sites and nature of the environmental health hazards in a community. • Where are the main access roads, rivers, streams, lakes, wetlands etc located? • What are the main environmental health challenges? • In which places or areas in the settlement are these problems most severe? Why are they most severe? • Where are the drains or drainage ditches? • Where are the toilets that residents use? • Where are the taps that residents use? • Where are the refuse disposal tips or skips that residents use? • What are the effects of the main environmental health challenges? • Who is most affected by these problems? Why? • What actions can people take to improve the health of their immediate environment and/or environmental health of the settlement?</p>	
9	<p>Due to the lack of recycling facilities at the Neelsie Centre, the overflow of waste and ineffective removal thereof is inevitable.</p> <p>Other areas of Stellenbosch CBD forming the restaurant hub often face difficulties in discarding waste.</p> <p>Dorp and Church Street.</p>	<p>Unwanted pests such as flies and rats.</p>	MODERATE	<p>Stellenbosch University and owners must communicate on how and where to get bins and what days.</p> <p>Cape Wine Lands District Municipality</p>	

WARD	SUMMARY OF RISK AS IDENTIFIED IN WBRA AND SELECTED AS CROSS-CUTTING ISSUES	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
11	Dumping of household waste in Papegaaai Nature Reserve has been identified as a concern, poses great threat to the natural habit of nature reserve.	Veld fires to the close proximity residential structures.	LOW	Nature Conservation	
12	Ekanini informal Settlement makes use of skips for the disposal of household waste. A lack of removal of the waste often leads to overflow of domestic waste.	Attraction of unwanted pests, such as rats and mice as well as more serious environmental health concerns.	MODERATE	7 Days service must be implemented. Cape Winelands District Municipality	
13	Due to the lack of "wheelie" bins, disposal materials (black bags, etc.) members of the community often dump their household waste on open properties in close proximity to their residential structures. Zone A and the Old Hostels has been identified as the hot spots.	Environmental health concerns.	MODERATE	"Wheelie" bins can be requested Cape Winelands District Municipality	

WARD	SUMMARY OF RISK AS IDENTIFIED IN WBRA AND SELECTED AS CROSS-CUTTING ISSUES	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
16	Members of the public have criticised service delivery as no facilities have been provided to dispose of garden waste. As such, open spaces have become dumping sites. This risk is regularly experienced within all open spaces, as well as areas adjacent to the river.	a) Attraction of unwanted pests b) Environmental health concerns	LOW	Cape Winelands District Municipality	
18	The dumping of household items, such as nappies on open properties and in water streams, has been raised as a concern in this ward. This risk is experienced daily within Mandela City and behind the sportsground.	a) Environmental health concerns b) Attraction of unwanted pests, such as rats and flies c) Stagnant and muddy areas surrounding skips d) Bad odours	LOW	Cape Winelands District Municipality	
19	Due to the lack of formal dustbins or skips, residents in the area discard household waste in a manmade pit. This waste is then often burnt in order to discard of it. This risk is experienced daily at De Novo, adjacent to the Lawrence Primary School.	Environmental health concerns and attract unwanted pests, such as rats and mice.	LOW	Farms are privately owned and a municipal service can be requested by farm owner.	

WARD	SUMMARY OF RISK AS IDENTIFIED IN WBRA AND SELECTED AS CROSS-CUTTING ISSUES	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
20	The dumping of household waste in Longlands has been identified as a concern. Household waste is often burnt due to the lack of proper discarding methods. The risk is experienced on a daily basis within Longlands.	The attraction of unwanted pests, such as mice and rats, or more severe environmental health concerns.	LOW	Formal services will be rendered to new houses. Constructing an objectives tree will help to identify solutions to improve environmental health in the community. This exercise is conducted in the same way as the problem tree, but in place of the causes and effects of a particular hazard, you will identify solutions and the outcomes they will achieve. As in the case of the problem tree, it will be helpful to examine the solutions to one problem at a time. Key questions include: What are the main solutions to this problem? How can these be implemented? Who can implement them? What effect will implementing these solutions have? Why will they have this effect? Trained, community-based risk monitors can help to identify and monitor environmental health risk on an ongoing basis, and report facilities that need to be repaired, particularly where governmental capacity is limited.	 
21	The continuous littering of household items in the area has been highlighted. This risk occurs daily at the Emergency Housing area.	Unwanted pests such as flies, rats and mice	LOW	Formal services will be rendered to new houses	

CROSS CUTTING ISSUES IDENTIFIED FROM WARD BASED ASSESSMENT: -

STRUCTURAL FIRES

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
2	Informal structures within the ward utilize candles, paraffin lamps and illegal connections for their cooking and lighting needs. The utilization of these items lead to daily risks for the residents of Langrug Informal Settlement.	a) Loss of property b) Displaced households c) Serious injury or loss of life	MODERATE	The Department Fire & Rescue Services and Disaster Management aims to promote the development, implementation and maintenance of effective disaster management and fire & rescue services in the Greater Stellenbosch region.	
3	Structural fires occurring within the ward are caused as a result of various problems, such as: a) Faulty electrical connections b) Tampering with electrical boxes c) The use of candles and paraffin lamps This risk occurs once every two to three months. Various residential areas within the ward are affected, including: a) Meerlust b) Maasdorp c) Lanquedoc d) Wemmershoek	The destruction and loss of property, as well as serious injury or loss of life.	MODERATE	Always involve street committees, NGOs, CBOs and CDW's. They can help to build communication links between local residents and service providers. They can also assist in closing gaps in service delivery, maintenance and in reporting of inadequate, blocked or broken infrastructure (eg broken hydrants). In many areas, fire risk increases because of excessive alcohol consumption and its adverse impact on responsible behaviour. This means engaging stakeholders who, in the past, may not have been so actively involved in risk management, such as shebeen owners and members of community watches.	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
4	Due to unmaintained private properties (vacant) within the residential areas, a fire risk can occur as a result of overgrown and dry grass. The risk increases during the summer months when temperatures within the Stellenbosch area can rise close to 40 degrees Celsius	A loss of property, loss of life, and loss of personal belongings.	LOW	Hazard mapping helps establish where fires occur most frequently, why they tend to occur, as well as how accessible these hotspots are to fire fighters and other emergency personnel. • Where are the main access roads and routes located? • What places or areas in the settlement are most prone to fires? Why are they prone to fires? • Are there fire hydrants in the community? Do they work? Do people know how to use them? Where are they? • Where are taps or water sources that can be used to put out fires? • Are there other measures in place to respond to fires (e.g. a fire pole or buckets of sand in a central place)? Where are these located?	 

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
11	A large number of houses within the wards are fitted with straw roofs, which pose a great fire risk to the owners and the surrounding communities. Although there is a daily risk, the risk increases during the summer months.	a) Destruction and loss of property b) Serious injury or loss of life	HIGH	The seasonal calendar helps establish when fires are most common and when the losses to fires are most severe. While a seasonal calendar is most often used to assess differences between seasons or over the course of a year, the method can be adapted to examine shorter time periods, such as a day, week or a month. • When do fires occur most frequently? • Why do they occur often at these times? • What effects do fires have on the community? • When do fires occur less frequently? • Why are they less common at these times?	
12	Enkanini Informal Settlement lacks formal electricity and is therefore forced to utilize candles, paraffin lamps and open fires for cooking, heating and lighting purposes. This is a daily risk experienced within the Enkanini Informal Settlement.	a) Displaced individuals b) Loss of property c) Serious injuries or loss of life	HIGH	Informal dwelling fires often result from interpersonal disputes and lack of political tolerance. Therefore, it may be beneficial to involve conflict resolution groups or structures, if these exist. In addition, as many fires are started accidentally by children, they should also be included, along with school, crèche and sporting groups.	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
13	The burning of informal structures within the area is mainly due to human negligence. Although the risk does not occur regularly, residents have identified Zone A at the Old Hostels as an area of concern. Informal	a) Loss of property b) Serious injuries c) Loss of life	MODERATE	A risk management capacities matrix helps identify any measures being taken to reduce fire risk and it identifies who is implementing the measures. It can also help determine the relative effectiveness of the measures, as well as identify obstacles to their implementation. • What measures are people taking to reduce the risk of fires? • Who uses the measures? • When are they used? • How effective are they in reducing the number of fires? • Why do some people not take these measures? • What steps are being taken to make the measures more effective/increase their usage?	
14	Several aspects increase the risk of structural fires. These aspects include: • Negligence with electrical equipment Densely populated informal areas. Blocking of major access routes. The use of “gelly-blikke” and open fires. Obstructed fire hydrants, the risk occurs daily but increases over weekends. All informal zones are susceptible to fire risk. Structural fires can result in:	a) Loss of property b) Serious injuries or loss of life c) Financial strain d) Loss of personal belongings	HIGH	Disaster Management, Department of Housing, Fire and Rescue Services South African Police Services (enforcement), Community development workers, Department of Health Other NGO's and CBOs Utility services, particularly Solid Waste Management, Eskom, Department of Community Development and the South African Social Security Agency (SASSA)	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
15	A number of informal structures are without formal electricity. They make use of candles, gas stoves, paraffin lamps and illegal cables for their cooking, heating and lighting needs. This risk is experienced on a daily basis within Zone J, Zone O, and Zone M.	<p>a) Loss of property b) Serious injuries or loss of life c) Displaced individuals</p> <p>Here, residents with access to legal electricity 'rent' it out by supplying other areas and households who are not connected to formal services – often off one plug or power outlet. People who then pay 'rent' for electricity are often required to limit its use (eg for TV but not cooking) to avoid tripping the power through overloading the system. Illegal forms of electricity are sourced from traffic lights or streetlights</p> <p>Electricity is accessed by connecting wires that may be strung above the ground, laid on the ground or even placed below the ground (the tar in roads may be chopped up to allow this).</p>	MODERATE	A risk history table can show the years when major fires occurred. These events can be used as a basis for questions on where the fire occurred, how it started and the extent and nature of the losses. • Has the number of fires increased, decreased or stayed the same? Why? • Were all fires reported to the fire services, or were some extinguished locally, without outside help?	 

		These cables melt when they are overloaded.			
16	Due to the densely populated backyard dwellings, fires are prone to spread rapidly. Increased fire risk occurs due to the use of candles and illegal electrical cables. This risk is experienced daily.	<p>a) Loss of property b) Loss of life c) Serious injury d) Financial strain</p> <p>Although density is not the main cause of fires, it contributes to severe fire risk in several ways:</p> <ul style="list-style-type: none"> • Density increases the number of potential ignition sources when there are many cooking and lighting points in a congested settlement. • Density increases the likelihood of fires spreading easily from one dwelling to another. • Housing density and exposure to low-hanging electrical wires (often called 'spaghetti wires') also limit access for firefighting and response vehicles. 	HIGH	<p>A transect walk can help identify measures taken by the community to reduce the likelihood of fires. These may not be mentioned during a mapping exercise, as they are often taken for granted by community members. It is also essential for identifying high-risk areas and hazardous sites.</p> <p>A problem tree helps understand fire risk by identifying the main causes and effects of fires and the relationships between them. It is particularly useful in understanding the socio-economic factors that increase fire risk.</p> <ul style="list-style-type: none"> • What are the main causes of fires? • Why do these causes occur? • What are the effects of fires? • Why do they have this effect? 	 

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
18	Houses have burned down due to illegal electrical connections. This risk is mostly experienced during summer months. The residential areas in Klapmuts, as well as Mandela City, are highly susceptible to structural fires.	Destruction and loss of property, as well as serious injury or loss of life.	MODERATE	A risk history table can show the years when major fires occurred. These events can be used as a basis for questions on where the fire occurred, how it started and the extent and nature of the losses. • Has the number of fires increased, decreased or stayed the same? Why? • Were all fires reported to the fire services, or were some extinguished locally, without outside help?	
19	Due to the lack of formal housing, individuals are forced to erect illegal structures in backyards. This causes them to be without formal electrical connections and forces them to utilize other methods for their daily needs. Smarty Town adjacent to Cloetesville, as well as De Novo, has been identified as the areas of concern.	a) Loss of property b) Displaced households c) Serious injury or loss of life	LOW	Hazard mapping helps establish where fires occur most frequently, why they tend to occur, as well as how accessible these hotspots are to fire fighters and other emergency personnel.	
21	Due to illegal electrical connections and the use of open fires for cooking and heating purposes, a high fire risk has been identified. The Emergency Housing area behind Mountain View has been identified as the area of concern.	a) Loss of property b) Serious injuries or loss of life c) Financial strain of affected households	HIGH	A risk management capacities matrix helps identify any measures being taken to reduce fire risk and it identifies who is implementing the measures. It can also help determine the relative effectiveness of the measures, as well as identify obstacles to their implementation. • What measures are people taking to reduce the risk of fires? • Who uses the measures? • When are they used? • How effective are they in reducing the number of fires? • Why do some people not take these measures? • What steps are being taken to make the measures more effective/increase their usage?	

CROSS CUTTING ISSUES IDENTIFIED FROM WARD BASED ASSESSMENT:

TRAFFIC ACCIDENTS					
WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
1	High accident zones within the ward have been identified due to speeding and reckless driving. Due to single lanes throughout Franschhoek to the pass, accidents cause major disruptions. The risk is often experienced on the R45 entering Franschhoek towards the pass as well as the Franschhoek Pass at the lookout point.	a) Serious injury or loss of life b) Road closures c) Traffic congestion	HIGH	Speed cameras are placed on the R45 to do speed enforcement on a regular basis.	
3	Several causes for traffic accidents have been highlighted. These include: a) Pedestrians crossing b) Lack of road signs c) Concealed entrances The risk occurs regularly and is widely spread across the ward. These areas include: Entrance to Meerlust Intersection at Wemmershoek Primary and Bergviver Road Single entrance to Lanquedoc R45 and Helshoogte Road intersection R301	a) Serious injuries or loss of life b) Road closures c) Traffic congestion	MODERATE	Regular visible vehicle patrols and traffic services assists with point duty.	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
4	Various roads within ward 4 have been identified as high accident zones. This risk is often experienced. The following roads and intersections have been highlighted: a) Helshoogte Pass b) Main Road and Pniel entrance c) Main Road and Boschendal intersection d) Main Road and Star King intersection e) Johannesburg Exit	a) Loss of life. b) Major traffic congestion and road closures	HIGH	Visible vehicle patrols are conducted, and vehicle check points including speed enforcement.	
5	Due to speeding and reckless driving, accidents are prone to occur. The risk is often experienced and the old Helshoogte Road and the Helshoogte Pass have been identified as accident hotspots.	a) Traffic congestion b) Road closures c) Serious injury	HIGH	Speed enforcement and visible vehicle patrols as well as vehicle check points.	
6	Concerns regarding traffic accidents include: The lack of entrance routes into Idas Valley Congestion and increased incidents at the Idas Valley entrance High accident zone on the R44 This risk is experienced on a daily basis. The areas of concern include: a) Entrance at Idas Valley b) Intersection of Helshoogte Road and Rustenburg Road c) Intersection at the R44 and Kromme Rhee.	a) Serious injury or loss of life. b) Road closures and traffic congestion.	HIGH	Visible vehicle patrols and vehicle checks points.	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
7	<p>Members of the community have raised their concerns of traffic accidents within their ward and the following were addressed:</p> <p>a) Trucks driving through their area from the Jonkershoek area</p> <p>b) Speeding down Martinson Street</p> <p>c) Pedestrian crossings at the Primary, as well as the Secondary school respectively</p> <p>d) Deliveries that take place behind the Spar</p> <p>This risk occurs daily. The following areas have been identified:</p> <p>a) Trucks driving from the Jonkershoek area</p> <p>b) Martinson Street</p> <p>c) Pedestrian crossing at Primary and Secondary schools</p> <p>d) Loading zone behind Spar</p> <p>e) Cluver Street</p>	Traffic accidents can lead to serious injuries or loss of life, loss of property and the loss of income.	MODERATE	<p>Enforcement of trucks illegally in residential areas.</p> <p>Parking related offenses are being dealt with. Speeding in Martinson street conducted by means of speed camera.</p> <p>Visible patrols around schools during opening and closing.</p>	
8	<p>Merriman Avenue has been highlighted as an accident hotspot due to the increased drag-racing occurring.</p> <p>Merriman Avenue is situated between Bird and Cluver Street.</p>	<p>a) Serious injuries or loss of life</p> <p>b) Road closures</p> <p>c) Traffic congestion</p>		<p>Traffic Services doing daily visible vehicle patrols.</p>	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
9	Due to the density of Stellenbosch CBD and surrounding areas, traffic accidents cause major chaos on the roads. Racing and speeding within the CBD have also been identified as concerns. Furthermore, obstructions on sidewalks force residents to walk on the narrow roads of Stellenbosch CBD, also exacerbating the risks of traffic accidents. This risk is experienced regularly. Three main transport routes identified include Van Riebeeck Street, Merriman Street and Mill Street.	a) Major traffic congestion b) Road closures c) Serious injuries d) Loss of life	LOW	Visible vehicle and foot patrols are conducted	
10	Various areas within the ward were deemed as 'racing tracks'. These areas/streets include: ·Bird Street ·Jan Cilliers Road and the Hammanshand Road ·Helshoogte Road	Major traffic congestions, road closures, as well as loss of life.	LOW	Operations are conducted on a regular basis as well as speed enforcement.	

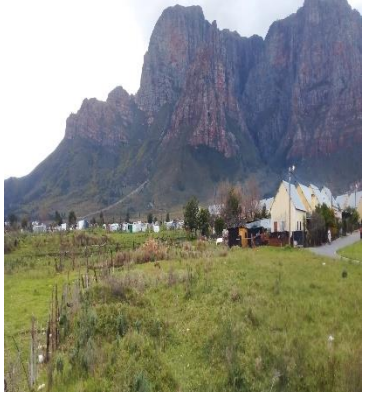
WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
13	Residents have raised their concern regarding car wash activities occurring in the middle of the road, which cause accidents with other cars. The streets are narrowed due to illegal parking on the sidewalks, etc. This exacerbates the situation. Mango Street in 1st Avenue was identified as an accident hotspot	a) Serious injuries or loss of life b) Road closures c) Traffic congestion	HIGH	Illegal parking enforcement are conducted on a regular basis as well as when complaints received.	
14	Accidents experienced within the ward are generally due to human error, overtaking dangerously and speeding. This risk is often experienced on the R44 toward Klapmuts.	a) Serious injury b) Loss of life c) Road closures d) Traffic congestion	MODERATE	High visible patrols are conducted on the R44 Klapmuts daily.	
19	Traffic accidents within this ward are often caused by speeding and reckless driving. The following roads have been identified: · The intersections on the R44 · The M23 · The R304	Road closures, traffic congestion and serious injury or loss of life	MODERATE	Visible vehicle patrols and speed enforcement are conducted on a regular basis.	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
20	<p>Various causes of traffic accidents have been identified in this ward. The following areas have been identified as areas of high risk:</p> <ul style="list-style-type: none"> · R44 towards Somerset West · Vloottenburg station · R310 · Polkadraai road (M12) at night time 	<p>a) Serious injuries or loss of life b) Road closures c) Traffic congestion</p>	HIGH	<p>Speed cameras for speed enforcement are placed daily on these routes to reduce speed. Regular vehicle checks for roadworthiness and fitness of drivers.</p>	
21	<p>Concerned residents have identified the R44 as a high accident zone due to a large number of accidents occurring on this road. The R44 between the Engen garage and Paradyskloof Road, as well as the entrance towards Techno Park, was specifically identified as a high, risk accident zone.</p>	<p>a) Loss of life b) Serious injuries c) Loss of property d) Congestion of traffic e) Road closures</p>	HIGH	<p>Speed enforcement and visible vehicle patrols.</p>	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
22	<p>Various concerns and areas within the ward have been identified.</p> <p>a) R44 – increased traffic congestion caused by increased tenants within the area, as well as five schools situated within/adjacent to the ward.</p> <p>b) A lot of taxi activities due to the employment opportunities at Boord Spar and Medi Clinic.</p> <p>c) Drag racing that occurs during the early hours of the morning.</p>	Traffic accidents can cause major traffic congestion, road closures and the loss of life.	LOW	<p>Traffic officers assist with point duty to relieve congestion around schools during start end closing.</p> <p>Daily public transport enforcement, are being conducted to act against illegal taxis.</p> <p>Operational working hours changes are made of Traffic officers to address the after hour drag racing activities.</p>	

CROSS CUTTING ISSUES IDENTIFIED FROM WARD BASED ASSESSMENT:

VELD FIRES					
WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
1	Due to the proximity and expansion of informal structures to the mountain slopes, a veld fire could wreak havoc amongst the back section of Langrug Informal Settlement, which is located along the slopes of the Franschhoek Mountain. This is a risk during the fire season, which is from November to March.	<ul style="list-style-type: none"> a) Destruction of natural habitats b) Increase runoff during heavy rain c) Structural damage due to proximity to structures. 	MODERATE	CWDM have five (5) Fire Depots strategically situated throughout our area of jurisdiction, with the Head Office and Emergency Control Centre being in Bird Street Stellenbosch. Our Fire and Rescue Academy services fire fighters from all over the Western Cape Province and provides IFSAC accredited courses such as HAZMAT Awareness, Fire Fighter 1, HAZMAT Operational and Fire Fighter 2.	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
2	The mountain slopes of the Franschhoek Mountain have been identified as a high fire risk area. This is exacerbated by the close proximity of the Langrug Informal Settlement to the mountain. The risk occurs mainly during the fire season, which is from November until March.	a) Destruction of natural habitats b) Increased runoff during heavy rain periods c) Structural damages	HIGH	a) planning, co-ordination, and regulation of fire services; b) specialised firefighting services such as mountain, veld and chemical fire services; c) co-ordination of the standardisation of infrastructure, vehicles, equipment and procedures; d) training of fire officers	
3	Several areas within the ward have been identified as a high veld fire risk. This is exacerbated by the residential structures within the ward being surrounded by open veld. The risk is experienced during the fire season, which is from November until March. High risk areas identified includes veld surrounding: Maasdorp Lanquedoc Pniel	a) The destruction of natural habitats b) Loss of vegetation c) Increased runoff during rain episodes d) Structural damages and loss	HIGH	Fire Protection Associations are formed and governed under the National Veld and Forest Fire Act (Act 101 of 1998) as voluntary associations of Landowners who wish to cooperate for the purpose of predicting, preventing, managing and extinguishing veldfires.	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
4	Residents have expressed their concerns regarding the close proximity of residential structures to the open veld. The risk occurs mainly during the fire season (November until March) within all residential suburbs but more specifically Johannesburg.	a) Loss of vegetation and natural habitats b) Increased water runoff c) Loss of property d) Loss of life	LOW	Neither WFPA nor its partners can be held liable for any direct, indirect, incidental, consequential, special or exemplary damages arising out of or in connection with the use of the FDI information provided. The WFPA does not and cannot guarantee the accuracy of the information provided. It remains the responsibility of the landowner to take weather status into account, on the specific day, when doing a controlled burn or fighting a fire.	
5	Due to the proximity of farming activities to the mountain slopes, a veld fire incident would be detrimental to these farms located on the slopes. The risk is experienced during the veld fire season, which is from November until March. The Helderberg Mountain has been specifically identified as a fire hotspot.	a) Destruction of natural habitats b) Increased runoff during heavy rain episodes c) Loss of agriculture crops	LOW	Contribute to community development by reducing injuries, losses to lives, property and the environment due to wildfires Promote Integrated Fire Management together with the useful role of wildfires Protect mountain catchment areas to protect future fresh water supplies Protect the high levels of biodiversity, endemism and red data species of	

				the Cape Floristic Region	
6	<p>A severe fire incident which occurred in January 2016 severely affected a number of farms within the area. The current drought situation is concerning for the next fire season. Fire risks tend to occur annually, with every fire season.</p> <p>All agricultural properties are susceptible to the outbreak of a veld fire. Veld fires can lead to:</p>	<p>a) Loss of agricultural stock and crops</p> <p>b) Loss of property</p> <p>c) Possible loss of income</p> <p>d) Loss of life</p>	MODERATE	<p>Reduce the incidence and spread of wildfires</p> <p>Promote cooperation and coordination between all role players in wildfires</p> <p>Deploy a veldfire management strategy throughout the FPA area</p> <p>Develop and implement IFMPs for the Fire Management Units</p> <p>Empower landowners in IFM</p> <p>Awareness and compliance of landowners to the NVFFA</p> <p>Compliance of members to the agreed FPA rules</p> <p>Increase in FPA members</p> <p>Awareness to the general public on wildfires</p> <p>Identify and reduce the risks within high fire risk areas</p> <p>Create MOUs and working agreements with neighbouring Fire Brigade Services and FPAs</p> <p>Ensure an adequate wildfire reporting system is in place for all reporting requirements</p>	 

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
7	<p>Members raised concerns regarding the outbreak of veld fires. Alien vegetation contributes to high fuel loads during a fire incident. The following areas were identified:</p> <p>a) Botmanskop Nature Reserve b) Next to the Eerste River c) Old Helshoogte Road d) Karindal</p>	Veld fires can lead to the destruction of natural habitats and vegetation. It can also increase the water runoff during heavy rain periods.	HIGH	<p>When reporting fires, please contact your Local District Municipality</p> <ul style="list-style-type: none"> • City of Cape Town: 107 or 021 480 7700 from a cellphone • Overberg: 028 425 1690 • West Coast: 022 433 8700 • Eden: 044 805 5071 • Central Karoo: 023 414 2603 • Cape Winelands: 021 887 4446 <p>You can also contact the City of Cape Town's Fire Safety offices to report fire dangers. Be sure to save the appropriate number on your cellphone and to teach it to your children.</p>	 

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
8	Although the Stellenbosch Mountain and the Jan Marais Park are not situated within the ward, residents have expressed their concern regarding the proximity of these properties to the residential areas within ward 8. The risk is experienced during the fire season (November until March) at the Stellenbosch Mountain and Jan Marais Park properties. Veld fires could possibly spread to the residential areas due to the proximity of the structures.	Loss of property and possible injuries and loss of life.	MODERATE	The Winelands FPA does not Provide a firefighting service although assistance at larger fires can be provided. Fulfil the role of the fire brigade services. Receive any income from the collection of rates levied by municipalities neither does it pay over any funds towards municipalities. Get involved in structural firefighting or related issues. Enforce membership to the organisation. Membership is voluntary other than for state organisations which own land or manage land for which membership is compulsory.	  

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
11	Onder-Papegaaiberg residential area is surrounded by veld and a nature reserve. The veld has become an area known for dumping and thus poses a great threat for a veld fire. The veld and Papegaaiberg Nature Reserve adjacent to Onder-Papegaaiberg have been identified as areas of concern. There are also densely populated pine trees within the residential area, which can exacerbate the fuel load.	The destruction of the natural habitat and vegetation. It can also increase the water runoff during heavy rain periods.	MODERATE	<p>Prevention and fire strategy</p> <p>Landowners, and especially hospitality and tourism businesses operating in an area where wildfires are common, should pay particular attention to the protection and safety of their guests and employees.</p> <p>Any fire strategy should include the following components:</p> <ul style="list-style-type: none"> Awareness It is estimated that as many as 90% of unwanted unnatural fires are caused by people. It is important to know where and when these dangers occur and where the danger areas are. Prevention Education and new management systems may be necessary to prevent fires. Preparedness The best way to be prepared is to comply with the provisions of the National Veld and 	 

				Forest Fire Act , creating and maintaining adequate fire breaks and to join or form a local Fire Prevention Association (FPA) in your area .	
18	A number of small magnitude veld fires have been reported within the ward. The risk is experienced during the fire season, which is from November until March. The open veld surrounding Klappmuts residential area has been identified as the area of high fire risk.	a) Loss of natural habitats b) Loss of vegetation c) Structural damages	LOW	The Working on Fire programme (WoF), funded by the South African Government, is one of South Africa's most successful poverty alleviation, job creation and community upliftment initiatives.	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
20	Members of the community have raised concerns about veld fires in their ward, especially during summer. The entire ward is susceptible.	The water runoff during heavy rain periods.	LOW	CWDM will have arial support in the summer season consisting of a minimum of 3 helicopters and the provincial Sortie. 6 Ground teams and fire fighter reservists consisting of ± 60 people. Our main station operates with a minimum of 3 vehicles and the sub stations 2 vehicles. CWDM also have an incident command vehicle for larger incidents. CWDM have mutual aid agreements in place with the B-municipalities. Stellenbosch and Drakenstein.	 

CROSS CUTTING ISSUES IDENTIFIED FROM WARD BASED ASSESSMENT:

WATER POLLUTION

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
1	Due to the high populated area adjacent to the Stiebeuel River, littering and dumping of household waste in the river is a frequent occurrence.	Environmental health concerns. It can also result in waterborne diseases if consumed by humans.	MODERATE	Discussion and planning of stormwater structure to divert polluted stormwater to WWTW. General waste remains an issue to date. Regular clean-up required from relevant department.	
3	A small informal settlement, which has established itself adjacent to the Banghoek River, does not have any formal sanitation facilities or refuse removal. Thus, dumping of waste occurs in the river.	Serious environmental health concerns. Waterborne diseases can also occur when water is consumed.	MODERATE	Further investigation is required. Wemmershoek WWTW currently being upgraded.	
4	The Kylemore Sewerage works release final treated sewerage water back into the Dwars River. Children have been prohibited to swim in the Dwars River.	Serious environmental health concerns. Polluted water also leads to waterborne diseases and skin irritation.	MODERATE	Pniel WWTW is currently being upgraded with phase1 nearing completion	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
6	Due to regular dumping of household waste in the fresh water stream that flows through the Idas Valley, contamination and high levels of pollution have been identified as concerns. The freshwater stream flows from Lindida into the Krom River.	a) Attraction of unwanted pests, such as flies and mosquitoes b) Outbreak of waterborne diseases c) Contamination of drinking water	HIGH	Investigation conducted by Pollution Control based on several complaints received regarding the overflow of raw sewage into a natural watercourse i.e. the Krom River. Further to the investigation conducted by Pollution Control and sewer and reticulation Department, it was found that a manhole was damaged of which general waste caused the ongoing blockages. This has led to unwanted pests, odour, contamination of river, etc. No recent complaints received. Complaints regarding drinking water were received and investigated.	
7	Household items and public urination are causes of water pollution in the Eerste River. The high pollution levels have been raised as a concern by the local officials. The risk is often experienced within the Eerste River.	Environmental health concerns and may lead to waterborne diseases, such as cholera.	HIGH	Complaints regarding river pollution received and addressed which relates to the Vlotenburg Pump Station overflow of raw sewage into a natural Watercourse i.e. the Eerste River. Daily inspections conducted to avoid future issues.	

9	The Eerste Rivier which flows from Jonkershoek and forms a portion of the ward 9 boundary, has been affected by various forms of pollution including:	a) Public defecation b) Public urination c) Domestic waste pollution	MODERATE	Further investigation required	
10	Water pollution in the Krom River takes on many forms. Pollution is often caused higher up in the river by dumping of solid waste, or more concerning, public urination. Public urination along the river was explicitly expressed as a concern.	Outbreak of water-borne diseases if pollution levels are very high.	MODERATE	Further investigation required	
11	Dumping of household waste and raw sewerage in the Eerste River and Plankenburg River can be detrimental to communities located lower stream. The entire Eerste River and Plankenburg River have been affected. Farming communities located lower stream are more severely affected by polluted water needed for irrigation.	a) Farmers being unable to irrigate land b) Waterborne diseases, such as diarrhoea c) Environmental health concerns	MODERATE	Regular meetings held to mitigate issues.	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
12	Household dumping and industrial sewerage outlets in the Plankenburg River have resulted in skin rashes amongst children who play in summer months. The risk increases during the hot summer months. The Plankenburg River and the dam are situated adjacent to New Watergang, Kayamandi	a) The outbreak of skin rashes b) Waterborne diseases, such as diarrhoea	MODERATE	Complaints regarding river pollution received and addressed. Daily inspections are conducted.	 
13	High levels of pollution have been found in the Plankenburg River that flows past Kayamandi. This is due to the dumping of waste in the river, but also the dumping of household wastewater into the stormwater canals that flow into the river. The risk is experienced daily throughout the year.	Environmental health concerns. Polluted water utilised for irrigation also poses great risks for the agricultural sector	HIGH	Minimal to no abstraction in the polluted parts of the Plankenbrug river. Polluted water from the area poses a number of challenges. Regular meetings held to mitigate issues	

WARD	SUMMARY OF IDENTIFIED RISK IN WBRA AND SELECTED AS CROSS-CUTTING ISSUE	WHAT THE RISK CAN LEAD TO	RISK RANKING (LOW, MODERATE, HIGH OR VERY HIGH)	RESOLUTION AS PROPOSED BY MUNICIPAL USER DEPARTMENT	EVIDENCE
14	Residents have raised concern regarding the algae sited at the Plankenburg River. A distinct smell has also been noted. The smell and the formation of the algae can be attributed to the dumping of household waste in the river. The risk is specifically evident during summer months.	a) Outbreak of waterborne diseases b) Increased occurrence of mosquitoes c) Unsatisfactory living conditions	MODERATE	Minimal to no algae observed. Stormwater structures in place which diverts polluted stormwater to the WWTW	
19	Residents have raised concerns in the freshwater stream. The stagnant water is due to the continuous dumping of household waste. The risk often occurs in the freshwater stream that flows past Smarty Town in Cloetesville.	Unwanted pests, such as flies and mosquitoes. It can also lead to waterborne diseases and serious environmental health concerns.	MODERATE	Further investigation required.	
21	Two incidents of raw sewerage spillages in the Blaauwklip River have been reported. These spillages occurred due to negligence and sewerage pipes that were over capacity. Therefore, residents are concerned about farming activities and residential structures adjacent to the river. All residential and agricultural properties adjacent to the Blaauwklip River are at risk.	a) Environmental health risk b) Outbreak of waterborne diseases, such as cholera	MODERATE	Jamestown pump station decommissioned. Historical overflow of raw sewage lead to pollution of the Blaauklippen River. No new incidents and or complaints received since.	

12. ANNEXURE C: KEY STAKEHOLDERS CONTACT LIST

STELLENBOSCH MUNICIPALITY						
NAME	DEPARTMENT	DESIGNATION	TEL	FAX	CELL	EMAIL
MAYOR'S OFFICE						
Cllr. Gesie van Deventer (Mrs)	Office of the Executive Mayor	Executive Mayor	021 808 8002		082 570 5681	mayor@stellenbosch.gov.za
Jeremy Fasser	Office of the Executive Mayor	Deputy Mayor and Human Settlements Mayco Member	021 808 8002		081 419 1233	Jeremy.fasser@stellenbosch.gov.za
Quintin Smit	Office of the Executive Mayor	Speaker	021 808 8941		082 570 5681	Quintin.smit@stellenbosch.gov.za
Charlotte De Wet	Office of the Executive Mayor	Personal Assistant	021 808 8002			charlotte.dewet@stellenbosch.gov.za
MUNICIPAL MANAGER						
Geraldine Mettler (Ms)	Office of the Municipal Manager Function; Internal Audit; Risk Management; Strategic Management; Responsible for Overall Leadership Management of Functions Listed per Directorate	Municipal Manager	021 808 8025	021 808 8026	082 313 3063	municipal.manager@stellenbosch.gov.za
DIRECTORATE: COMMUNITY AND PROTECTION SERVICES						
Carli van Wyk	Councillors	Portfolio Councillor: Protection Services (Traffic & Law Enforcement	021 808 8746		0791663899	Carli.vanwyk@stellenbosch.gov.za
Peter Johnson	Councillors	Portfolio Councillor: Protection Services (Fire and Disaster Management)	021 808 8746		073 787 7480	Peter.johnson@stellenbosch.gov.za
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Joan Felix	Traffic Services; Law	Manager: Traffic & Law Enforcement services	021 808 8447		073 182 1392	joan.felix@stellenbosch.gov.za
Shezayd Seigels (Ms)	Enforcement; Security	Senior Disaster Coordinator	021 808 8888	086 574 6470	082 050 4834	shezayd.seigels@stellenbosch.gov.za
Gavin Solomons	Services; Land Invasion; VIP Protection;	Chief: Traffic Services	021 808 8800	021 808 8832	073 184 2169	gavin.solomon@stellenbosch.gov.za
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NAME	DEPARTMENT	DESIGNATION	TEL	FAX	CELL	EMAIL
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Sylvia Pretorius (Ms)		Manager: Administration and Client Services	021 808 8023			Sylvia.pretorius@ Stellenbosch.gov.za
Paul Jobert		Senior Manager: Water/Sewage	021 808 8218		072 995 9258	Paul.joubert@ Stellenbosch.gov.za
Nombulelo Zwane		Senior Manager: Electricity	021 808 8770	021 883 9874	082 826 5587	Nombulelo.zwane@ Stellenbosch.gov.za
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Nigel Winter		Manager: Transport Engineering	021 808 8223			Nigel.winter@ stllenbosch.gov.za
DIRECTORATE: CORPORATE SERVICES						
Annalene de Beer (Ms)	Integrated Development Planning; Corporate Strategy; Performance Management; Communication; Inter-governmental Relations; International Relations; Policy Management; Human Resources, Community Participation, Information Technology, Legal Services	Director: Strategic and Corporate Services	021 808 8018		083 305 3685	Annaleen.debeer@ Stellenbosch.gov.za
Alexander Kannemeyer		Senior Manager: Human Resources			083 679 2085	Alexander.Kannemeyer@ Stellenbosch.gov.za
Stuart Grobbelaar		Manager Communications	021 808 8079		084 036 1395	Stuart.Grobbelaar@ Stellenbosch.gov.za
DIRECTORATE: PROPERTY AND PLANNING DEVELOPMENT						
Anthony Barnes	Develop and Implement High-level Strategic Objectives for Integrated Human Settlements Projects, Public and Staff Rental Housing and Housing Demand Database/Waiting List; Implement the Strategic Objectives of Council Pertaining to Informal Settlements; Management of Council-owned Fixed Properties	Director: Property and Planning Development and Human Settlement	021 808 8757		082 776 1960	Anthony.Barnes@ Stellenbosch.gov.za
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Rotanda Swartbooi		Municipal Housing: Rentals	021 808 8757		066 460 7463	Rotanda.swartbooi@ Stellenbosch.gov.za
Craig Alexander	Strategic and Effective Management of Heritage and Environmental Resources; Spatial Planning, Heritage and Environmental Projects Planning, Implementation and Management; and Compliance of Development Applications with Relevant, Heritage, Environment, Community Development; Local Economic Development and Tourism	SeniorManager: Planning and Strategic Development	021 808 8196		083 461 9604	Craig.Alexander@ Stellenbosch.gov.za
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12.1 COMMUNITY AND SOCIAL SERVICES: DSD AND SASSA

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SASSA	REGIONAL OFFICE (CT)	
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P Pietersen	083 535 7429	patience@sassa.gov.za
L Qabisisa	082 774 6596	lungileQa@sassa.gov.za
Z Madolo	082 045 1190	zukiswaM@sassa.gov.za
A Bester (SCM)	082 927 9039	annelizeb@sassa.gov.za
L Berling	082 577 5699	LorraineB@sassa.gov.za

12.2 Ward Councillor Contact Information

WARD COUNCILLOR	WARD NO.	MAYCO ROLES	EMAIL ADDRESS:
Reginald Pheiffer	Ward 1		Reginald.Pheiffer@stellenbosch.gov.za
Wilhelmina Petersen	Ward 2		Wilhelmina.Petersen@stellenbosch.gov.za
Charles Manuel	Ward 3		Charles.Manuel@stellenbosch.gov.za
Ralphton Adams	Ward 4		Ralphton.Adams@stellenbosch.gov.za
Roy van Rooyen	Ward 5		Roy.Vanrooyen@stellenbosch.gov.za
Nateshia Mcombring	Ward 6		Nateshia.Mcombring@stellenbosch.gov.za
Annemarie Ferns	Ward 7		Annemarie.Ferns@stellenbosch.gov.za
Carli van Wyk	Ward 8	Planning , Traffic & Law Enforcement	Carli.vanwyk@stellenbosch.gov.za
Zelda Dalling	Ward 9	Infrastructure	Zeldadalling@gmail.com
Rozette du Toit	Ward 10	Local Economic Development and Tourism	Rozette.dutoit@stellenbosch.gov.za
Johanna Serdyn	Ward 11		Johannie.Serdyn@stellenbosch.gov.za
Ayanda Tomose	Ward 12		Ayanda.Tomose@stellenbosch.gov.za
Mary Nkopane	Ward 13		Mary.Nkopane@stellenbosch.gov.za
Maxwell Danana	Ward 14		Maxwell.Danana@stellenbosch.gov.za
Elliot Phakamisa	Ward 15		Elliot.Phakamisa@stellenbosch.gov.za
Elsabe Vermeulen	Ward 16		Elsabe.vermeulen@stellenbosch.gov.za
Peter Johnson	Ward 17	Financial Services, Fire & Disaster Management	Peter.Johnson@stellenbosch.gov.za
JC Anthony	Ward 18		Jc.Anthony@stellenbosch.gov.za
James Williams	Ward 19	Rural Management	James.Williams@stellenbosch.gov.za
Joseph Joon	Ward 20	Community Development (Parks, Open Spaces, Environment)	Joseph.Joon@stellenbosch.gov.za
Vacant	Ward 21		
Esther Groenewald	Ward 22		Esther.groenewald@stellenbosch.gov.za
Lwando Nkamisa	Ward 23		ELwando.Nkamisa@stellenbosch.gov.za

13. ANNEXURE D: SOP: PRIMARY RELIEF ASSISTANCE

ACTION REF	PROCEDURE DESCRIPTION	TIMEFRAME	PERSON(S) RESPONSIBLE	RESOURCES REQUIRED	DELIVERABLES	DEPENDENCIES	LINKS TO SOP
	Procure blankets, mattresses, food parcels and vanity packs through approved tender in line with the temporary accommodation of affected persons. (In cases where support from DSD and SASSA is not forthcoming) to ensure suitable stock levels in preparation for disaster incidences.	3 year approved tenders. Specification to be submitted 3 months prior to the end of the previous tender.	Community Development Official	Blankets Mattresses Vanity Packs Food Parcels	Approved tender through SCM process	SCM processes	Procurement SOP
1	Head Disaster Management informs applicable departments of incident and location with estimated affected number of households and persons via WhatsApp (includes DSD and SASSA) followed by incident and activation report.	2 hours	Head Disaster Management	Data Standby resource s	WhatsApp incident report Activation report confirming the type of assistance required		Activation SOP
2 (a)	Community Development receives verified list of affected persons from Disaster Management as prepared and signed off by Informal Settlements Department	Upon receipt	Head Disaster Management	Email	Verified list containing: <ul style="list-style-type: none">Address, ID/birth date, name, surname and gender of all inhabitants		Verification SOP
	Formal and private property: Community Development receives verified list from Disaster Management as prepared by and signed off by Informal Settlements Department. DM assess the impact of the incident and recommend to the Director Community and Protection Services the extent of humanitarian relief required. DM issues directors written instruction to CD to implement SRD along with verified list and assessment of scenario.	Upon receipt	Head Disaster Management	Email and WhatsApp	Verified list containing: <ul style="list-style-type: none">Address, ID/birth date, name, surname and gender of all inhabitants.Written confirmation (WhatsApp/ SMS print screen of phone)		Verification SOP
	Decisions to be made upon receipt of assessments: <ul style="list-style-type: none">Need to establish a JOCSize of affected area (more than 15)Temporary housing required?Relocation vs resettlement	24 hours	Head Disaster Management				
IF YES	(and/or temporary accommodation must be arranged)						
4a	Establish JOC and VOC	24 hours	Management				
4b	Register SRD Incident on internal incident board and open incident file	24 hours	Community Development Official	Stationery	SRD Register		
4c	Alert and notify DSD/SM service provider of incident. CD arrange provision of hot meals and relief items. Provide DSD with verified list of affected persons. Hot meals provided for a maximum of 7 days. Each affected household is informed of this on day 1.	24 hours	Community Development Official	Transport Data Standby resources	Notifications and proof of receipt thereof	Verified report	
4d	Coordinate and arrange temporary housing of affected persons to council delegations. Community development official is introduced to affected community.	12 hours	Disaster Management in collaboration with: <ul style="list-style-type: none">Human SettlementsCommunity and Protection Services CBOs	Data Standby resource s		Availability of community facilities	Re-settlement and relocation SOPs
4e	Distribute blankets, mattresses and vanity packs and compile POE as proof of receipt per person/household. Temporary accommodation and adverse conditions: Blankets, mattresses and vanities may be distributed prior to receipt of verification report.	As soon as SASSA responds or not/SM within 5 working days of receipt of verified list	SASSA/Community Development Official	Blankets Mattresses Vanity packs	Signed receipts of support materials provided	Availability of affected persons Verified list	
	Partially affected households: DM provides written assessment of the extent of the damage and the resulting SRD requirements: blankets, mattresses, food parcels and vanities.	Within 5 working days of the receipt of the DM assessment	DM Community Development Official	Blankets Mattresses Vanity packs Food parcels	Signed receipts of support materials provided	Availability of affected persons Verified list	

ACTIO REF	PROCEDURE DESCRIPTION	TIMEFRAME	PERSON(S) RESPONSIBLE	RESOURCES REQUIRED	DELIVERABLES	DEPENDENCIES	LINKS TO SOP
4f	Monitor provision of hot meals to affected persons: If provided by SASSA, for a maximum of 3 days If provided by SM, up to a maximum of 7 days or resettlement, whichever comes first.	For duration of temporary housing provided	Community Development Officials	Transport	Two meals delivered to beneficiaries daily as per SASSA and tender standards	Approved tenders	
4g	Distribute food parcels and compile POE as proof of receipt per household after receipt of verification report	Upon resettlement of persons	Community Development Official	Transport Data Standby resources	Copies of receipts	Availability of affected persons	
4h	Report incident to SASSA for grants and to DSD for trauma	Upon resettlement	Community	Verified list of affected persons	Verified list and referral		
	Counseling if required (note fatalities)	Number of persons	Development Official	Persons	To SASSA Referral to DSD		
4j	Conclude incident file containing verified list of affected persons, proof of distribution of relief items and proof of referral to SASSA and/or DSD	24 hours after resettlement	Community Development Official	Verified list of affected persons	Completed file		
5	Submit report to Disaster Management	Monthly	Community Development Official		Monthly report		
6	Replenish food parcel stock in stores if minimum levels have been reached	48 hours after completion	Community Development Official	Budget	Stock in stores up to 50	Availability of funding	
IF NO	(and/or temporary accommodation)	Not required					
7a	Register SRD incident on internal incident board and open incident file	24 hours	Community Development Official	Stationery	SRD Register		
7b	Issue blankets, mattresses, vanity packs and food parcels from stores upon receipt of verified report. Ensure proof of receipt is obtained.	Upon resettlement and within 3 working days of receipt of verified list	Community Development Official	Data Standby Transport SRD Resources	Signed receipts of support materials provided 1 food parcel per household. <4 persons = small food parcel, >4 persons = large food parcel	Notification of fire kit issuing process	
7c	Report incident to SASSA for grants and/or DSD for trauma counselling (note fatalities)	Upon resettlement of persons	Community Development Official	Verified list of affected persons	Referral to SASSA/DSD		
7d	Conclude incident file containing verified list of affected persons, proof of distribution of relief items and proof of referral to SASSA/ DSD	24 hours after resettlement	Community Development Official	Verified list of affected persons	Completed file		
8	Submit report to Disaster Management	Monthly	Community Development Official				
9	Replenish food parcel stock in stores if minimum levels have been reached	48 hours after completion	Community Development Official	Budget	Stock in stores up to 30	Availability of funding	

14. ANNEXURE E: IDP AND DISASTER MANAGEMENT PLAN INTEGRATION

IDP	DISASTER MANAGEMENT INTEGRATION
Phase 1: Analysis	Phase 1: Analysis
<p>Compilation and reconciliation of the following:</p> <ul style="list-style-type: none"> Existing information of what is available in terms of development. Community and stakeholder analysis – who should be consulted. Municipal wide analysis in terms of spatial development, gender, environment, economic and institutional analysis. The municipality must also determine what the current prevailing trends are in relation to the aforementioned. The outcome of the analysis should result in the formulation of priorities and it should also conduct an in-depth analysis of these priority issues. 	<p>Compile disaster management information by means of:</p> <ol style="list-style-type: none"> Doing a hazard assessment (ward based). Communities at risk – who is at risk of a particular hazard. <p>Done ✓</p>
Phase 2: Strategy	Phase 2: Strategy
<p>This involves the following:</p> <ol style="list-style-type: none"> The vision and mission of the municipality. Strategic objectives as set out in Phase 1. Localised strategic guidelines such as: <ul style="list-style-type: none"> Spatial planning Poverty and gender Environmental Economic Institutional Development of strategy for each priority issue. 	<ol style="list-style-type: none"> This involves the formulation of disaster strategies such as: <ul style="list-style-type: none"> Prevention and mitigation strategies Vulnerability reduction strategies Capacity building Contingency building Emergency preparedness Operationalise disaster management in the municipality by means of identifying projects such as setting up the relevant structures <ul style="list-style-type: none"> Creating community awareness Establishing volunteer structures <p>(DM act, no 57 of 2002, section 53.1 (a-d), section 53.2 (a)) Completed by 30 October 2021 Responsible official: Manager, Fire and Disaster</p>
Phase 3: Projects	Phase 3: Projects
<p>This phase deals with processes involving project design.</p> <p>The identified projects are a result of a consultative process followed and must be in terms of specifications required.</p>	<p>This phase deals with the design of disaster management projects.</p> <p>Whatever projects identified by disaster management must be listed here.</p> <p>(DM act, no 57 of 2002, section 53.1 (a-d), section 53.2 (a)) Complete by 30 December 2022. Responsible official: Manager, Fire and Disaster</p>
Phase 4: Integration	Phase 4: Integration
<p>This phase deals with the compilation of integrated plans and programmes developed such as:</p> <ul style="list-style-type: none"> All sector programmes/plans The five-year financial plan Five-year capital investment programmes Five-year action programmes Integrated spatial development programmes Integrated local economic development programme Integrated environmental programme Integrated poverty alleviation programme Institutional plan Integrated HIV plan Development and performance management indicators Disaster Management Plan 	<p>Compilation of Disaster Management Plan including the following:</p> <ul style="list-style-type: none"> The risk profile of the municipality The risk reduction strategy Disaster response strategy Field operation guides SOP's Emergency preparedness Electronic database Communicators <p>(DM act, no 57 of 2002, section 53.1 (a-d), section 53.2 (a)) Completed by 28 February 2022 Responsible official: Manager, Fire and Disaster</p>



“DISASTER RISK
MANAGEMENT
IS EVERYBODY’S
BUSINESS.”

7.2	YOUTH, SPORTS AND CULTURE: [PC: CLLR R ADAMS]
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7.2.1	FINAL REPORT ON THE IMPLEMENTATION OF THE HYBRID SPORT FACILITIES MANAGEMENT MODEL (PLAN) FOR STELLENBOSCH MUNICIPALITY (WC024)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

19 April 2023

1. **SUBJECT: FINAL REPORT ON THE IMPLEMENTATION OF THE HYBRID SPORT FACILITIES MANAGEMENT MODEL (PLAN) FOR STELLENBOSCH MUNICIPALITY (WC024)**
2. **PURPOSE**
 - 2.1 To inform Council on the implementation of the Hybrid Sport Facilities Management Model (Plan) for Stellenbosch Municipality (WC024).
 - 2.2 To inform Council of the User Agreement and the profit-sharing addendum (**ANNEXURE A**) that were used to enter into agreement between Stellenbosch Municipality and Sport Councils.
3. **DELEGATED AUTHORITY**
Council
4. **EXECUTIVE SUMMARY**

All municipal property is funded and maintained from our resources received from rates and taxes paid by our rate payers. It is therefore critical that municipal property be adequately maintained and protected against vandalism and damages to prevent loss to the rate payers. To this end, Council through the department of Community Services engaged with all 15 area sport councils individually to explain and retrieve input and comments on the new Facilities Management Plan.

The new approved Hybrid Model (SFMP) aims to address the issues of proper management and maintenance of the municipal sports facilities. Given that all leases expired, it's the perfect time to introduce this model and new User Agreement. It is important to note that Council have to follow a public participation process in terms of Municipal Assets Transfer Regulations (MTAR). The initial lease will only be for a period of 12 months to ensure that the implementation of the new Facilities Management Plan as per hybrid model is monitored and evaluated for effective and efficient management. Longer term leases will be considered after an initial trial period of 12 months.

The Stellenbosch Sport and Recreation Association (SSRA) has been non-functional since the Covid-19 lockdown restrictions were lifted and sport, and sport facility use returned to normal. A notice was received by the Sport Office that from 09 September 2022 an interim SSRA committee was established to continue the committee activities.

The SSRA interim committee would remain active until a new Annual General Meeting (AGM) date be scheduled. At this AGM a new SSRA Executive would be elected and to date this did not materialise.

During these engagements the replacement of the formal Lease Agreement with a revised "User Agreement" was explained in detail to the various Sport Council representatives.

5. RECOMMENDATION

- (a) that Council takes note of the report;
- (b) that Council mandate the Director Community and Protection Services to enter into an agreement with Sport Councils who have accepted the hybrid model and signed User Agreements;
- (c) that Council takes over the management of the Sport facilities linked to the Sport Council which have not signed the User Agreement; and
- (d) that the department finalise the engagement with Pniel and Raithby Sport Council.

6. DISCUSSION

6.1 BACKGROUND AND DISCUSSION

Council approved the draft User Agreement and input received from various Sport Councils for consideration. Most input received was considered and the User Agreement was amended with these changes.

The framework of the User Agreement remained unchanged that included:

- a) The User Agreement will be valid for 12 months to establish if any challenges and further amendments are needed going forward.
- b) That Stellenbosch Municipality is entitled to a percentage profit from income generated by Sport Councils.
- c) Any sub-leasing of the facility or part thereof, is only valid after discussion with and approval by Stellenbosch Municipality.
- d) Sport Councils must submit quarterly financial reports indicating all income and expenses incurred.
- e) Individual Sport Councils must establish a facility committee or a similar committee that will ensure that maintenance issues are directed to the Sport Section.

The following Sport Councils have signed the User Agreement with the profit sharing addendum agreement indicating and acknowledging the profit sharing percentages.

Number	Area Sport Council	Signed
1	Groendal	√
2	La Motte	√
3	Wemmershoek	√
4	Lanquedoc	√
5	Kylemore	√
6	Klapmuts	√
7	Cloetesville	√
8	Jonkershoek	√
9	Papplaas (Devon Valley)	√

The following Sport Councils did not sign the User Agreement. Below identifies these Sport Councils with attached communication received as annexures.

Number	Area Sport Council	Reason
1	Van Der Stel	Refuse to sign the User Agreement citing maintenance issues among reasons for not signing. Annexure B
2	Ida's Valley	Refuse to sign the User Agreement. Various reasons are provided as stated in the formal letter attached as an addendum. Annexure C
3	Jamestown	Refuse to sign the User Agreement. Fencing and the prevention of generation income were reasons submitted. Annexure D
4	Pniel	Pniel Sport Council wants to have their Annual General Meeting to allow for the selection of a new sport council. The intent is to have the new elected sport council adopt the User Agreement. Annexure E
5	Kayamandi	The sport council requested another engagement session. Meeting dates was requested from the sport council with no reply. Annexure F
6	Raithby	The sport council is currently not functioning. The interim SSRA met with Raithby Sport Council and with the Raithby Ratepayers Association, but did not advise or provided feedback on their engagements. Annexure G

The department is of the opinion that there were enough engagements with all the Sports Councils. With the exception of Pniel and Raithby Sports Councils, the department is of the opinion that the other facilities must be managed by the Sports Section of Stellenbosch Municipality.

Once a new elected Sports Council is in place at Raithby, they will be requested to sign the User Agreement. Once the Annual General Meeting took place at Pniel they will be requested to sign the User Agreement.

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.

ANNEXURES

Annexure A: The User Agreement and the profit-sharing addendum

Annexure B: Van Der Stel Sport Club official letter

Annexure C: Ida's Valley Sport Council official letter

Annexure D: Jamestown Sport Council official letter

Annexure E: Pniel Sport Council e-mail correspondence

Annexure F: Kayamandi Sport Council e-mail correspondence

Annexure G: SSRA Interim Committee notice

FOR FURTHER DETAILS CONTACT:

NAME	Garth Abrahams
POSITION	Manager: Sport, Recreation and Halls
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8162
E-MAIL ADDRESS	Garth.Abrahams@ Stellenbosch.gov.za
REPORT DATE	2 February 2023

ANNEXURE A



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

USER AGREEMENT

Entered into by and between

STELLENBOSCH MUNICIPALITY

Herein represented by **Geraldine Mettler** in her capacity as

Municipal Manager, being duly authorized

(Hereinafter referred to as “the **Municipality**”)

AND

SPORT COUNCIL

Herein represented by _____ in his capacity as **Chairperson**

(Hereinafter referred to as “the **USER**”)

For the use of Sport Facility,

(Hereinafter referred to as “the **Premises**”)

1 DEFINITIONS AND INTERPRETATION

1.1 Definitions

In this Agreement, unless clearly inconsistent with or the context indicates otherwise:

1.1.1 **“Agreement”** means this user agreement together with all annexures (if any);

1.1.2 **“Monthly Payments”** means the payments payable by the **USER** as set out in clause 4 herein;

1.1.3 **“Business Day”** means a day, other than a Saturday, a Sunday or a public holiday in the Republic of South Africa and in the event that a day referred to in terms of this Agreement should fall on a day which is not a Business Day, then the relevant date shall be extended to the next succeeding Business Day;

1.1.4 **“Commencement Date”** means the commencement date of this agreement specified in clause 3.3;

1.1.5 **“User Period”** means a period of 12 months calculated from the Signature Date.

1.1.6 **“Parties”** means the parties to this agreement, and “party” means any one of them;

1.1.7 **“Permitted uses of Premises”** means the purpose for which the Premises are used as set out in clause 2 herein;

1.1.8 **“Premises”** means which the **USER** will use in terms of this Agreement.

1.1.9 **“Signature Date”** means the date on which this Agreement is signed by the **USER**.

1.1.10 **“Sub-letting”** means to lease or rent all or part of a leased or rented property;

1.1.11 “**Alternative use**” means a use that could not reasonably be made of the property

1.2 Interpretation

In this Agreement, unless clearly inconsistent with or the context indicates otherwise:

1.2.1 Any references to the Municipality shall, where applicable, include the Municipality’s employees and/or agents;

1.2.2 Any references to the **USER** shall, where applicable, include the **USER**’s employees and/or agents;

1.2.3 Expressions in the singular also denote the plural, and *vice versa*;

1.2.4 Words and phrases denoting natural persons refer also to juristic persons, and *vice versa*;

1.2.5 Pronouns of any gender include the corresponding pronouns of the other genders; and

1.2.6 References to any enactment shall include references to such enactment as it may, after Signature Date, from time to time be amended, supplemented or re-enacted.

1.3 The use of the word “including” followed by a specific example or examples shall not be construed or interpreted as limiting the meaning of the general wording preceding it and the *ejusdem generis* rule shall not be applied in the interpretation of such general wording and/or such specific example or examples.

1.4 This agreement shall be governed by and interpreted and applied in accordance with South African law.

2 PERMISSION OF USE OF PREMISES

The Municipality hereby permits the **USER** to occupy and use the Premises and the **USER** hereby accepts the Premises from the Municipality on the terms and conditions contained in this Agreement.

3 PERIOD

- 3.1 The permission for use of the premises will be for a period of (1) one year
- 3.2 The permission may be renewed for a period of one year following the date of expiry of the initial term of this agreement depending on compliance with the outlined terms and conditions.
- 3.3 In the event that the permission is renewed it will be on the same terms and conditions.

4 USER'S FINANCIAL OBLIGATIONS IN TERMS OF THIS AGREEMENT

- 4.1 The **USER** agrees to pay the monthly utility bills which includes refuse, water, sanitation and electricity and will be exempted from paying the property rates.
- 4.2 The USER must submit financial quarterly reports to Stellenbosch Municipality.
- 4.2.1 The quarterly report must also include a Facility Committee's report on all new and outstanding maintenance concerns of the facility.
- 4.3 the Municipality is indemnified against all possible 3rd party claims.
- 4.4 The revenue will be shared between the USER and the Municipality on a percentage-based formula which be aligned to Council, in instances such as:
- 4.4.1 Non-sporting events not linked to sporting activities;
- 4.4.2 Sub-letting of certain sections of the facility;
- 4.4.3 Any event that triggers an event application (extra ordinary events that will generate more income, such as structured sporting events, festivals or tournaments).
- 4.5 After consultation with the Sport Councils the municipality reserves the right to give notice of emergency use of the facility when the area is required for municipal services or needs such as:
- Fire victims
 - Flood victims
 - Any other unavoidable human displacement events.
- 4.6 Alternatively in consultation with the User, a one (1) month notice period will be given for municipal services or needs when required.

5 SUB-LETTING

- 5.1 The USER will only enter into a sub-lease agreement with the Municipality's consent/approval, which will not be unreasonably withheld.
- 5.2 In any sub-lease that the USER will enter into with a sub-lessee, the Municipality must be co-signatory of the sub-lease agreement.

6 MUNICIPALITY'S RIGHT OF ACCESS

The **Municipality** shall have the right of free access to the permitted area at all times for inspection, when there is any report of facility abuse. The **Municipality** shall not be liable for any damage to the permitted area which may arise from such inspection.

7 FACILITY COMMITTEE

- 7.1 The Sport Council must appoint a Facility Committee consisting of a representative from each of the sport codes that use the sport facility or any other committee responsible for reporting on the facility's maintenance, defaults and needs.
- 7.2 The Facility Committee must ensure that all maintenance issues are directed to the office of the Manager Sport & Halls for action.
- 7.3 Records of these will also form part of the Quarterly Financial Report.

8 BREACH

- 8.1 Should the **USER** breach any of its obligations under this Agreement and fail to remedy such breach within a period of 21 (twenty-one) days the Municipality shall be entitled, without prejudice to cancel this Agreement by way of written notice to the **USER** and, in either event, to claim such damages as it may thereby have suffered.
- 8.2 Should the **USER**
 - 8.2.1 fail to pay any services or other amount due by it to the Municipality in terms of this agreement on the due date thereof and fail to remedy the breach within 14 (fourteen) days after having been required in writing to do so; or

8.2.2 commit any breach of the terms and conditions of this agreement which is incapable of being remedied and which goes to the root of the agreement; then and in any of such events, the Municipality shall, without prejudice to and in addition to any other rights which it may have at law and in its sole discretion to cancel the agreement.

8.3 In the event of the Municipality cancelling this agreement and the USER disputing, the right to cancel and remaining in occupation of the Premises, the USER shall, pending the determination of such dispute, continue to pay to the Municipality. Should the dispute be determined in favour of the Municipality, the payments made and received in terms of this clause shall be deemed to be amounts paid by the USER on account of damages suffered by the Municipality by reason of the cancellation of this agreement and/or the unlawful holding over by the USER.

9 TERMINATION

This Agreement may be terminated by either party at any time upon three (3) month's written notice in writing and without payment of any compensation. Upon termination of this Agreement the **USER** shall be obligated to vacate the premises in the same condition as they were and to the satisfaction of the **Municipality** and shall not be entitled to claim compensation in respect thereof.

10 INDEMNITY

The **USER** hereby indemnifies and undertakes to keep the **Municipality** indemnified against all liability howsoever caused or whether arising as a direct or indirect result of the existence of the User Agreement upon and against all actions, suits, proceedings, claims, demands, costs and expenses whatsoever which may be taken or made against the **Municipality** or incurred or become payable by the **Municipality** at the suit of any person.

11 OWNERSHIP

Notwithstanding the content of this agreement between the sport council and the **Municipality**, the municipality shall not be deemed to have relinquished its rights to the ownership of the property or to have waived any of its rights pertaining to the

property whether in terms of the current law, regulation or any other legislation to be enacted in future.

12 DOMICILIA AND NOTICES

12.1 All notices, consents or other communications to either the **USER** or Municipality will:

12.1.1 be valid only if it is in writing;

12.1.2 if sent by prepaid registered post in a correctly addressed envelope be deemed to have been received by the other party on the 7th day after posting;

12.1.3 if delivered by hand between 09h00 and 16h00 on a business day, it is to be deemed to have been received by the other party on delivery.

12.2 The parties choose as their *domicilia citandi et executandi* the addresses mentioned in clause 11.3, provided that such *domicilium* of either party may be changed by written notice from such party to the other party with effect from the date of receipt or deemed receipt by the latter of such notice.

12.3 The **Municipality**

MUNICIPAL MANAGER: MS GERALDINE METTLER
17 Plein Street
Main Building
Stellenbosch
7600

The **USER**: SPORT COUNCIL

Email:

13 WHOLE AGREEMENT

13.1 This is the entire agreement between the parties.

13.2 Neither party relies in entering into this agreement on any warranties, statements, representations, disclosures or expressions of opinion which have not been incorporated into this agreement as warranties or undertakings.

13.3 No variation or consensual cancellation of this agreement shall be of any force or effect unless reduced to writing and signed by both parties.

SIGNED AT _____ ON THIS ____ DAY OF _____ 2022

in the presence of the undersigned witnesses

Witnesses:

1

2

Geraldine Mettler
Municipal Manager
Duly authorised thereto

SIGNED AT _____ ON THIS ____ DAY OF _____ 2022

in the presence of the undersigned witnesses

Witnesses:

1

2

Chairperson Sport Council
Duly authorised thereto



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

**ADDENDUM TO SPORTS COUNCILS USER AGREEMENT WITH STELLENBOSCH
MUNICIPALITY ON REVENUE PROFIT SHARING PERCENTAGE**

This Addendum describe the User Agreement for the Revenue Profit Sharing Percentage on the income generated at, Sport Facility, Stellenbosch (User Agreement) entered into between Stellenbosch Municipality ("the Municipality") and Sport Facility.

WHEREAS the Municipality and Sport Facility share the profit generated from events as defined in clause 4.4 of the User Agreement.

WHEREAS the parties wish to conclude an addendum to the Revenue Profit Sharing based on earnings at the events that took place at the managed Sport Facility at **Stellenbosch**, in order to give effect thereto;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. Unless otherwise provided in the User Agreement, the provisions of the agreement on the initial date of User Agreement will still apply.
2. The Revenue Profit Sharing percentage will be % for Sport Council and 20% for Stellenbosch Municipality to be indulged as stipulated in clause 4.4 of the User Agreement.
3. The USER must submit financial quarterly reports to Stellenbosch Municipality which will serve as an accurate and/or true reflection of the revenue collected.

4. Except by mutual agreement, the User Agreement shall remain unchanged and in full force and effect.

SIGNED AT _____ ON THIS ____ DAY OF _____ 2022

AS WITNESSES

1. _____

2. _____

Ms Geraldine Mettler
Municipal Manager

SIGNED AT _____ ON THIS ____ DAY OF _____ 2022

AS WITNESSES

1. _____

2. _____

Sports Council

ANNEXURE B



Van Der Stel

PO Box 1 | Du Toit Str, Stellenbosch,
VAT Reg No: 4380127342

14 October 2022

***Stellenbosch Municipality
Stellenbosch***

ATTENTION : Geraldine Mettler , Municipal Manager

USER AGREEMENT

We refer to the User Agreement for the Hybrid model to be signed by all sport clubs. After a special general meeting with the sub-clubs the following main concerns were raised & needs to be addressed;

- The facilities needs desperate maintenance to all major buildings which must be fixed/ replaced in most cases. Structural, waterproofing & roofing issues has been reported on several occasions to no avail. The members feels that these issues must be addressed or guaranteed to be fixed before user agreement can be accommodated
- The short period of one year for the lease/ user agreement is as such not practical due to the maintenance work to be completed
- The split ratio on the income, 60 (Sport club) to 40 (Municipality) is not feasible

We trust to hear from you.

Regards

H Trollip

Chairman Exco Committee

.(on behalf of all sub-clubs)

ANNEXURE C

**Idasvalley Sports
Board**
EST 2000

AFFILIATED TO
STELLENBOSCH
MUNICIPALITY

EMAIL:

**All Correspondence
To the Secretary
Mr Brian Minnis**
bminnis@uwc.ac.za
Cell: 084 392 3296

EXECUTIVE MEMBERS

CHAIRMAN

Mr Rhodes Benting
bentingrhodes@gmail.com
083 659 5987

VICE CHAIRMAN

Mr. Wilbur Olivier
olivierwilbur@gmail.com
084 780 8596

VICE SECRETARY

Mrs. Adri Katts
adrishannon@gmail.com
078 749 0501

TREASURERS:

Mr Oswin Groenewald
oswin@tenacityinc.co.za
083 254 8913
021 – 928 1009
Fax : 021 – 928 1019

Mr. Johan Adonis
Adonisjohan1@gmail.com
083 458 6274

**COMMITTEE
MEMBERS**

Mr. Riaan Moses
riaanm@sun.ac.za

Mr. Gerold Abrahams
Gerold.abrahams@stellenbosch.gov.za
082 504 5547

Mr. Riaan Arnolds
riaan.arnolds@media24.com
m
083 230 6164



**IDASVALLEI SPORTRAAD
IDASVALLEY SPORTS BOARD
(Est.2000)**

12 September 2022

The Sport Office
Stellenbosch Municipality
Stellenbosch
7600

Dear Madam/Sir

Idas Valley Sport Board: User Agreement Decision

The Sport Board acknowledges receipt of the hand delivered User Agreement.

After consultation with our members in a meeting held 31 August 2022, the decision is that we are in no way prepared to sign the document which in itself is a harmful document which in reality will mean the end of Community Sport as we know it.

The Board also awaits further guidance from our Leaders at SSRA level.

Regards

Brian Minnis

**Brian Minnis
Secretary**

ANNEXURE D



All correspondence to:
Nizette Gordon
(Acting Secretary)
7 Ostara Avenue
Jamestown
7600
nagordon129@gmail.com

2 August 2022

**NO SHARED PROFITS BY JAMESTOWN SPORTS COUNCIL AND THE
STELLENBOSCH MUNICIPALITY**

Dear Sir/Madam

The abovementioned refers.

Hereby the Jamestown Sports Council would like to inform the Stellenbosch Municipality that in relation to the User Agreement presented to the Sports Councils the Jamestown Sports Council has come to the following decision:

- The Jamestown Sports Council is unable to generate income when certain events are held due to the lack of fencing around the sports grounds. This is a disadvantage to the Jamestown Sports Council as the facilities are not up to standard compared to other facilities of other sports Councils. The fencing project has not been prioritized by the municipality and it is one of our main priorities to get the facility up to standard but essentially to ensure safety of persons making use of the Sports grounds.
- The Jamestown Sports Council will not be sharing profits with the Stellenbosch Municipality. The Jamestown Sports Council will continue to operate as they are currently operating. Therefore, the Jamestown Sports Council will be in control of the of the sports grounds and 100% of the profits made will go to the Jamestown Sports Council, no sharing of profits with the Stellenbosch Municipality will take place.

The decision was collectively made by the Jamestown Sports Council and due to the inconsistent feedback received by the Stellenbosch Municipality. Therefore, 100% of profits made by the Jamestown Sports Council will be kept and the Stellenbosch Municipality will receive 0% of our profits made.

We hope that you understand our reasoning and respect our decision made.

Yours in Sports,

Nizette Gordon (*Acting secretary*)

ANNEXURE E

Samantha Davids

From: Faith Stubbs <stubbsfaith2@gmail.com>
Sent: Friday, 02 September 2022 13:38
To: Samantha Davids
Subject: [EX]

Good Day Samantha

We urgently want to have our agm in 2 weeks times. In the past the municipality was present please advice.
We decided to first have the meeting before any documents will be signed.

In a previous meeting with municipality I also addressed this issue. Please would it be possible to get the minutes of the last agm.

Regards

Faith

ANNEXURE F

Samantha Davids

From: Samantha Davids
Sent: Friday, 28 October 2022 08:58
To: 'kayamandisport@gmail.com'; 'ssrastellenbosch7@gmail.com'
Cc: Leanne Pedro; Garth Abrahams
Subject: RE: NEW PROPOSED DATE FOR THE USER AGREEMENT

Good day Kayamandi Sport Council

Can you please furnish us with 3 possible dates for the meeting, we await your response.

Please note that the detail for the meeting time slot will remain for 18:00.



Kind regards,

Samantha Davids
**Sport and Recreation
Community and Protection Services**

T: +27 21 808 8166/8295
15 Simonsberg Road, Simonswyk,
Stellenbosch, 7600

www.stellenbosch.gov.za



www.facebook.com/stellenboschmunicipality
twitter.com/StellMun

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

From: Samantha Davids
Sent: Monday, 17 October 2022 15:58
To: kayamandisport@gmail.com; ssrastellenbosch7@gmail.com
Cc: Leanne Pedro <Leanne.Pedro@stellenbosch.gov.za>; Garth Abrahams <Garth.Abrahams@stellenbosch.gov.za>
Subject: NEW PROPOSED DATE FOR THE USER AGREEMENT

Good day Kayamandi Sport Council and SSRA

We would like to schedule a meeting to further discuss the User Agreement.

We acknowledge the after hour availability factor thus we would like you to furnish us with three possible dates to have this meeting. Can we agree that the meeting time will be 18:00 and we will enquire from Van Der Stel Sport Council to avail a meeting space. Please indicate if 18:00 will be in order for the time to meet.

SSRA, herewith also opportunity to communicate to other Sport Councils (***that did not sign***) to be present.

We await your response.



Kind regards,

Samantha Davids
**Sport and Recreation
Community and Protection Services**

T: +27 21 808 8166/8295
15 Simonsberg Road, Simonswyk,
Stellenbosch, 7600

www.stellenbosch.gov.za



www.facebook.com/stellenboschmunicipality
twitter.com/StellMun

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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

ANNEXURE G



Du Toit Street, Stellenbosch, 7600
ssrastellenbosch@gmail.com

6 February 2023

**NOTICE OF A STELLENBOSCH SPORT AND RECREATION
ASSOCIATION ANNUAL GENERAL MEETING**

MONDAY: 2023-02-27 AT 18H30

To: Interim Committee

Mr Donovan Josephs (Treasurer)
Ms Adri Katts (Assistant Secretary)
Mr Peter October (Facilities Coordinator)
Mr Johan Adonis
Mr John Saaiman
Mr Brian Minnis
Mr John Ruiters
Ms KG

Councils/Boards

01. Van der Stel
02. Franschoek
03. LaMotte Sport
04. Wemmershoek
05. Languedoc Sport
06. Pniel Sport
07. Kylemore
08. Idasvalley
09. Cloeterville
10. Kayamandi
11. Klapmuts
12. Jamestown
13. Raithby
14. Vlottenberg/Papplaas
15. Nietverbij/Koelenhof/De Novo
16. Jonkershoek

Notice is hereby given that a Stellenbosch Sports and Recreation Association Annual General Members Meeting (SSRA) will be held at Council Chambers, Plein Street, Stellenbosch on Monday the 27th of February 2023 at 18H30.

**Stellenbosch Sports Recreation Association
(SSRA)**

Agenda:

1. Opening & Welcome
2. Apologies
3. Reports:
 - a. Interim Committee Report
 - b. Finance Report
4. Election of Officials as per Constitution point 13
5. Constitution

Closure

Regards

Brian Minnis

Brian Minnis

Obo Interim Committee

7.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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7.3.1	SALARY AND WAGE INCREASE: IMPLEMENTATION OF SALGBC COLLECTIVE AGREEMENT: YEAR 3
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

19 April 2023

1. SUBJECT: SALARY AND WAGE INCREASE: IMPLEMENTATION OF SALGBC COLLECTIVE AGREEMENT: YEAR 3

2. PURPOSE

To inform Council in regard to the salary and wage increase for employees (excluding the Municipal Manager and Section 56 Managers) as per the SALGBC collective agreement 2021 – 2024 – year 3.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

SALGA, SAMWU and IMATU entered into a salary and wage agreement for the period 1 July 2021 until 30 June 2024 during the bargaining process on 16 September 2021. In terms of clauses 6.6 and 6.7 of the agreement the increase for the 2023/24 financial year will be the projected CPI average for 2023. The forecast by the Reserve Bank in January 2023 will be used for this projection.

SALGA send the municipality a circular 01 of 2023 in March 2023 (attached as **APPENDIX 1**) in which municipalities are informed that the following increases shall apply from 1 July 2023. Salary 5,4% and the minimum wage will be R9 531.54. The flat rate for Homeowners allowance will be R1066.41 and the maximum employer contribution to medical aid will increase to R5 277.38 All benefits linked to salary will increase by 5.4%.

Where municipalities are not able to afford the increase SALGA should be notified and an exemption application must be made to the SALGBC with full motivation. There is provision made for this increase in the draft budget approved by Council. Employees who are not at the maximum of their salary scale are entitled to a notch increase over and above the cost-of-living increase which amounts to around a further 2,5% increase in the salary. The Municipal Manager and 56 Managers are excluded from this agreement and therefore will not be receiving the same increase from 1 July 2023. The current prediction for them is 3%.

5. RECOMMENDATIONS

- (a) that Council note the circular from the SALGBC dated 31 March 2023; and
- (b) that Council takes note that the increase has been provided for in the draft budget for 2023/24.

6. DISCUSSION / CONTENTS**6.1 Background**

SALGA, SAMWU and IMATU entered into a salary and wage agreement for the period 1 July 2021 until 30 June 2024 during the bargaining process on 16 September 2021.

6.2 Discussion

In terms of clauses 6.6 and 6.7 of the agreement the increase for the 2023/24 financial year will be the projected CPI average for 2023. The forecast by the Reserve Bank in January 2023 will be used for this projection.

SALGA send the municipality a circular 01 of 2023 in March 2023 (attached as **APPENDIX 1**) in which municipalities are informed that the following increases shall apply from 1 July 2023. Salary 5.4 % and the minimum wage will be R9 531.54. The flat rate for Homeowners allowance will be R1066.41 and the maximum employer contribution to medical aid will increase to R5 277.38. All benefits linked to salary will increase by 5.4%.

Where municipalities are not able to afford the increase SALGA should be notified and an exemption application should be made. There was provision made for this increase in the draft budget approved by Council. Employees who are not at the maximum of their salary scale are entitled to a notch increase over and above the cost-of-living increase which amounts to around a further 2,5% increase in the salary. The Municipal Manager and 56 Managers are excluded from this agreement and therefore will not be receiving an increase from 1 July 2023.

6.3 Financial Implications

Salary 5.4% and the minimum wage will be R9 531.54. The flat rate for Homeowners allowance will be R1 066.41 and the maximum employer contribution to medical aid will increase to R5 277.38. All benefits linked to salary will increase by 5.4%. Provision was made in the approved draft budget for the increases.

A further 2,5 % will apply to employees who are still eligible for a notch increase.

6.4 Legal Implications

The provision of this item is in line with legislative provisions and collective agreement of the SALGBC.

6.5 Staff Implications

The increase will apply from 1 July 2023. The Municipal Manager and 56 Managers are excluded from this agreement and therefore will not be receiving an increase from 1 July 2023.

6.6 Previous / Relevant Council Resolutions:

SPECIAL COUNCIL [IN-COMMITTEE] MEETING: 2021-09-29: ITEM 12.4.3

RESOLVED (majority vote)

that Council accepts the Salary and Wage collective agreement for implementation.

SPECIAL COUNCIL MEETING: 2022-06-22: ITEM 8.3.1

NOTED

(a) the circular from the SALGBC dated 9 March 2022; and

(b) that the increase has been provided for in the approved budget for 2022/23.

6.7 Risk Implications

Risks are addressed in the content of the policy.

6.8 Comments from Senior Management:

The CFO and Municipal Manager supports the recommendations. No comments were requested from other directors.

ANNEXURES**APPENDIX 1: SALGBC Circular 01/2023****FOR FURTHER DETAILS CONTACT:**

NAME	<i>Annalene De Beer</i>
POSITION	<i>Director Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021 – 808 8018</i>
E-MAIL ADDRESS	Annalene.Debeer@stellenbosch.gov.za
REPORT DATE	<i>14 April 2023</i>

APPENDIX 1



SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL

HEAD OFFICE

Private Bag X16
MUSGRAVE
4062

Tel: (031) 201-8210/6219/6255
Fax: (031) 201-9788

461 King Dinuzulu Road
BEREA
4062

E-mail: info@salgbc.org.za
Web-site: www.salgbc.org.za

31 March 2023

To All Municipal Managers

The Parties:

SALGA	Mr. R Nolutshungu	(012)369 8001
SAMWU	Mr. D Magagula	Per Email
IMATU	Mr. J Koen	(012)460 8444

And To: Regional Secretaries:

Gauteng/Johannesburg/Tshwane Division	Ms. E. Sekgweleo	(012) 665 1014
Eastern Cape Division	Mr. C Gqeke	(041) 581 3648
KwaZulu-Natal/eThekweni Division	Mr. V. Nzuza	(031) 201 9752
Western Cape/ Cape Metro Division	Mrs. W Brink	(021) 917 1145
Northern Cape/Free State Division	Mr. T Mqobongo	(053) 831 3608
North West/Mpumalanga/Limpopo Division	Ms. N Hlangwani	(012) 342 7015

Dear Sir/Madam

CIRCULAR NO.: 01/2023

SALARY AND WAGE INCREASE FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024

The parties, SALGA, IMATU and SAMWU, at the Executive Committee meeting held on 14 March 2023, agreed that the salary and wage increases for the 2023/2024 financial year as per the Salary and Wage Collective Agreement dated 15 September 2021 shall be, as follows:

1. The salary and wage increase, in terms of clauses 6.6 and 6.7 of the Collective Agreement shall be five comma four percent (5.4 %), with effect from 1 July 2023.
2. Any linked benefits or conditions of service, as per clause 11.1 of the Collective Agreement shall increase by the same rate of five comma four percent (5.4 %), with effect from 1 July 2023.
3. The Minimum Wage as stipulated in clause 7.3 of the Collective Agreement shall increase by the same rate of 5.4 %, from R9,043.21 to R 9 531. 54. The new Minimum Wage shall be R9 531.54, with effect from 1 July 2023.

Address correspondence to the General Secretary

-2-

4. The flat rate Homeowners Allowance, in terms of clause 9.1.3 of the Collective Agreement, shall increase by the same rate of 5.4 %, from R1,011.77 to R 1066.41, with effect from 1 July 2023.
5. In respect of medical aid, the maximum employer contribution rate to an employee's accredited medical scheme as set out in clause 10.1.3 of the Collective Agreement shall increase by the same rate of 5.4 %, from R5 007.00 to R5 277.38, with effect from 1 July 2023.
6. The following CPI projected (forecast) figures, from the South African Reserve Bank, are used to calculate the salary and wage related increases:

Summary of selected forecast results										
<i>*Figures below the forecast in parentheses represents the previous MPC forecast</i>										
1. Selected forecast results (quarterly)										
Percentage change (year-on-year)	Actual				Forecast					
	1	2	3	4	2022	1	2	3	4	2023
Headline CPI	5.7	6.6	7.6	7.4	6.9	6.5	5.9	4.9	4.6	5.4
	(5.7)	(6.6)	(7.6)	(6.8)	(6.7)	(6.8)	(6.0)	(4.4)	(4.7)	(5.4)

7. The Council requests all municipalities to adhere and implement the above. This circular must be published on all notice boards.

Yours faithfully


 MR. S. GOVENDER
 GENERAL SECRETARY

7.3.2	APPLICATION FOR SEPERATION OF NOTARIALLY TIED PROPERTIES, PORTION 17 OF FARM 369 AND PORTION 3 OF FARM 527 FROM THE MOTHER ERF, PORTION 837 OF THE FARM BLAAUW KLIP NUMBER 510
-------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 April 2023

1. **SUBJECT:APPLICATION FOR SEPERATION OF NOTARIALLY TIED PROPERTIES, PORTION 17 OF FARM 369 AND PORTION 3 OF FARM 527 FROM THE MOTHER ERF, PORTION 837 OF THE FARM BLAAUW KLIP NUMBER 510**

2. **PURPOSE**

To obtain Council-approval for the separation of Notarial tied properties, portion 17 of Farm 369 and portion 3 of Farm 527 from the Mother Erf, Portion 837 of the farm Blaauw Klip number 510.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

During October 2004 a Deed of Sale was entered into between the Stellenbosch Municipality, the Cape Dutch Estate Stellenbosch (Pty) Ltd and Blaauwklippen Agricultural Estates (Pty) Ltd. A copy of the Deed of Sale is attached hereto as **APPENDIX 1** (it is the best version of the document that writer could find). In terms of the Deed of Sale various portions of Council-owned land were sold to the purchasers (now the applicants).

In terms of Clause 2.2.3 it was recorded that:

"The seller shall be entitled to impose a notarial tie condition between the property hereby sold and the existing property of the purchaser, so that the purchaser or its successor in title shall not be entitled to sell or otherwise alienate or transfer any portion of the property hereby sold without the simultaneous sale or alienation or transfer of the property collectively referred to as Blaauwklippen Estate, being the existing property of the Purchaser, or its successor in title, to the same transferee."

The reason for inserting the clause was to ensure that the Purchaser would not be able to sell or otherwise dispose of the property that was sold to them. For this reason, the municipal properties were first consolidated into one portion, and then notarially tied to the property collectively referred to as Blaauwklippen. The Notarial Deed, registering the notarial tie (condition of sale), was registered with the Registrar of Deeds on 25 July 2006, a copy of which is attached hereto as **APPENDIX 2**.

An application is now brought to un-tie Portion 17 of the Farm 369 (Paradyskloof Erf) and Portion 3 of the Farm 527 (Skilpadrug Erf) from the Mother Erf (**APPENDIX 4**). The application is brought on the basis that the fact that Blaauwklippen cannot sell these properties is placing a financial strain on the business and they are not able to raise the necessary funds they require for operational purposes. COVID had, and continues to have, a devastating effect on Blaauwklippen's wine and hospitality businesses. They say it is not an application for change in land use for development purposes, but merely to enable the current owners to utilise the properties individually to raise funds. They say it will not necessarily lead to the urban

development of the properties as the farm will remain zoned for agricultural purposes and be protected by the MSDF.

The properties are situated outside the urban edge (**APPENDIX 5**). Council however in March 2023 approved the inclusion of “portion of remainder, portion 3 and a broader portion of portion 7 of farm 527 portion 7 of Farm 527” to form part of the housing pipeline (**APPENDIX 6**).

5. RECOMMENDATION

FOR CONSIDERATION

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Blaauwklippen, Stellenbosch

The property was initially leased from the municipality after which the Deed of Sale was entered into.

During October 2004 a Deed of Sale was entered into between the Stellenbosch Municipality, the Cape Dutch Estate Stellenbosch (Pty) Ltd and Blaauwklippen Agricultural Estates (Pty) Ltd. A copy of the Deed of Sale is attached hereto as **Appendix 1**. In terms of the Deed of Sale various portions of Council-owned land were sold to the purchasers (no applicants).

In terms of Clause 2.2.3 it was recorded that:

“The seller shall be entitled to impose a notarial tie condition between the property hereby sold and the existing property of the purchaser, so that the purchaser or its successor in title shall not be entitled to sell or otherwise alienate or transfer any portion of the property hereby sold without the simultaneous sale or alienation or transfer of the property collectively referred to as Blaauwklippen Estate, being the existing property of the Purchaser, or its successor in title, to the same transferee.”

The reason for inserting the clause was to ensure that the Purchaser would not be able to sell or otherwise dispose of the property that was sold to them. For this reason the municipal properties were first consolidated into one portion, and then notorially tied to the property collectively referred to as Blaauwklippen. The Notarial Deed, registering the notarial tie (condition of sale), was registered with the Registrar of Deeds on 25 July 2006, a copy of which is attached hereto as **APPENDIX 2**.

The following properties were tied to Mother Erf, Portion 837 of the Farm Blaauw Klip Number 510 (Title Deed 34249/2015), in terms of Notarial Deed K 770/2006:

1. Farm No 1457 – erf on open field opposite golf course;
2. Portion 17 of the Farm No 369 – Paradyskloof Erf – C on map below;
3. Portion 3 of the Farm 527 (Skilpadrug Erf) – D on map below.
4. Remainder Portions 52, 53 and 54 of the Farm Blaauw Klip number 510 (Kreefgat Properties).

On 22 October 2008, the Mayoral Committee recommended to un-tie the properties known as remainder portions 52, 53 and 54 for the Farm Blaauw Klip number 510 (also known as the Kreefgat properties).

These properties were released from the Mother Erf by Notarial Deed K57/2010 which is attached hereto as **APPENDIX 3**.

6.2 DISCUSSION

6.2.1 Location and context

The property under discussion is situated at Blaauwklippen Farms.



Fig 1: Proposed areas to un-tie: C and D.

Hereto attached as **APPENDIX 4** an application received from Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd. to un-tie Portion 17 of the Farm 369 (Paradyskloof Erf – C above) and Portion 3 of the Farm 527 (Skilpadrug Erf -D above) from the Mother Erf. The application is brought on the basis that the fact that Blaauwklippen cannot sell these properties is placing a financial strain on the business and they are not able to raise the necessary funds they require for operational purposes. COVID had, and continues to have, a devastating effect on Blaauwklippen's wine and hospitality businesses. The applicants say is not an application for change in land use for development purposes, but merely to enable the current owners to utilise the properties individually to raise funds. They say it will not necessarily lead to the urban development of the properties as the farm will remain zoned for agricultural purposes and protected by the MSDF.

The sizes of the different portions requested to be released are as follows:

Mother Erf – Farm 1457 – erf on open field opposite golf course – 36.44ha

Farm 369/17 – Paradyskloof erf – 26.67ha

Farm 527/3 – Kreefgat Property – 14.79ha

The properties are situated outside the urban edge (**APPENDIX 5**). Council however in March 2023 approved the inclusion of “portion of remainder, portion 3 and a broader portion of portion 7 of farm 527 portion 7 of Farm 527” to form part of the housing pipeline (**APPENDIX 6**).

6.3 FINANCIAL IMPLICATION

There will be no financial implications for the Stellenbosch Municipality subject to the applicant carrying all the costs for the removal of the restrictive conditions and registration of the properties and the notarial deed that needs to be amended.

6.4 LEGAL IMPLICATIONS

Council may revise the decision taken in 2008 to un-tie the properties. If untied nothing stop the applicants from selling the properties separately and the new owners bringing applications to develop the land, unless conditions are attached and registered against the title deeds of the untied properties. If any development is planned that is not in line with the current zoning of agricultural the owners will have to apply for rezoning of the properties. There is a further complication that the properties are outside the urban edge which will need a change to the Spatial development Framework to amend the urban edge. Council however in March 2023 approved the inclusion of “portion of remainder, portion 3 and a broader portion of portion 7 of farm 527 portion 7 of Farm 527” to form part of the housing pipeline (**APPENDIX 6**).

6.5 STAFF IMPLICATIONS

No additional staff implications.

6.6. PREVIOUS COUNCIL RESOLUTIONS

On 22 October 2008, the Mayoral Committee recommended to un-tie the properties known as remainder portions 52, 53 and 54 for the Farm Blaauw Klip number 510 (also known as the Kreefgat properties). At the time of the compilation of the item writer was unable to locate the council resolution that followed on the 2008 recommendation. These properties were however released from the Mother Erf by Notarial Deed K57/2010 which is attached hereto as **APPENDIX 3**.

6.7 RISK IMPLICATIONS

The risk exists that if the property is sold that new owners will want to develop the land and change the agricultural zoning currently attached to the properties.

6.8 INPUTS RECEIVED FROM DIRECTORATES

The item was not circulated for input yet.

ANNEXURES:

- Appendix 1: Deed of Sale
- Appendix 2: Notarial Deed K770/2006
- Appendix 3: Notarial Deed K57/2010
- Appendix 4: Application
- Appendix 5: Extract from SDF indicating urban edge
- Appendix 6: Extract from the approved housing pipeline

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene de Beer</i>
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-8088073</i>
E-MAIL ADDRESS	<i>annalene.debeer@ Stellenbosch.gov.za</i>
REPORT DATE	<i>2023-04 - 12</i>

APPENDIX 1

DEED OF SALE

Made and entered into by and between:

STELLENBOSCH MUNICIPALITY

(herein represented by Jacobus Petrus Retief in his capacity as Municipal Manager duly authorised thereto)

Town House
Plein Street
Stellenbosch

("Seller")

and

CAPE DUTCH ESTATE STELLENBOSCH (PTY) LTD
Reg No 1971/011401/07

(herein represented by Horst V Brunner in his capacity as Executive Director duly authorised thereto)

c/o Blaauwklippen Estate
Strand Road
Stellenbosch

("Purchaser")

and

BLAAUWKLIPPEN AGRICULTURAL ESTATES (PTY) LTD
Reg No 1972/000312/07

(herein represented by Horst V Brunner in his capacity as Executive Director duly authorised thereto)

c/o Blaauwklippen Estate
Strand Road
Stellenbosch

("Lessee")

Handwritten signatures of the parties involved in the deed of sale, including the Municipal Manager, the Executive Director of Cape Dutch Estate Stellenbosch, and the Executive Director of Blaauwklippen Agricultural Estates.

Recordal:

Whereas:

- A. The Seller is the registered owner of the immovable agricultural property referred to in clause 2 of this agreement, the Lessee being the lessee thereof in terms of various long term lease agreements;
- B. The Purchaser, through its affiliate company being the Lessee, at present conducts certain farming activities on the said immovable agricultural property and is desirous of purchasing the said property so as to incorporate same into its present farming activities on the wine estate known as Blaauwklippen Estate;
- C. The Seller is committed:
 - (a) To maintaining the rural and agricultural character of the properties forming the subject matter of this agreement;
 - (b) To obtain funds with which to purchase property suitable for development projects and housing for previously disadvantaged communities;
- D. Consequently the Purchaser wishes to purchase and the Seller wishes to sell the said agricultural property to the Purchaser on the terms and conditions set out herein;
- E. The Lessee consequently hereby consents and agrees to the said sale and purchase and consequently the cancellation of the said lease agreements subject to the fulfillment of the conditions set out herein;
- F. The properties forming the subject matter of this sale agreement are land situated in the area of jurisdiction of the municipal council of Stellenbosch and therefore do not constitute "agricultural land" as envisaged in terms of the Subdivision of Agricultural Land Act No. 70/1970.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. SUSPENSIVE CONDITIONS

- 1.1 This agreement is subject thereto that the Seller obtains approval from the relevant authorities to utilise the proceeds of this sale agreement towards the acquisition of property and/or cross-subsidisation of development or housing projects, including low cost housing, for previously disadvantaged communities and not as provided for in Section 76(2) of the Municipal Ordinance No. 20/1974;
- 1.2 This agreement is further subject to the successful subdivision(s) of the relevant properties of the Seller of which portions are hereby sold, where applicable, so as to constitute the properties set out in clause 2.



- 1.3 This agreement is subject to the approval of the Board of Directors of the Purchaser to be given within 30 days from the date of signature hereof by the parties,
- 1.4 Notwithstanding the signature hereof on behalf of the Seller, the parties agree that this agreement shall be subject to final approval by Stellenbosch Municipality (hereinafter referred to as "the Council") following a public participation process in terms of Section 124 of the Municipal Ordinance No. 20/1974.
- 1.5 It is further agreed and recorded between the parties that the said Council shall be entitled to insist, after considering any proposals, recommendations or objections received by it during such public participation process and after publication of official notices in the prescribed public media of its intention to dispose of the property to the Purchaser in terms of this agreement, to include such amended conditions and/or new and/or alternative conditions as it may deem fit, to this agreement. The parties agree to negotiate in good faith the inclusion of such conditions as proposed or in amended form and failing agreement thereon this agreement shall lapse and be no longer of any force or effect.

2. PROPERTY

- 2.1 The properties forming the subject matter of this agreement are described as follows:
- 2.1.1 A certain portion known as "Munisipale Huurgrond Perseel No. 527 E", measuring approximately 14,78 hectares, being a portion of the Farm No. 527 in the Municipality and Division of Stellenbosch;
- 2.1.2 A certain portion known as "Munisipale Huurgrond Perseel No. 369 GN", measuring approximately 26,7 hectares, being a portion of the Farm No. 369 in the Municipality and Division of Stellenbosch;
- 2.1.3 A certain portion known as "Munisipale Huurgrond Perseel No. 376 BN", measuring approximately 8,1 hectares, being a portion of the Farm No. 376 in the Municipality and Division of Stellenbosch;
- 2.1.4 A certain portion known as "Munisipale Huurgrond Perseel No. 376 DN", measuring approximately 7,99 hectares, being a portion of the Farm No. 376 in the Municipality and Division of Stellenbosch;
- 2.1.5 A certain portion known as "Munisipale Huurgrond Perseel No. 369 H", measuring approximately 6 hectares, being a portion of the Farm No. 369 in the Municipality and Division of Stellenbosch;



2.1.6 A certain portion known as "Munisipale Huurgrond Perseel No. 369 J", measuring approximately 13,7 hectares, being a portion of the Farm No. 369 in the Municipality and Division of Stellenbosch;

2.1.7 A certain portion known as "Munisipale Huurgrond Perseel No. 375 B", measuring approximately 4100 square metres, being a portion of the Farm No. 375 in the Municipality and Division of Stellenbosch;

All of which properties are situated in the Municipality and Division of Stellenbosch, Province of the Western Cape and are as set out in the diagrams annexed hereto as **ANNEXURE A, B, C, D, E, F and G**, but which properties shall exclude a road reserve which will be indicated on the eventual subdivisional and consolidation diagrams of the relevant properties, for possible future roads necessary for extensions to the Stellenbosch Township.

(Hereinafter referred to as "the property" and/or "the properties")

2.2 It is recorded that the Seller shall be entitled:

2.2.1 to consolidate the aforesaid properties; or such of the components of the said properties as it may deem fit in its absolute discretion, before giving transfer thereof the Purchaser, at its own cost and expense.

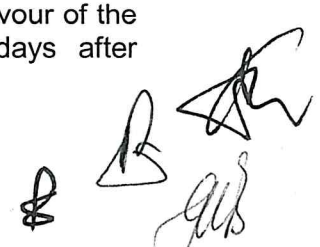
2.2.2 to record as a condition of title relating to all or any of the aforesaid properties that such properties shall be zoned agricultural and shall not be rezoned and/or developed for any non-agricultural purpose;

2.2.3 to impose a notarial tie condition between the property hereby sold and the existing property of the Purchaser so that the Purchaser or its successors in title shall not be entitled to sell or otherwise alienate or transfer any portion of the property hereby sold without the simultaneous sale or alienation or transfer of the property collectively referred to as Blaauwklippen Estate being the existing property of the Purchaser, or its successors in title, to the same transferee;

3. PURCHASE PRICE AND METHOD OF PAYMENT :

3.1 The purchase price of the property payable by the Purchaser to the Seller is the sum of R14 250 000.00 (Fourteen Million Two Hundred and Fifty Thousand Rand) exclusive of Value Added Tax.

3.2 The aforesaid total purchase price of the property shall be payable free of commission and bank charges to the Seller's attorneys at Stellenbosch immediately prior to registration of transfer of the property in favour of the Purchaser provided that the Purchaser shall, within 21 days after



finalisation of the final terms of the agreement as envisaged in clause 1.5 furnish the Seller or its attorney with confirmation from the RSA commercial bank of the Purchaser, to be acceptable to the Seller in its sole discretion, that the Purchaser shall have sufficient funds available for the purchase price against registration of transfer.

4. VALUE ADDED TAX

- 4.1 It is recorded that the Seller is registered as a vendor in terms of the Value Added Tax Act ("the Act").
- 4.2 It is therefore recorded that should Value Added Tax be payable on the purchase price of the immovable property referred to in clause 2.1 the Purchaser shall be required to pay such Value Added Tax in accordance with the prescribed tariff of the Act to the Seller's attorney simultaneous with the purchase price as determined in clause 3.2.

5. POSSESSION AND OCCUPATION

- 5.1 It is recorded and agreed that the Purchaser through the tenancy of the Lessee is deemed already to be in possession of the properties in terms of the relevant lease agreements between the Seller and the Lessee.
- 5.2 Until date of registration the Purchaser shall therefore remain in possession and occupation of the properties in terms of the lease agreements and shall be responsible to fulfil all of its obligations vis-à-vis the Seller in accordance with the terms and conditions set out in the lease agreements until the registration of transfer, on which event the said lease agreements shall lapse and be of no further force and effect.

It is agreed that no compensation will be payable by the Seller to the Lessee due to the premature termination of the said agreements of lease; provided however that any rental paid in advance by the Lessee shall be repaid by the Seller on a proportionate basis.

- 5.3 The Purchaser shall be entitled to utilise, free of charge, the area of the road reserve referred to in clause 2.1 above; provided that should the Seller require same for road building purposes, it shall be entitled to give the Purchaser 3 (three) months' written notice to that effect, whereupon the Purchaser shall vacate such portion without any consideration for whatever reason or improvements such as vineyard thereon being payable by the Seller.

6. TRANSFER

Registration of transfer of the property shall be effected by Attorneys Marais Müller Inc, 21 Oewerpark, Die Boord, Stellenbosch (Mr Philip Rall) following final approval by the council and as soon as possible after approval by the Surveyor-

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General of the various subdivisions and consolidations but only after the purchase price as set out in paragraph 3 and the amounts stipulated in paragraphs 7 and 8 infra have been paid by the Purchaser.

7. RATES AND TAXES, WATER CHARGES

- 7.1 The Purchaser shall be liable for payment of all rates and taxes levied on the property as from the date of registration. Should the Lessee have paid any such rates and taxes in advance, a pro rata portion thereof shall be credited by the Seller to the account of the Lessee.
- 7.2 Any outstanding capital amount pertaining to the water rights and irrigation scheme as set out in any of the lease agreements between the Seller and the Lessee shall, on registration of transfer when the existing lease agreements will lapse ito par. 5.2, become the responsibility of the Purchaser who will be responsible either to pay the full outstanding balance in one lump sum or to pay such balance over the remaining period of the loan relating thereon.

8. TRANSFER COSTS

- 8.1 The Purchaser shall pay on demand all costs and disbursements incurred to effect registration of transfer of the property in its name, including transfer fees, fees for the registration of servitudes and other notarial agreements, transfer duty (if applicable) subdivisional costs and agreements, survey charges, stamp duty, Deeds Office charges and the costs of drawing this agreement plus VAT on such fees.
- 8.2 The Seller shall be responsible for payment of any costs or survey charges regarding the consolidation of all or some of the properties prior to transfer thereof in favour of the Purchaser.

9. BROKERAGE

The parties agree that this sale was not concluded through the agency of any agent and that no commission would therefore be payable.

10. DEFAULT

In the event of the Purchaser failing to pay any portion of the purchase price on the due date, or in the event of either of the parties failing to comply with any of the other terms of this agreement after having received a written notice delivered to the defaulting party by registered post or by hand calling upon the defaulting party to remedy such breach within 14 days from date of posting or delivering by hand of such notice.

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- 10.1 Should the Seller be the defaulting party, the Purchaser will be entitled, either:
- 10.1.1.1 to cancel the agreement and tender return of the property to the Seller against re-payment of the monies paid by the Purchaser to the Seller; or
 - 10.1.1.2 to claim specific performance from the Seller;
- without prejudice to his rights to claim damages arising from such breach.
- 10.2 Should the Purchaser be the defaulting party, the Seller shall be entitled either:
- 10.2.1.1 to cancel this agreement and retake possession of the property, in which event the Purchaser shall forfeit as liquidated damages any amounts already paid under this agreement; or
 - 10.2.1.2 to claim the full outstanding amount which will immediately become due under this agreement without prejudice to his rights to claim damages arising from such breach.
- 10.3 In the event of legal proceedings being instituted as a result of such breach, the successful party shall be entitled to recover from the defaulting party his legal costs on the scale as between attorney and client, including collection commission.

11. GENERAL CONDITIONS

- 11.1 The property is sold as described in the Seller's Title Deed(s), subject to all conditions and servitudes attaching to the property or mentioned or referred to in the said Title Deed(s). The Purchaser agrees to accept title as held by the Seller who shall not be liable for any deficiency in the event of the property which may be found on a re-survey, nor does the Seller desire to benefit by any excess which may be found.
- 11.2 The Seller does not give any express or implied warranty whatsoever in regard to the Property or any aspect thereof.
- 11.3 The property is sold "voetstoots" as it now stands, and the Seller shall not be responsible for any latent or patent defects to which the property may subject;
- 11.4 The Purchaser hereby acknowledged that it has not been persuaded to enter into this Agreement to reason of any express or implied notification, statement, representation, act or omission made by or on behalf of the Seller, unless same has been expressly set forth herein.



- 11.5 It is hereby agreed that this Agreement shall constitute the entire Agreement between the Seller and Purchaser, and that no amendment, addition or deletion in respect thereof shall be of any legal force and effect, unless such amendment, addition or deletion has been made in writing and signed by both parties hereto.
- 11.6 Any concession, admission or condonation made by the Seller to the Purchaser in regard to any of the terms and conditions of this Agreement, shall be entirely without prejudice to the Seller's rights in terms hereof, and shall in no regard to construed as a waiver by the Seller of this rights in terms hereof.
- 11.7 The Seller and Purchaser herewith choose "domicilium citandi et executandi" at their respective addresses set out in the pre-amble hereto, where all notices and/or process originating from this Agreement shall be served.

12. ELECTRICAL INSTALLATION

The Seller shall not be required to deliver to the Purchaser or the transferring attorneys a Certificate of Compliance in respect to the electrical installations on any of the buildings on the property in terms of Regulation R2920/1992 of the Machinery and Occupational Safety Act No 6/1983 or any amendment or substitution thereof. The Purchaser shall at its expense repair and/or rectify or have repaired any defects and/or deficiencies in the said electrical installations as required by the accredited person concerned for the furnishing of the Certificate of Compliance.

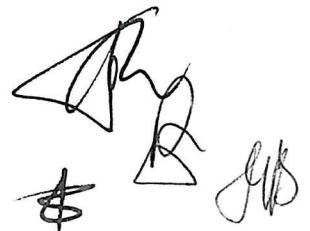
13. SPECIAL CONDITIONS

- 13.1 It is recorded that the Purchaser has applied to the Council for the rezoning of a portion of its existing property for purposes of the construction thereon of a wine cellar, the approval of which has been withheld owing to the fact that an insufficient quantity of grapes had been produced on the existing property of the Purchaser. Notwithstanding the fact that final approval of this Deed of Sale still has to be granted by the Council, consent is hereby granted to the Purchaser to proceed with the construction of a wine cellar subject to the approval of the plans thereof in the normal course of events; provided that should this agreement of sale be cancelled or fall through for whatever reason or registration of transfer not be proceeded with within 6 (six) months after fulfillment of the last of the suspensive conditions set out herein, the parties undertake to amend the lease agreements into fixed term agreements and agree that market related rentals and escalations would be applicable thereto. Failing consensus what would constitute a market related rental and escalation, such matter would be referred by the Council on their sole discretion to an independent agriculture estate agent within the Stellenbosch Wine of



Origin area to determine a market related rental and escalation and whose ruling, as expert and not as arbitrator, shall be binding on all parties concerned.

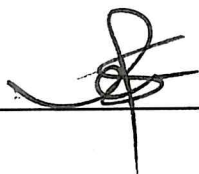
- 13.2 It is recorded that the Purchaser leases a certain agricultural property.
- 13.3 The Purchaser shall, within 18 calendar months from the first day of the month following the month during which the transfer of the properties referred to in Clause 2, was registered, in good faith furnish the Seller with a written proposal of how the Purchaser:
- 13.3.1 intends to advance Black empowerment on the properties owned by the Purchaser and/or leased from the Seller; and
 - 13.3.2 intends to advance Black Empowerment on the property known as Farm 502V; and
 - 13.3.3 intends to uplift and contribute to the local community.
- 13.4 The Purchaser and the Seller shall in consultation discuss these proposals and failing consensus on any one of the aforesaid proposals, the Seller shall be entitled to forthwith cancel the existing lease in respect of Farm 502V notwithstanding any contrary provisions contained therein without any compensation being payable in respect of such cancellation.

Handwritten signatures and initials in black ink, including a large stylized signature, a smaller signature, and the initials 'JP'.

THUS DONE and SIGNED at Stellenbosch on this 13 day of August 2003.

AS WITNESSES:

1. 

2. 


SELLER

THUS DONE and SIGNED at Stellenbosch 22nd on this 22 day of August 2003.

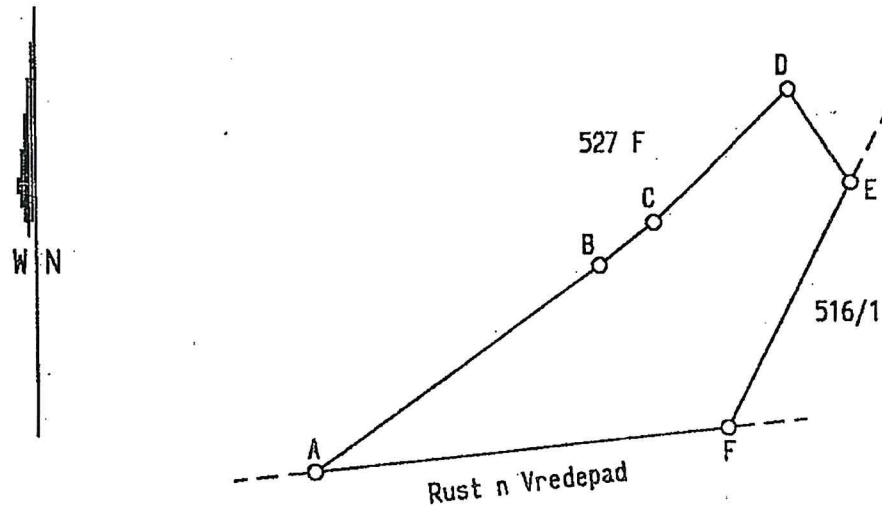
AS WITNESSES:

1. _____

2. _____


PURCHASER

Friedlaender, Burger & Volkmann Landmeters



SKAAL 1 : 10 000

Die figuur A B C D E F stel voor 14,78 ha (benaderd tot die naaste 0,5 ha)

grond, synde

MUNISIPALE HUURGROND PERSEEL 527 E

gelee in die Munisipaliteit van Stellenbosch in die
 Administratiewe Distrik van Stellenbosch
 Opgestel deur my in November 2001

Provinsie van die Wes-Kaap

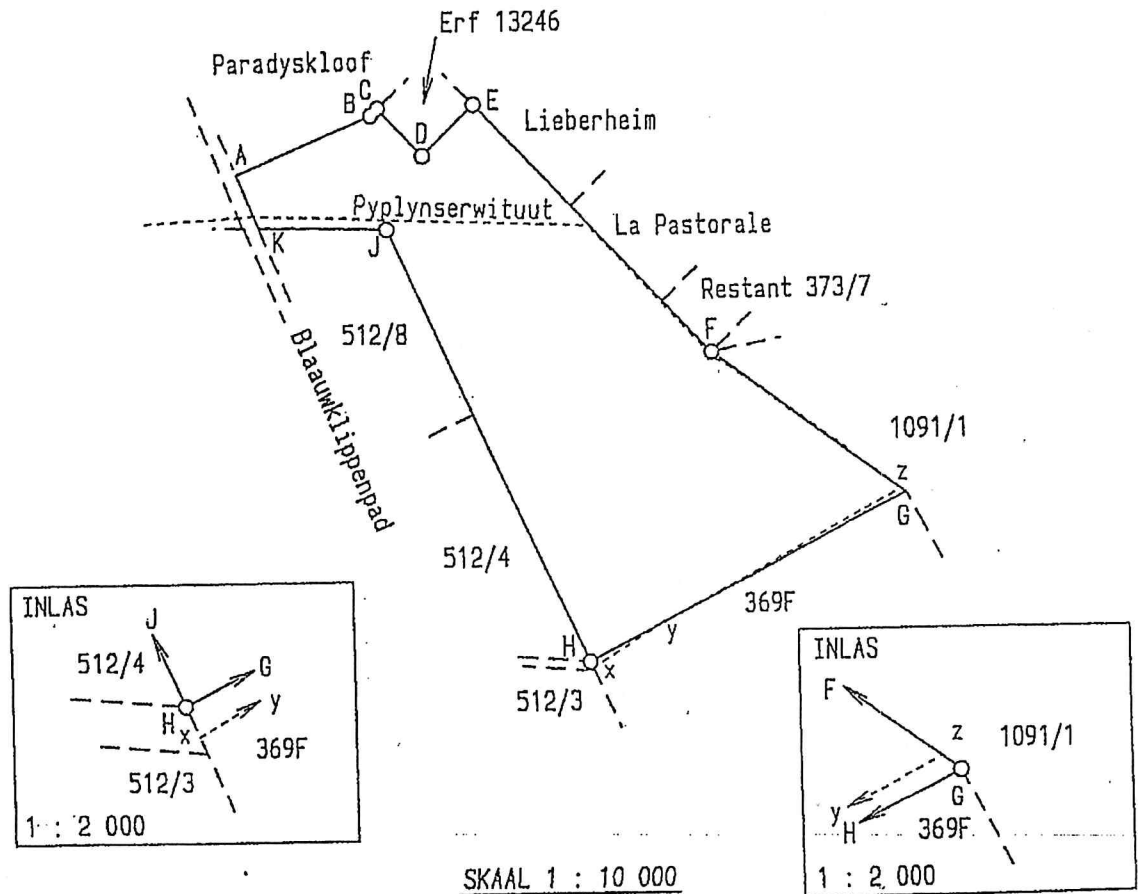
Hans J Volkmann
 Hans J Volkmann
 Pr Landmeter PLS0695

Oorspronklike kaart	Burgermeester	x <i>J Meaker</i> Huurder
Nr.	Stadsklerk	
T/A	Getuie 1:	Getuie 1:
	Getuie 2:	Getuie 2:

[Signatures]

Friedlaender, Burger & Volkmann Landmeters

NOTA: Die lyn x-y-z stel die suidelike grens van 'n deurgangspad voor.



Die figuur A B C D E F G H J K stel voor 26,7 hektaar
grond, synde MUNISIPALE HUURGROND PERSEEL 369 GN

gelee in die Munisipaliteit van Stellenbosch in die
Administratiewe Distrik van Stellenbosch
Provinsie van die Wes-Kaap
Opgestel deur my in November 1999

Hans J. Volkmann
Hans J Volkmann
Pr Landmeter PLS0695

Oorspronklike kaart

Nr. 593/1884

T/A STEL. F. 5-35

BH-SDCB

Burgermeester

Stadsklerk

Getuie 1:

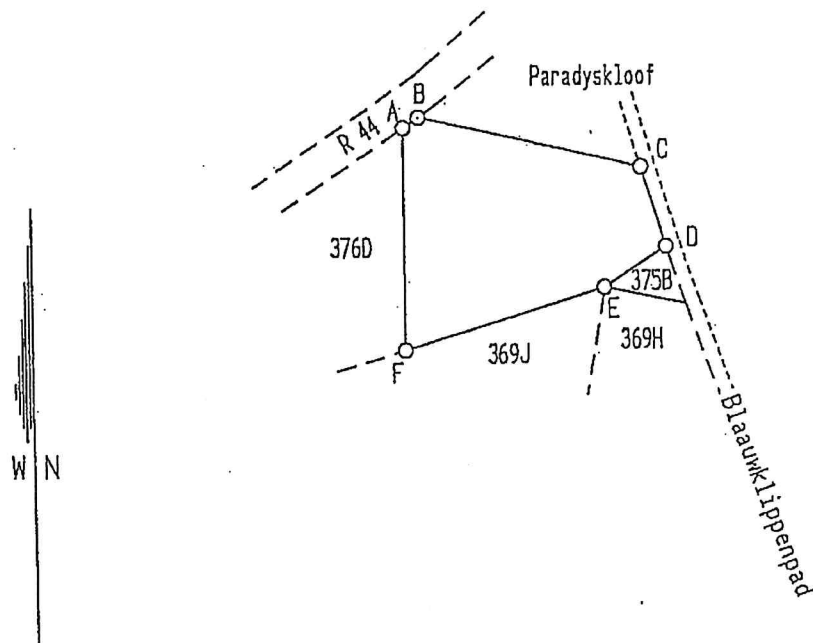
Getuie 2:

Huurder

Getuie 1:

Getuie 2:

Friedlaender, Burger & Volkmann Landmeters



SKAAL 1 : 10 000

8,1 ha

Die figuur A B C D E F stel voor 8,1 hektaar
grond, synde MUNISIPALE HUURGROND PERSEEL 376BN

gelee in die Stellenbosch Plaaslike Oorgangsraad Gebied in die
Administratiewe Distrik van Stellenbosch
Provinsie van die Wes-Kaap
Opgestel deur my in November 1999

Hans J. Volkmann
Hans J Volkmann
Pr Landmeter PLS0695

Oorspronklike kaart

Nr. 593/1884

T/A Stel. F. 5-35

BH-8DCB

Burgermeester

Stadsklerk

Getuie 1:

Getuie 2:

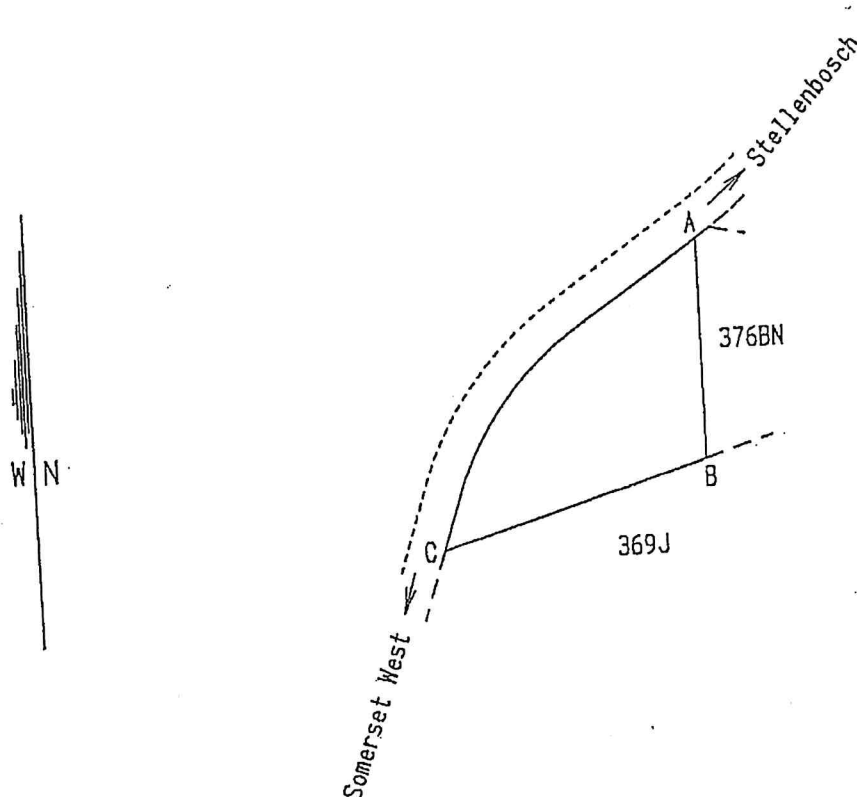
Huurder

Getuie 1:

Getuie 2:

[Handwritten signatures and initials]

Friedlaender, Burger & Volkmann Landmeters



Area = 7,99 ha SKAAL 1 : 10 000

Die figuur A B C suidoos grens van padreserwe stel voor 8,0 hektaar

grond, synde

MUNISIPALE HUURGROND PERSEEL 376DN

gelee in die Munisipaliteit van Stellenbosch in die
Administratiewe Distrik van Stellenbosch
Opgestel deur my in November 1999

Provinsie van die Wes-Kaap

Hans J. Volkmann
Hans J Volkmann
Pr Landmeter PLS0695

Oorspronklike kaart

Nr. 206/1891

T/A Stel. F. 6-5

Burgermeester

Stadsklerk

Getuie 1:

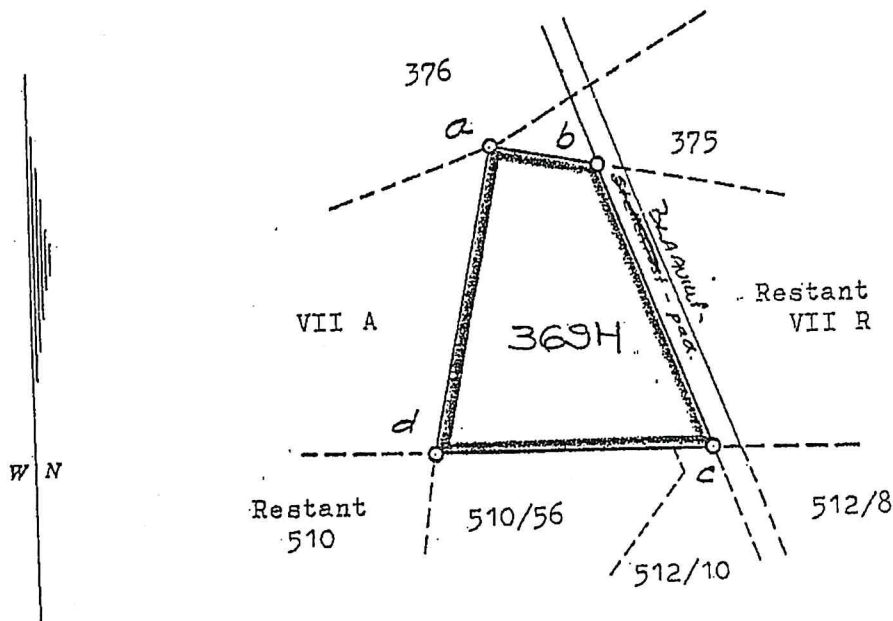
Getuie 2:

Huurder

Getuie 1:

Getuie 2:

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Skaal: 1/7500

Die figuur a b c d

stel voor

6 Hektaar

(benaderd tot die naaste halwe hektaar)

grond. synde

NUMMER

Munisipale Huurgrond Perseel

(oanr VII RA)

(Gedeelte v.d. plaas 369)

369H

geleë in die Munisipaliteit en Afdeling Stellenbosch
Provinsie Kaap die Goeie Hoop.

Opgestel deur my Augustus 1975,

P. J. J. van der Merwe
Landmeter.

Oorspronklike Kaart

Nr. 593/1884

T/A Stel. E. 5.34

Noteerfel. BH-8DCD

Getuie 1.

1.

2.

Getuie 1.

1.

Huurder

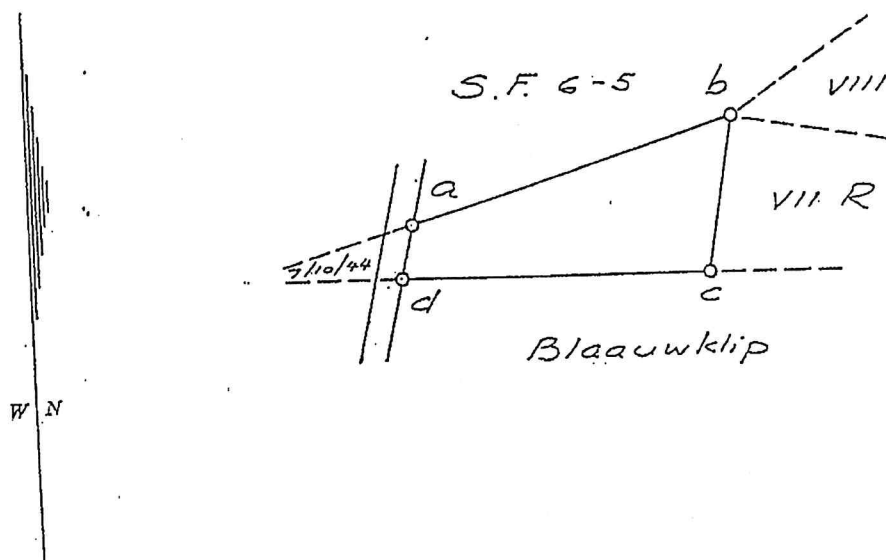
[Signature]
Burgermeester

Burgermeester

Stadsclerk.

B. J. J. van der Merwe

B. J. J. van der Merwe



Skaal: 1/15000

Die figuur *abcd* stel voor
 13,70ha (16 Morg) (benadeerd tot die naaste 1/2 morg)
 Munisipale Huurgrond Perseel (VII A) grond synde **NUWE NR 369J**

geleë in die Munisipaliteit en Afdeling Stellenbosch
 Provinsie Kaap die Goëie Hoop.

Opgestel deur my April 1965.

J. Tridacende
 Landmeter.

Oorspronklike Kaart

Nr. 9131/1957...

T.A. S.F. 5-37

S.F. 5-37

J. J. Zomhans
 Burgemeester

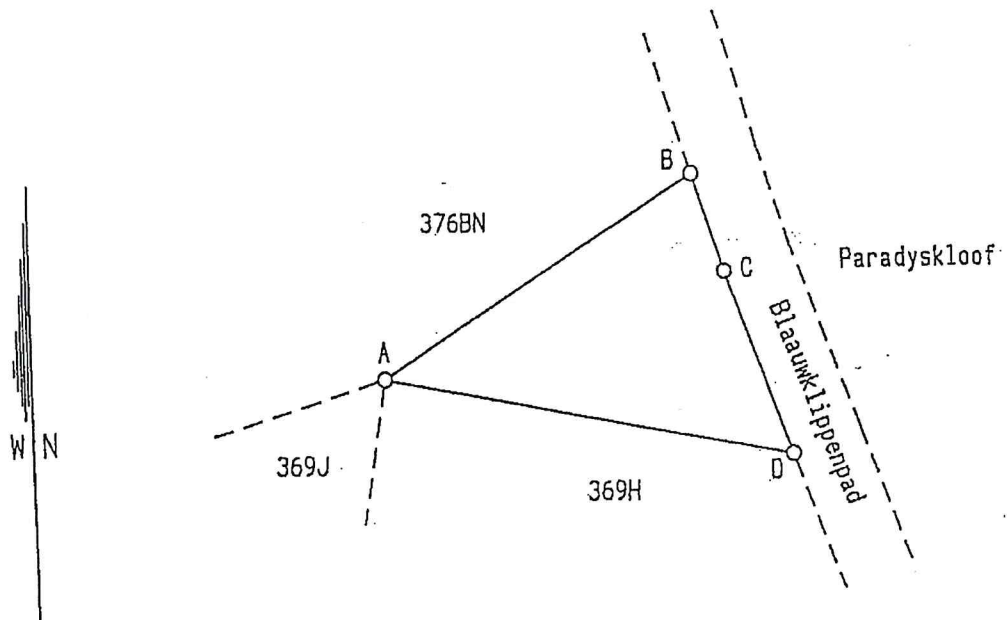
D. Sijp
 Stadsheer

W. J. de Vries

Huurder

R. J. de Vries
J. J. de Vries
J. J. de Vries

Friedlaender, Burger & Volkmann Landmeters



SKAAL 1 : 2 000

Die figuur A B C D stel voor 4100 vierkante meter

grond, synde

MUNISIPALE HUURGROND PERSEEL 375B

gelee in die Munisipaliteit van Stellenbosch in die
Administratiewe Distrik van Stellenbosch
Opgestel deur my in November 1999

Provinsie van die Wes-Kaap

Hans J. Volkmann
Hans J Volkmann
Pr Landmeter PLS0695

Oorspronklike kaart

Nr. 9130/57

T/A Stel. F. 5-34

Burgermeester

Stadsklerk

Getuie 1:

Getuie 2:

Huurder

Getuie 1:

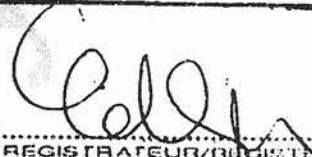
Getuie 2:

[Handwritten signatures and initials]

[Handwritten signatures and initials]

APPENDIX 2

MARAIS MÜLLER YEKISO INC.
21 Oewer Park
Die Boord
STELLENBOSCH
7600

GEREGISTREER REGISTERED

REGISTRATEUR/REGISTRAR
25 JUL 2006

FEE
R 99,00

K00000770/2006

for further and p7.

1-3-8
1

Protocol No. 44

NOTARIAL DEED

CREATING RESTRICTIVE TIE CONDITION

BE IT HEREBY MADE KNOWN

THAT at STELLENBOSCH on this 2nd day of MAY 2006

before me

JANA ELIZABETH VAN ZYL



of STELLENBOSCH, in the Province of the Western Cape, Notary Public, by lawful authority duly admitted and sworn and in the presence of the subscribing witnesses personally came and appeared

LEE GRÜNEWALD of STELLENBOSCH, she, the said Appearer being duly authorised thereto by:

1. A special power of attorney in her favour signed at STELLENBOSCH on 16th NOVEMBER 2005, granted by

STELLENBOSCH MUNICIPALITY

("Seller")

and

2. A special power of attorney in her favour signed at STELLENBOSCH on 16th NOVEMBER 2005, granted by

BLAAUWKLIPPEN AGRICULTURAL ESTATES STELLENBOSCH (PTY) LTD

No. 1972/000312/07

("Purchaser")

3. A special power of attorney in her favour signed at STELLENBOSCH on 16th NOVEMBER 2005, granted by

CAPE DUTCH ESTATES STELLENBOSCH (PTY) LTD

Reg No 1971/011401/07

("Owner")

AND THE APPEARER DECLARED THAT:

A. WHEREAS the Seller is transferring to the Purchaser the following properties, to wit:-

- (1) Portion 17 of the Farm No. 369 in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 26,6719 (Twenty Six Comma Six Seven One Nine) hectares
as appears from diagram SG. No. 1565/2004
Held by Certificate of Registered Title No. T. (4) SSS41/2006.
- (2) Portion 3 of the Farm No. 527 in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 14,7917 (Fourteen Comma Seven Nine One Seven) hectares
as appears from diagram SG. No. 5157/2004
Held by Certificate of Registered Title No. T. (a) SSS46/2006.
- (3) Farm No 1457 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 33,3864 (Thirty Three Comma Three Eight Six Four) hectares
as appears from diagram SG. No. 5170/2004
Held by Certificate of Consolidated Title No. T. (10) SSS47/2006.

(hereinafter referred to as "the Seiler's property")

B. AND WHEREAS the Owner is the registered owner of the following properties, to wit:-

- (1) Remainder of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 36,0885 (Thirty Six Comma Nil Eight Eight Five) hectares
Held by Deed of Transfer No. T.4195/1972 (par 1);
- (2) Portion 52 (a portion of Portion 31) of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 1,0405 (One Comma Nil Four Nil Five) hectares
Held by Deed of Transfer No. T.4195/1972 (par 2);
- (3) Portion 53 (a portion of Portion 51) of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 5788 (Five Thousand Seven Hundred and Eighty Eight) square metres
Held by Deed of Transfer No. T.4195/1972 (par 3);
- (4) Portion 54 (a portion of Portion 10) of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 5889 (Five Thousand Eight Hundred and Eighty Nine) square metres
Held by Deed of Transfer No. T.4195/1972 (par 4)

(hereinafter referred to as "the Owner's property")

C. AND WHEREAS the Owner and the Purchaser are affiliate companies and since the Purchaser conducts an enterprise as wine estate on the Owner's property as well as on the Seller's property in terms of certain lease agreements which are being cancelled simultaneous with the registration hereof;

D. AND WHEREAS it is a condition of the sale agreement between the Seller and the Purchaser whereby the Seller's property is to be transferred to the Purchaser that a notarial deed creating a restrictive tie condition be registered simultaneous with the registration of transfer of the said Seller's property in favour of the Purchaser whereby the Purchaser or its successors in title and the Owner or its successors in title shall not be entitled to sell or alienate or transfer any of the said properties without the simultaneous sale or alienation or transfer of all the other aforesaid properties to the same transferee;

- E. **AND WHEREAS** the Owner has accepted the said conditions and has agreed to the registration of this Notarial Deed without any compensation being payable;

NOW THEREFORE THESE PRESENT WITNESSETH:

1. That the Title Deeds of

- ✓ (1) Portion 17 of the Farm No. 369 in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 26,6719 (Twenty Six Comma Six Seven One Nine) hectares
as appears from diagram SG. No. 1565/2004
Held by Deed of Transfer No. T. (\\) SSS48/2006.
- ✓ (2) Portion 3 of the Farm No. 527 in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 14,7917 (Fourteen Comma Seven Nine One Seven) hectares
as appears from diagram SG. No. 5157/2004
Held by Deed of Transfer No. T. (\\) SSS48/2006.
- ✓ (3) Farm No 1457 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 33,3864 (Thirty Three Comma Three Eight Six Four) hectares
as appears from diagram SG. No. 5170/2004
Held by Deed of Transfer No. T. (\\) SSS48/2006.
- (4) Remainder of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 36,0885 (Thirty Six Comma Nil Eight Eight Five) hectares
Held by Deed of Transfer No. T.4195/1972 (par 1);
- (5) Portion 52 (a portion of Portion 31) of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 1,0405 (One Comma Nil Four Nil Five) hectares
Held by Deed of Transfer No. T.4195/1972 (par 2);

- (6) Portion 53 (a portion of Portion 51) of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 5788 (Five Thousand Seven Hundred and Eighty Eight) square metres
Held by Deed of Transfer No. T.4195/1972 (par 3);
- (7) Portion 54 (a portion of Portion 10) of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;
Measuring 5889 (Five Thousand Eight Hundred and Eighty Nine) square metres
Held by Deed of Transfer No. T.4195/1972 (par 4)

be endorsed to the effect that none of the aforesaid properties may be sold, alienated or transferred unless all the aforesaid properties are simultaneously sold, alienated or transferred to the same transferee.

2. That the Purchaser shall be liable for the payment of the legal costs pertaining to the drafting and registration of this Deed.

R R B 1

THUS DONE AND SIGNED and executed at STELLENBOSCH on the day, month and year first
afcrewritten in the presence of the undersigned witnesses.

AS WITNESSES:

1. *Land*

Donald
q.q. Municipality of Stellenbosch

2. *faber*

Donald
q.q. Brauwklippen Agricultural Estates
Stellenbosch (Pty) Ltd

Donald
q.q. Cape Dutch Estates Stellenbosch (Pty) Ltd

QUOD ATTESTOR

Janet van Zyl

NOTARY PUBLIC



VA 008992/092009

K 770/2006 s

Certified a true copy of the duplicate
original filed of record in this Registry,
issued to serve in place of the original
thereof under the provisions of Deeds
Regulation No. 68 (1) Act 47/37

Deeds Registry
Cape Town

09 DEC 2009

[Signature]
Asst. Registrar of Deeds

-7-

8
VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGEET SEQ

K (B)00000057/2010

By notarial deed of agreement, dated 24 June 2009
The restrictive tie condition is hereby released
in respect of the following properties:

1. PORTION 52 (ptn of ptn 31) of the farm Blaauw klip no. 510
situate in the municipality and division of Stellenbosch, province
of the western Cape, measuring 1.0405 ha
2. PORTION 53 (ptn of ptn 51) of the farm Blaauw klip no. 510
situate in the municipality and division of Stellenbosch, province of
the western Cape, measuring 5788 m²
3. PORTION 54 (ptn of ptn 10) of the farm Blaauw klip no. 510
situate in the municipality and division of Stellenbosch,
Province of the western Cape, measuring 5889 m² held by
Deed of transfer T4195/1972

As will more fully appear from said notarial deed

Deeds Office
Cape Town

Registrar of Deeds
18 JAN 2010

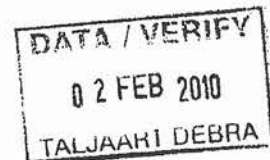
APPENDIX 3

1-6

CLUVER MARKOTTER INC.
117



Protocol No: 499



NOTARIAL AGREEMENT:

RELEASE FROM RESTRICTIVE TIE CONDITION

KNOWN ALL MEN WHOM IT MAY CONCERN :

THAT on this 24th day of June 2009, before me

AREND LEOPOLD DE WAAL

Notary Public, by lawful authority duly sworn and admitted and practising at Stellenbosch in the Province of the Western Cape, personally came and appeared

COLET BOURBON-LEFTLEY

she, the said Appearer, duly authorised thereto by :

{COMM/SERVITUDES/ADW/AVD1486}



[Handwritten signatures]

- 2 -

(i) : a Special Power of Attorney dated at STELLENBOSCH on 24 March 2009 granted to her by

STELLENBOSCH MUNICIPALITY

(hereinafter referred to as the "Municipality")

(ii) : a Special Power of Attorney dated at STELLENBOSCH on 18 June 2009 granted to her by

BLAAUWKLIPPEN AGRICULTURAL ESTATES STELLENBOSCH (PTY) LTD
No 1972/000312/07

(hereinafter referred to as "Blaauwklippen")

(iii) : a Special Power of Attorney dated at STELLENBOSCH on 18 June 2009 granted to her by

CAPE DUTCH ESTATES STELLENBOSCH (PTY) LTD
No 1971/011401/07

(hereinafter referred to as "Cape Dutch Estates")

which powers of attorney have this day been exhibited to me and now remain filed in my protocol.

AND THE APPEARER DECLARED THAT :

- 1 WHEREAS the parties entered into Notarial Tie Agreement No K770/2006S (hereinafter referred to as "the Notarial Tie Agreement") in terms of which certain immovable properties of Blaauwklippen and Cape Dutch Estates were notarially tied;
- 2 AND WHEREAS it was acknowledged by the Municipality that it was not the intention to notarially tie certain of the immovable properties that were tied in terms of the Notarial Tie Agreement, which properties are to be released from the Notarial Tie Agreement.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

- 1 THAT the following immovable properties, namely:

- (1) Portion 52 (a portion of Portion 31) of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;

Measuring 1,0405 (ONE COMMA ZERO FOUR ZERO FIVE) hectares

Held by Deed of Transfer No T4195/1972 (par 2);



- 3 -

- (2) Portion 53 (a portion of Portion 51) of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;

Measuring 5788 (FIVE THOUSAND SEVEN HUNDRED AND EIGHTY EIGHT) square metres

Held by Deed of Transfer No T4195/1972 (par 3);

- (3) Portion 54 (a portion of Portion 10) of the Farm Blaauw Klip No 510 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape;

Measuring 5889 (FIVE THOUSAND EIGHT HUNDRED AND EIGHTY NINE) square metres

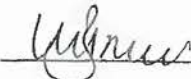
Held by Deed of Transfer No T4195/1972 (par 4);

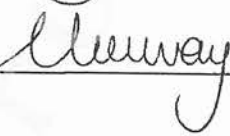
shall be released from the working of the Notarial Tie Agreement to the effect that Cape Dutch Estates shall be entitled to sell, alienate or transfer the aforesaid properties separately from the other immovable properties referred to in the Notarial Tie Agreement.

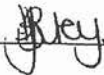
- 2 THAT the costs involved in the finalisation and registration of this Agreement will be borne by Cape Dutch Estates.

THUS DONE AND EXECUTED by the appearer before me, the Notary, on the date aforementioned in the presence of the undersigned witnesses.

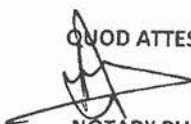
AS WITNESSES :

1. 

2. 



QUOD ATTESTOR


NOTARY PUBLIC

(2)

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
PREPARED BY : DRS08012 - VAN WYK GEORGINA

DATE : 20091223 TIME : 11:39:17.1 PAGE : 1

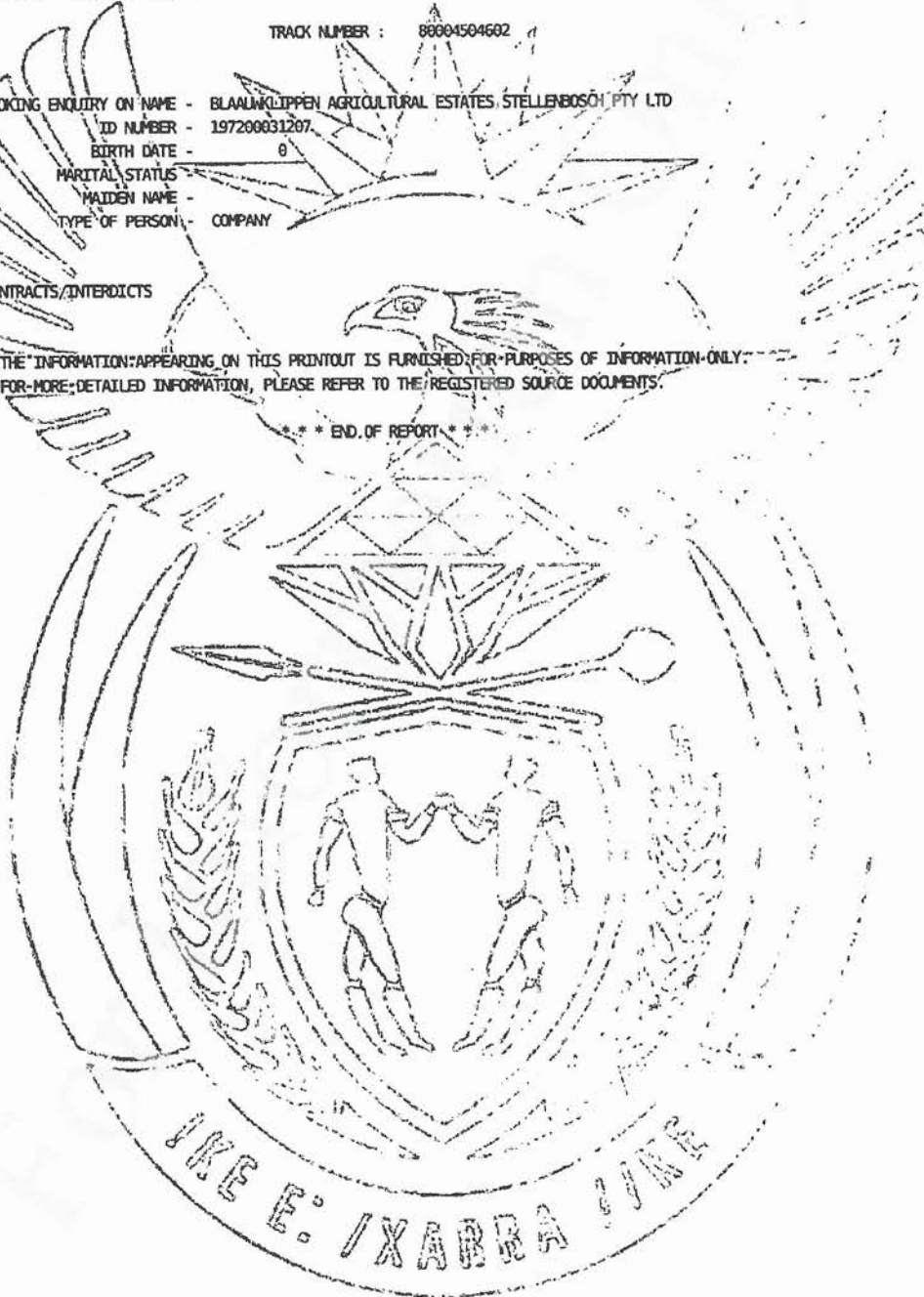
TRACK NUMBER : 88004504602

BLACK-BOOKING ENQUIRY ON NAME - BLAANKLIPPEN AGRICULTURAL ESTATES, STELLENBOSCH PTY LTD
ID NUMBER - 197200031207
BIRTH DATE - 0
MARITAL STATUS -
MAIDEN NAME -
TYPE OF PERSON - COMPANY

PERSON HAS NO CONTRACTS/INTERDICTIONS

** PLEASE NOTE: THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***



PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS08012 - VAN WYK GEORGINA

DATE : 20091223 TIME : 11:40:14.5 PAGE : 1

TRACK NUMBER : 80004504602

PROPERTY DETAILS PRINT FOR PORTION 52
 FARM NO 510
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF 31
 DIAGRAM DEED NO T12771/1941
 EXTENT 1:0405
 CLEARANCE STELLENBOSCH MUN
 FARM NAME BLAALW KLIP

NO INTERDICTS

DOCUMENTS

B22138/2004
 B34764/2002
 K770/2006S
 VA2502/2002
 VA8992/2009
 FARM ST 510/52
 VA-K770/2006S-PENDING BOX 117 24/11/09

HOLDER & SHARE

FIRSTRAND BANK LTD
 IND DEVELOPMENT CORP OF SOUTH AFRICA LTD

AMOUNT
 R5000000.00
 R23500000.00

O/P/A

MICROFILM REF

MMD

2006	1881	1734	0329
2006	1881	1704	0618
2006	1881	1677	0725
2002	0377	5139	0509
			1209
1985	0072	0446	
			1124

OWNER DETAILS

FULL NAME & SHARE

CAPE DUTCH ESTATES STELLENBOSCH PTY LTD

PURCH DATE

AMOUNT/REASON O/P/A IDENTITY

TITLE DEED

MMD

MICROFILM REF

197101140107 T4195/1972 0228 2006 1881 1722

* O/P/A - 0 MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
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*** END OF REPORT ***

IK E F: /XABBA IK E

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS08812 - VAN WYK GEORGINA

DATE : 20091223 TIME : 11:40:19.7 PAGE : 1

TRACK NUMBER : 80004504602

PROPERTY DETAILS: PRINT FOR PORTION
 FARM NO
 REG DIV

53
 510
 STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF 51
 DIAGRAM DEED NO T12771/1941
 EXTENT 5788 SQM
 CLEARANCE STELLENBOSCH MUN
 FARM NAME BLAALW KLIP

NO INTERDICTS

DOCUMENTS

B22138/2004
 B34764/2002
 K770/2006S
 VA2502/2002
 VA8992/2009
 FARM ST 510/53
 VA-K770/2006S-PENDING BOX 117

HOLDER & SHARE

FIRSTRAND BANK LTD
 IND DEVELOPMENT CORP OF SOUTH AFRICA LTD

AMOUNT
 R5000000.00
 R23500000.00

O/P/A

MICROFILM REF

MDD

2006 1881 1734 0329
 2006 1881 1704 0618
 2006 1881 1677 0725
 2002 0377 5139 0509
 1985 0072 0447 1209
 1124

T4195/1972
 K770/2006S

24/11/09

OWNER DETAILS

FULL NAME & SHARE

CAPE DUTCH ESTATES STELLENBOSCH PTY LTD

PURCH DATE

AMOUNT/REASON

O/P/A IDENTITY

TITLE DEED

MDD

MICROFILM REF

197101140107

T4195/1972

0228

2006 1881 1722

* O/P/A - 0 - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

!KE E: /XABBA /KE

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS08012 - VAN WYK GEORGINA

DATE : 20091223 TIME : 11:40:21.7 PAGE : 1

(6)

TRACK NUMBER : 88804504602

PROPERTY DETAILS: PRINT FOR PORTION 54
 FARM NO 510
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF 10
 DIAGRAM DEED NO T12771/1941
 EXTENT 5889 SQM
 CLEARANCE STELLENBOSCH MUN
 FARM NAME BLAALW KLIP

NO INTERDICTS

DOCUMENTS

DOCUMENTS	HOLDER & SHARE	AMOUNT	O/P/A	MICROFILM REF	MDD
B22138/2004	FIRSTRAND BANK LTD	R5000000.00		2006 1881 1734	0329
B34764/2002	IND DEVELOPMENT CORP OF SOUTH AFRICA LTD	R23500000.00		2006 1881 1704	0618
K770/2006S				2006 1881 1677	0725
VA2502/2002				2002 0377 5139	0509
VA8992/2009				1985 0072 0449	1209
FARM ST 510/54					1124
VA-K770/2006S-PENDING BOX 117					

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	MDD	MICROFILM REF
CAPE DUTCH ESTATES STELLENBOSCH PTY LTD				197101140107	T4195/1972	0228	2006 1881 1722

* O/P/A - 0 MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

!KE E: /XARBA /KE

CLUVER MARKOTTER
STELLENBOSCH
TEL: (021) 808-5600

UITVOERING / EXECUTION

117

Datum van indiening / Date of lodgement

14 JAN

LODGED

2009-12-23

INGEDIEN

A. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE

1	Onssoekers / Examiners	Kamers / Rooms	Skakeling / Linking	Reject / Verwerp	Passeer / Pass
2	N. MENZIWA 1230				
3	R.D.V. SCHALKWYK 1220				
4			5 3		

B. VIR AKTEBESORGER SE GEBRUIK / FOR CONVEYANCER'S USE

Aard van Akte / Nature of Deed: Notarial Release from the condition
Stellenbosch Municipality, a.o.
Verw. No./Ref. No. CAP16/0002

K 000000057/2010

Skakeling / Linking	Titelaktes, ens. binne / Title deeds, etc. within
5 3	K770/2006S

GELYKTYDIGES / SIMULS

No. in stel/batch	Kode Code	Name van Partye / Names of Parties	Naam van Firma / Name of Firm	Firma / Firm No.
1	BC	Cape Dutch Estates / IDC	Symington de Kok	1082
2	BC	Blouklippen Agricultural Estates / IDC	Symington de Kok	1082
3	K	Stellenbosch Municipality, a.o.	Cluver Markotter	117
4	BC	Cape Dutch Estates / FNB	Minda Schapiro	86
5	B	Cape Dutch Estates / FNB	Minda Schapiro	86
6				
7				
8				

Registrasie versoek deur:

Registration request by:

Datum: 2010-01-18

Date:



ADN/ac
Ptn 52 (ptn of Pen 31) of the Firm Blouklip No 510
(Kort beskrywing van eiendom (slegs para 1 in Akte) Brief description of property (merely para 1 in Deed))

APPENDIX 4

BLAAUWKLIPPEN

APPLICATION AND MOTIVATION FOR THE SEPARATION OF NOTARIALY TIED PROPERTIES , PORTION 17 OF THE FARM NO 369 AND PORTION 3 OF THE FARM NO 527 FROM THE MOTHER ERF, PORTION 837 OF THE FARM BLAAUW KLIP NUMBER 510.

1 BACKGROUND

1.1 Initially, the properties listed in 1.1.1 to 1.1.4 below were tied to the Mother Erf, Portion 837 of the Farm Blaauw Klip Number 510 in Municipality and Division of Stellenbosch (T 34249/2015), in terms of Notarial Deed K 770/2006:

- 1.1.1 Farm No 1457 situate in Municipality and Division of Stellenbosch (Erf on open field opposite golf course) (A)
- 1.1.2 Portion 17 of the Farm No 369 in Municipality and Division of Stellenbosch (Paradyskloof Erf) (C)
- 1.1.3 Portion 3 of the Farm No 527 in Municipality and Division of Stellenbosch (Skilpadrug Erf) (D)
- 1.1.4 Remainder Portion 52 of the Farm Blaauw Klip Number 510 in Municipality and Division of Stellenbosch (Kreefgat Property)
Remainder Portion 53 of the Farm Blaauw Klip Number 510 in Municipality and Division of Stellenbosch (Kreefgat Property)
Remainder Portion 54 of the Farm Blaauw Klip Number 510 in Municipality and Division of Stellenbosch (Kreefgat Property)

1.2 We attach the best copy in our possession of the Deed of Sale, dated 1 November 2004 in terms of which the properties were originally notarially tied (refer inter alia, to clauses 2.2.1 and 2.2.3).

1.3 We also attach a copy of the Notarial Deed K 770/2006 in terms of which the abovementioned properties were subsequently notarially tied.

1.4 In October 2008, the Mayoral Committee in its capacity as Delegated Authority, approved the application to "un-tie" the properties listed in subparagraph 1.1.4 above. Please refer to item 5.2.7 of the Minutes of the Mayoral Committee

Meeting dated 2008-10-22: Report by Municipal Manager - attached hereto for ease of reference.

- 1.5 We attach a copy of Notarial Deed K 57/2010 which released the aforementioned properties from the Mother Erf. These properties are now held by CRT Number T 20990/2020.
- 1.6 Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd ("Blaauwklippen") wishes to apply to un-tie Portion 17 of the Farm No 369 (Paradyskloof Erf) (C) and Portion 3 of the Farm No 527 (Skilpadrug Erf) (D) from the Mother Erf (A) and submits herewith its motivation for the requested separation.
- 1.7 A Location map of the properties C and D to be untied from A is included as Figure 1 below:



- A – Farm 510/837, Stellenbosch (±36.44ha)
- B – Farm 1457, Stellenbosch (±33.39ha)
- C – Farm 369/17, Stellenbosch (±26.67ha)
- D – Farm 527/3, Stellenbosch (±14.79ha)

2 THE EFFECT OF COVID AND NEED FOR FLEXIBILITY IN ENCUMERING OR SELLING THE PROPERTIES

The Covid pandemic has had, and continues to have, devastating effects on Blaauwklippen's wine and hospitality businesses and Blaauwklippen need to generate additional funds for operational purposes and to settle debt due and payable.

Two options to raise funds have been identified, ie to Sell off certain properties, and/or raise additional loan capital.

- 2.1 Due to its location in relation to the Mother Erf, the Paradyskloof property C and the Skilpadrug property D have been identified as appropriate properties to sell. However, due to the restrictive tie-conditions, Blaauwklippen cannot sell these properties individually without also selling the Mother Erf as well as Erf 1457 (B), all tied to the Mother Erf.
- 2.2 The subject properties are currently tied under one Mortgage Bond as security for repayment of the loan obtained when Blaauwklippen was purchased from the previous owner.

For the same reason, the current Bondholder cannot release only properties C and D from the bond and new financiers are not prepared to lend funds without security of unbonded properties.

3 THE ORIGIN OF THE NOTARIAL TIE OF CERTAIN OF THE PROPERTIES TO THE MOTHER ERF:

- 3.1 Clause 2.2.3 of the Deed of Sale provides that the Seller (Stellenbosch Municipality) shall be entitled to impose a notarial tie condition between the property thereby sold and the existing property of the Purchaser (Cape Dutch Estate (Pty) Ltd) so that the Purchaser or its successors in title shall not be entitled to sell or otherwise alienate or transfer any portion of the property thereby sold without the simultaneous sale or alienation or transfer of the property collectively referred to as Blaauwklippen Estate being the existing property of the Purchaser, or its successors in title, to the same transferee.

- 3.2 At the time, the lessee, Blaauwklippen Agricultural Estates Stellenbosch Pty Ltd (also a party to the Deed of Sale) was renting the properties which were the subject of the sale from the Municipality in terms of long-term leases.
- 3.3 The preamble to the Deed of Sale recorded, inter alia, that the purchaser through its affiliate company the lessee (Blaauwklippen) was conducting farming activities on the sale properties and is desirous of purchasing the said property so as to incorporate same into its present farming activities on the wine estate known as Blaauwklippen Estate.
- 3.4 The Deed of Sale expressly records in paragraph F that *"The properties forming the subject matter of the sale are situate in the area of jurisdiction of the municipal council of Stellenbosch and therefore do not constitute "agricultural land" as envisaged in terms of the Subdivision of Agricultural Land Act, 70/1970."*
- 3.5 Clause 14 of the Deed of Sale provides a mechanism to deal with the future use of the property in the event that the *"...purchaser or its successor in title..... develop or sell or otherwise dispose of the property or any portion thereof for purposes of development of the property or any portion thereof for any purpose other than bona fide agricultural purposes,"*
- 3.6 The properties listed in 1.1.4 above were also previously notarially tied to the Mother Erf in accordance with a similar sale agreement dated 13 August 2003 but were subsequently released in October 2008. Those properties, to be consolidated with Portion 71 of Farm Blaauw Klip 510, received rezoning and subdivision approval on appeal from the Executive Mayor on 13 July 2021.
- 3.7 It is our contention that the said properties C and D should also be untied from the Mother Erf to afford the owner the flexibility to exercise its constitutional property rights.

4 SPATIAL PLANNING CONSIDERATIONS

- 4.1 It is clear from a consideration of how the Stellenbosch town has grown since 2004 when the Deed of Sale was entered into, and 2006 when the notarial tie of the properties was registered, that circumstances have changed, that the spatial planning vision for the municipality's growth has evolved and that other statutory protections are in place to protect land deemed to have agricultural and rural value.
- 4.2 Having regard to Figure 1 above as well as the location of the properties that are still notarially tied to the Mother Erf, it is clear that the notarial tie of the properties no longer makes logical spatial planning sense. The properties do not form an economic unit with one another or with the Mother Erf and are not contiguous to each other. Furthermore, the properties are in any event protected by their current designation in the MSDF and through other statutory means and the need to protect the agricultural and rural use of the properties through a notarial tie to the Mother Erf has become superfluous.
- 4.3 Having regard to the fact that an owner of property has the constitutional right to administrative action which is lawful, reasonable and procedurally fair, it is our submission that the property owner has the right to have this application considered on its merits in terms of the applicable spatial planning and statutory application processes that apply at the time. The changes in circumstances since 2004 warrant a reconsideration of the notarial tie that significantly limits the property owner's property rights.
- 4.4 It is important to note that this application is not for change in land use for development purposes of the subject properties, but merely to enable the owner to utilise the properties independently to raise funds.

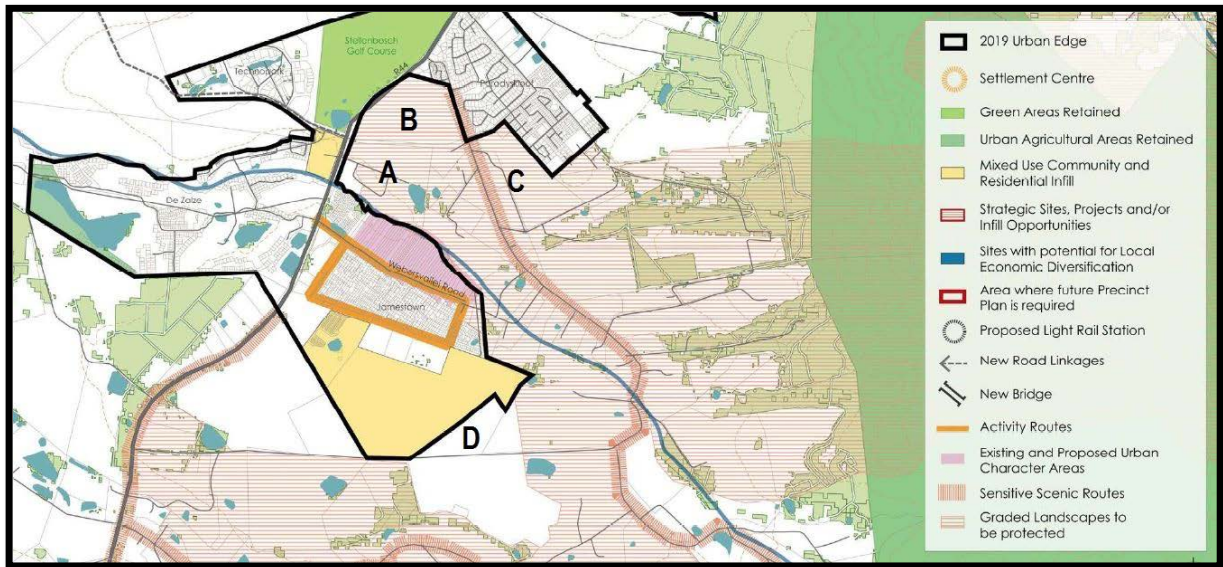


Figure 2: Extract of the Stellenbosch MSDF (2019)

- 4.5 The cancellation of the notarial tie will patently not lead to the urban development of the subject properties. The farms will remain zoned for agricultural purposes and protected by the MSDF.
- 4.6 This function to protect Council's vision for the spatial development of Stellenbosch, has been replaced by the MSDF and using a Title Deed condition or a notarial tie to enforce the Stellenbosch Municipality's spatial planning policy has become outdated.

REQUEST / APPLICATION

5. The inability to raise finance, encumber, or sell the individual properties due to the fact that they are notorially tied to the Mother Erf is placing a further commercial constraint on Blaauwklippen's business as it cannot raise the necessary funds for operational purposes. The financial institutions or potential purchasers of some of these properties require free title as security for lending purposes and / or to enter into sale agreements.
- 6 In the light of the above, we ask therefore that the application for the removal of the restrictive condition (the notarial tie) as per Notarial Deed K 770/2006, be approved insofar as it relates to the following properties:

- 6.1 Portion 837 of the Farm Blaauw Klip Number 510 in Municipality and Division of Stellenbosch (Mother Erf) (A)
- 6.2 Portion 17 of the Farm No 369 in Municipality and Division of Stellenbosch (Paradyskloof Erf) (C)
- 6.3 Portion 3 of the Farm No 527 in Municipality and Division of Stellenbosch (Skilpadrug Erf) (D)

7 We ask further that the Municipality provide the necessary Power of Attorney confirming that the aforementioned properties have been released from the notarial tie to the Mother Erf to enable the owner to sell, alienate or encumber the properties separately.

8 We thank you in anticipation.

A handwritten signature in dark ink, appearing to read 'Ben-Carl', with a large circular flourish underneath.

Ben-Carl Havemann

Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd

Chief Executive Officer | bc@blaauwklippen.com

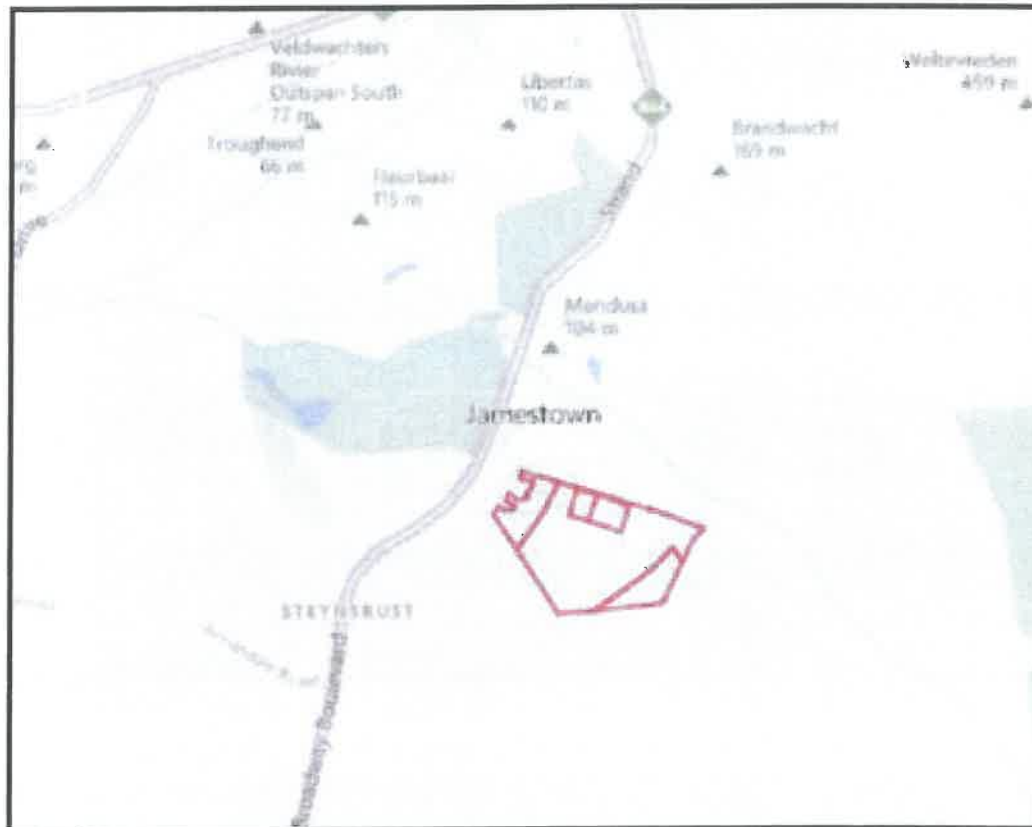
APPENDIX 5



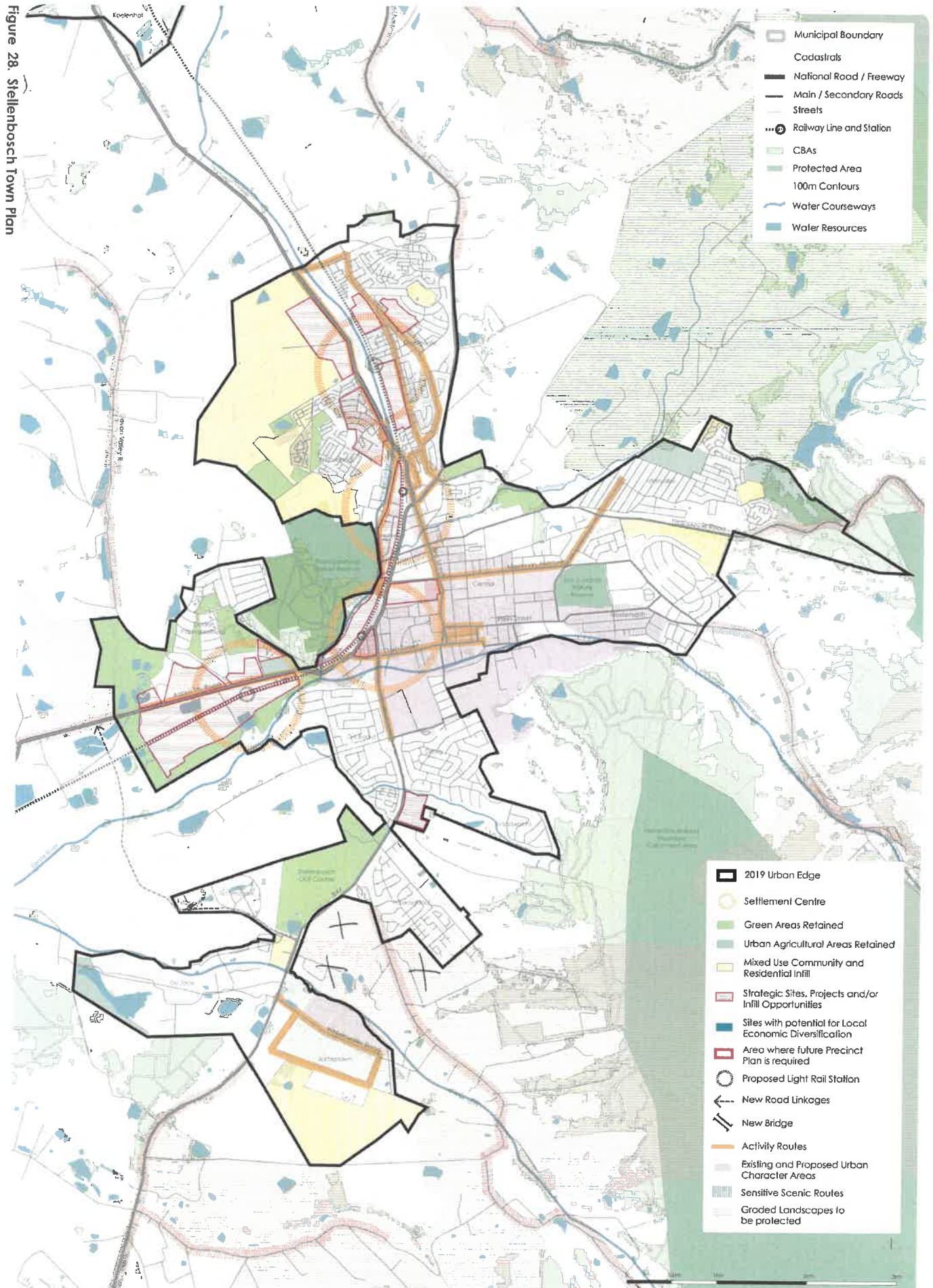
Project Name		3269 Jamestown Phases 2 to 4 (1069) IRDP
Property Description		Portion of the Remainder, Portion 3 and a broader portion of Portion 7 of Farm No 527
Town		Stellenbosch
Suburb		Jamestown
Catalytic / PHDA Project		PHDA
Urgency (Proposed year of implementation)		Currently planning
% of Total need addressed by Project		12,3
Housing Programme/s		IRDP / FLISP
Housing Opportunities	Sites	2 000
	Serviced Sites	0
	Top Structures (Units)	0
	Other	0
Project Readiness	Land Obtained	Yes
	EIA ROD	No
	Bulk capacity	TBD
	Land Use Approval	No
	PDOHS Approval	Yes (PID)
	Council Approval	Yes
	Risks / Issues	Large scale of project
	Readiness Score	3

1. PRE-PLANNING AND/OR PLANNING PHASE

1.1. Jamestown Development: Phase 2 – 4 – Ward 21



APPENDIX 6



STELLENBOSCH FRAMEWORK

7.4	FINANCIAL SERVICES: (PC: CLLR P JOHNSON)
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7.4.1	DATE OF THE NEXT GENERAL VALUATION
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 April 2023

1. SUBJECT: DATE OF THE NEXT GENERAL VALUATION

2. PURPOSE

Is to determine a date, according to Section 31 of the Local Government: Municipal Property Rates Act, No 6, 2004, on which the new General Valuation Roll is to be first implemented.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The purpose of this report is to determine a date, according to Section 31 of the Local Government: Municipal Property Rates Act, No 6, 2004, on which the new General Valuation Roll is to be first implemented.

5. RECOMMENDATIONS

- (a) that Council, for purposes of the next General Valuation, approves 02 July 2024 as date of the Valuation Roll, to be implemented on 01 July 2025; and
- (b) that Council hereby commits to the successful implementation of the new Valuation Roll on 01 July 2025.

6. DISCUSSION / CONTENTS

6.1 Background/ Legislative Framework

In terms of section 31(1) of The Local Government Act: Municipal Property Rates Act 6 of 2004

“(1) For the purposes of a general valuation, a municipality must determine a date that may not be more than 12 months before the start of a financial year in which the valuation roll is to be first implemented.

In terms of section 32(1)(b) of The Local Government Act : Municipal Property Rates Act 6 of 2004

“(1) A Valuation roll-

- (b) remains valid for that financial year or for one or more subsequent financial years as the municipality may decide, but in total not more than*
 - (i) four financial years in respect of a metropolitan municipality; and*
 - (ii) five financial years in respect of a local municipality.”*

The Stellenbosch Municipality implemented the previous General Valuation, according to the Local Government: Municipal Property Rates Act 6 of 2004, from 01 July 2021.

With reference to section 32(1)(b) of the Local Government: Municipal Property Rates Act 6 of 2004, a valuation roll remains valid for a period not more than four or five financial years. Due to the changes in valuations for Stellenbosch Municipality, valuation rolls remain valid for not more than four years.

6.2 Discussion

The council has to implement a new valuation roll from 01 July 2025.

With reference to section 31 of the Local Government: Municipal Property Rates Act 6 of 2004, the municipality, for purposes of a general valuation, must determine a date, that may be not more than 12 months before the start of the financial year, in which the valuation roll is to be first implemented.

To comply with Section 31 of the Local Government: Municipal Property Rates Act 6 of 2004, Council, for purposes of the next General Valuation, must approve the date of 2 July 2024 as date of the Valuation Roll, to be implemented on 01 July 2025.

Recommendation

(a) That Council, for purposes of the next general valuation, approves 02 July 2024 as date of the Valuation Roll to be implemented on 01 July 2025 ; and

(b) That Council hereby commits them to the successful implementation of the new Valuation Roll on 01 July 2025.

6.3 Legal Implications

The item is compliant with the relevant legislative framework.

6.4 Financial Implications

There are no financial implications should the recommendations as set out in the report be accepted.

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

Item 8.2.4 Date of Next General Valuation - tabled in the 26th Meeting of Council on 24 April 2019.

6.7 Risk Implications

This report has no risk implications for the Municipality should the date of the Valuation Roll as recommend in this report be approved.

Should Council not approve a Date of Next General Valuation, Council will not be compliant with the Local Government: Municipal Property Rates Act 6 of 2004 and cannot levy any property rates for the next four financial years.

FOR FURTHER DETAILS CONTACT:

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<i>DIRECTORATE</i>	FINANCIAL SERVICES
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<i>REPORT DATE</i>	11 April 2023

7.5	HUMAN SETTLEMENTS: (PC: CLLR J FASSER)
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NONE

7.6	INFRASTRUCTURE SERVICES : (PC : CLLR Z DALLING)
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NONE

7.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J JOON)
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NONE

7.8	PLANNING :(PC: CLLR C VAN WYK)
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7.8.1	APPROVAL OF THE FINAL DRAFT STELLENBOSCH MUNICIPALITY OUTDOOR ADVERTISING & SIGNAGE BYLAW
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Collaborator No: 747753
 IDP KPA Ref No: Good Governance
 Meeting Date: 19 April 2023

1. SUBJECT: APPROVAL OF THE FINAL DRAFT STELLENBOSCH MUNICIPALITY OUTDOOR ADVERTISING & SIGNAGE BYLAW

2. PURPOSE

To provide Council with the pertinent facts in order to approve and adopt the Final Draft Stellenbosch Municipality Outdoor Advertising and Signage Bylaw.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The purpose of the subject bylaw is to control, manage and regulate outdoor advertising and signage, and to provide mechanisms and guidelines for the control, regulating and management thereof, including matters connected therewith.

The subject bylaw has undergone two (2) rounds of public participation, with the first round soliciting numerous comments, which was subsequently addressed, and the second round only solicited comments from the Stellenbosch Interest Group ("SIG").

The comment submitted by SIG was further debated in several workshop in order to finalise the draft bylaw, which is serving before Council for adoption and promulgation. The request also involves the approval of the relevant delegations in respect of the bylaw, as well as the approval of the fine structure to be submitted to the court for final approval.

5. RECOMMENDATIONS

- (a) that Council approve the Final Draft Stellenbosch Municipality Outdoor Advertising and Signage, attached as **APPENDIX 1**, in terms of Section 13 of the Municipal Systems Act, Act 32 of 2000;
- (b) that Council **approve** the submission of the Admission of Guilt Fines, attached as **APPENDIX 2** for submission to the relevant court for endorsement;
- (c) that Council **approve** the amendment of the System of Delegations in respect of the said bylaw, attached as **APPENDIX 3** to this report; and
- (d) that Council **authorise** the Department: Development Planning in consultation with the Legal Services to promulgate the said bylaw in the Provincial Gazette.

6. DISCUSSION / CONTENTS

6.1 Background & Discussion

At the 24th Council Meeting dated 06 May 2010, Council resolved that the Draft Outdoor Advertising Signage Bylaw, be approved and be promulgated in the Provincial Gazette. The Department has investigated and confirmed that the bylaw approved in 2010 was not promulgated, and therefore this bylaw was used as a guideline to control, manage and enforce signage matters within the Stellenbosch Municipality.

The Directorate: Infrastructure Services commenced with a process to draft an updated outdoor signage bylaw, as there were areas which falls within the functional mandate of the said directorate related to signage, specifically when such signage was located within the road reserve, which include sidewalks and that impacts the Road Safety Act.

Council therefore on 31 October 2018 approved that the draft bylaw underwent a public participation process ("PPP"). A number of comments were received during this, which involved round table discussions and debates, and these comments were included, to the extend it was relevant to the objectives of the bylaw. A second round of public comment was requested and approved by Council on 28 April 2021, and the 2nd draft bylaw was published for comment from 14 May 2021 until 14 June 2021, copy of advert attached as **APPENDIX 4**. During this period, the only comment(s) received from the Stellenbosch Interest Group ("SIG"), copy attached as **APPENDIX 5**, which mainly related to ensure that the said bylaw was aligned with the zoning categories and definitions as stipulated within the Stellenbosch Municipality Zoning Scheme Bylaw, 2019. Therefore, there were no significant amendments to the 2nd draft.

It must be noted that currently, the Stellenbosch Municipality which is a world-renowned tourist destination, and also comprise of areas and buildings of high valued heritage and cultural significance, is currently plagued with signage boards, including billboards, posters and specifically 3rd party signage be placed all over the municipal area. In certain instances, the signage detracts from the high valued heritage and cultural significance that has made the Municipal Area sought after tourism destination, and also has resulted in infringements of the Road Safety Act, which has resulted in Council embarking on a process to develop and duly promulgate the required legislation to ensure that outdoor advertising is duly managed and regulated.

6.2 Financial Implications

The bylaw once promulgated will ensure that the enforce of illegal outdoor signage can be addressed and will also result in an increase of revenue the scrutiny fee for signage applications.

6.3 Legal Implications

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

6.4 Staff Implications

Currently, the positions to manage the administration of the signage applications are contained on the municipal organogram, and in certain instances the post are filled. It must also be noted that Council has a Law Enforcement Department, which is required to enforce municipal bylaws and policies.

6.5 Previous / Relevant Council Resolutions:

24th Council Meeting: 2010-05-06: Item 7.13

RESOLVED (nem con)

- (a) that the Draft Outdoor Advertising Signage Bylaw attached as APPENDIX 1, be approved and be promulgated in the Provincial Gazette; and
- (b) that the areas demarcated in schedule 1 and 2 of the attached By-law be approved as areas of maximum control for the Stellenbosch and Franschhoek nodes respectively.

6.6 Risk Implications

There are no risks associated with the approval of this item.

APPENDICES

- Appendix 1: Final Draft Bylaw Relating to Outdoor Advertising and Signage
- Appendix 2: Admission of Guilt Fines
- Appendix 3: Proposed System of Delegations relating the Outdoor Advertising and Signage
- Appendix 4: Advertisement for Calling on Public Comment
- Appendix 5: Comments received from Stellenbosch Interest Group ("SIG") during the 2nd round of Public Participation

FOR FURTHER DETAILS CONTACT:

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POSITION	<i>Senior Manager: Development Planning</i>
DIRECTORATE	<i>Planning and Economic Development</i>
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REPORT DATE	<i>13 May 2023</i>

APPENDIX 1

STELLENBOSCH MUNICIPALITY

FINAL DRAFT BYLAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE

To control, manage and regulate outdoor advertising and signage and to provide mechanisms and guidelines and policies for the control, regulating and management thereof and for matters connected therewith.

PREAMBLE

WHEREAS section 156(2) and (5) of the Constitution provides that a Municipality may make and administer By-laws for the effective administration of the matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

AND WHEREAS Part B of Schedule 5 to the Constitution lists Billboards and the display of advertisements in public places as local government matters to the extent set out in section 155(6) (a) and (7);

AND WHEREAS the Stellenbosch Municipality seeks to manage, control and regulate outdoor advertising and signage and any matters connected therewith;

BE IT ENACTED by the Council of the Stellenbosch Municipality, as follows:—

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1. Definitions

In this by-law, unless inconsistent with the context-

“advertisement” means any representation of a word, name, letter, figure or object or an abbreviation of a word or name, or any symbol, or any light which is not intended solely for illumination or as a warning against any dangers and **“advertising”** has a similar meaning;

“advertisement ownership” mean that person or body that has authorised the advertising of information or a product. The authority who contracts a service provider for such an advertisement, the service provider who physically mounts or displays such an advertisement and the owner or body who's information or product is being advertised, will jointly and severally be responsible for such advertisement and may jointly or severally be charged for any misconduct of this By-Law

“advertising structure” means any physical structure designed for an advertising sign, any detached screen or board that is greater than 4.5 m² in overall size; supported by or made from a structure that is used to be affixed, displayed or shown as a sign.

“aerial sign” means a sign that is displayed or performed in the air, including but not limited to balloons and blimps that can be viewed from within the Municipality's area of jurisdiction;

“approval” means approval by the Municipality and “approve” has a corresponding meaning;

“areas of control” means those areas set out in Schedule 1 of this By-Law; and which may be modified or amended from time to time, which amendments and modifications will be graphically depicted by way of maps as prepared by the Municipality;

“authorized official” an employee of the Municipality or any other person who is appointed or authorized thereto to perform any act, function or duty related to the

provisions of this By-Law, or exercise any power in terms of this By-Law; and **“official”** has a corresponding meaning;

“banner” means any material upon which a sign is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaffs projecting vertically, horizontally or at an angle, or attached to buildings or special structures, but excludes banners carried as part of a procession. A flag which is not displayed on an approved flagpole shall for the purposes of this By-Law be deemed to be a banner;

“billboard” means any screen or board which stands free and is larger than 4.5m² in total area; which is supported by, or consists of, a structure used, for the purpose of posting, displaying or exhibiting a sign;

“Central Business District (CBD)” means an area in the build environment demarcated as such on the Spatial Development Framework for a town;

“class 2 roads” means the roads which form the primary network for the urban areas as a whole and which are characterized by high volumes, restricted access and fairly high speeds;

“class 3 roads” means roads that distribute traffic between the principal residential, industrial and business districts of the town and which form the link between the primary network (class 2 roads) and the roads within residential areas;

“clear height”, in relation to a sign, means the vertical distance between the lowest edge of the sign and the natural level of the surrounding ground, footway or roadway immediately below the sign;

“commercial advertising” means any words, letters, logos, figures, symbols, pictures relating to the name of a business, trade, partnership, individual, or any information, recommendation or exhortation in respect of any particular goods manufactured or sold, or any particular services rendered or offered, or any event for commerce or entertainment, including sporting events;

“commercially sponsored sign” means a sign which advertises goods or services, but the erection of which has a secondary purpose, which is to promote or contribute to some recognized public or community goal or function;

“common boundary facade” means any façade of a building which is built abutting a rear or side boundary of an erf and which façade is blank, that is, having no architectural features, which includes windows;

“composite sign” means a single freestanding advertising structure for the display of more than one sign;

“consultant” means a suitably qualified independent person or company that acts on behalf of, or as an agent of, an applicant for approval of a sign in terms of this By-Law;

“continuing offence” means an offence in terms of this By-Law, which offence continues to exist after the expiry of the notice period referred to in a notice served in terms of this By-Law;

“custom made design” means the design of any sign, which features special effects such as specialist character cut outs or shapes or three-dimensional presentations or moving parts or a combination thereof, and which is uniquely designed or constructed for erection in a particular location;

“development board” means a sign displayed at premises upon which building operations are currently in progress and relating to any services being provided, work being done or goods being supplied in connection with such building operations, but excludes contract boards for building and civil engineering projects as required in terms of the National Building Regulations and Control Act, 1977 (Act 103 of 1977);

“display” means the display of a sign and includes the erection of any billboard, sign or structure intended solely or primarily for the support of a sign or billboard, and

includes the display of a sign of a business, trade partnership or individual connected with the contents of the sign or sign, and “displayed” has a corresponding meaning;

“electronic sign” means a sign which has an electronically controlled, illuminated display surface which allows all, or a portion, of the sign to be changed or illuminated in different ways;

“Environmental Impact Assessment” (EIA) means an assessment carried out in accordance with the Municipality’s guidelines for outdoor advertising;

“estate agency” means a person who markets, sells or leases properties with or without buildings erected thereon and **“estate agent”** has a corresponding meaning;

“existing sign” means any sign previously approved by the Municipality;

“flat sign” means a sign which is affixed to, or painted directly onto a wall of a building but not onto or over windows or doors or architectural articulations and which at no point projects more than 250mm in front of the surface of such wall;

“freestanding sign” means any sign or group of signs contained or displayed on one freestanding structure which is not attached to a building or to any structure or object not intended to be used for the primary purpose of advertising;

“gateway route” means a prominent route with an entrance to or exit from a specific part of the Municipality’s jurisdiction, consisting of man-made or natural features and creating a strong sense of arrival or departure and which is consistent with city planning or development framework plans or By-Law, and which may be geographically depicted by way of maps or listed by the Municipality;

“graphic” includes but is not limited to any component which contributes to the visual appearance or aesthetics of a sign, including its background;

“headline poster” means a temporary poster advertising the contents of a daily or weekly newspaper;

“height of a sign” is calculated by measuring the vertical distance between the uppermost and lowest parts of the advertising panel;

“Heritage Impact Assessment” (HIA) means a visual and contextual assessment of the impact that any proposed sign may have on the cultural heritage, whether built or recognized at the locality where the proposed sign will be displayed;

“internally illuminated sign” means an advertisement or structure used to display an advertisement which has been installed with electrical or other power and an artificial light source which is fully or partially enclosed within the structure or sign and which light is intended to illuminate the advertisement or a portion thereof;

“law” means any law, proclamation, ordinance, Act of Parliament or Provincial Legislature, or any other enactment having the force of law;

“locality bound advertising” means any sign displayed on a specific erf, premises or building and may include such a sign on municipal owned land, adjacent to, abutting on or within 5 meters of the aforementioned erf, premises or building, which sign refers to an activity, product, service or attraction, located, rendered or provided on or from that erf or those premises;

“loose portable sign” means a freestanding locality bound notice or advertising board placed or erected in the road reserve or in a public place;

“movable sign” means a sign not permanently fixed and not intended to remain fixed in one position, but does not include any moving part on a fixed permanent sign;

“Municipality” means the Municipality of Stellenbosch established in terms of section 12 of the Municipal Structures Act, 117 of 1998, and includes duly authorized agent,

service provider or any employee thereof acting in connection with this By-Law by virtue of a power vested in the Municipality and delegated or sub-delegated to such agent service provider or employee;

“new sign” means any sign first displayed after the promulgation of this By-Law;

“non-profit body” means a body established primarily to promote a community goal or benefit without direct or personal financial gain, and may include educational, sporting, medical, municipal departments, bodies as well as charities or community organizations;

“organ of state” means—

- (a) any department of state or administration in the national, provincial or local sphere of government;
- (b) any other functionary or institution—
 - (i) exercising a power or performing a function in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public function in terms of any other Legislation;

“overall height”, in relation to a sign, means the vertical distance between the uppermost edge of the sign and the finished level of the ground, footway or roadway immediately below the centre point of the sign;

“perimeter of an intersection” means the perimeter of the area embraced within the prolongation of the road reserve lines of two or more public roads that join one another at any angle, whether or not one such public road crosses the other;

“person” includes—

- (a) any organ of state;
- (b) any company incorporated or registered as such under any law; and

- (c) any body of persons, whether incorporated or not, functioning as a single entity for whatever purpose;

“poster” means temporary signs capable of being attached to the Municipal electrical light standards or pasted to fixed structures to advertise events or campaigns, including elections or referenda of limited duration and excluding signs advertising markets, exhibitions or events which are held on a regular basis;

“projected sign” means any sign projected by a laser projector, video projector, or other apparatus;

“projecting sign” means a sign which is affixed to a wall of a building and which at some point projects more than 250mm in front of the surface of such wall;

“public façade” means any façade of a building that has architectural articulations and which is visible to the public;

“public place” means any public road, public street, thoroughfare, bridge, subway, footway, foot pavement, footpath, sidewalk, (or similar pedestrian portion of a road reserve), lane, square, open space, garden, park or enclosed place vested in the Municipality, or other state authority or indicated as such on the Surveyor General’s records, or utilized by the public or zoned as such in terms of the applicable zoning scheme;

“public road” means public road as defined in the National Road Traffic Act, 1996 (Act 93 of 1996);

“road reserve” means the area contained within the statutory width of a road, and includes roadways, shoulders and sidewalks and the airspace above such roadways, shoulders and sidewalks and all other areas within the road reserve boundary;

“roadway” means that portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic as defined in the National Road Traffic Act, 1989 (Act 29 of 1989);

“roof sign” means a sign affixed to a roof of a building where the top edge of any point of that sign does not exceed the height of the roof plane to which it is affixed;

“Rural Area” means an area outside the urban edge excluding natural areas as described in schedule 1;

“scenic route” means a road designated as such on an approved zoning scheme or from which landscapes or features of aesthetic or cultural significance can be seen or viewed as designated by the Municipality;

“security sign” means an outdoor sign for neighbourhood watch and similar schemes, and a sign containing the name, logo, address and telephone number of a security company contracted to protect, or security system installed to protect, the premises on which the sign is displayed;

“service station facility sign” means freestanding signs at petrol filling stations, roadside rest and service areas and includes service station pylon signs;

“shop” means a building used for retail trade or services;

“sign” means any object, product, replica, advertising structure, device or board which is used to publicly display a sign, or which is in itself a sign and includes a poster, billboard and an advertisement which is included in the architectural design of a building or structure and which is visible from any public place;

“signalized traffic intersection” means an intersection controlled by traffic signals;

“sky sign” means a sign where the top edge of any point of that sign exceeds the height of the roof plane to which it is affixed;

“sponsored sign” means a sign, the primary purpose of which is not to advertise goods or services, but which displays a graphic or content which promotes community or public awareness of a recognized public or community goal;

“street name signs” means pole-mounted, double-sided, internally illuminated or un-illuminated signs displayed in combination with names of streets, not exceeding one (1) m²;

“street furniture” means public facilities and structures which are not intended primarily for advertising and includes but is not limited to seating benches, planters, bins, pole mounted bins, bus shelters, sidewalk clocks, drinking fountains, Telkom boxes, traffic signal controllers, electricity boxes, post boxes and telephone booths, but excludes road traffic signs, traffic signals, street lights or any other road-related structures;

“teardrop banner” means any material in a teardrop shape with or without a printed sign which is fully legible in windless conditions and held taught by a spring tension and supported by a single flexible pole;

“temporary signs” means signs which are displayed for a maximum period of 14 days, or such other period as may be approved by the Municipality;

“thickness”, in relation to a projecting sign, means the width of such sign measured parallel to the plane of the main wall to which such sign is affixed;

“third-party advertising” means the advertising of goods or services that are not made, procured, sold or delivered from the property on which the sign or sign advertising those goods or services is fixed or placed, and includes advertising which is not locality bound;

“three dimensional sign” means a sign containing more than 2 dimensions, including product replicas;

“Traffic Impact Assessment” (TIA) means a study carried out by a registered professional engineer with demonstrable experience in the field of traffic engineering that investigates the impact a proposed sign may have on vehicle, pedestrian, or cyclist safety and traffic operation, which study should recommend any mitigating measures that may be required as a result of that impact;

“traffic sign” means a road traffic sign as prescribed in the National Road Traffic Act, 1996 (Act 93 of 1996);

“traffic signal” means a road traffic signal as prescribed in the National Road Traffic Act, 1996 (Act 93 of 1996);

“transit advertising” means advertising by means of a movable sign which is capable of being transported by road either on or in conjunction with a motorized vehicle, including trailers primarily used for advertising;

“transportation terminals” means any area designated by the Municipality as such, where the formal interchange of modes of public transport takes place by the public, including, but not limited to designated railway stations, official taxi terminals and bus terminals;

“Urban conservation area” means an area in the build environment demarcated as such on the Spatial Development Framework for a town;

“Urban Edge” means an area in the build environment demarcated as such on the Spatial Development Framework for a town;

“urban edge line” means a predetermined point to point boundary line as determined by the Municipality, which has as its purpose, the containment of urban development;

“Urban Areas” means an area within the urban edge of a town;

“veranda” includes a cantilever canopy and sunblind;

“Visual Impact Assessment (or VIA)” means the analysis of the potential visual impacts to boundary walls and fences. The document that contains a visual impact analysis is also often referred to as a visual impact assessment or VIA.

“window signs” means signs which are temporarily or permanently painted on, or attached to the window-glass of a building;

“zone” means a land use zone as set out in the relevant zoning schemes or Town Planning Regulations as amended from time to time and applicable to any erf on which a sign is displayed or intended to be displayed and **“zoning”** has a corresponding meaning.

2. Principles

- 2.1 To maintain the sensitive environmental quality of each area.
- 2.2 To promote the aesthetic sensitivity of the environment
- 2.3 To find a balance between outdoor advertising opportunities and economic development on the one hand, and the conservation of visual, tourist, environmental and heritage characteristics and traffic safety on the other side.
- 2.4 Outdoor advertising must respect the integrity of any site where it is displayed supplement the character of the area.
- 2.5 To give recognition to the substantial amount of technical details that apply to specific types of signs and their effect on specific places.
- 2.6 To give recognition to the Stellenbosch Heritage Guidelines & Policies

CHAPTER 1

3. Submission of applications

- (1) Other than those signs referred to in section 13(3) to 13(11) of this By-Law, no person may display any advertisement or erect or use any sign for advertising purposes without the Municipality's approval in terms of this By-Law and any other applicable legislation.
- (2) Every person intending to display a new sign or to alter or to add to an existing approved sign or submit a signage plan in terms of a Site Development Plan proposal, must apply in writing to the Municipality which application must be accompanied by the following information in duplicate:
 - (a) a site plan, drawn to a scale of not less than 1:200, showing the following—
 - (i) the site on which it is proposed that the sign is to be erected or displayed;
 - (ii) the position of the sign and the building, if any, to which it is to be attached;
 - (iii) every building and the existing signs on the site;
 - (iv) existing and proposed landscaping, traffic signals and road traffic signs; and
 - (v) the positions, with dimensions, of the sign in relation to the boundaries of the site and the location of the streets abutting the site, together with its existing approved zoning conditions;
 - (b) a drawing, which complies with the requirements of the National Building and Regulations Standards Act, 1977 (Act 103 of 1977), and is in sufficient detail to enable the Municipality to consider the appearance of the sign and all relevant construction detail, including a description of the materials of which the sign is to be constructed, the colours to be used, and whether or not the sign is to be illuminated; In the latter event, the plan must indicate whether or not the sign is an electronic sign and, if so, full details must be furnished;

- (3) The drawing referred to in sub-section (2)(b) must have detailed drawings of such sign to a scale of not less than 1:20 and a site plan indicating the position of the sign on the site to a scale of not less than 1:50;
- (4) If a sign is to be attached to or displayed on the wall or façade of a building, the Municipality may require the submission of an additional drawing, drawn to a scale of not less than 1:100, showing—
 - (i) an elevation of the building in colour;
 - (ii) the details and position of the proposed sign; and
 - (iii) the details and the position of every existing sign on the building

Alternatively, the Municipality may require a coloured print of or an artist's photographic- or computer-generated impression of the building with the details of the proposed sign superimposed on such graphic and drawn as nearly as is practicable to the same scale as that of the graphic;

- (5) If the applicant is not the registered owner of the property on which the sign will be erected, he or she must obtain the consent of the registered owner of the land or building on which the sign is erected, indicating that person's knowledge of the application.
- (6) The Municipality may require the submission of any or all of the following studies or assessments—
 - (a) an Environmental Impact Assessment (either the 1st stage thereof; being the completion of an Environmental Checklist or in its entirety);
 - (b) a Heritage Impact Assessment; and
 - (c) a Traffic Impact Assessment.
- (7) If a community or portion thereof or a person will be affected by the proposed sign, it may require a public participation process prior to considering the approval.
- (8) The Municipality may require a signage master plan in respect of any development where the erection of numerous signs is proposed or the rationalization of previously approved signs is required so as to allow it to consider a consistent design master plan prior to assessment of any individual sign.
- (9) The Municipality must notify the applicant of any additional requirements it has within 21 working days of the date of submission of the original application and payment of the application fee.

- (10) The Municipality must retain a copy of each document that formed part of an application.
- (11) The Municipality may require a written notice from the applicant or person to confirm that an approved sign was erected.

4. Fees and general factors in considering approval of applications, amendments and conditions

- (1) Every person who applies to the Municipality for approval in terms of this By-Law must, on making application, pay to the Municipality an application fee as determined by the Municipality and no sign may be erected until such time as the application fees have been paid in full.
- (2) In considering an application for the display of an advertisement or the erection of a sign in terms of this By-Law, or an amendment or condition attaching or to be attached to an approval, the Municipality may have regard to the following factors:
 - (a) The area of control in which the proposed sign is to be erected or displayed as set out in Schedule 1 of this By-Law; provided that if a sign falls into more than one area of control or if a proposed site in one area of control may impact on an adjacent area of control, the Municipality shall be entitled to determine the area of control pertaining to that application;
 - (b) the locality or landscape and the advertising opportunities pertaining to that area of control; the number of signs already displayed or proposed to be displayed on the erf and in the area surrounding the erf concerned;
 - (c) the findings of any Traffic Impact Assessment, Environmental or Heritage
 - (d) Impact Assessment and public participation processes where applicable
 - (e) locality bound signs must relate to the lawful use of a property provided that no such sign must be affixed to or placed on residential premises or portions thereof other than is permitted by or for home industries and legal temporary uses; uses; and
 - (f) that no sign or advertisement may be designed or displayed that—
 - (i) will constitute a danger to any person or property;
 - (ii) will display any material or graphic which does not comply with the requirements of the Advertising Standards Authority of South Africa.

- (iii) will be detrimental to the environment or amenity of the neighbourhood by reason of either its size, intensity, frequency, illumination, quality of design, material, proposed graphic or locality.
 - (iv) will obscure any other signs approved in terms of this By-Law or its predecessor; and
 - (v) will be detrimental or otherwise negatively impact on the environment, whether artificial or natural.
- (3) Subject to any conditions in Schedule 16, all new signs or advertising structures approved under this By-law and any successive By-Law, may remain on display uninterrupted until such time as they do not comply with the provisions of this By-Law or any other applicable legislation.

5. Factors relating to specific signs, areas of control, and commercial sponsored signs

- (1) The Municipality may, in addition to the factors set out in section 4 of this By-Law, apply certain minimum standards to certain specific sign types and proposed localities when an application for approval is made in respect thereof and will apply certain specific criteria to applications for the erection of signs by non-profit bodies.
- (2) The specific standards and criteria are set out in schedules 1 to 23 of this By-Law. The Schedules are part of the By-Law and are not any less important than the content of the By-Law itself.
- (3) Schedule 1 of this By-law indicates the areas of control in which certain specific sign types may be permitted, subject always to approval in terms of this By-law and furthermore subject to any additional requirement pertaining to a specific sign type as set out in the remaining schedules.
- (4) The description of areas or routes in Schedule 1 should be read with the definitions as contained in the Municipality's Zoning Scheme Regulations.
- (5) The Municipality may grant an exemption from the terms of this By-Law in respect of sign types or areas of control set out in Schedules 10, 11 and 12 of this By-Law having regard to—
 - (a) the area of control where it is proposed to display the signs;
 - (b) nature of the event;

- (c) duration of the erection or display of the sign;
- (d) size of the proposed sign;
- (e) any traffic, safety, environmental or heritage impact assessment; and
- (f) the outcome of any public participation process.

CHAPTER 2

6. Standard conditions for approval

- (1) All signs and advertising structures must be properly erected and constructed of the requisite strength and must be secure and must comply with the requirements pertaining thereto of the National Building Regulations and Standards Act, 1977 (Act 103 of 1977).
- (2) The applicant to whom approval has been granted and the owner of the property or building to which it is attached shall be jointly and severally liable for the maintenance thereof and must undertake at least one inspection per year thereof with a view to satisfying themselves as to the safety thereof.
- (3) Where any sign or advertising structure is vandalised or becomes torn or damaged or otherwise falls into a state of disrepair, and/or dilapidation the applicant to whom the approval has been granted and the owner of the fixture or property which or to which a sign is attached must within 7 working days of a notice in writing to do so, repair it.
- (4) All signs and their support structures must be constructed of incombustible, durable materials suited to the function, nature and permanence of the sign.
- (5) All glass used in a sign, other than glass used in illumination, must be safety glass of at least 3mm thick.
- (6) Glass panels used in a sign must not exceed 0.9m² in area, each panel being securely fixed in the body of the sign, structure or device independently of all other panels.
- (7) Every sign and its support structure must be kept in a state of good repair.
- (8) No sign may obstruct the opening and closing of any window or opening provided for ventilation of a building or obstruct any stairway or doorway or other means of exit from the building or prevent movement of people from one part of a roof to another.
- (9) No advertising structure may be closer to overhead electrical equipment than the minimum distance as prescribed in the Occupational Health and Safety Act, Act 85 of 1993.

7. Electrical requirements

- (1) All signs needing an electrical connection must preferably be supplied from the existing electrical supply on the erf where it is to be erected. If this is not possible, application for a metered electricity supply must be made to the relevant authority.
- (2) Every sign in connection with which electricity is used, must be provided with suitable capacitors to prevent interference with radio and television reception.
- (3) Each power cable and conduit containing electrical conductors in respect of a sign must be so positioned and fixed so that it is safe, unseen, inaccessible and child tamper proof and animal proof.
- (4) Each interior high-voltage installation that runs unattended (such as a window display) and each exterior high-voltage installation must have an acceptable type of fireman's switch in accordance with the requirements as stipulated in sections 6.7.2 and 7.5 of SANS 0142 1993 promulgated in terms of the Occupational Health and Safety Act.

8. Illumination requirements

- (1) The Municipality may approve an illuminated sign, provided that the provisions of this By-Law are complied with and that such illumination does not constitute a road safety hazard or cause undue light spillage.
- (2) Signs may not be illuminated if no sign content is displayed.
- (3) Requirement for internal illumination or electronic signs—
 - (a) internally illuminated and electronic signs may only be displayed in areas of partial and minimum control and must be less than 2.1m².
 - (b) electronic signs may not have subliminal flashes; and
 - (c) prior to erection, the Municipality may require a Traffic Impact Assessment, Environmental and Heritage Impact Assessment to be conducted, the results of which must indicate that no detrimental impact on traffic is envisaged. In addition, the Municipality may require subsequent traffic monitoring of any internally illuminated or electronic sign.
- (4) Requirements for external illumination:

- (a) the light source emanating from external illumination must not be visible to traffic traveling in either direction;
 - (b) external illumination must not be positioned so as to create any undue light spillage beyond the surface area of the sign; and
 - (c) approved way leaves must be obtained from the Director: Infrastructural Services or his/her nominee prior to any excavations for the installation of signs. This also applies for signs to be erected in the vicinity of overhead power lines.
- (5) Electricity Power sources may be applied for as per the conditions of the Electricity Services By-Law.

9. Road traffic safety requirements

- (1) Signs may not be erected in an area where they are an unacceptable distraction for drivers, which acceptability may be determined in terms of the guidelines laid down in the S.A. Road Traffic Signs Manual.
- (2) Electronic signs may not be permitted if they are visible from class 2 or 3 roads, gateway route or a scenic route unless expressly approved in writing by the Municipality.
- (3) Advertising on bridges, towers, telecommunication masts, pylons or street poles shall not be permitted.
- (4) The graphic content of signs must not have the potential to be visually interpreted as a road traffic sign, due to any factor, including but not limited to the following:
 - (a) any stylised or pictorial presentation of a road traffic sign or traffic signal;
 - (b) any word, symbol, logo or other device used on a road traffic sign;
 - (c) use of combinations of colours specified for road traffic signs, in a manner likely to lead to confusion; and
 - (d) any reflector paint or material.
- (5) Signs may not be erected in an area where the traffic volume, the average following headway, or accident history requires a higher degree of awareness from drivers.
- (6) Signs may not be attached to or obscure a road traffic sign or traffic signal specifically provided for in the South African Road Traffic Signs Manual or the South African Development Community Road Traffic Signs Manual.

- (7) Signs may not be erected within the road reserve of any public road unless expressly approved by the Municipality.
- (8) When located at signalized traffic intersections, signs may not have the colours red or yellow or green as main colours and may not obscure or interfere with any road traffic sign or traffic signal.
- (9) Electronic signs shall not be permitted within 80 meters of the perimeter of a signalised traffic intersection.
- (10) Flashing or running messages or variable transition messages that have a message change interval of greater than 0, 3 seconds or have transition effects between message changes shall not be permitted if viewable from a public road. Such signs will not be permitted within Historical Areas or upon roads with high traffic flow at night.
- (11) Static display, simple transition signs must display a complete frame for an information cycle length of not less than 60 seconds when visible from a signalised traffic intersection and 30 seconds at other locations.
- (12) All signs larger than 4.5m² erected adjacent to a public road or in a railway reserve intended to advertise to persons using class 2 and 3 roads must be spaced a minimum specified distance from any other sign or road traffic sign, such distance measured parallel to the centre line of the roadway, in accordance with the measurements set out in Table 1 below:

TABLE 1: LINEAR SPACING BETWEEN SIGNS

Instance	Spacing required when visible for traffic on road with a speed of:		
	≤ 60 km/h (Outside of Urban Areas)	61 – 80km/h	≥80km/h
Where a sign follows a road sign	120m	200m	300m
Where a sign follows another sign	250m	250m	300m
Where a sign precedes a road sign	40m	70m	100m

- (13) The abovementioned minimum distances specified in Table 1 above may be decreased by the Municipality if the sign falls within an area of minimum control, or in other areas of control on submission of a Traffic Impact Assessment motivating a reduction of this spacing to the satisfaction of the Municipality. The Municipality may prepare a list or map of designated areas in which the abovementioned spacing requirements shall not be applicable.

10. Legal requirements

All signs to be erected or displayed within the area of jurisdiction of the Municipality must, in addition to complying with this By-Law, comply with all other applicable legislation, including any applicable Zoning Scheme Regulations or condition of approval or any departure from the applicable Zoning Scheme Regulations.

11. Approval

- (1) The Municipality may refuse any application or grant its approval subject to conditions relating to the erection or use of the sign and including a condition that the owner of any sign or billboard on the land or building on which it is erected or displayed, or both such owners or the person whose product or services are advertised, indemnify the Municipality against any consequences flowing from the erection, display or mere presence of such sign.
- (2) The Municipality may, at any time, withdraw an approval granted in terms of this By-Law or its predecessor or amend any condition or impose a further condition in respect of such approval, if a sign or advertising structure:
- (a) is in a state of disrepair and/or dilapidation;
 - (b) remains unused for more than 90 consecutive days;
 - (c) becomes redundant or obsolete;
 - (d) no longer complies with any provision of this By-Law; or
 - (e) is substantially altered from the original approved application by way of either structure or graphic content.

- (3) Should an approved sign not be erected within 12 months from the date of approval or within such other time as is specified in the approval, such approval shall lapse, unless that period is extended in writing by the Municipality prior to such lapse.
- (4) In the event that the structure supporting such sign is intentionally demolished before the expiry of the approval period, the approval shall lapse and no further sign or supporting structure may be erected or re-erected without the Municipality's approval.
- (5) All decisions made by the Municipality in terms of this ordinance with regard applications must be in writing and within 60 calendar days after a completed application was received, or within 60 calendar days after receipt of additional information as required by the Municipality.
- (6) In notifying an applicant of the outcome of the application the Municipality must inform such applicant or an objector of his right to appeal in terms of section 12.

CHAPTER 3: GENERAL PROVISIONS

12. Appeal

A person whose rights are affected by a decision in terms of a delegated power may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, Act 32 of 2000 to the Municipal Manager within 21 days of the date of the notification of the decision.

13. Signs for which Municipality's approval not required

- (1) Should any sign not comply with the conditions relative to each sign type listed below an application in terms of section 3 will be required.
- (2) Subject to compliance with the conditions relative to each sign provided for in sub-sections (3) to (11), and any other applicable legislation, or condition imposed by the Municipality, no application for approval is required in terms of this By-Law in respect of the signs provided for in sub-sections (3) to (11).
- (3) Development Boards
 - (a) Development boards shall be removed forthwith when the building operations are complete or if the building operations are discontinued, or when the provisions of the services, the doing of the work, or the supply of the goods to which the sign relates has ceased.
 - (b) The Municipality may order the removal of any such sign if the building operations have been substantially completed or discontinued or an Occupancy Certificate has been issued by the Municipality, or the provision of the services, the doing of the work or the supply of the goods to which it relates, has for all practical purposes ceased, and such signs may thereupon be forthwith removed but no later than 5 days after the date of the order for removal thereof.
 - (c) If the premises on which building operations are in progress, are to be used wholly for residential purposes, only one development board may be displayed, and such development board may not exceed 3m² in total area.

- (d) If the premises are not to be used wholly for residential purposes, no more than two development boards may be displayed, and the aggregate area of both development boards may not exceed 5m² in total area;
 - (e) If the signage, whether on freestanding boards, or flexible building covering material, include any other form of third-party advertising, such sign must then comply with the provisions of Schedule 8 hereto and approval for the display thereof must first be obtained in terms of this By-Law.
- (4) To Let/For Sale Signs
- (a) These include any sign not exceeding (400mm x 500mm) (0.2m²) in total area displayed at existing premises or at properties upon which a new building is being erected and relating to accommodation being offered to rent or purchase in the building; and
 - (b) on condition that any such sign must be removed within 2 weeks from date of issue of the occupation certificate or conclusion of a contract.
- (5) On Premises Business Signs
- These include any sign not illuminated, not projecting over a public road and not exceeding 0.2m² in total area notifying only the types of trade, business, industry or profession lawfully conducted by any occupant or permanent resident of the premises to which it is attached, the name of such occupant, the type of activity, the address and telephone number of such premises and the hours of attendance (if any); provided that only one such sign per occupant may be displayed.
- (6) Window Signs
- These include any locality bound signs which are temporarily or permanently painted on or attached to the window glass of a building used for commercial, office, industrial or entertainment purposes, or any other temporary or permanent sign which is displayed within 2 meters of any window or external opening through which it can be seen from the outside such a building, on condition that no window sign may exceed 4m² in an area of maximum control. (Not more than 50% of window and not more than total area or 4m²)
- (7) Signs incorporated in the face of a building
- Any sign forming an integral part of the fabric of a building (but excluding a painted sign or a sign affixed in any manner onto the building), on condition that no such sign may exceed 0.2m² in total area.

(8) Security Signs

Any security sign not projecting over a public road and not exceeding 0.2m² in total area indicating either that a security watch scheme is in operation or that a security company has been contracted to protect the premises on which the sign is displayed, on condition that—

- (a) only one such sign is displayed on any public road or each street frontage of such premises; and
- (b) the said sign displays only the name, logo, address and telephone number of a security company contracted to protect the premises on which the sign is displayed.

(9) Sponsored, Commercially sponsored and Non-Profit Body Signs: less than 4.5m².

- (a) Any such sign whether erected by or in connection with a non-profit body or not; not exceeding 4.5m² in total area on condition that no more than 5% of the total surface area of the sign is used for third party advertising; and the sign is not illuminated, and furthermore provided that only one such sign may be permitted per erf.
- (b) Signs which comply with provisions of sub-section (a) may, when erected on Municipal land, only be erected once agreement has been concluded with the Municipality, wherein the extent of the community or public benefit and the terms of the erection of the sign has been agreed.
- (c) All other sponsored signs are dealt with in Schedule 16 and 17.

(10) Advertising on Vehicles

Signs painted or affixed directly onto the body of a motorised vehicle unless transit advertising.

14. Disfigurement

No person may destroy, harm, damage or disfigure or deface the front or frontage of any street, road traffic sign, wall, fence, land, rock, tree or other natural feature, or the front or frontage or roof of any building or structure in any manner whatsoever during construction or through the display or use of a sign or the writing or painting of any sign, symbol, letters or numerals. Furthermore, no person may disfigure any sign legally displayed in terms of this By-Law.

15. Damage to Municipal property

No person may, in the course of erecting or removing any sign, or banner, cause damage to any tree, electric standard or service or other Municipal installation or property and street furniture.

16. Entry and inspections

The Municipality shall be entitled, through its authorized officers, to enter into and upon any premises, at a reasonable time for the purpose of carrying out any inspection necessary for the proper administration and enforcement of the provisions of this By-Law.

17. Presumptions

Any person charged with an offence in terms of this By-law who is—

- (a) alone or jointly with any other person responsible for organising, or in control of any meeting, function or event, to which a sign or poster relates, shall be deemed, until the contrary is proved, to have knowingly displayed every unlawful sign or poster displayed in connection with such meeting, function or event or to have caused or allowed it to be so displayed;
- (b) the person whose name appears on an unlawful sign or whose product or services are advertised on such sign, shall be deemed, until the contrary is proved, to have displayed such sign, or to have caused or allowed it to be displayed;
- (c) the owner of any land or building on which any unlawful sign was or is displayed, shall be deemed, until the contrary is proved, to have knowingly displayed such sign, or caused or allowed it to be displayed.

18. Enforcement and removal of signs

- (1) If any sign displayed is in contravention of this By-law, the Municipality may without prejudice to or in addition to the right to take legal steps or prosecute, serve a notice on the owner or lessee of the sign, or the land owner or occupant on whose land the

sign is erected or displayed, or person whose product or services are advertised, calling upon such person to remove such sign or carry out such alteration thereto or do such work as may be specified in such request or notice, within a time frame specified therein.

- (2) A notice served in terms of sub-section (1) may be withdrawn or varied by the Municipality, by agreement with the person so served, or failing such agreement, by the service of a further notice.
- (3) Should the Municipality's directives, as set out in the notice, not be carried out within the time period specified therein, the Municipality may, without further notice to the person upon whom the notice was served, remove or alter the sign or do such work as may be specified in such notice.
- (4) Any costs incurred by the Municipality in removing signs, or in doing alterations or other works required in terms of a notice, may be recovered from the person on whom the notice was served.
- (5) Notwithstanding any other clause in this By-law, if a sign is, or is reasonably considered to be an imminent danger to life or property, the Municipality itself may, after a minimum of six (6) hours prior notice carry out or arrange for the removal of such sign in event of the noncompliance with such notice.
- (6) Any costs incurred by the Municipality in carrying out or arranging for the removal of any sign may be recovered from the owner or lessee of the sign, or the landowner on whose land the sign was erected, or the person whose product or services were advertised, jointly and severally.
- (7) Unlawful or dangerous signs removed by the Municipality may be reclaimed from the Municipality on payment in full to it of any costs incurred by the Municipality in the removal of the said sign, as well as payment of the costs incurred in the storage of such sign.
- (8) Any unlawful signs removed by the Municipality and not reclaimed within two months of the date of removal may be disposed of or be sold by the Municipality to defray its removal or storage costs.

19. Service of notices

- (1) A notice, order or any other document issued by the Municipality in terms of this By-law is deemed to be duly issued if an official of the Municipality, formally delegated, signed it.
- (2) Any notice or other document that is served on a person in terms of this By-law is regarded as having been duly served—
 - (a) when it has been delivered to that person personally;
 - (b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of 16 years;
 - (c) when it has been posted by registered or certified mail to that person's known residential or business address in the Republic, and an acknowledgment of the posting thereof from the postal service is obtained;
 - (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c); or
 - (e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the land or business premises to which it relates;
 - (f) in the event of a body corporate, when it has been delivered at the registered office of the premises of the body corporate; or
 - (g) when it has been delivered, at the request of that person, to his or her e-mail address.
- (3) Service of a copy is deemed to be service of the original.
- (4) When any notice or other document is served on the owner, occupier, or holder of any property, or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier, holder of the property or right in question, and it is not necessary to name that person.

20. Liaison forums in community

- (1) The Municipality may establish liaison forums in the community for the purposes to—
 - (a) ensure the local community participation in the implementation and execution of this By-Law; and
 - (b) promoting local economic development and the conservation of visual, tourist, environmental and heritage characteristics of the Stellenbosch Municipal area;
- (2) A forum as contemplated in sub-section (1) may consist of-
 - (a) a person or persons of an interested party or an affected person or community;
 - (b) designated official or officials of the Municipality and
 - (c) a council member of the relevant council committee
- (3) The Municipality may request-
 - (a) a forum to give their input or
 - (b) make use of a forum's special knowledge or capacity
- (4) A forum of persons or a person as defined in sub clause (2) may give input on their own accord to the Municipality for its consideration, but will have no powers

21. Offences and Penalties

- (1) A person who contravenes any provision or fails to comply with any provision of this By-law, or fails to comply with a notice issued in terms of this By-law, commits an offence and shall upon conviction be liable to—
 - (a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment; and
 - (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and
 - (c) a further amount equal to any costs and expenses found by the court to have been incurred by the Municipality as result of such contravention or failure.
- (2) A person commits an offence if he or she—

- (a) threatens, resists, hinders, obstructs or otherwise interferes with, or who uses foul or abusive language towards or at an employee or contractor of the Municipality in the exercise of any powers or performance of any duty or function in terms of this By-law; or
- (b) impersonates an employee or contractor of the Municipality.

22. Conflict with other legislation

- (1) In the event of any conflict between any provision of this By-law and National and Provincial legislation, standards, policies or guidelines, the National and Provincial legislation, standards, policies or guidelines shall prevail subject to section 151(3) and 156(4) of the Constitution.
- (2) In the event of an inconsistency between the different texts the English text shall prevail.

23. Exemptions

Notwithstanding the provisions of this By-Law, the Municipality may, on written application, exempt any person or class of persons from any or all of the requirements of this By-Law in considering such exemption it may impose any conditions or requirements it deems appropriate.

24. Repeal of By-Law

The stipulations of any By-law previously passed by the municipality or any abolished Municipality now incorporated in the present Municipality are herewith repealed as far as they relate to matters provided for in this By-Law and insofar as it has been made applicable to the Municipality by the authorization for the execution of powers and functions covered in Section 84(3) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

25. Transitional arrangements

- (1) Anything done before the promulgation of this By-Law, which was not done in terms of a provision repealed in this By-law and was unlawful, shall in the event of such act or sign still not complying with the provisions of this By-law, be unlawful and the Municipality in such case may take the necessary action in terms of section 19 hereof.
- (2) All legal signs that exist at the date of publication of this By-Law, must in all respects comply with the regulations within a period of grace of 12 months from the date of publication. Any sign that fail to comply after the grace period of 12 months will be removed.
- (3) The municipality could instruct an owner of a sign to remove it should the sign fail to comply to the regulations of this By-Law. Should the owner neglect to remove the sign and/or within the grace period of 12 months then the Municipality reserves the right to remove such sign at the expense of the owner.
- (4) When a sign as a result of the change of ownership or occupation or a change in the nature of a business, industry, trade or profession performed on the premises or due to the installation of new traffic signs or a change in the level or location of any road, foot path or kerbstone or due to any other factor what so ever, no longer comply with the regulations of this By-Law then the person responsible for the sign must immediately remove, erase or change the sign to comply to this By- Law.

26. Short title and commencement

This By-Law shall be known as the Outdoor Advertising and Signage By-Law and Signage.

SCHEDULE 1: AREAS OF CONTROL

Area Type	Natural Area	Rural Area	Urban Area	Urban Area	Urban Area
Control Strength	Maximum	Maximum	Maximum	Partial	Minimum
Area Description	<ul style="list-style-type: none"> • Proclaimed, declared or zoned nature reserve and conservation areas. • Protected natural environment. • Forestry areas. • River corridors. • 1:100 Year flood plains. • Wetlands. • Game reserves 	<ul style="list-style-type: none"> • Agricultural areas/zones • Horticultural areas • Rural small holdings • Large private open spaces (e.g. golf courses) • Scenic routes • Scenic landscapes • Scenic features • Municipal parks • Urban edge zones as defined in the Urban Edge Policy • Agricultural and horticultural areas/zones and adjacent road and rail reserves • Specific areas or sites designated as maximum control by way of a map as contained in the zoning scheme regulations prepared by the Municipality 	<ul style="list-style-type: none"> • Urban conservation overlay areas • Declared Heritage sites • Graded buildings and places • Residential zones and adjacent road and rail reserves • Pedestrian malls and pedestrian squares • Private Open Spaces e.g. Golf courses • River corridors • Specific areas or sites designated as maximum control by way of a map as contained in the zoning scheme regulations prepared by the Municipality 	<ul style="list-style-type: none"> • Central business districts, unless within an urban conservation area • Mixed use commercial and residential areas, unless within a conservation area • Commercial ribbon development and activity corridors, unless within a conservation area • Commercial and business districts and adjacent streets and rail reserves, unless within a conservation area • Entertainment district or complexes with commercial zones, unless within a conservation area • Educational institutions, Sports fields and stadiums, unless within a conservation area • Limited zones (including railway reserves, transport use zones) • Specific areas or sites designated as partial control by way of a map as contained in the zoning scheme regulations prepared by the Municipality 	<ul style="list-style-type: none"> • In Heritage insensitive areas • Designated transportation terminals unless historical conservation area or graded building or site • Designated areas within limited use zones unless within a conservation area • Specific areas or sites designated as minimum control by way of a map as contained in the zoning scheme regulations prepared by the Municipality • Industrial zones

SCHEDULE 2: BILLBOARDS

- (1) Subject to approval in terms of this By-Law, the erection or display of Billboards, whether custom made or of standard design, is permitted only in areas of minimum control and subject to a traffic safety audit and visual impact assessment. In addition:
 - (a) If the proposed erf where the billboards are to be erected borders on class 2 and 3 roads the billboard may not be placed less than 5 meters from the property's boundary line. If the proposed site of erection of a billboard has been designated as a gateway then no billboards will be permitted within such gateway;
 - (b) Billboards must comply with the standard conditions of approval set out in this By-Law;
 - (c) Billboards must not encroach over the boundary line of the property on which it is erected, whether such encroachment is aerial or on ground level;
 - (d) Billboards must have a minimum clear height of 2.4m and a sign structure which does not exceed a maximum height of 7.5m above natural ground level;
 - (e) Billboards must not exceed a maximum total size of 6 x 3m (18m²) provided that on any V-shaped structure, two such panels may be permitted;
 - (f) Billboards must be displayed between the angles of 90° and 60° to the direction of oncoming traffic;
 - (g) Billboards must be spaced a minimum distance apart as specified in section 9 of this By-Law;
 - (h) If located at signalized traffic intersections, Billboards may not be erected or displayed within 50 meters of the perimeter of the intersection if un-illuminated; and within 80 meters of the perimeter of the intersection if illuminated;
 - (i) If erected along the right hand side of a section of road, such that its graphics are visible to a driver traveling on the left hand side of the road, shall be deemed to have replaced the advertising opportunity that existed on the left hand side of the road;
 - (j) Billboards must have a minimum letter or number height of 285mm.

SCHEDULE 3: LOCALITY BOUND FREESTANDING AND COMPOSITE SIGNS

- (1) Subject to approval in terms of this By-Law and subsection 5, the erection or display of locality Bound freestanding and composite signs are permitted only in urban areas of maximum, partial and minimum control and subject to a traffic safety audit and visual impact assessment. In addition:
 - (a) Locality bound freestanding signs may only be permitted in the following instances:
 - (i) where business premises are set back 15 meters or more from the boundary of the road reserve; or
 - (ii) where it is not reasonably possible to affix appropriate signs to a building; or
 - (iii) where such a sign is necessary to allow the public to locate the entrance to business premises; or
 - (iv) where the existence of a freestanding composite sign may prevent the proliferation of signs.
- (2) Locality bound freestanding composite signs may not exceed 4,5 meters in height and in addition may not exceed 4.5m² in total area. This provision may be waived, after having regard to the following factors:
 - (a) if such increase reduces the number of individual signs facing any one street boundary of the site, thereby minimising the visual impact on the surrounding environment;
 - (b) if more than two significant roads approach the site in question;
 - (c) the number of businesses which will be advertising on such sign;
 - (d) the number of approach or exit routes to the site in question;
 - (e) the applicable zoning of the area surrounding the site in question.
- (3) Service Station freestanding pylon signs must be locality bound and may only be erected or displayed at service stations adjacent to and directly accessible from the public road at which such a sign is directed and only one Service Station freestanding facility sign per street boundary may be permitted.
- (4) Service station freestanding pylon signs may not exceed 7,5 meters in height and may not consist of more than eight advertising panels of 4.5m² each in total area. In areas

of maximum control the maximum height is 4,5 meters and an area of 7.0m² on each side.

- (5) In conservation areas and single residential zones only standard locality bound, free standing and composite signs shall be allowed as prescribed in Schedule 18.

SCHEDULE 4: SIGNS ATTACHED TO WALLS OF BUILDINGS: FLAT AND PROJECTING SIGNS

Subject to approval in terms of this By-Law, the erection or display of flat and projecting signs are permitted in all areas of maximum, partial or minimum control. In addition, flat and projecting signs may:

- (1) not be allowed within 1.0 meters of the edge of a roadway nor may it extend to within 1.0 meters of the edge of a roadway;
- (2) not project in front of a wall more than 1,5 meters in the case of a sign which has a clear height of more than 7,5 meters or more than 1 meter in the case of any lesser clear height;
- (3) not project more than 250mm over a footway unless such sign has more than 2.4 meters clear height;
- (4) not obstruct the view from any window or any other external opening of any building and no portion of any such sign may obstruct the opening or closing of any window, door or any other openings
- (5) not exceed 5m² in total area and may not exceed 20% (in areas of maximum control), 30% (in areas of minimum and partial control) or one-quarter of the overall area of the surface to which they are affixed or painted whichever is the lesser. This size restriction may be waived on condition that:
 - (a) an Environmental Visual Impact Assessment be submitted to the Municipality indicating no detrimental environmental impact is envisaged;
 - (b) or in a conservation area, a Heritage Impact Assessment be submitted to the Municipality indicating no detrimental heritage impact is envisaged; and
 - (c) only graphics designed and created by a suitably qualified consultant be displayed on such sign;
- (6) may be considered for approval on blank common boundary facades of non-residential buildings.
- (7) if the sign appears on public facades of any building—
 - (a) be so designed as to become an integral part of the building design; and
 - (b) when a third-party sign, only be permitted if custom-made and subject to the requirements of 5(a) to (c) above.

- (8) No signs may be attached to walls or fences of residential buildings.

SCHEDULE 5: SKY SIGNS

- (1) Subject to approval in terms of this By-Law, the erection or display of sky signs whether custom made or of standard design, is permitted in areas of minimum control only. In addition, sky signs must:
 - (a) be limited to a maximum total size of 4.5m² and subject to Traffic Safety Assessment and Visual Impact Assessment indicating no detrimental environmental impact is envisaged; and
 - (b) not obstruct the view from any other building.
- (2) Sky signs along the top edge of the roof of cultural, historic or architecturally significant buildings will not be allowed.

SCHEDULE 6: ROOF SIGNS

- (1) Subject to approval in terms of this By-Law, the erection or display of roof signs is permitted only in areas of minimum control.

In addition:

- (a) The total area of any roof sign affixed flush onto or painted onto a roof of a building may not exceed one-quarter of the overall area of the roof to which it is affixed or painted.
 - (b) When attached to the bottom edge of a roof or vertically midway on the roof of a building, such sign may not exceed 500mm in height and its total area may not exceed 25% of the roof area to which it is affixed.
- (2) It shall be permissible to affix a roof sign along the edge of a roof of a building, if such sign is composed of a single line of individual, cut-out letters, without visible bracing or support but may not be erected along more than two edges of such roof and may not exceed 3.6m² in total area; with a maximum height of 500mm.

SCHEDULE 7: SIGNS ON A VERANDAH, BALCONY, CANOPY, SUPPORTING COLUMNS, PILLARS AND POSTS

Subject to approval in terms of this By-Law and subsection 11 below, the erection or display of signs on a veranda, balcony, canopy, supporting columns, pillars and posts may only be permitted in areas of medium and minimum control on the condition that they also comply with the following:

- (1) No signs may be attached to Historical Buildings
- (2) No such signs will be allowed on or over architectural features of buildings.
- (3) Such signs may be affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or balcony, and beam or fascia of a veranda or balcony.
- (4) The sign may not exceed 1m in height or project above or below or beyond either end of the surface to which it is affixed, or project more than 250mm in front of the surface to which it is affixed or project over a roadway or within 0,6 meters of the edge of the roadway.
- (5) Such signs may be affixed flat onto or painted on supporting columns, pillars and posts. In this regard, no sign may project more than 50mm in front of the surface to which it is affixed and may not extend beyond any of the extremities of such column, pillar or post. Signs affixed flat onto non-rectangular supporting structures must be curved to fit the form of such structure.
- (6) Only one sign per column, pillar or post will be allowed.
- (7) Such signs suspended below the roof of a veranda, canopy or the floor of a balcony may not exceed 1,8 meters in length or 600mm in height.
- (8) Every such sign must be at right angles to the building line.
- (9) No signs suspended under a canopy may extend beyond the external edge of the canopy or veranda to which it is attached.
- (10) All suspended signs must have a clear height of at least 2,4 meters.
- (11) Such signs on the roof of a veranda, canopy or balcony, excluding the main roof of a building, must be composed of a single line of freestanding individual, cut- out silhouette letters without visible bracing or other visible means of support and may not be erected along more than two edges of such roof of a veranda or balcony.

- (12) No such sign shall be allowed in a conservation area within a single residential zone unless a Heritage Impact Assessment was submitted which found that no negative impact would be made on the heritage resources.

SCHEDULE 8: SIGNS ON BOUNDARY WALLS AND FENCES AND ON CONSTRUCTION SITE HOARDINGS

Subject to approval in terms of this By-Law, the erection or display of signs on boundary walls and fences is permitted only for locality bound signs in urban areas of maximum, minimum or partial control and in addition:

- (1) In urban areas of maximum and partial control, the Municipality may approve an application to affix a locality bound sign against a boundary wall only if the sign is indented into the wall or composed of individual, un-illuminated cut-out letters or symbols fixed flat on such wall not projecting more than 50mm from the face of such wall.
- (2) In areas of minimum control, the Municipality may approve, subject to Visual Impact Assessment—
 - (a) an application to affix a locality bound sign flat onto a boundary wall only if it does not project more than 50mm from the face of such wall; and
 - (b) an application to affix a locality bound flat sign with a maximum size of 0.5m² onto the permanent fence of an erf.
- (3) Third party and locality bound advertising on construction site hoardings and fences must comply with the following conditions:
 - (a) any one sign may not exceed a vertical dimension of 3 meters and total area of 18m² and in the case of construction site cladding, the graphic must comply with the requirements of the Advertising standards Association of South Africa.
 - (b) any such sign may not project more than 100mm in front of the hoarding or fence to which it is affixed;
 - (c) it may not be illuminated in areas of maximum and partial control; and
 - (d) advertising will not be allowed on construction site hoardings and fences within the cone of vision of motorists at signalised traffic intersections.

SCHEDULE 9: HEADLINE POSTERS

Subject to approval in terms of this By-Law, the erection or display of headline posters is permitted in all areas except natural and rural areas of maximum control. In addition:

- (1) Headline posters may not exceed 0.9m x 0.6m in area.
- (2) The commercial content of the poster may not exceed 20% of the area of the poster nor may such commercial lettering be larger than the main lettering in the remainder of the poster.
- (3) The posters may be attached to Municipal electrical light poles only where approved by the Municipality for the express purposes of these posters.
- (4) Posters may not be affixed to traffic signal poles, or other poles which carry road traffic signs, or poles erected for any other purpose except as provided for in item 5 below, or any other street furniture, walls, fences, trees, rocks or other natural features.
- (5) Headline posters may not be pasted on municipal electric light poles but are to be mounted on board and affixed securely with stout string or plastic ties unless a permanent frame has been approved for this purpose.
- (6) Only one headline poster per pole, regardless of which newspaper group it is, will be permitted, and must be at a uniform height of approximately 2 meters.
- (7) The number of posters as well as the designated areas for the display of headline posters as approved by the Municipality must be strictly adhered to.
- (8) All "special events" posters are to comply with the following:
 - (a) the name of the newspaper group, the "special event" and the date of the "special event" must appear on the posters in letters not less than 50mm in height;
 - (b) the special event posters may not be displayed more than 14 days before the date of the event and they must be removed within 48 hours after the date of the event shown on the poster.
- (9) Headline posters and fastenings are to be removed on a daily basis failing which the posters will be removed, at the newspaper group's expense, in accordance with the standard charges for removal of posters.
- (10) The Municipality may recover the costs of the removal of unauthorised posters, and the reinstatement of the surface from which such posters were removed, from the person responsible for the display of such posters or the newspaper group concerned.

- (11) The Municipality may remove any poster displayed in contravention of the abovementioned conditions.
- (12) Any poster not removed on a daily basis or a poster relating to a “special event by due date referred to in item 8(b) may be removed by the Municipality.
- (13) The display of unauthorised posters is illegal, and the Municipality may also remove such posters.
- (14) The Municipality may determine the costs involved for the removal of unauthorised posters.
- (15) Application must be made on an annual basis by each newspaper group for permission to display such posters subject to an annual fee per newspaper group.
- (16) A deposit per newspaper group who wishes to display posters must be paid annually against which a charge for the removal of any poster which contravenes the By-Law will be levied. In the event of the above deposit being exhausted, permission to display such poster may be withdrawn until a further deposit is submitted to the Municipality.

SCHEDULE 10: POSTERS, BANNERS, TEAR-DROP BANNERS, FLAGS AND BALLOONS

Subject to approval in terms of this By-Law, the erection or display of posters, banners, tear-drop banners and flags other than those referred to in Schedule 11, or balloons, is permitted in all areas, except areas of maximum control. Only to be displayed within or adjacent to property associated with advertisement. In addition:

- (1) The display of posters, banners, tear-drop banners, flags and balloons is prohibited on any bridge or across any public road, and along any road designated by the Municipality, unless consent has been obtained from the Municipality.
- (2) Posters, banners, tear-drop banners, flags and balloons may not be attached so as to interfere with or constitute a danger to passing pedestrians or vehicular traffic.
- (3) No banner, or flag-type banner may be larger than 5m², and no flag may be larger than 2m²; provided further that no flagpole may exceed a relevant height restriction of the zoning of the premises, up to a maximum of 8m above natural ground level, measured directly below the pole;
- (4) No poster, banner, tear-drop banner, flag, or balloon may be displayed within 30 meters of any road traffic sign or traffic signal. - special permission required for display within 30m
- (5) Posters, banners, flags, or balloons may not be affixed to trees, traffic signal poles, electrical or service authority distribution boxes, or other poles which carry road traffic signs, rock, other natural features, street furniture or other Municipal property.
- (6) Posters, banners, tear-drop banners, flags, or balloons may not be affixed in such a way that they unfairly prejudice other businesses or organisations or obscure any approved existing signs.
- (7) Only one banner per premises will be permitted unless the Municipality's written permission is obtained for more than one.
- (8) (i) A maximum of five flagpoles bearing national flags may be erected on the premises of an accommodation facility on a single residential erf
- (ii) Subject to the conditions laid down in paragraph 4, a maximum of two tear-drop banners or flags displaying the name, corporate symbol or nature of the business on the premises on which it is displayed, may be allowed.

- (9) Posters, banners, tear-drop banners, flags and balloons not kept in a good condition may not be displayed and must be removed after notification by the Municipality.

SCHEDULE 11: TEMPORARY POSTERS, TEAR-DROP BANNERS, BANNERS AND FLAGS ON PUBLIC ROADS AND PUBLIC PLACES

Subject to approval in terms of this By-Law, the erection or display of posters, banners, tear-drop banners and flags in public roads or public places, for the purpose of advertising specific events, is permitted in all areas of control except natural and rural areas of maximum control. In addition—

- (1) Approval for third party advertising on posters, banners, tear-drop banners, flags and balloons may only be granted for a function or event conducted for religious, educational, social welfare, animal welfare, sporting, civic or cultural purposes or for a function or event relating to a Municipal, Provincial or Parliamentary election or referendum.
- (2) The name of the host organisation, the date and venue must appear on the material in letters not less than 50mm in height.
- (3) Posters, banners tear-drop banners and flags may only be erected to advertise the event and the name or emblem of a sponsor may not cover more than 20% of the surface of the material.
- (4) The Municipality may levy a tariff to cover the cost for the removal of material which has been erected without the approval of the Municipality given under the hand of an authorized official.
- (5) Posters, banners, tear-drop banners and flags may be displayed for a maximum period of fourteen days prior to the event and must be removed within 2 days from the date of the event or the last day thereof as applicable.
- (6) Posters with a maximum measurement of 80 cm x 50 cm must be mounted on a board and affixed securely with stout string or plastic fastening without damage caused to the poles. No securing material with a metal content is permitted.
- (7) Posters, banners, tear-drop banners and flags, excluding election posters and flags, may only be erected in the roads, or places as indicated by the Municipality and may not be erected in residential areas or on bridges. No political banners will be allowed.
- (8) Only one poster or flag per organisation may be erected on every second streetlight pole.
- (9) Posters and flags must be erected at a uniform height of approximately 2 meters.

- (10) No posters, banners, tear-drop banners or flags may be affixed to trees, traffic signs, traffic signals, central ridges, existing advertising signs or any municipal buildings or over hydrant identification signs.
- (11) No posters, banners, tear-drop banners and flags may be displayed within 30 meters of any road traffic sign or traffic signal.
- (12) All materials used to affix the posters must be removed together with the posters.
- (13) The Municipality may remove any indecent or torn posters, banners, tear-drop banners or flags, or any posters, banners or flags which create a traffic hazard in the opinion of the Municipality
- (14) The Municipality is exempted from claims that may be instituted against the Municipality as a result of the display of posters, banners, tear-drop banners and flags.
- (15) The display of posters, banners, tear-drop banners and flags purely for commercial advertising is not permitted, provided that any poster, banner or flag which relates to a sport, the arts, or a cultural event may be permitted, despite such posters, banners, tear-drop banners or flags containing commercial elements. The commercial element may not exceed 20% of the extent of the poster, banner, tear-drop banner or flag.
- (16) Organisations or persons who obtained approval to display posters or flags must pay a deposit as determined by the Municipality, which shall entitle that person to display the said poster or flag for a maximum period of 14 days, or such time as stipulated by the Municipality. No poster or flag may be displayed without such deposit having been paid.
- (17) The Municipality may remove or request the applicant to remove all posters, banners, tear-drop banners or flags should any of the above conditions not be complied with.
- (18) Posters, banners, tear-drop banners or flags that are not removed by the due date may be removed by the Municipality in which case the deposit paid in terms of item 15 will be forfeited to the Municipality.
- (19) Banners will be erected or removed by the Municipality at a rate as approved from time to time and the banner must comply with the specifications as laid down by the Municipality.

SCHEDULE 12: ESTATE AGENT SIGNS

Subject to approval in terms of this By-Law, the erection or display of estate agent signs is permitted in all areas except natural areas of maximum control. Only estate agents registered with the Estate Agents Board will be allowed to erect show houses signs. Proof of registration must accompany the application. In addition:

- (1) Estate Agencies must apply annually for permission to display signs and approval may be subject to payment of an annual fee in accordance with the Municipality's by-law and policy on tariffs.
- (2) A deposit may be required by the Municipality against which a charge for the removal of any sign which contravenes this By-law will be levied. In the event of the above deposit being exhausted, permission to display such signage may be withdrawn until a further deposit is paid to the Municipality.
- (3) Any Estate Agent sign unlawfully erected, or in contravention of the provisions of this Schedule, will be subject to a charge by the Municipality; in the event of the said sign not being removed, photographic evidence of the unlawful sign may be obtained by the Municipality prior to levying the said charge.
- (4) "For sale", "Sold" and "To let" signs shall be fixed flat to the surface of the boundary fence or wall of the property.
- (5) "Sold" signs may be displayed, fixed flat to the surface of the boundary fence or wall of the property, for a maximum period of two weeks.
- (6) No sign may be erected in such a way that any part of it is closer than 1.5m from a road verge.
- (7) No sign may be erected on centre islands.
- (8) No sign may obscure a road traffic sign.
- (9) No signs may be erected on any tarred area of pavements.
- (10) Estate agent signs may not exceed 0.3m² in total area.
- (11) "Show House" signs may be displayed only from 12h00 on Fridays to 20h00 on Sundays.
- (12) Show house signs may not be affixed to trees, traffic signals, street poles or other poles which carry road traffic signs, walls, fences, rocks, other natural features or landscaped areas, street furniture, or other Municipal property, unless such other display is authorised by the Municipality in writing.

- (13) On each sign, the wording "On Show", "Show House", "Show Flat" or "Show Plot" with the Agency's name and directional arrow must be displayed as well as the date.
- (14) Show house signs may be displayed on stakes making use of a design approved by the Municipality. Estate Agent signs may not be displayed on concrete, tarred or paved surfaces. It is not permissible for stakes to penetrate the ground deeper than 15cm.
- (15) Not more than six estate agent directional signs will be permitted in total per show house, show plot or block of flats in which a show flat is on display. The definition of one sign will include the display of two signboards only when such boards are sandwiched back to back around an electric light pole.
- (16) Show houses signs may not be displayed along Scenic Routes or on any bridge, public park or public open space.
- (17) Directional signs may be displayed along main routes only, being the shortest route from a main road to the property.
- (18) Only one directional sign per show house/flat/plot may be displayed along class 2 or 3 roads, excluding roads referred to in item 7 above.

SCHEDULE 13: LOOSE PORTABLE SIGNS

Subject to approval in terms of this By-Law, the erection or display of loose portable signs is permitted in areas of minimum and partial control as well as designated areas within urban areas of maximum control. In addition:

- (1) Loose portable signs may not be placed in a road reserve or in public open spaces without the written permission of the Municipality.
- (2) The Municipality may remove and impound loose portable signs placed without permission in a road reserve or on Municipal property. Owners can recover their signs on payment of the prescribed fee as determined the Municipality which will be used to defray the cost of removal, storage and transportation.
- (3) The following criteria will apply in respect of an application in terms of item 1:
 - (a) that it does not pose a hazard in terms of safety to the public;
 - (b) that it does not obstruct or cause inconvenience to the public either by its physical size or location;
 - (c) that it does not unfairly prejudice other traders;
 - (d) that the loose portable sign or proposed number thereof does not detract from the amenity of the local streetscape or local environment;
 - (e) that it is intended solely to advertise the name of the business, goods or services for sale from the advertiser's premises;
 - (f) that the maximum dimensions of the proposed loose portable sign must be 1.2m (height) x 0.6m (width).
 - (g) that it may be placed directly in front of the advertiser's premises, provided that the above criteria are met; and
 - (h) that a minimum clear footway width of 1,8 meters must remain clear and 2,5 meters in the central business district and sidewalks with high pedestrian volumes.
- (4) The Municipality may demarcate areas within the road reserve or on municipal property where, during normal trading hours, applicants may then place the approved loose portable signs. The said signs must be removed outside normal trading hours and stored away from public view.

- (5) The Municipality may levy tariffs for displaying the loose portable signs, which tariffs shall be payable in advance for a maximum period of six months.
- (6) Applicants will be required to indemnify the Municipality against any claims from third parties that may arise, due to the placement of loose portable signs within the road reserve or on municipal property.
- (7) Notwithstanding the above, the Municipality may cause the removal or impoundment of the sign or signs should the applicant contravene any of the above conditions.

SCHEDULE 14: AERIAL SIGNS

Subject to approval in terms of this By-Law, the erection display of aerial signs is permitted only in urban areas of minimum control. In addition:

- (1) No aerial signs affixed to any building or structure may be flown at a height of more than 45 meters from the surface measured from ground level.
- (2) Aerial signs may not be flown above a public road.

SCHEDULE 15: TRANSIT ADVERTISING

Subject to approval in terms of this By-Law, the erection or display of transit signs is permitted only in urban areas of minimum control.

In addition:

- (1) The parking of a transit sign which is visible from a public road or a public place for the purpose of third-party advertising is prohibited, except if it is displayed on a designated display site approved in terms of this By-Law as well as the Streets By-Law.
- (2) Transit signs parked on private property for the purpose of storage must be positioned in such a manner as not to be visible from a street or public place.
- (3) The advertising panel or portion of the vehicle used for transit advertising may not exceed a cumulative total of 18m².
- (4) The Municipality may designate sites in areas of minimum control for transit advertising and may publish notices indicating such sites.
- (5) Notwithstanding any provisions of this By-Law, the Municipality may, without prior notice, remove any unauthorised transit signs from municipal property, and, in the case of unauthorised transit advertising on private property, the Municipality may serve a notice ordering the removal thereof in terms of this By-Law.
- (6) Transit signs must be properly fixed to the ground at the parking location.

SCHEDULE 16: SIGNS ON MUNICIPAL LAND OR BUILDINGS

- (1) No sign may be displayed or erected on municipal land or buildings without the written permission of the Municipality.
- (2) The following specific conditions and criteria will apply to the signs mentioned in items (a) to (c) below:
 - (a) Commercially sponsored signs other than those in section 13 (10).

Notwithstanding the area of control within which it is proposed to erect a commercially sponsored sign on Municipal land or buildings, and subject to compliance with all other provisions of this By-Law, the Municipality may consider a commercially sponsored sign for approval, subject to the following:

- (i) Public or community needs or goals must be identified or adopted by the Municipality and if such needs can be addressed either entirely or in part by the granting of concessions to particular persons for the erection of commercially sponsored signs, the Municipality may call for public input on such public or community needs or goals and the related advertising opportunity.
- (ii) In order to identify such public or community needs or goals, the Municipality and other interested authorities must consult prior to proposals being invited, so as to establish conditions, criteria and constraints in respect of such advertising.
- (iii) The Municipality's Supply Chain Management Policy will apply.
- (iv) that any proposal be evaluated on the following factors:
 - (aa) the adherence to the principles of this By-law;
 - (bb) the design contribution;
 - (cc) the best community benefit offered;
 - (dd) the creativity and public safety;
 - (ee) the permanence of the contribution to the community goals or needs; and
 - (ff) the recovery cost over the period of the erection of the sign as opposed to the largest advertising opportunity or financial gain.

- (v) When contributions in kind are to be recovered by the Municipality, a conversion thereof to a monetary contribution to the Municipality's income base will be assessed.
- (vi) the Municipality, as landowner, reserves the right not to proceed with any proposal prior to final approval thereof and the call for invitations for proposals in any respect shall not be regarded decision by the Municipality to proceed with the erection of a sign in respect of a specific site.
- (vii) Once accepted, any sign to be erected in terms of this schedule must be the subject matter of a written agreement between the Municipality as landowner and the person responsible for the erection of the sign.

(b) Sponsored signs

Notwithstanding the area of control within which it is proposed to erect such a sign on Municipal owned land or buildings and subject to compliance with all other provisions of this By-Law, the Municipality may consider a sponsored sign for approval on condition that:

- (i) written detail will be provided which clearly indicates the recognised community goals which will be promoted by the erection or display of the proposed sign;
- (ii) signs with a political content will not be permitted;
- (iii) no more than 5% of the total surface of the sign is used for third party advertising.
- (iv) the maximum size of any such sign will be 6m x 3m; provided in the event of a V-shaped sign where the size may not exceed two panels of 6m x 3m each. Not allowed in areas of maximum control
- (iv) applications for billboards to be erected in terms of this section must comply with the requirements as set out in Schedule 2.
- (vi) no sign erected in terms of this clause be located within 5 meters of a property's boundary line.

(c) Non-profit body signs

Notwithstanding the area of control within which it is proposed to erect a sign, and subject to compliance with all other provisions of this By-Law, the Municipality may consider the erection of a sign by or for the benefit of a non-

profit body subject to compliance to a VIA and with the requirements set out in Schedule 17.

SCHEDULE 17: SIGNS ERECTED BY OR FOR THE BENEFIT OF NON-PROFIT ORGANISATIONS

- (1) Notwithstanding the area of control within which it is proposed to erect a sign by or for the benefit of a non-profit organisation, and subject to compliance with all other provisions of this By-Law, the Municipality may consider such a sign for approval subject to the following:
 - (a) written details from the host non-profit organisation regarding the nature and extent of the support to be received from the erection or display of the sign must be delivered to the Municipality together with the other information set out in Section 3 of this By-Law;
 - (b) the extent of involvement of previously disadvantaged communities, small businesses, job creation and empowerment will be considered in any proposal;
 - (c) any proposal will be evaluated on the following factors;
 - (i) the adherence to the principles or provisions of this By-Law;
 - (ii) the design contribution;
 - (iii) the best community benefit offered;
 - (v) the creativity and public safety; and
 - (vi) the permanence of the contribution to the community goals or needs as opposed to the largest advertising opportunity or financial gain.
 - (d) in the event of it being proposed that the said sign will be erected on municipal property:
 - (i) the Municipality must evaluate the proposal;
 - (ii) the Municipality as landowner reserves the right not to proceed with any proposal prior to final approval thereof; and
 - (iii) if accepted, a written agreement between the Municipality, the person responsible for the erection of the sign and the non-profit body must be entered into.
 - (e) In addition the following conditions will apply:
 - (i) signs with a political content will not be permitted;

- (ii) the maximum size of any such sign is 6m x 3m; provided in the event of a V-shaped sign being proposed, its maximum size will not exceed two panels of 6m x 3m each;
- (iii) applications for billboards to be erected in terms of this section must comply with the requirements as set out in Schedule 2;
- (iv) no sign erected in terms of this clause may be located within 5 meters of a property's boundary line;
- (v) the name of the non-profit body must be displayed on the sign with a maximum 300mm lettering height;
- (vi) all parties that may be affected by the erection or display of such sign must be given opportunity for their input;
- (vii) the Municipality may require submission of impact assessment studies; and
- (viii) no more than two individual signs of 6m x 3m each may be permitted, or alternatively one V-shaped sign with a maximum of two panels of 6m x 3m each on any one property. In addition, only one sign per street frontage will be permitted.

SCHEDULE 18: STANDARD FREE STANDING AND COMPOSITE SIGNS FOR THE CONSERVATION AREA

- (1) Subject to approval and in accordance to this By-Law, the erection and display of standard free standing and composite signs will be the primary way of advertising in conservation areas and in areas of single residential zoning. In addition:
 - (a) Only one standard advertising structure, designed according to Municipal requirements, will be allowed on a property.
 - (b) A composite sign of maximum two advertising signs and size not exceeding an area of 1.8 m² per advertising structure showing only the name of the business and its main product will be allowed.
 - (c) In the case of a business centre, more than one advertising sign per advertising structure will be allowed in which case the centre's name and the names of the businesses in the centre may be displayed.
- (2) The signs and advertising structures shall:
 - (a) Comply to the design standards and requirements of the Municipality.
 - (b) Not be displayed in the road reserve.

APPENDIX 2

OUTDOOR ADVERTISING AND

SIGNAGE BYLAW

ADMISSION OF GUILT

OFFENCES AND FINES

Section Contravened	Description of Offence	Proposed Fine (1)	Approved Fine (2)
3(1)	Display any advertisement or erect or use any sign for advertising purposes without the Municipality's approval	R2 500	
4(1)	No sign may be erected until such time as the application fees have been paid in full	R2 000	
4(2)(f)	(f) that no sign or advertisement may be designed or displayed that— (i) will constitute a danger to any person or property; (ii) will display any material or graphic which does not comply with the requirements of the Advertising Standards Authority of South Africa. (iii) will be detrimental to the environment or amenity of the neighbourhood by reason of either its size, intensity, frequency, illumination, quality of design, material, proposed graphic or locality. (iv) will obscure any other signs approved in terms of this By-Law or its predecessor; and (v) will be detrimental or otherwise negatively impact on the environment, whether artificial or natural.	R2 000	
6(1)	(1) All signs and advertising structures which are not properly erected and constructed of the requisite strength or inadequately secured or does not comply with the requirements pertaining thereto of the National Building Regulations and Standards Act, 1977 (Act 103 of 1977).	R2 000	
6(2)	Sign not repaired within seven after receipt of notice in writing for being vandalised, torn, damaged or falling into state of disrepair	R2 000	

9(2)	Signs may not be erected in an area where they are an unacceptable distraction for drivers, which acceptability may be determined in terms of the guidelines laid down in the S.A. Road Traffic Signs Manual.	R2 000	
14	No person may destroy, harm, damage or disfigure or deface the front or frontage of any street, road traffic sign, wall, fence, land, rock, tree or other natural feature, or the front or frontage or roof of any building or structure in any manner whatsoever during construction or through the display or use of a sign or the writing or painting of any sign, symbol, letters or numerals. Furthermore, no person may disfigure any sign legally displayed in terms of this By-Law.	R2 500	
15	No person may, in the course of erecting or removing any sign, or banner, cause damage to any tree, electric standard or service or other Municipal installation or property and street furniture.	R2 500	
17(2)	(2) A person commits an offence if he or she— (a) threatens, resists, hinders, obstructs or otherwise interferes with, or who uses foul or abusive language towards or at an employee or contractor of the Municipality in the exercise of any powers or performance of any duty or function in terms of this By-law; or (b) impersonates an employee or contractor of the Municipality.	R2 500	

APPENDIX 3

POWERS/DUTIES CONFERRED ON OFFICIALS AND/OR STRUCTURES					
LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR FUNCTION	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
BY-LAWS					
BY-LAW RELATING TO TO OUTDOOR ADVERTISING AND SIGNAGE					
OAS (3)	To approve an application for the display a new sign or to alter or to add to an existing approved sign or submit a signage plan	Municipal Manager	Director: Planning & Economic Development for all off street positioned signs, advertising, posters (Signs and poster outside of any street or road reserve) Director: Infrastructure Services for all on-street positioned signs, advertising, posters (signs and posters for all signs and posters within street and road reserves)	Senior Manager: Development Planning / Senior Heritage Planner	
OAS (4)	Determination of all and any fees associated with Outdoor Advertising and Signage	Council			
OAS (7)	The approval of any electricity connections and fees to be paid for signs needing an Electricity Supply	Municipal Manager	Director: Infrastructure Services		

OAS (8)	Approval of illuminance conditions and positioning wrt unwanted visual irritation to motorists of an illuminated signs=	Municipal Manager	Director: Infrastructure Services		
OAS (9)	Approval of sign position and design wrt to Traffic Safety	Municipal Manager	Director: Infrastructure Services		In consultation with both external and internal role- players as per by-law
OAS (12)	Any appeals lodged in terms of Signs and Posters conditions of approval	Municipal Manager			

APPENDIX 4

SakeBusiness

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 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

MUNISIPALE KENNISGEWING: 44/2021

OPENBARE PUBLIEKE DEELNAME PROSES VIR NUWE PAAIE MEESTERPLAN

Kennis geskied hiermee dat Stellenbosch Munisipaliteit 'n nuwe Paaie Meesterplan ter tafel lê vir openbare inspeksie en kommentaar by die onderskeie biblioteke in die Stellenbosch munisipale area asook op www.stellenbosch.gov.za vanaf **14 MEI 2021 – 14 JUNIE 2021**.

Alle kommentaar moet verwys word na die Direkteur: Infrastruktuurdienste.

Kontak persoon: Deon Louw
 Tel: 021 808 8213
 E-pos: engineering.services@stellenbosch.gov.za
 Onderwerpslyn: ROADS MASTERPLAN

Geraldine Mettler
 MUNISIPALE BESTUURDER

Posbus 17
 STELLENBOSCH, 7599

MUNICIPAL NOTICE: 44/2020

CALLING ON PUBLIC FOR COMMENTS ON NEW ROADS MASTERPLAN

Notice is hereby given that Stellenbosch Municipality has tabled a new Roads Masterplan, available for public comment at the libraries in the Stellenbosch municipal area and on www.stellenbosch.gov.za from **14 MAY 2021 – 14 JUNE 2021**.

All comments must be submitted to the Director: Infrastructure Services

Contact person: Deon Louw
 Tel: 021 808 8213
 Email: engineering.services@stellenbosch.gov.za
 Subject matter: ROADS MASTERPLAN

Geraldine Mettler
 MUNICIPAL MANAGER

PO Box 17
 STELLENBOSCH, 7599

X1WP41F1-EN13021



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 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

MUNISIPALE KENNISGEWING: 45/2021

OPENBARE PUBLIEKE DEELNAME PROSES VIR NUWE PLAKKAAT VERORDENING

Kennis geskied hiermee dat Stellenbosch Munisipaliteit 'n nuwe Plakkaat Verordening ter tafel lê vir openbare inspeksie en kommentaar by die onderskeie biblioteke in die Stellenbosch munisipale area asook op www.stellenbosch.gov.za vanaf **14 MEI 2021 – 14 JUNIE 2021**.

Alle kommentaar moet verwys word na die Direkteur: Infrastruktuurdienste

Kontakpersoon: Deon Louw
 Tel: 021 808 8213
 E-pos: engineering.services@stellenbosch.gov.za
 Onderwerpslyn: POSTER BY-LAW

Geraldine Mettler
 MUNISIPALE BESTUURDER

Posbus 17
 STELLENBOSCH, 7599

MUNICIPAL NOTICE: 45/2021

CALLING ON PUBLIC FOR COMMENTS ON NEW POSTER BY-LAW

Notice is hereby given that Stellenbosch Municipality has tabled a new Poster By-law, available for public comment at the libraries in the Stellenbosch municipal area and on www.stellenbosch.gov.za from **14 MAY 2021 – 14 JUNE 2021**.

All comments must be submitted to the Director: Infrastructure Services

Contact person: Deon Louw
 Tel: 021 808 8213
 Email: engineering.services@stellenbosch.gov.za
 Subject matter: POSTER BY-LAW

Geraldine Mettler
 MUNICIPAL MANAGER

PO Box 17
 STELLENBOSCH, 7599

X1WP41FR-EN13021

APPENDIX 5



Belangegroep Stellenbosch Interest Group

Mr Deon Louw
deon.louw@ Stellenbosch.gov.za

14 June 2021

Dear Mr Louw

STELLENBOSCH MUNICIPALITY SECOND DRAFT BY-LAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE

Please find the Stellenbosch Interest Group's (SIG's) comments on the Second Draft By-Law relating to Outdoor Advertising and Signage below.

The SIG wishes to place on record the importance for the Stellenbosch Municipality to; first, take note of the comments of Ms Claire Abrahamson relating to this By-law. Secondly, the comments of the Stellenbosch Municipality's recently appointed Senior Heritage Planner, Ms Katherine Robinson, must be obtained as she will be administering the Signage Policy. The significance of the afore-mentioned two heritage practitioners must precede and override any comments that are contributed by the SIG.

In particular, the following input from Ms Claire Abrahamson must be given immediate attention:

- *Rural landscapes are vulnerable to visual degradation through inappropriate signage, which can sometimes form an "urban intrusion" into the landscape.*
- *If a sign impacts or alters building fabric older than 60 years, application to HWC under Section 34 of the National Heritage Resources Act would be required, and comment on the proposed sign from the local heritage bodies would be appropriate.*
- *Applications for proposed new signs within conservation areas should engage with and receive the comment of any registered conservation bodies within those areas.*
- *The Municipality has a conservation team that is in the process of finalising a CMP for the whole area. It would be prudent to workshop this section of the by-law with them, to ensure that adequate control of signage in historic environments is provided.*

The SIG's concern relates in particular to the need for specific reference in the By-law to rural areas. The By-law indicates what is not permitted but gives no guidelines as to what signage should look like in this area of maximum control.

The SIG's further wishes to comment as follows:

Definitions

“sign” means any object, product, replica, advertising structure, mural, device or board which is used to publicly display a sign, or which is in itself a sign and includes a poster, billboard and an advertisement which is included in the architectural design of a building or structure and which is visible from any public place;

Comment: Signs must exclude murals. Murals must be dealt with in a separate By Law. In recent decades, public murals have become a common phenomenon in urban landscapes around the world. The Stellenbosch Municipality needs to establish a Public Mural Art Policy and Regulations that employ murals as an acceptable element while maintaining a balance which reflects and influences social, political, historical, cultural, and aesthetic values in Stellenbosch. In this regard Cape Town's Mural Policy would be a possible example to adapt for the unique character of Stellenbosch and the Winelands.

Comment: Rural areas are listed as areas of maximum control. The schedules only refer to what is not permitted under the schedules 9: headline posters 11: Temporary posters, tear-drop banners, banners and flags on public roads and public places.

SCHEDULE 1: AREAS OF CONTROL P35

The table refers

Please note that the SIG considers that the text highlighted in yellow below should be added to the draft document and that the text that has been struck through should be deleted.

Urban Area – Partial Control

Mixed use commercial and residential areas, unless within a conservation area.

Commercial ribbon development and activity corridors, unless within a conservation area.

Commercial and business districts and adjacent streets and rail reserves, unless within a conservation area.

Entertainment district or complexes with commercial zones, unless within a conservation area.

Educational institutions, Sports fields and stadiums, unless within a conservation area.

~~Undetermined zones~~ Limited use zones (including railway reserves, transport use zones).

Specific areas or sites designated as partial control by way of a map as contained in the zoning scheme regulations prepared by the Municipality. (Comment: There are no partial control sites marked on a map in the zoning scheme)

Urban Area – Minimum Control

Designated areas within ~~undetermined zones~~ limited use zones unless within a conservation area.

Specific areas or sites designated as minimum control by way of a map as contained in the zoning scheme ? (Comment: There are no partial control sites marked on a map in the zoning scheme)

SCHEDULE 4:

(8) ~~is not allowed on the sides of buildings around the areas of maximum and partial control.~~ Comment: The text should be omitted because it contradicts the introductory paragraph of Schedule 4: the erection or display of flat and projecting signs are permitted in all areas of maximum, partial or minimum control.

Add the following:

(9) No signs may be attached to walls or fences of residential buildings.

SCHEDULE 5: SKY SIGNS

Sky signs are not suitable for Stellenbosch or the Winelands.

(2) ~~Sky signs along the top edge of the roof of cultural, historic or architecturally significant buildings will only be permitted if they are locality bound, un-illuminated and consist of individual cut-out letters or logos.~~ Comment: This at least must be removed. Such signs should not appear on the roof of a cultural, historic or architecturally significant building.

SCHEDULE 6: ROOF SIGNS

(1b) When attached to the bottom edge of a roof or vertically midway on the roof of a building, such sign may not exceed ~~1~~ 0,5 metre in height and its total area may not exceed 25% of the roof area to which it is affixed. Comment: 1 metre is too big, consider 0.5metre and a limitation should be set for the total area if the roof is large.

2) It shall be permissible to affix a roof sign along the lower edge of a roof of a building, if such sign is composed of a single line of individual, cut-out letters, without visible bracing or support but may not be erected along more than two edges of such roof and may not exceed 3.6m² in total area; with a maximum height of ~~1~~metre 0,5metre.

SCHEDULE 7: SIGNS ON A VERANDAH, BALCONY, CANOPY, SUPPORTING COLUMNS, PILLARS AND POSTS

The numbering should be reviewed. Two sections (1) appear under Schedule 7.

(1) No signs may be attached to Historical Buildings

~~(1)~~ (2) No such signs will be allowed on or over architectural features of buildings.

(2) No such signs will be allowed on or over architectural features of buildings.

Comment: Please note that columns, pillars, verandas, and balconies etc are all architectural features.

(7) Every such sign must be at right angles to the building line.

Comment: Unclear to which building line is referred.

SCHEDULE 13: LOOSE PORTABLE SIGNS

(d) that the loose portable sign, **only one per business**, ~~or proposed number thereof~~ does not detract from the amenity of the local streetscape or local environment;

(h) that a minimum clear footway width of 1,8 meters must remain clear and 2,5 meters in the **urban conservation area** ~~central business~~ district and sidewalks with high pedestrian volumes.

SCHEDULE 14: AERIAL SIGNS

(2) Aerial signs may not be flown above a public road. ~~time~~ ('time' should be deleted)

SCHEDULE 15: TRANSIT ADVERTISING

(4) The Municipality may designate sites in areas **of** ~~ad~~-minimum control for transit advertising and may publish notices indicating such sites.

The SIG wishes to thank the Municipality for the good working relationship that has been established with the committee in drafting this By-law and suggests that the task be completed by working with the Heritage practitioners that are deeply committed to improving the visual and environmental condition of our unique Municipality's historic and rural character.

Kind regards,

Patricia Botha

7.8.2	REPORT ON REVIEW OF THE CURRENT STELLENBOSCH MUNICIPAL ZONING SCHEME BYLAW (2019) (SZSB) AND TO REQUEST COUNCIL PERMISSION TO COMMENCE WITH A FULL AMENDMENT PROCESS OF THE CURRENT STELLENBOSCH MUNICIPAL ZONING SCHEME BYLAW (2019)
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Collaborator No: 747756
 IDP KPA Ref No: Good Governance
 Meeting Date: 19 April 2023

1. SUBJECT: REPORT ON REVIEW OF THE CURRENT STELLENBOSCH MUNICIPAL ZONING SCHEME BYLAW (2019) (SZSB) AND TO REQUEST COUNCIL PERMISSION TO COMMENCE WITH A FULL AMENDMENT PROCESS OF THE CURRENT STELLENBOSCH MUNICIPAL ZONING SCHEME BYLAW (2019)

2. PURPOSE

Is to present to Council a review of the Stellenbosch Municipal Zoning Scheme Bylaw (2019) (SZSB) and to request permission from Council to, based on the internal review, commence, and undertake a full amendment of the said Stellenbosch Municipal Zoning Scheme Bylaw in terms of Section 12(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) (MSA).

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Following the Land Use Planning law reform process in South Africa the Stellenbosch Municipality adopted and introduced a Stellenbosch Zoning Scheme Bylaw (SZSB) in 2019.

Since the introduction of the SZSB, several matters have been identified that presents challenges and would necessitate that the subject Bylaw be updated with improvements, corrections, and additions.

Due to the nature and scope of the required amendments, and the inherent benefits of having the provincial standard draft zoning scheme bylaw to adequately address these challenges, it is proposed that this provincial standard draft zoning scheme bylaw be used as the foundation to develop a new zoning scheme bylaw for Stellenbosch Municipality.

Consequently, the revision and updating of the SZSB is proposed to ensure the delivery of effective and efficient land use planning services and to contribute to economic growth.

5. RECOMMENDATIONS

- (a) that the contents in the report on the internal review of the current Stellenbosch Zoning Scheme Bylaw (2019) **BE NOTED**;
- (b) that the proposed development of a revised and updated Stellenbosch Zoning Scheme Bylaw **BE AUTHORISED**;
- (c) that the provincial standard draft Zoning Scheme Bylaw be used as the foundation for the development of the revised and updated Stellenbosch Zoning Scheme **BE ADOPTED**.

6. DISCUSSION / CONTENTS**6.1 Background**

Following the Land Use Planning law reform process in South Africa with the introduction of the national Spatial Planning and Land Use Management Act [SPULMA] in 2013 and the provincial Western Cape Land Use Planning Act [LUPA] in 2014, local Municipalities in the Western Cape had to develop and introduce their own municipal land use planning bylaws (including zoning scheme bylaws).

The drafting of such land use planning bylaws is a huge undertaking which requires many man-hours of highly skilled professional input and broad consultation. Being mindful of the capacity challenges at many of the local municipalities the Western Cape Government's (WCG) Department of Environmental Affairs and Development Planning (DEA&DP) undertook an initiative in terms of Section 14 (2) of the Municipal Systems Act, 2000 (MSA) to develop the provincial standard draft by-laws needed on municipal land use planning (including zoning scheme bylaws) in terms of the new SPLUMA and LUPA dispensation.

In delivering on this initiative, it is important to note that the land use planning staff of most of the leading municipalities in the Western Cape participated in the process to develop these provincial standard draft bylaws and it was acknowledged amongst urban planning professionals that it was extremely beneficial to local municipalities to adopt these provincial standard draft bylaws. Some of the most notable benefits of adopting the provincial standard draft bylaws on land use planning include:

- a) Due to the participation of the urban planning professionals of the leading municipalities, the provincial standard draft land use planning bylaws were the result of the collective knowledge, experience and best practice of many local municipalities and their planning professionals in the Western Cape.
- b) The provincial standard draft land use planning bylaws developed in terms of Section 14 (2) of the MSA were informed by the outcome of the public participation processes followed by all Western Cape Municipalities and WCG DEA&DP.
- c) It is hugely beneficial for all role players in the development and land use planning sector if there is consistency amongst local municipalities in the way that land use planning matters are managed.
- d) The provincial standard draft land use planning bylaws were subjected to a knowledgeable team of WCG legal practitioners for legal vetting to ensure the legality thereof.
- e) Should any matter in the application of the provincial standard draft land use planning bylaws arise that is subject to legal review and/ or associated legal opinions, all the municipalities will collectively benefit from such actions.
- f) Local municipalities can consult with each other on the application and best practice in the implementation of the provincial standard draft land use planning bylaws.
- g) The most notable strength and benefit of the provincial standard draft zoning scheme bylaw lies in the structure and resulting application of its content. Apart from the sections dealing with the definitions and general provisions, the subject provincial standard draft bylaw is essentially divided into two major sections. The first section contains a table with the different zonings and associated primary user right and

consent uses. The second section contains a list of all land use types as they are associated with the primary and consent uses, together with land use descriptions, development parameters and any other provisions and qualifications for such land use type. There can consequently be no confusion of land use types with different qualifications in different zoning categories.

When local municipalities first embarked on the process to develop and introduce an integrated zoning scheme bylaw for its entire area of jurisdiction as stipulated in Section 24(1) of SPLUMA, the local municipalities in the Western Cape consequently had three options:

- I. To draft their own unique Integrated Zoning Scheme Bylaw
- II. To adopt and implement the provincial Standard Draft Integrated Zoning Scheme Bylaw (SDIZSB) which was drafted and made available to Municipalities by the Western Cape Government's, Department of Environmental Affairs and Development Planning (DEA&DP).
- III. To use the provincial SDIZSB provided by DEA&DP as a basis and make any amendments and additions to this scheme to suite any specific needs that the subject local municipality may have.

For the above reasons, it was regarded as the best option by many local municipalities to adopt the provincial SDIZSB as the basis for their own Zoning Scheme Bylaws, although mostly with additions to suit their own unique contexts.

Although Stellenbosch Municipality did adopt the provincial standard draft bylaw as the basis for their Land Use Planning Bylaw, it was elected to develop their own unique IZS bylaw. As a result, the Stellenbosch Zoning Scheme Bylaw (SZSB) was introduced in November 2019 and replaced all the former zoning scheme regulations into a single zoning scheme bylaw for the entire Stellenbosch area of jurisdiction.

6.2 Internal Review of SZSB 2019

Since the introduction of the SZSB, it has been under constant scrutiny to identify any matters that may present difficulties and challenges in the sensible management of land use rights to serve the needs and aspirations of the Stellenbosch community and ultimately facilitate a quality living environment and a growing and vibrant economy.

Through this constant interrogation of the appropriateness of this Zoning Scheme Bylaw for its purpose and intent, an internal review has been undertaken to identify the need to address any inaccuracies, shortcomings, omissions, ambiguities, and legalities to ensure that the Stellenbosch Municipality has the best possible tools to deliver and improve on their ability to deliver land use planning services.

In reviewing the SZSB it has become clear that there are indeed several difficulties in the zoning scheme bylaw which will have to be addressed. Apart from many minor matters that should be addressed, the major issues need to be highlighted and considered thoroughly in order to decide on the most sensible approach to update and amend the SZSB.

The following are matters of note:

- a) The SZSB contains policy content which presents a real challenge. Even though the nature of policy and guidelines is to apply a measure of discretion in its appropriateness of those principles for the specific matter under consideration, a bylaw elevates such matters to the level of required compliance. Although nuances relating to policy principles can be found in the writing of what is supposed to constitute development rules or parameters, policy principles is notably found in Chapter 4 (Applications and Submissions) with reference to sections such as Sections 14 (Subdivision of Land) and 15 (Consolidation of Land); as well as Chapter 5 (Development Parameters Applicable to All Zones) with reference to Sections 23 (Boundary Walls) and 30 (Occasional Use Events). This is an unbearable situation which makes the SZSB very difficult to uphold and undermines the proper application of policy in the context of the specific development proposal. Whilst the discretion on the application of policy can be applied through proper motivation with the scope for justifiable deviation, such policy provision in a bylaw will require land use planning applications to deviate from such statutory provisions.
- b) One of the most challenging features of the SZSB is the inclusion of a range of different types of land uses as a primary use in each of the zoning categories. This practise gives rise to unintended consequences with a potential scope of development that will far exceed the intended development being proposed and considered. Consequently, every land use approval needs to be qualified by means of limiting the development being permitted. To determine the land use rights for every property, for e.g., a zoning certificate, will require that the full history of land use approvals be consulted and accurately recorded in communications. Such practise is not desirable, and it is the recognised best practise to limit the primary land use right for every zoning category to a single type of land use, and qualified in nature by means or a corresponding definition of such type of land use.
- c) The SZSB introduced a category of additional land uses which purpose was to lessen the administrative burden for taking up these additional land uses by inter alia omitting any required public participation. The reality is that it still requires a land use application with a "Technical Approval" which process currently burdens the land use planning office with undue administration. With the foreseen changes in the Stellenbosch Municipality's Land Use Planning Bylaw which provides much more discretion for public participation processes, the special category of land uses will be superfluous. This category of additional land uses can accordingly be accommodated as primary land use rights which can be taken up by complying with performance parameters, which are pre-determined qualifications and requirements.
- d) There are several land use types which are either absent or alternatively not adequately provided for in the SZSB and which currently makes it challenging to manage such land uses associated with inter alia outdoor advertising, street vendors and outdoor dining, events on properties in general and on farms.
- e) The structure and packaging of the SZSB results therein that provisions for land uses associated with primary user rights is repeated in the different zonings, and in some instances with different qualifications to regulate those uses. This is very confusing and requires scrutiny of the subject provisions every time that the scheme is consulted. It is also very challenging to memorise the provisions of the scheme with such duplications, but with different provisions, and results in wasted time. One example is that both Education zone and Community zone provides for

schools. There are also additional requirements that applies to an application required in terms of the Urban and Rural Conservation Overlay Zone.

- f) There are also several definitions or scheme provisions of associated land uses which are contractionary and results in unintended difficulties. The most notable examples can be found in the different types of tourist accommodation types and is the result of inadequate legal vetting. Other examples include the definition of a hotel which allows for a hotel in Agricultural Zone, but in the Agricultural Zone it is not listed as a consent use. The definition of agri-industry includes wine tasting, which is however also regarded and treated as a tourist facility.
- g) There are also several land use types, e.g., “Home Day Care Center” and “freestanding base telecommunication station”, for which the scheme has no additional qualifications to adequately manage this type of land use other than the definition. Provisions for a renewable energy installation relating to solar panels is also lacking.
- h) There are several definitions which are inadequate to give guidance, and most notably the definitions related to the establishment of natural ground level and the control over height restrictions. Others include the conflicting definitions of a Market & Tourist Facility, as well as Filling Station & Service Station which are almost the same and confusing.
- i) Lastly, the Stellenbosch Land Use Planning Bylaw (SLUPB) has already been reviewed and the draft amended SLUPB is currently being finalized for submission to the Council for consideration and adoption. There are a few of the matters that have been proposed to being amended and may give rise to consider resulting needed amendments in the SZSB.

6.3 The way forward

The current SZSB requires fundamental amendments in both its structure as well as its content to address the matters that has been raised in the review of the subject bylaw.

In consideration of the anticipated scope of amendments and the ease of addressing the identified difficulties of the current SZSB, the most viable avenue for updating the SZSB must be determined.

In practice there are essentially two ways to update and amendment a Bylaw, -

- a) The first is the “Brackets and Underline” method in which every individual amendment is shown in the subject by-law by way of words in [] to indicate omissions from the by-law and words underlined to indicate insertions in the by-laws. With the scope of the anticipated changes to the SZSB, which would ideally also include changes to the structure and packaging of the Bylaw, this approach will make for difficult reading and complicated interpretation.
- b) The second is the “Publish and Repeal” method whereby a new version of the subject by-law, with all amendments, are adopted and published and with it, also repeal the previous or existing version. This is the Directorate’s preferred method as such version will be clean and easy to read and use. It is thus also proposed to undertake the amendment of the SZSB in accordance with this method.

Given the extent of the changes that will be required in terms of both the structure and the content of the existing SZSB, and the inherent benefits and potential of the standard draft zoning scheme bylaw to adequately address these matters, it is submitted that it will be the most beneficial approach to abandon the SZSB in favour of developing a new zoning scheme bylaw based on the provincial standard draft zoning scheme bylaw.

It must be noted that the current SZSB also contains very relevant provisions unique to the requirements of the Stellenbosch context and needs to be retained in any update of the subject bylaw.

It is thus not proposed to merely adopt the provincial standard draft zoning scheme bylaw without any qualification. The provincial standard draft zoning scheme bylaw with its strengths in structure and vetted content should however form the foundation of a new zoning scheme bylaw. The useful provisions of the current SZSB that should be retained should be identified and integrated with the content of the proposed new bylaw.

Lastly, the resulting bylaw will need to be scrutinised to ensure that the current shortcomings and needs are indeed adequately addressed by the newly developed bylaw. Through all and any changes the necessary vetting will be required to ensure that the new bylaw is legally compliant and will not result in any of the conflicting matters and associated difficulties that the current bylaw presents.

To address the challenges of the current SZSB and in support of the proposal to adopt the provincial standard draft zoning scheme bylaw as the basis to develop a new zoning scheme bylaw, the following considerations should be highlighted:

- I. To draft a unique zoning scheme for a municipality is a time consuming and labour-intensive process which can amount to a costly exercise.
- II. The provincial standard draft zoning scheme bylaw has gone through a laborious process with wide consultation during which many urban planning professionals from the WCG, local municipalities and private consultants have contributed towards the product, and which also includes the legal vetting of the product by the WGC legal team.
- III. Consultants and developers serving the land use planning profession will be more readily acquainted with the provisions based on the provincial standard draft zoning scheme bylaw, and the adoption of a zoning scheme based on such a provincial standard draft zoning scheme bylaw may contribute to improving the effectiveness and efficiency of service delivery to all stakeholders.
- IV. By sharing the basis of a provincial standard draft zoning scheme bylaw with other local municipalities will be beneficial due to the collective knowledge amongst local municipalities in its interpretation and application, as well as any legal action or legal opinions on other municipalities' zonings schemes that are based on the model standard zoning scheme bylaw.
- V. The provincial standard draft zoning scheme bylaw is a simplified and streamlined product which is user friendly and conducive for development processes.

Based on the above, it is concluded that it would be the most beneficial to abandon the current SZSB and adopt the provincial standard draft zoning scheme bylaw as the basis to develop a new zoning scheme bylaw that will be fit for purpose for the Stellenbosch Municipal area.

6.4 Process to develop new Zoning Scheme Bylaw

With due regard to the process that needs to be followed to develop a new zoning scheme bylaw, the following steps needs to be undertaken:

6.4.1 Internal Development Process for new draft Zoning Scheme Bylaw

- a) Undertake review of Bylaw (completed) and obtain authorisation from Council for amendment of Bylaw (Purpose of this Item)
- b) Consider changes to amend Bylaw and draft associated report for discussion purposes.
- c) Workshops and consultations (internal and selected).
- d) Finalise Draft proposed Bylaw and associated Item.
- e) Submit Item and proposed draft Bylaw through Council structures for consideration and mandate to advertise for comment.

6.4.2 Statutory Process

- a) Advertise proposed Draft Bylaw for comment and conduct and required workshops for input.
- b) Consider public inputs and affect changes where necessary to finalise Draft Bylaw.
- c) Consider any resulting needs to change the associated delegations and prepare draft new delegations.
- d) Submit Item with Final Draft Bylaw and associated delegations to Council structures for consideration and adoption.
- e) Publish adoption of Bylaw once approved by Council.

6.4.3 Implementation

- a) Preparation and Training of internal Land Use Planning Staff, officials, and Councilors.
- b) Training of private urban planning practitioners, other associated professions and developers and landowners.
- c) Communications Campaign.
- d) Implementation of Zoning Scheme Bylaw

It is proposed to conclude the above process and have the Bylaw ready for implementation by 1 June 2024.

6.5 Financial Implications

The review, revision, update, and amendment of the current zoning scheme bylaw will be undertaken in house with no cost to Council. The only cost resulting from the amendment of the bylaw will be the cost associated with public participation, inclusive of the publishing of the bylaw. Potential cost may emanate from the required updating of the zoning registers and maps, but with proper transitional tables and the work that is currently being concluded to finalise an accurate zoning register and map, the scope of the anticipated amendments to these products should not result in extensive work or cost.

6.6 Legal Implications

The amendment of Bylaw is governed in terms of the provisions of Section 12 of the Municipal Systems Act, 2000 (Act 32 of 2000) which needs to be satisfied.

6.7 Staff Implications

The amendment process will be conducted in-house by the available professional urban planning staff.

6.8 Previous / Relevant Council Resolutions

Adoption of the Stellenbosch Integrated Zoning Scheme Bylaw, 2019

6.9 Risk Implications

If the course for development of a new zoning scheme bylaw is not pursued to address the identified difficulties and ensure its continued relevance, it may result in an increasingly inefficient land use management regime that impacts negatively on development and the economy.

6.10 Comments from Senior Management**6.10.1 Director: Infrastructure Services**

No comments solicited for this report.

6.10.2 Director: Planning and Economic Development

Report and recommendations are supported.

6.10.3 Director: Community and Protection Services

No comments solicited for this report.

6.10.4 Director: Strategic and Corporate Services

No comments solicited for this report.

6.10.5 Chief Financial Officer

No comments solicited for this report.

6.10.7 Municipal Manager

Report and recommendations are supported.

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	29 March 2022

7.9	LOCAL ECONOMIC DEVELOPMENT AND TOURISM:(PC: CLLR R DE TOIT)
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7.9.1	ERF 2235 FRANSCHHOEK: POSSIBLE LEASE TO RANYAKA
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ITEM WILL BE DISTRIBUTED UNDER SEPARATE COVER

7.10	RURAL MANAGEMENT: (PC: CLLR J WILLIAMS)
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NONE

7.11	MUNICIPAL MANAGER
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7.11.1	REQUEST TO ENTER INTO A SISTER CITY RELATIONSHIP WITH CORAL GABLES - FLORIDA
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 April 2023

1. SUBJECT: REQUEST TO ENTER INTO A SISTER CITY RELATIONSHIP WITH CORAL GABLES - FLORIDA

2. PURPOSE OF REPORT

To obtain approval from Council to enter into a Sister City relationship with Coral Gables in Florida.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The City of Coral Gables is known as The City Beautiful, which stands out as a planned community that blends color, details, and the Mediterranean Revival architectural style. Coral Gables is a major employment center, with almost as many people working in the city as residents. The economy is comprised of local and international businesses.

The International Affairs Coordinating Council for the City of Coral Gables, Florida expressed its desire in respect of the establishment and maintenance of a potential Sister City relationship with Stellenbosch Municipality (attached as **ANNEXURE 1**).

The city's primary goal is cultural exchange and to collaborate with other municipalities to advance in safety (public safety, environmental preparedness), IT and other measures. The Council further aim to grow by establishing relationships with other areas globally.

However, in order to initiate the process for a potential Sister City relationship between the two governments, a line of communication had to be developed by sending an introductory letter from one Executive Mayor to the other. On 8 August 2022, the Executive Mayor transmitted a letter to Executive Mayor Lago of Coral Gables indicating mutual interest in establishing this Sister City relationship (attached as **ANNEXURE 2**).

5. RECOMMENDATION

that Council approves the request to enter into a Sister City relationship with Coral Gables.

6 DISCUSSION / CONTENTS

6.1 Background

Stellenbosch Municipality received communication from the International Affairs Coordinating Council for the City of Coral Gables, Florida, articulating its interest in terms of the establishment and maintenance of a Sister City relationship that promotes peace and prosperity.

Analogously, Stellenbosch and Coral Gables are university towns that can share experiences as well as examine projects beneficial to both cities. These cities are further known for tourism and can exchange local economic development ideas as well as how to enhance the tourism and trade industry. Common ties of mutual interest exist between Stellenbosch and Coral Gables in the areas of education, arts and culture and public services, which justify the establishment of a Sister City relationship. Subsequently, the cities share many other qualities such as its tree lined streets, historical landmarks and host a diverse population.

6.2 Discussion

The International Affairs Coordinating Council for the City of Coral Gables, Florida expressed its desire in respect of the establishment and maintenance of a potential Sister City relationship with Stellenbosch Municipality.

The city's primary goal is cultural exchange and to collaborate with other municipalities to advance in safety (public safety, environmental preparedness), IT and other measures. The Council further aim to grow by establishing relationships with other areas globally.

However, in order to initiate the process for a potential Sister City relationship between the two governments, a line of communication had to be developed by sending an introductory letter from one Executive Mayor to the other.

Mutual visits for the Sister City inauguration will be held to give visitors a grand tour of Coral Gables, their facilities, etc. In terms of 9.2 of the Cost Containment Policy, 2019, only the municipal council in a council meeting can approve the international travel for any official or political bearer. Furthermore, it should be noted that Stellenbosch Municipality will not go on an excursion to Coral Gables at this stage.

6.3 Financial Implications

None

6.4 Legal Implications

MOU between the two governments to establish a Sister City relationship.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

None.

6.7 Risk Implications

Addressed in the content of the item.

ANNEXURES

Annexure 1: Communication of interest from Coral Gables

Annexure 2: Letter of concurrence from Stellenbosch Municipality

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	Geraldine Mettler
<i>POSITION</i>	Municipal Manager
<i>DIRECTORATE</i>	Municipal Manager
<i>CONTACT NUMBERS</i>	021 808 8025
<i>E-MAIL ADDRESS</i>	municipal.manager@ Stellenbosch.gov.za
<i>REPORT DATE</i>	12 April 2023

ANNEXURE 1

Brett Gillis

On Fri, Apr 15, 2022 at 1:55 AM Brett Gillis <brett.gillis@gmail.com> wrote:

Dear Mayor van Deventer,

Please allow me to introduce myself. My name is Brett Gillis, and I am a member of the International Affairs Coordinating Council for the City of Coral Gables, Florida. Part of my responsibility is to establish and maintain Sister Cities that promote peace and prosperity.

Our primary goal is cultural exchange, but we have also found it valuable to share and collaborate with other municipalities around the world to advance in safety (public safety, environmental preparedness), IT, and other measures. It has been so interesting and rewarding to share and see what we can learn from each other!

We currently have relationships with cities in Latin America and Europe. One of my primary goals as a member of the Council is to grow to be more global by establishing relationships with other areas of the globe.

The first place that came to mind is Stellenbosch! We are both university cities with great histories and significant cultural appeal.... both garden cities with many oak-lined streets and public parks and share many other qualities in common.

A Dutch South African village was commissioned as part of our 1920s development plan to add diversity to the predominantly Spanish-Mediterranean architecture of Coral Gables. Acclaimed architect Marion Sims Wyeth was hired to do the study, and the village was constructed around 6704 Le Jeune Road and 6705 San Vicente Street in the 1920s. We are one of the few places in America where one can experience this type of architecture, and we cherish it as part of our dynamic history and unique built environment.

It would be great to advance the relationships between Florida/USA and South Africa! Please let me know if you would be interested in pursuing a Sister City relationship with us here in Coral Gables.

Thank you,

Brett Gillis

ANNEXURE 2



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Kantoor van die Uitvoerende Burgemeester
Office of the Executive Mayor
iOfisi kaSodolophu olawulayo

Date: 08 August 2022
Ref: 11/2/5/1

Mayor Vince Lago
City of Coral Gables
405 Biltmore Way
Coral Gables
FLORIDA
33134

Per email: vlago@coralgables.com

Dear Mayor Lago

RE: Sister City Relationship

Correspondence between both our Administrative Offices refers.

Thank you for showing interest in Stellenbosch Municipality as a potential Sister City.

We are indeed very interested in being your Sister City as we both are university towns who can share experiences as well as examine projects beneficial to both cities. Both our cities are known for tourism, thus can exchange Local Economic Development ideas as well as how to enhance the tourism industry.

Stellenbosch, as well as Coral Gables is also known for its tree lined streets and historical landmarks and hosts a diverse population.

Herewith a brief introduction of myself, a more detailed version is attached.

My political career commenced when I was elected as Executive Mayor for Drakenstein Municipality in 2011. During the next Municipal elections held in 2016 and 2021, I was elected as the Executive Mayor of Stellenbosch Municipality, the first female Executive Mayor to take office for 2 consecutive terms. I have also made history by appointing a female Municipal Manager for 2 consecutive terms.

Not only am I a politician but followed a career in Law and am a qualified winemaker. It is hard not fall in love with winemaking when you see the beautiful vineyards and nature all around this beautiful town I am proud to call my home.

On behalf of myself and the Administration, thank you for showing interest in partnering with Stellenbosch Municipality as a potential Sister City.

Yours faithfully,

Adv Gesle van Deventer
EXECUTIVE MAYOR

7.11.2	CONSIDERATION FOR ADDITIONAL FUNDING OF EXTERNAL BODIES PERFORMING A MUNICIPAL FUNCTION AS PROVIDED BY THE POLICY FUNDING OF BODIES PERFORMING A MUNICIPAL FUNCTION, READ WITH SECTION 80(2) OF THE LOCAL GOVERNMENT SYSTEMS ACT, 32 OF 2000, FINANCIAL YEAR 2022 / 2023: (Local Tourism Organisations)
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 April 2023

- SUBJECT: CONSIDERATION FOR ADDITIONAL FUNDING OF EXTERNAL BODIES PERFORMING A MUNICIPAL FUNCTION AS PROVIDED BY THE POLICY FUNDING OF BODIES PERFORMING A MUNICIPAL FUNCTION, READ WITH SECTION 80(2) OF THE LOCAL GOVERNMENT SYSTEMS ACT, 32 OF 2000, FINANCIAL YEAR 2022 / 2023: (Local Tourism Organisations)**

2. PURPOSE

To discuss and consider the amendment to the funding application for the 2022/2023 financial year received from external bodies performing a Municipal function as provided by the Policy for the Funding of External Bodies Performing a Municipal Function, read with Section 80(2) of the Municipal Systems Act No. 32 of 2000, as approved by Council at the Special Council Meeting dated 22 June 2022.

3. DELEGATED AUTHORITY

In terms of Section 7(2) of the Policy relating to External Bodies Performing a Municipal Function of which budget allocation are delegated to the Grants Committee to make recommendations to Council, as approved by Council.

4. EXECUTIVE SUMMARY

In terms of Section 7(2) of the Policy relating to External Bodies Performing a Municipal Function of which budget allocation is delegated to the Grants Committee to make recommendations to Council, as approved by Council.

The following body submitted an additional application to perform the local tourism function for Council for the 2022 / 2023 financial year:

Applicant	2022 / 2023 Funding Approved by Council on 22 June 2022, in Rand Value	2022 / 2023 Total additional Funding Requested
Visit Stellenbosch	3 775 000.00	961 180.00
Dwarsrivier Tourism	<i>(Including funding for Dwarsrivier Tourism Region)</i>	<i>(3 775 000)</i>
Franschhoek Wine Valley Tourism Association	1 940 918.00	1 940 918.00
Total Funding Requested	5 715 918.00	6 677 098.00

Currently, Council allocated the above amount of R5 715 918 to the Local Tourism Organisations (LTO's) for the 2022/23 financial year.

The Directorate: Planning & Economic Development has however received a written application / request dated 23 November 2022, copy attached as **APPENDIX 1**, for

additional funding as part of the Municipality's Adjustment Budget Process for the 2022/2023 financial year.

5. RECOMMENDATION

that an additional amount of R787 950.00 be allocated to Visit Stellenbosch for the 2022/2023 financial year for the additional projects.

6. DISCUSSION /CONTENTS

6.1 The additional funding will be allocated against the following unfunded project proposals as submitted by Visit Stellenbosch.

PROJECT	PERFORMANCE TARGETS	Budget requested in submission	BUDGET approved by Council 22 June 2022	DEPARTMENTAL COMMENT	RECOMMENDED ADDITIONAL BUDGET
Tourism Business Support / Stakeholder Support Programme	Revive, support and mentor specialised tourism products, focussing on walking tours in Jamestown and Ida's Valley.	40 000	10 000	The Department supports the full amount of funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, therefore the additional budget can be supported as such budget is available.	30 000
	The services of a local community guide will enhance a visitor experience and need to be polished on an ongoing basis. Guides to be properly trained by an accredited service provider and registered accordingly.	60 000	0.00	The Department supports the funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, and that the amendment of the proposal does link directly to tourism, further additional budget is available to fund the amended project proposal.	60 000
	First Aid refresher courses: registered guides have to complete first aid training every 3 years to retain their registrations. Train 10 guides at R2 800 each.	28 000	0.00	The Department supports the funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, and that the amendment of the proposal does link directly to tourism, further additional budget is available to fund the amended project proposal.	28 000

	Tourism professionalism coaching. Coaching for 20 tourism entrepreneurs at R1500 each.	30 000	0.00	The Department supports the funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, and that the amendment of the proposal does link directly to tourism, further additional budget is available to fund the amended project proposal.	30 000
	Bags4Bread: Campaigns to collect bags, and then package, market and sell the products to support sustainability narrative.	20 000	0.00	The Department supports the funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, and that the amendment of the proposal does link directly to tourism, further additional budget is available to fund the amended project proposal.	20 000
	Ida's Valley marketplace consultation and business plan development.	40 000	0.00	The Department supports the funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, and that the amendment of the proposal does link directly to tourism, Further additional budget is available to fund the amended project proposal.	40 000
Sub-Total		263 000	55 000		208 000
Event: Garden Town	Coordinate a 10-day programme of Garden Tours, activation	100 000	50 000	The Department supports the full amount of funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, therefore the additional budget can be supported as such budget is available.	50 000
	Stay and Play Campaigns. Marketing campaigns to drive the message that Stellenbosch is a convenient and	50 000	0.00	The Department supports the funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive	50 000

	warm-hearted destination for the hyper local to visit, stay and play.			impact on the increased tourism numbers, and that the amendment of the proposal does link directly to tourism, further additional budget is available to fund the amended project proposal.	
Sub-Total		150 000	50 000		100 000
Experience Stellenbosch	Digital campaign to position Stellenbosch as the destination for outdoor adventures, adrenalin junkies, mountain bikers and casual cyclists.	80 000	50 000	The Department supports the full amount of funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, therefore the additional budget can be supported as such budget is available.	30 000
	Expand collaboration with cycling clubs, bringing together cycling initiatives and organisations to promote cycling activities and events in and around town.	80 000	0.00	The Department supports the funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, and that the amendment of the proposal does link directly to tourism, further additional budget is available to fund the amended project proposal.	80 000
	Large event bid support.	60 000	0.00	The Department supports the funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, and that the amendment of the proposal does link directly to tourism, Further additional budget is available to fund the amended project proposal.	60 000
Sub-Total		220 000	50 000		170 000
Meet in Stellenbosch	Host Business Tourism Showcase reintroducing Stellenbosch as a Business Tourism Destination.	150 000	0.00	The Department supports the funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, and that the amendment of the proposal does link directly to tourism, further additional budget is	150 000

				available to fund the amended project proposal.	
Sub-Total		150 000	0.00		150 000
Visit Stellenbosch: Visitors Centre	High level international marketing campaign to promote Stellenbosch to key source markets, including Germany, UK, USA etc	350 000	100 000	The <u>Department supports</u> the full amount of funding as previous requested, as the Department could establish through the submission of the quarterly reports from the LTO that this project did have a positive impact on the increased tourism numbers, therefore the additional budget can be supported as such budget is available.	250 000
Sub-Total		350 000	100 000		159 950
Total Additional Funding for 2022 / 2023					787 950.00

Visit Stellenbosch included all the required documentation and information to be considered for the funding as part of the initial application, and also provided motivation for the additional funding. It is further noted that the additional funding must be ring-fenced and used for the following projects with the associated budget as follows:

	PROJECT	PERFORMANCE TARGET	BUDGET
1	Marketing	Stay and Play Stellenbosch	58 000
		Repeat and Referral	43 000
		Street Savvy Stellenbosch <i>including SSI Guarding</i>	91 550
		Community Tourism Video	43 400
		Inside Guide	66 000
		Destination Marketing Tools and Collateral	234 000
Sub-Total			535 950
2	Trade	Meet Stellenbosch	40 000
		Domestic Trade Shows	212 000
Sub-Total			252 000
TOTAL ADDITIONAL BUDGET			787 950

The budget for Marketing: Street Savvy Stellenbosch is aimed creating safety awareness for tourists and visitors to Stellenbosch in the amount of R29 400.00 and also to implement safety measures in conjunction with Stellenbosch Safety Partners ("SSP") in the amount of R62 150.00.

It must further be noted that the Department did not support the two (2) projects related to Journey of Hope and Healing, and the International Trade Shows. The reasons for this was that the proposal for hope and healing was not related to tourism and the International Trade Shows occurred already during February / March 2023. Funding was also allocated to the LTO by Cape Winelands District for the ITB Berlin Trade Show, and therefore this proposal was not supported.

6.2 Financial Implications

A total current budget approved for the allocation of external bodies performing a function of Council for the 2022 / 2023 financial year was R5 771 368 for Local Tourism under ukey 20220630080640.

Additional Funding will be required for funding the requested amount, which will be viremented from savings in the Departmental Operational Budget. The savings exist within the following ukeys:

20220630080634 (LED Direct Support to SMME):	R511 848.00
20220630080633 (Heritage Inventory):	R276 102.00

6.3 Legal Implications

The recommendations in this report comply with Council's policies and applicable legislation and the approved Policy for the Financing of External Bodies Performing a Municipal function.

The applicant is required to submit quarterly reports reflecting accurately the application of the funds allocated and using the reporting template which will be provided by Council to them as specified in the Memorandum of Agreement ("MOA") which they are required to enter into with the Municipality.

6.4 Staff Implications

None

6.5 Risk Implications

Visit Stellenbosch is an entity funded to undertake a function of Council and is therefore also subject to reporting to the Auditor-General in terms of their Annual Financial Statements ("AFS") in terms of the Municipal Finance Management Act, Act 56 of 2000. Therefore, the Department will draft a reporting template to ensure that the financial reporting will be in accordance with the required financial reporting in terms of the relevant Generally Recognised Accounting Practices ("GRAP") and the MOA as signed with Council.

RECOMMENDATIONS BY THE GRANTS COMMITTEE TO COUNCIL: 2023-04-13: ITEM 3.1

that an additional amount of R787 950.00 be allocated to Visit Stellenbosch for the 2022/2023 financial year for the additional projects.

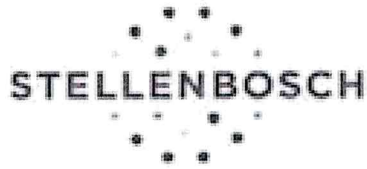
APPENDIX

Appendix 1: Written application / request dated 23 November 2022

FOR FURTHER DETAILS, CONTACT:

NAME	<i>Lesley van Gensen</i>
POSITION	<i>Manager: Economic Development and Tourism</i>
DIRECTORATE	<i>PLANNING AND ECONOMIC DEVELOPMENT</i>
CONTACT NUMBERS	<i>021 808 8179</i>
E-MAIL ADDRESS	Lesley.vangensen@stellenbosch.gov.za
REPORT DATE	<i>16 March 2023</i>

ANNEXURE 1



Suite 224, Postnet X5061, Stellenbosch, 7599
47 Church Street, Stellenbosch, 7600
+27 (0)21 886 4310 ■ +27 (0)21 886 8275
info@visitstellenbosch.org ■ www.visitstellenbosch.org

23/11/2022

Stellenbosch Municipality
Stellenbosch
7600
For attention: Craig Alexander – Snr Manager Local Economic Development

RE: Funding application against the Adjustment Budget 2022/2023

Thank you for your time and favourable consideration. Visit Stellenbosch, as the mandated tourism body on behalf of the Stellenbosch region, has from day one, implemented various campaigns and activations to deliver on its brand promise. This organisation has been working tirelessly to ensure a positive and sustainable relationship with all the role-players across the tourism sector, bringing together wine, restaurants, accommodation and experiences, creating job opportunities, to stimulate and grow the circular economy, as well as keeping Stellenbosch top of mind, attract visitors and travellers.

Supplementary activities for the first quarter of 2023, requiring funding from the adjustment budget will allow Visit Stellenbosch to increase marketing activities through promotional campaigns; engage with travel trade through participation in trade exhibitions and deliver a consumer and media event attracting exposure, promotion of the event as well as attracting visitors to the Stellenbosch area.

All these projects are executable through various tactics to bring maximum benefit for Visit Stellenbosch, its partners and stakeholders and is aligned with our shared strategic objectives with the end goal to bring visitors and guests to Stellenbosch who will stay longer, do more and spend money at local businesses.

Thank you again for your favourable consideration and we look forward to deliver on these exciting projects to the benefit of the tourism sector of Stellenbosch.

With kind regards

Jeanneret Momberg
CEO – Visit Stellenbosch
jeanneret@visitstellenbosch.org

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Summary Projects and budget:

1	Event	Journey of Hope and Healing ✖	R 37,500
2	Marketing	Stay and Play Stellenbosch	R 58,000
3	Marketing	Repeat and Referral	R 43,000
4	Trade	International Trade Shows ✖	R 197,880
5	Trade	Meet Stellenbosch	R 40,000
6	Marketing	Street Savvy in Stellenbosch	R 29,400
7	Marketing	Community Tourism Video	R 43,400
8	Marketing	Inside Guide	R 66,000
9	Trade	Domestic Trade Shows	R 212,000
10	Marketing	Destination Marketing Tools and Collateral	R 234,000
	TOTAL		R 961,180

1. Journey of Hope and Healing | Consumer Event

➤ Introduction

This exciting tourism route offers visitors to Stellenbosch a look into our town's history spotlighting slavery, colonialism, Apartheid and forced removals. Set against the backdrop of our country's turbulent history, this 16 km walk aspires to embrace social justice. While acknowledging past injustices, we commit ourselves to create an environment in which all the communities in Stellenbosch can enjoy the immense benefits of our tourism potential.

➤ Description

This event is hosted by Visit Stellenbosch. Community members, social justice stakeholders, trade and media are invited to learn, share and build relationships, while walking the often-painful history of Stellenbosch from the centre of town, through Ida's Valley to Pniel. On route different beacons of injustices and hope are visited and reflected upon

Scope of project

➤ Tactics

- PR through media guests
- Hosting selected media
- Media release
- Hope and Healing route guide
- Newsletter
- Social media

➤ Goals

- Promoting the walk as a tourism product to trade, focussing on social impact tourism.
- Opportunity for locals to explore the journey of Hope and Healing as a tourism product.
- To introduce the tourism assets of Dwarsrivier and Stellenbosch to its residents.
- Creating a linkage between Stellenbosch town and the Dwarsrivier area.
- Strengthening relationships between different Stellenbosch communities celebrating freedom, history and culture.
- Increased PR and Marketing for destination Stellenbosch showcasing Journey of Hope and Healing as a tourism product and positioning Stellenbosch as an integrated community.
- Increased economic investment in services and service providers

➤ Timeline

- April – June 2023

➤ Budget

Event Logistics	R 350 per person	R 17,500
Transport	R 4,500	R 4,500
Collateral	R 7,500	R 7,500
PR & Social and media management	R 8,000	R 8,000
Campaign totals		R 37,500

2. Stay and Play Stellenbosch | Marketing Campaign

➤ Introduction

Visit Stellenbosch is employing a series of campaigns and tactics to ensure increased awareness for Stellenbosch and its Wine Routes, encouraging visitors and guests to explore the offerings and products that is available in Stellenbosch and ultimately 'stay longer, do more, spend more money and to visit us again soon'.

One such campaign, traversing all seasons, and benefiting all the tourism sectors is Stay and Play. The campaign message focus on attracting visitors and tourists to indulge in multiple-night stays with ample time and opportunity to eat at our restaurants, visit wine farms and taste wine, explore the well-developed outdoors facilities and immerse themselves in the Stellenbosch culture.

➤ Description

Stay and Play is an ongoing marketing campaign targeting hyperlocals, locals, as well as other domestic segments, especially Gauteng to share our message, offerings and attractions.

Visit Stellenbosch is employing several marketing and communication tactics to remind and inspire travellers, visitors and tourists to indulge in all that Stellenbosch has to offer. Additionally, the aim is to persuade visitors to go beyond the half-day, to stay longer and experience the themed attractions any time of the year – winter and summer. Stay & Play is positioning Stellenbosch as the ideal destination that is versatile, suited for multi-generational travel, perfect to celebrate special experiences, while sharing information on not-to-be-missed events or suggest easy itineraries for value-adding experiences, providing an exhilarating break infused with the #warmheart and generous spirit of Stellenbosch.

Scope of Project

➤ Tactics

- Newsletter
- Dedicated social media campaigns
- Social media posts boosted to very specific audiences and segments sharing the message to potential visitors
- Media partnerships

➤ Goals

- Connect with our audiences on a much deeper level
- Create and grow brand awareness with our audience
- Grow an awareness and cultivate a bond that keeps loyal clients here but also create new business opportunities thanks to by-word-of-mouth
- Monitor the brand, the competency and related sectors
- Interact with users on topics related to our destination and offerings

➤ Timeline

- Ongoing, January to June 2023

➤ Budget

Campaign conceptualisation & design	R 3,000 per month	R 18,000
Photography, Videography & design	R 10,000 once off	R 10,000
Social media boosting	R 1,000 per month	R 6,000
Banner and or Google Ads	R 4,000 per month	R24,000
Campaign totals		R 58,000

3. Repeat Referral | International Marketing Campaign

➤ Introduction

Repeat and Referral is employing technology connected to a Google ads campaign, firstly building audiences based on their internet search behaviour and travel preferences to South Africa and Stellenbosch and secondly, utilising opportunities to remarket to these audiences based on their interests. The imagery and language used is strategically based on the travel profiles developed as part of Visit Stellenbosch's communications strategy, and clever use of key search phrases ensures that a very specific segments of international and domestic travellers are targeted.

➤ Description:

The Repeat and Referral will include several messages depending on the user's preferences focussing on our central themes. The depth of experiences is such that a person can visit multiple times, and the shared values are aligned in lifetime experiences, feeling pampered, cultural engagement, adventure and outdoorsy activities. Furthermore, Stellenbosch is only 10 hours by air travel, meaning no jetlag and EU/UK residents don't need a VISA to visit South Africa. The core message is that Stellenbosch is a generous and *gezellige* destination with low communication barriers (bonus that Afrikaans is so similar to Flemish and Dutch).

Scope of Project:

➤ Tactics

- Trade outreach
- Affiliate partners outreach
- Media pitches
- Social media campaign
- Integrated communication plan
- Targeted Google ads campaign
- Custom landing page directing google clicks to the correct products

➤ Goals

- Inspire Dutch, Belgian and German visitors to engage with Stellenbosch as a travel destination.
- Showcase Stellenbosch according to the main themes: wine, food, outdoors, art and culture.
- Word-of-mouth referrals sharing the destination's story to friends and family, inspiring them to visit.

➤ Timeline:

- Ongoing, February and April 2023

➤ Budget – Repeat & Referral:

Update and refresh microsite	R 6,000	R 6,000
Photography, Videography & design	R 10,000 once off	R 10,000
Google ad fees	R 9,000 per month	R 27,000
Campaign totals		R 43,000

4. International Trade Shows | Trade Exhibition

➤ Introduction

One of the core functions of any LTA and one of Visit Stellenbosch's main strategic objectives is destination marketing. This entails the promoting of the destination to existing and potential visitors, media and trade buyers. Our marketing efforts are conversion driven, hence the importance of showcasing our destination to buyers, influencing their consideration, justification and eventually their buying decision by building relationships and offering destination product knowledge. International Trade shows have proven to be one of the most successful tactics reaching and engaging directly with trade buyers from key source markets. In order to optimise our efforts, Visit Stellenbosch is aligning other promotional bodies including (but not exclusively) SA Tourism, Wesgro and Cape Town Tourism in order to leverage on a shared presence at International Trade Shows and amplifying collective messages and undertakings.

➤ Description

A designated exhibitor presence for destination Stellenbosch at international trade shows like for example ITB (Berlin) or Experience Africa (London) with the opportunity to directly access buyers from our source markets and engaging with pre-qualified buyers, with the core objective to drive sales conversions and expanding our trade buyer database.

Scope of project

➤ Tactics

- Securing exhibitor space at a relevant international trade show
- 'Boscher activation at the show
- Pre-engagement newsletter
- Stellenbosch Playbook as a navigating tool
- Social media

➤ Goals

- Positioning destination Stellenbosch as a *must visit destination* in the Cape Winelands, highlighting not only the diversity of our offerings, but also the depth of our experiences.
- Direct access to pre-qualified buyers from target source markets
- Driving sales conversion
- Supplying of destination product knowledge to potential buyers
- Building strong trade relationships
- Expanding our trade database

➤ Timeline

- March - June 2023

➤ Budget

Exhibition participation	R 85,000	R 85,000
Trade marketing packs and Toolkit	R 30,000	R 30,000
Trade and media management pre and post exhibition	R 18,000	R 18,900
Travel and accommodation expenses	R 63,980	R 63,980
Project Total		R 197,880

5. Meet Stellenbosch | Trade Event

➤ Introduction

Business tourism has been identified as a key enabler for economic growth in the Western Cape and this sector creates a great number of temporary and permanent job opportunities throughout the events' supply chain. The direct and indirect economic impact on a destination is vast, benefitting other sectors of the tourism industry, like accommodation, restaurants and experience service providers. DEDAT and Wesgro has identified Stellenbosch as the primary second tier business destination after Cape Town. Our cutting-edge conference facilities, exciting group experiences and proximity to Cape Town and the airport are all factors that amplify and strengthen our position.

➤ Description

Visit Stellenbosch, in partnership with Stellenbosch University's Central Events and Conferencing Office (CECO) will be hosting its second business travel conference in 2023 under the banner of 'Meet Stellenbosch'. At this event we will continue to build on the foundation that Stellenbosch is ideally positioned as a business tourism destination bringing together travel and event professionals and tourism stakeholders, entrepreneurs and hospitality partners. Day one of this conference will be allocated to a speakers' program with extensive networking scheduled in the last portion of the programme. The second day will be dedicated to showcasing meeting and conferencing spaces as well as immersive tours to sample the activities and experiences on offer in Stellenbosch.

Scope of project

➤ Tactics

- Personal engagements with the delegates
- Newsletter
- Social Media
- Media release
- Stellenbosch Playbook

➤ Goals

- Positioning destination Stellenbosch as the primary second tier business destination in the Western Cape
- Mitigate the effects of seasonality by growing the business tourism sector
- Increased economic opportunity created by a growing business tourism sector
- Fostering relations with industry stakeholders and trade

➤ Timeline

- May 2023

➤ Budget

Event Logistics		R 19,000
Transport		R 4,500
Collateral		R 8,500
PR & Social and media management		R 8,000
Campaign totals		R 40,000

6. Safety Program | Marketing

➤ Introduction

Whilst Tourism is a significant contributor to the Stellenbosch's (and indeed the Western Cape's) economy, the impact of crime on tourists threatens to negatively affect our sector.

Crime against tourists impedes tourism by significantly damaging a destination's image and in recent years and months, Stellenbosch has experienced a sharp rise in crime which adversely affects our reputation and standing. Crime, violence and occasional social unrest remain the most immediate and challenging threat confronting Stellenbosch's competitive edge and aspirational brand promise to be a warm-hearted, safe, enjoyable tourist destination, attracting visitors to stay longer and do more.

➤ Description

Pre-Covid, Visit Stellenbosch embarked on a safety campaign, not only educating and informing visitors, but also its members. Apart from information sessions, Visit Stellenbosch developed a printed handout with safety tips and a landing page on the Visit Stellenbosch website communicating travel safety.

With increased criminal activity, not only in Stellenbosch but across the country, Visit Stellenbosch is re-implementing the programme. Aptly named *Street Savvy in Stellenbosch* the campaign will communicate in a visitor-friendly manner, creating awareness and providing important information. Tourism sector representatives will also be educated on what to do if any of their guests were impacted by crime such as 'where to go' and 'what questions to ask/answer' and communicating information in a manner which can assist SAPS and Law Enforcement to identify trends and apprehend criminals.

Scope of project

➤ Tactics

- Restaurant bill folders communicating Give Responsibly and informing on ATM parking scams
- Updated Safety Guides
- White paper content for members to use in their communications and on website
- Educational sessions
- Safety collateral

➤ Goals

- Unite public and private sectors to work together keeping Stellenbosch clean and safe
- Creating awareness of the safety risks without being alarmist
- Communicating security risks
- Promote Give Responsibly
- Grow the Give Responsibly outlet network

➤ Timeline

- Ongoing

➤ Budget

Re-format information		R 5,000
Toolkit and white label content		R 9,000
Printed collateral		R 10,000
Training	2 x R2700	R 5,400
Campaign totals		R 29,400

7. Community Tourism Video | Marketing

➤ Introduction

There is a growing demand for community tourism (formerly known as Township Tourism) products. Speaking to the socially aware visitor, delivering on their desire to engage with locals and explore authentic immersive experiences forms part of the Visit Stellenbosch marketing strategy. Although not represented in all communities the Visit Stellenbosch community tourism products are well developed and we are constantly looking at opportunities to showcase and market these products as part of a diverse Stellenbosch offering. Producing high-quality video material encapsulating community tourism is essential to optimally market this sector.

➤ Description

Produce high quality master advertorial material editable into various versions (different lengths for social media, websites and marketing) and focussing on various themes, showcasing the people, products and heritage of these communities. Clips will be packaged for various audiences and purposes including trade and media, as well as consumers via social media and other digital platforms.

Scope of project

➤ Tactics

- Production of a high quality 5-minute marketing video leveraging the value proposition of community tourism.
- Website
- Social media
- Visit Stellenbosch Trade platform
- Trade shows and destination showcases
- Trade hostings

➤ Goals

- Positioning Stellenbosch as a destination with a compelling community tourism offering.
- Improving the image of Stellenbosch confirming a representative and integrated tourism offering.
- Providing product information to media, trade and visitors eliminating barriers and encouraging sales conversion.

➤ Timeline

- January – June 2023

➤ Budget

Pre-production		R 10,000
Scripts and planning		R 8,000
Filming		R 15,000
Editing		R 10,400
Campaign totals		R 43,400

8. Inside Guide | Marketing

➤ Introduction

The Inside Guide is a curated travel and lifestyle website, featuring the best of what Cape Town and the Cape Winelands has to offer. Whether you're looking for the hottest restaurants in the city, accommodation in the winelands, or a selection of unique and unusual outdoor activities, it is the go-to resource for accurate, honest and well-informed reviews.

➤ Description

Visit Stellenbosch running monthly communication campaigns with Inside Guide, a valuable resource to research and connect some of the best experiences in the Cape Winelands with Locals & Visitors (Using Inside Guide for recommendations on new and transformative experiences), travel operators who use the platform to design packages and tours, hospitality providers, who rely on Inside Guide for tourism intelligence and Social Media Influencers, finding inspiration at Inside Guide. Visit Stellenbosch has an ongoing agreement to ensure our destination content is subscribed to a monthly advertorial package to promote and communicate Stellenbosch offers and information in-line with communication plan Stellenbosch.

Scope of project

➤ Tactics

- Monthly articles on...
- Website: Monthly Advertorial opportunity according to Visit Stellenbosch's communication plan
- Website: Monthly Advertising banners collecting 12,000 views per month across various channels
- Newsletter: Advertorial content shared once a month in Inside Guides newsletter
- Newsletter: Advertising takeover of 2 newsletters over a 12-month period
- Website: promoted in two rounds with posts across the main social channels of Inside Guide.

➤ Goals

- Keeping Stellenbosch top of mind
- Ensuring the assists and products related to the tourism sector is packaged and showcased in an attractive and relevant way
- Pulling traffic to Visit Stellenbosch website and social media channels
- Making it as easy as possible to find information and recommendations on Stellenbosch

➤ Timeline

- Ongoing, January – June 2023

➤ Budget

Monthly Campaign	R11,000	R 66, 000
Design and copy	Included	R 0
Campaign totals		R 66,000

9. Domestic Trade Shows | Trade Exhibition

➤ Introduction

One of the core functions of any LTA and one of Visit Stellenbosch's main strategic objectives is destination marketing. This entails the promoting of the destination to existing and potential visitors, media and trade buyers. Our marketing efforts are conversion driven, hence the importance of showcasing our destination to buyers, influencing the buyers' consideration, justification and eventually their buying decision by building relationships and offering destination product knowledge. Trade shows have proven to be one of the most successful tactics reaching and engaging directly with trade buyers from key focus source markets. One can differentiate between international and domestic trade shows in terms of the audience reached. Domestic trade shows focus on local buyers like *travel agents*, *destination management companies* and *professional event organisers*. SA Tourism sponsors a limited number of hosted international buyers to attend local trade shows mostly representing *agents* and *tour operators*. In order to optimise our effort, we align with the likes of SA Tourism, Wesgro and City of Cape Town and by having a shared presence at Local Trade Shows we can leverage their messages and undertakings.

➤ Description

Participating as a designated exhibitor in three events, providing opportunity for destination Stellenbosch at WTM Africa, Indaba and Meetings Africa. (The latter focuses on Business Tourism.) This creates an opportunity to directly access local buyers with the core objective to drive sales conversions and expanding our trade buyer database.

Scope of project

➤ Tactics

- Securing exhibitor space at a relevant domestic trade events
- 'Boscher Activation at the show
- Pre-engagement newsletter and trade comms
- Stellenbosch Playbook as a navigating tool
- Social media

➤ Goals

- Positioning Stellenbosch as a destination with a compelling community tourism
- Sharing all the offerings and products available in Stellenbosch according to theme
- Influence local buyers, travel agents, and tour operators
- Grow trade database

➤ Timeline

- January – June 2023

➤ Budget

Participation fees (subsidised)	R20,000 per event	R 60,000
Toolkit and mictosite	R 9,000 per event	R 27,000
Activations and Advertising	R25,000 per event	R 75,000
Travel and Accommodation costs	R16,000 per event	R 50,000
Campaign totals		R 212,000

10. Destination Marketing Tools and Collateral | Marketing

➤ Introduction

It is essential for an LTA to employ innovative, smart and effective solutions to attract buyers and travellers to the region, to not only support and grow the regional tourism trade, but also facilitate new enterprise and bring about economic opportunities and find ways to facilitate an environment where business is seamless and effortless.

➤ Description

On a broader scale, marketing a destination we are competing not only with destinations close-by, but with destinations around the world and it is critical that a destination marketing agent is equipped with the best tools to promote the region.

Scope of Project:

➤ Tactics

- Maps printed and online
- Stellenbosch in-destination guide
- Ongoing Website Maintenance
- Iconic Image gallery
- Maintain, update and refresh online publications (Playbook, "Boscher pages, Itinerary Inspiration)
- Trade marketing Tool
- Stellenbosch Bid Book content and assets

➤ Goals

- Ensuring the customer journey remains convenient and easy
- Making sure that information is easily accessible with an up-to-date and effective website
- Making sure that that Stellenbosch is portrayed in the best possible way
- Ensuring that a range of tools and resources are available to enable other people to sell Stellenbosch

➤ Timeline

- Ongoing

➤ Budget

Maps – printed and online	R 15,000 per print run	R 75,000
Stellenbosch in-destination guide	R 50,000	R 50,000
Stellenbosch Guide distribution	R 7,000 per month	R 42,000
PR & Social and media management	R 8,000	R 8,000
Iconic Image Gallery	R 35,000	R 35,000
Campaign packs and tools	R 4,000 per update	R 24,000
Campaign totals		R 234,000

7.11.3	ADOPTION OF THE NEW ANTI-FRAUD AND CORRUPTION PREVENTION PLAN 2023/24
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Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

19 April 2023

1. SUBJECT: ADOPTION OF THE NEW ANTI-FRAUD AND CORRUPTION PREVENTION PLAN 2023/24

2. PURPOSE

To adopt the new Anti- Fraud and Corruption Prevention Plan 2023/24.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Fraud, corruption, criminal activity, maladministration and/or negligence is an ever-present threat to public resources. Stellenbosch Municipality is committed to a process of ethical governance, fraud risk management and consequence management that is aligned to the principles of the Local Government: Municipal Finance Management Act 56 of 2003, Local Government Systems Act 32 of 2000 and other related legislative, regulatory and policy frameworks.

Stellenbosch Municipality subscribes to principles of good corporate governance underpinned by values of honesty, good ethics, and transparency. This Municipality is therefore committed to creating and nurturing a culture of zero tolerance toward unethical conduct, corruption, and fraud.

5. RECOMMENDATION

that Council adopts the new Anti-Fraud and Corruption Prevention Plan 2023/2024 which replaces the Anti-Fraud and Corruption Prevention Plan as approved by Council in 2018.

6. DISCUSSION / CONTENT

6.1 Background

This submission aims to replace the Anti-Fraud and Corruption Prevention Policy of 2018 with the new Anti-Fraud and Corruption Prevention Plan of 2023/24 in line with recommendations from management, the Risk & Fraud Committee as well as the Audit and Performance Committee.

The new Anti-Fraud and Corruption Prevention Plan which is aligned to the Consequence Management Policy aims to assist Stellenbosch Municipality in the prevention, detection, investigation and sanctioning of fraud, corruption, unethical behaviour, and instances of gross negligence that might result in damage or loss to the Municipality. Methods will be continually explored to apply consequence management to deter such behaviour.

6.2 Discussion

Through this new Anti-Fraud and Corruption Prevention Plan, Stellenbosch Municipality is recommitting itself to clean governance at all levels of the organisation which will be strictly applied with no discrimination or favour to any individual. All complaints received of fraud and corruption will be investigated to ensure that instances of fraud and corruption are reduced at all levels of Stellenbosch Municipality.

6.3 Financial Implications

None.

6.4 Legal Implications**Section 60 of the MFMA****Municipal Managers to be accounting officers**

“The Municipal Manager of a municipality is the accounting officer of the municipality for the purposes of this Act, and, as accounting officer, must –

- (a) Exercise the functions and powers assigned to an accounting officer in terms of this Act; and
- (b) Provide guidance and advice on compliance with this Act to –
 - (i) The political structures, political office-bearers and officials of the municipality:

Section 62 of the MFMA**General Financial Management Functions**

- (1) The accounting officer of a municipality is responsible for the managing of financial administration of the municipality, and must for this purpose take all reasonable steps to ensure –
- (c) that the municipality has and maintains effective, efficient and transparent systems –
 - (i) of financial and risk management and internal control; and
 - (ii) of internal audit operating in accordance with any prescribed norms and standards;
- (d) that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented;
- (e) that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15.

6.5 Staff Implications

No staff implications.

6.6 Previous / Relevant Council Resolutions**17th Council Meeting: 2018-05-23: Item 7.10.1**

- (a) that Council adopts the New Anti-Fraud and Corruption Prevention Policy 2018/19; and
- (b) that the Fraud and Corruption Policy be approved by Council on 25 June 2015 be replaced with this new policy

6.7 Risk Implications

The risk implications are addressed in the item.

6.8 Comments from Senior Management

Supported.

ANNEXURE:

Annexure 1: New Anti-Fraud and Corruption Prevention Plan 2023/24

FOR FURTHER DETAILS CONTACT:

NAME	Helena Priem
POSITION	Chief Risk Officer
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021-8088157
E-MAIL ADDRESS	Helena.priem@ Stellenbosch.gov.za
REPORT DATE	2023 -04-12

ANNEXURE 1



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

ANTI- FRAUD & CORRUPTION PREVENTION PLAN

Review 2023/24



FOREWARD

Fraud, corruption, criminal activity, maladministration and/or negligence is an ever-present threat to public resources. Stellenbosch Municipality is committed to a process of ethical governance, fraud risk management and consequence management that is aligned to the principles of the Local Government: Municipal Finance Management Act 56 of 2003, Local Government Systems Act 32 of 2000 and other related legislative, regulatory and policy frameworks.

Stellenbosch Municipality subscribes to principles of good corporate governance underpinned by values of honesty, good ethics, and transparency. This municipality is therefore committed to creating and nurturing a culture of zero tolerance toward unethical conduct, corruption, and fraud.

The new Anti-Fraud and Corruption Prevention Plan which is aligned to the Consequence Management Policy aims to assist Stellenbosch Municipality in the prevention, detection, investigation and sanctioning of fraud, corruption, unethical behaviour, and instances of gross negligence that might result in damage or loss to the municipality. Methods will be continually explored to apply consequence management to deter such behaviour.

Through this new Anti-Fraud and Corruption Prevention Plan, Stellenbosch Municipality is recommitting itself to clean governance at all levels of the organisation which will be strictly applied with no discrimination or favour to any individual. All complaints received of fraud and corruption will be investigated to ensure that instances of fraud and corruption are reduced at all levels of Stellenbosch Municipality.

Stellenbosch Municipality encourages anyone who may suspect fraud, corruption, and unethical behaviour to inform their immediate supervisor, any member of management, the Municipal Manager, the Executive Mayor, the Speaker (in case of Councillors) or members of the Fraud and Risk Management team. We further encourage anyone to make use of the municipal fraud hotline (0800 111 027) to report fraud, corruption, or any forms of financial misconduct. All those involved are encouraged to do so responsibly.

MUNICIPAL MANAGER

Geraldine Mettler

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1 INTERPRETATION AND GLOSSARY OF TERMS

The headings of the clauses in this Plan are for the purpose of convenience and reference only and shall not be used in the interpretation of nor modify nor amplify the terms of this Policy, nor any clause hereof, unless a contrary intention clearly appears: -

1.1 Words importing: -

1.1.1 Any one gender include the other gender;

1.1.2 The singular includes the plural and vice versa; and

1.1.3 Natural persons include created entities (corporate or unincorporated) and the state and vice versa.

1.2 When any number of days is prescribed in this Plan, same shall be reckoned exclusively of the first and inclusively of the last day unless the last day falls on a Saturday, Sunday or public holiday, in which case the last day shall be the next succeeding day which is not a Saturday, Sunday or public holiday;

1.3 When figures are referred to in numerals and in words, if there is any conflict between the two, the words shall prevail;

1.4 Expressions defined in this Plan shall bear the same meanings in schedules or annexures to this Plan which do not themselves contain their own definitions; and

1.5 Where any term is defined within the context of any clause in this Plan, the term so defined, unless it is clear from the clause in question that the term so defined has limited application to the relevant clause, shall bear the meanings ascribed to it for all purposes in terms of this Plan, notwithstanding that, that term has not been defined in this interpretation clause.

1.6 The following terms shall have the meanings assigned to them hereunder and cognate expressions shall have corresponding meanings, namely: -

AC	Audit and Performance Committee established in terms of Section 166 of the MFMA
AO	Accounting Officer of the municipality; Municipal Manager
CAE	Chief Audit Executive of the Stellenbosch Municipality
CRO	Chief Risk Officer
Code of Conduct for Councillors	Code of Conduct for Councillors contained in Schedule 1 of the Local Government: Municipal Systems Act, Act 32 of 2000
Code of Conduct for Municipal Staff Members	Code of Conduct for Staff Members of the City contained in Schedule 2 of the Local Government Municipal Systems, Act 32 of 2000
Consequence Management	The process put in place to effectively deal with fraud, corruption, misconduct, and financial misconduct, which includes internal municipal processes and criminal proceedings
Consequence Management Policy	A defined, appropriate approach to address accountability and responsibility for, inter alia, non-compliance, financial misconduct, and codes of conduct/ethical dilemmas, required formalisation in the Municipality. While not designed to alter or add consequence to specific situations of non-compliance, this Policy aims to formalise and consolidate the principles of consequence management which encompasses remedial and recourse measures.
Corporate Governance	Corporate governance concerns the relationships among the management, Council, Stakeholders and employees or

workers of the municipality. Good corporate governance contributes to sustainable economic development by enhancing the performance of the municipality and increasing access to outside capital.

Corruption

Any conduct or behaviour where a person accepts, agrees, or offers any gratification for him/her or another person where the purpose is to act dishonestly or illegally. Such behaviour also includes the misuse of material or information, abuse a position of authority or a breach of trust or violation of duty

Council

Municipal Council of the municipality as referred to in section 157(1) of the Constitution.

Councillor

Councillor of the Municipal Council as elected.

Criminal Action

Legal proceeding in which the state prosecutes a person who is charged with an offence.

CRO

Chief Risk Officer of the Stellenbosch Municipality

Delegation

A power or function as determined by the municipality's approved System of Delegation.

**Department
Business Plan**

The plan at departmental level linking the department's Activities to the IDP and budget.

**Designated
Official/Body**

Means the official/body is the identified in a municipality to receive reports of allegations of fraud, corruption, or financial offences.

Director	A position created in terms of section 56 of the Municipal Systems Act on the approved managerial structure of Stellenbosch Municipality.
Executive Mayor	The Executive Mayor of the municipality as defined in the Structures Act, any successor-in-title, or any duly appointed nominee.
Financial Misconduct	Means any act of financial misconduct referred to in section 171 of the Municipal Finance Management Act (MFMA).
Financial Offence	Means any offence referred to in section 173 of the MFMA.
Fraud	Lawful and intentional false representation or concealment of a material fact with the aim of illegally obtaining financial and/or other benefit for personal enrichment.
Fraud Response Team	Will be deemed to include the Municipal Manager, Chief Risk Officer, Fraud Hotline; Legal Services Advisory Support.
Induce	To persuade, encourage, coerce, intimidate, or threaten or cause a person to commit an act against their will.
Integrated Development Plan	A plan envisaged in section 25 of the Municipal Systems Act
Investigator	Means the person, team, appointed service provider or law enforcement entity conducting a full investigation and misconduct.
Law	Means the common law, Constitution of the Republic of South Africa, any applicable statutes, proclamation, regulation, rule, notice, judgment or order and any interpretation of any of them by any Court or applicable

tribunal, and any applicable guidance, direction, code of practice or other determination by which the Municipality, municipal official, the public and business are bound.

Management

Includes all senior managers and managers

Municipal Council

Means municipal council as democratically elected as referred to in section 157 of the Constitution

MFMA

Local Government: Municipal Finance Management Act 56 of 2003, including any regulations made i.t.o. of this legislation

**Municipal
Manager**

Municipal Manager of the Stellenbosch Municipality i.t.o. section 55 of the Municipal Systems Act

Municipality

Stellenbosch Municipality, a local municipality established in terms of section 12 of the Structures Act

**Municipal
Structures Act**

Local Government: Municipal Structures Act No. 117 of 1998, as amended

**Municipal Systems
Act**

Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), as amended

SDBIP

Service Delivery and Budget Implementation Plan - Detailed annual plan to implement the IDP and the budget

Senior Managers

Appointed Manager i.t.o. section 56 of the Municipal Systems Act; includes persons acting in the capacity of a section 56 manager.

Service Providers	specialised advisory services, external investigators, external audit services appointed to assist with the process of fraud, corruption, and consequence management
Strategic Focus Area	Medium term goal aligned to the long-term strategy
Remuneration	Duty to disclose remuneration

2 REGULATORY ENVIRONMENT

This Policy must be read together with, and be interpreted consistently with, the other relevant legislation and council approved documents, including but not restricted to the:

- (a) Prevention and Combating of Corrupt Activities Act (No. 12 of 2004)
- (b) Promotion of Access to Information Act (No. 2 of 2000)
- (c) Promotion of Administrative Justice Act (No. 3 of 2000)
- (d) Protected Disclosures Act (PDA) (No. 26 of 2000)
- (e) Public Finance Management Act (PFMA) (No. 1 Of 1999)
- (f) Municipal Finance Management Act (MFMA) (No. 56 2003)
- (g) Financial Intelligence Centre Act (FICA) (No. 38 of 2001)
- (h) MFMA Regulation on Financial Misconduct (No. 430 of 2014)
- (i) Code of Conduct for Councilors in terms of Schedule 1 of the Municipal Structures Act (No. 32 of 2000)
- (j) Code of Conduct for Municipal Staff Members in terms of Schedule 2 of the Municipal Structures Act (No. 32 of 2000)
- (l) Stellenbosch Municipality Risk Management Policy.
- (m) Stellenbosch Municipality System of Delegations.

3 PRINCIPLES AND OBJECTIVES OF ANTI-CORRUPTION AND FRAUD PREVENTION

- 3.1 The Municipality's agenda is to focus its efforts on the following processes and objectives:
 - 3.1.1 Create and nurture a culture of ethical conduct in managing resources of the municipality and intolerance to fraud, corruption and financial misconduct;
 - 3.1.2 Understand the fraud risks that can undermine the institution's service delivery / business objectives;
 - 3.1.3 Encourage a culture within the Municipality where all municipal officials, members of the public and other stakeholders continuously behave with and promote integrity in their dealings with or on behalf of the Municipality;
- 3.2 Create a culture within the Municipality which is intolerant to unethical conduct, corruption, and fraud by:
 - 3.2.1 Strengthening community participation in the fight against corruption and fraud in the Municipality;
 - 3.2.2 Reduce exposure to liability, sanctions and litigation that may arise from violations of law or stakeholder expectations;
 - 3.2.3 Strengthening relationships with key stakeholders that are necessary to support actions required to combat corruption and fraud in the Municipality;
 - 3.2.4 Create an environment where all staff members and Councillors at all times act with honesty, integrity and to safeguard the Municipal resources for which they are responsible for;
 - 3.2.5 Appropriate action, including criminal action, will be taken against any person who attempts to or assists with committing fraud, corruption and other criminal activity including but not limited to:
 - 3.2.6 Putting measures in place to prevent and detect fraud as and when it occurs;
 - 3.2.7 Investigating instances of fraud, corruption and financial misconduct;
 - 3.2.8 Taking appropriate action in the event of such irregularities, e.g., disciplinary action, recovery of losses, prosecution, etcetera;

3.2.9 Developing a system of consequence management and apply appropriate sanctions;

3.2.10 Prohibition from further employment within the municipality and in the case of suppliers of goods and services, blacklisting in terms of the Supply Chain Management Policy and Regulations.

4 ETHICS

4.1 The ethical climate of an organisation is an essential element in establishing its credibility and furthering its mission. organisational culture that takes ethical considerations into account at every point and cannot be produced simply by having Council lay down a code; ethical principles must arise from consultation with and responsiveness of the municipality's council, municipal manager, senior managers, employees and stakeholders.

In addition, the processes to embed workplace ethics include, but are not limited to:

- ethics awareness for new employees;
- anti-corruption and ethics awareness training for existing staff;
- broad-based dialogue on ethics;
- communication and articles on ethical matters;
- mechanisms for confidential disclosure and reporting of ethical issues that require investigation;
- advisory service on ethical dilemmas or matters requiring interpretation of ethics related policies and procedures;
- collaboration on and sharing of best practices with other institutions;
- monitoring the ethical culture, risk profile and the role of ethics;

and • monitoring of and coordinating with role-players/stakeholders regarding the processes relating to declaration of interests, applications to undertake private work and gift receiving.

5 APPLICATION AND SCOPE

- 5.1 The Plan applies to all fraud, corruption, theft, financial misconduct, or suspected irregularities of this nature.
- 5.2 This Plan is applicable to the Stellenbosch Municipality and related joint ventures entered, which may involve the following persons or entities:
 - 5.2.1 All municipal staff;
 - 5.2.2 Consultants, suppliers, contractors and other providers of goods or services to the Municipality;
 - 5.2.3 Community structures, organisations' and other parties receiving services from the Municipality.
- 5.3 This Plan aims to provide a framework for consequence management, without excluding any sanctions that might be applicable through other forms of legislations.
- 5.4 Appropriate action, including criminal action, will be taken against any person employed by the municipality that is involved in, or assists with committing fraud, corruption and other criminal activity, maladministration and/or negligence.
- 5.5 Any allegations of fraud, corruption, theft financial misconduct or suspected irregularities of this nature against the Municipal Manager and section 56 Managers i.t.o. of the Municipal Systems Act of 2000, will be dealt with in terms of the Local Government Disciplinary Regulations for Senior Managers of 2010 and MFMA Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings of 2014 and not in terms of this strategy.

6 ANTI-CORRUPTION AND FRAUD PREVENTION

- 6.1 As instances of fraud, corruption and financial misconduct remain a constant threat to public trust and confidence, it becomes essential to recognise fraud risk management as an integral part of strategic management. Stellenbosch Municipality is therefore adopting a comprehensive approach to the management of fraud risks.

- 6.2 Failure by any employee, institution or individual within the service of the municipality to comply with this plan could result in disciplinary as well as criminal action being taken against that individual.
- 6.3 It is expected that all personnel will adhere to this Anti-Corruption and Fraud Prevention Plan.
- 6.4 It is the intention that individual personnel, as well as business units will work together in a consistent and integrated manner, with the overall objective of reducing fraud risk.

7 RESPONSIBILITIES OF STAKEHOLDERS

7.1 Council

Council has a duty for setting the tone at the top by:

- (a) Considering and adopting an Anti-Fraud and Corruption Prevention Plan for the Municipality;
- (b) Regularly reviewing and amending, if necessary, the Anti-Fraud and Corruption Prevention Plan, if and when required;
- (c) Abiding by the code of conduct and code of ethics of the Council;
- (d) Performing oversight functions that support the implementation of the Anti-Fraud and Corruption Prevention Plan of the Municipality;
- (e) Providing support to the Municipal Manager and the efforts of the management team to implement the Anti-Fraud and Corruption Prevention Plan;

7.2 Councillors

Councillors have a fiduciary responsibility to the Municipality, including a duty to promote the reputation and business of the institution.

- (a) Councillors may not derive personal gain at the expense of or because of their relationship with the Municipality.
- (b) Councillors are further required to declare their interests in terms of the Systems Act.
- (c) It is the responsibility of every Councillor who suspects that fraud or corruption or irregularity has been attempted or committed, to immediately report their suspicion to the Speaker of Council.

7.3 Municipal Manager

The Municipal Manager, as the Accounting Officer, is responsible for ensuring that anti-corruption and fraud prevention measures are implemented within the Municipality by:

- (a) Ensuring that the Municipality develops and implements an Anti-Fraud and Corruption Prevention Plan;
- (b) Overseeing the implementation of prevention, detection, investigation of fraud and ensure appropriate resolution measures are implemented in respect of fraud and corruption within the Municipality;
- (c) The Municipal Manager is accountable for managing fraud and all the platforms required for the effective and efficient management of fraud prevention and consequence management in accordance with this plan.

7.4 Management

Management includes all Directors appointed i.t.o. section 56 of the Municipal Systems Act, Senior Managers and Managers.

- (a) The overall responsibility of managing fraud risk is vested with the Municipal Manager and the Directors of the municipality.
- (b) Management plays a key role in the prevention of fraud and corruption, and fulfills this responsibility through the establishment, implementation, and continued operation of suitable internal controls. Further to this Management plays a critical role in leading with the correct “tone at the top” by:
 - (c) Creating a corruption and fraud aware culture, where it is clear that corruption and fraud will not be tolerated, and that all instances of fraud and corruption will be dealt with swiftly and will be appropriately sanctioned;
 - (d) Implementing the Anti-Corruption and Fraud Prevention Plan of the municipality, as reviewed and amended from time to time;
 - (e) Share the Municipality’s strategies and policies in respect of fraud and

corruption with all staff members;

- (f) Report incidents or suspicions of fraud, corruption or irregularities;
- (g) Ensuring the practical realisation of the principles of prevention, detection, investigation;
- (h) Ensure that adequate internal controls are implemented, and appropriate systems and processes are in place to prevent and detect fraud and corruption or any forms of irregularities;
- (i) Investigating all instances of fraud, corruption and financial misconduct brought to their attention with equal diligence and vigour;
- (j) Monitor the implementation and application of the Anti-Fraud and Corruption Prevention Plan and ensure adequate supervision and dynamism of the controls and procedures;
- (k) Review the process implemented by management in respect of anti-corruption and fraud prevention and ensure that all fraud, corruption and instances of irregularities have been followed up appropriately;
- (l) Ensure that an appropriate fraud and corruption risk assessment is completed;
- (m) Ensure that reports of fraud, corruption and misconduct are effectively handled and that consistent and appropriate action is taken on known incidents;
- (n) Ensure proper reporting in terms of applicable guidelines on all instances of fraud and fraud risks reported;
- (o) After an investigation is completed, submit a report to the Municipal Manager indicating the results of the investigation and whether there are cause to:
 - Dismiss such allegations as frivolous; or
 - Whether a need exists for a thorough disciplinary process to be undertaken.
- (p) Ensure adherence to all reporting requirements to ensure that instances of fraud, corruption and irregularities are effectively investigated and

resolved.

7.5 Fraud Response Team

- (a) The Fraud Response Team will consist of the Municipal Manager as Accounting Officer, the Chief Risk Officer, Legal Services Advisory Support.
- (b) The Fraud Response Team is authorized to assist in providing overall assurance to Council, the Audit and Performance Audit Committee and other combined assurance advisory bodies in a manner that is commensurate with this Plan and principles of Combined Assurance.
- (c) The Fraud Response Team ensures that reports on fraud, corruption and misconduct are effectively handled, and that consistent and appropriate action is taken. Review the anti-corruption and fraud prevention plan and recommend for approval by Council;
 - (a) Develops, together with other role players, the anti-corruption and fraud prevention policy, terms of reference and standard operating procedures;
 - (b) Include a focus on fraud and corruption risks during risk identification and assessments;
 - (c) Assist management in developing responses for fraud and corruption risks;
 - (d) Facilitate presentations and working sessions relating to fraud and corruption risks to promote awareness and the ethics and integrity standards required by the Municipality.
 - (e) Report identified incidents of fraud or corruption to Management, Directors, or the Municipal Manager.
 - (f) Evaluate the effectiveness of the implementation of the anti-corruption and fraud prevention plan;
 - (g) Monitor the implementation of the plan and application of the plan and ensure adequate supervision and dynamism of the controls and procedures;
 - (h) Review the process implemented by management in respect of anti-corruption and fraud prevention and ensure that all fraud and corruption related incidents have been followed up appropriately;

- (i) Ensure that an appropriate fraud and corruption risk assessment is completed;
- (j) Receive, review, process and manage all complaints from the fraud hotline, internal and external tip-offs received;
- (k) Report quarterly to the Audit Committee, summarising the Municipality's corruption and fraud prevention, detection, and action for the period.
- (l) Can appoint service providers when required.

7.6 Staff

- (a) The staff (permanent, contract and temporary) of the Municipality are responsible for:
- (b) Abiding by the code of conduct and code of ethics of the Municipality;
- (c) Reporting incidents or suspicions of fraud and corruption;
- (d) Participating in initiatives to prevent, minimise, detect and investigate fraud;
- (e) Avoiding and declaring conflicts of interest;
- (f) Abiding by the code of conduct of the municipality and the Fraud Prevention and Anti-Corruption Plan of the municipality.

7.7 Suppliers, Contractors, Service Providers and Consultants

- (a) Suppliers, contractors and consultants are expected to act honestly and fairly in all their dealings with Stellenbosch Municipality.
- (b) Failure to do so may result in one or more of the following:
 - (a) the cancellation or suspension of any tenders or contracts awarded to them;
 - (b) restriction i.t.o. of the Combatting of Abuse in the Supply Chain Management System Policy; and
 - (c) Being reported to the South African Police Services (SAPS).

7.8 Audit and Performance Committee

The audit committee will be responsible for the following:

- (a) Advise the Municipal Council, political office bearers, the accounting officer and management staff of the Municipality on matters relating to good governance, fraud and corruption;
- (b) Review the progress made with the implementation of the anti-corruption and fraud prevention plan of the Municipality.

7.9 Internal Audit

Internal Audit will be responsible for the following:

- (a) Internal Audit is responsible for the provision of an independent and objective opinion on the adequacy and effectiveness of risk management, control and governance processes which includes the fraud and corruption management processes.
- (b) The adequacy of arrangements for managing the risk of fraud and ensuring that the Municipality promotes an anti-fraud culture is a fundamental element in arriving at an overall opinion.

7.10 Community

Role of the community:

- (a) The Municipality also recognizes the important role of the Greater Stellenbosch community and public at large to contribute to an environment that is free of corruption and other irregularities.
- (b) In the event that members of the community wish to remain anonymous, they may contact the external fraud Hotline (0800 111 027) to report the matter.

8 REPORTING

- 8.1 The Municipality commits itself to establish appropriate structures to enable reporting of fraud or corruption by municipal staff, Councillors, municipal service providers, consultants whilst delivering work on behalf of the

municipality and the community, in accordance with applicable legislation.

- 8.2 Reporting Structures includes:
- 8.3 The Fraud Hotline
- 8.4 Tip offs officially reported to the Fraud Response Team, or the Management Team;
- 8.5 All instances of fraud, corruption and unethical behavior reported will be registered in the official municipal Fraud Register, which will be updated, managed and tracked by the Fraud Response Team;
- 8.6 Instances of fraud, corruption and unethical behavior reported against a Councillor will be reported to the Speaker of the Council and will be dealt with in terms of the Code of Conduct for Councillors;
- 8.7 Instances of fraud, corruption and unethical behavior reported against the Municipal Manager and Directors will be reported to Council, and will be dealt with in terms of the Local Government Disciplinary Regulations for Senior Managers of 2010 and MFMA Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings of 2014;
- 8.8 Instances of fraud, corruption and unethical behavior reported against a Senior Manager, or a manager will be reported to the relevant Director or Municipal Manager (depending on the reporting lines) and will be dealt with in terms of this Plan;
- 8.9 Instances of fraud, corruption and unethical behavior reported against staff members can be reported directly to the relevant Manager and/or Senior Manager, to the Fraud Response Team or through the fraud hotline and will be dealt with in terms of this Plan.

9 CONSEQUENCE MANAGEMENT – POLICY DIRECTIVES

The municipality must create an environment and culture that promotes ethical, transparent, effective, and efficient public administration that conforms to the Constitutional accountability principles.

In line with the municipalities zero-tolerance to fraud and corruption, culpable behaviour will not be tolerated and corrective measures, including disciplinary action, where merited, will be taken.

The phases of the Municipality's consequence management can be depicted as follows:

Phase 1: Risk/Issue Reporting

This phase deals with the reporting of issues (various incidents and red flags), risks and opportunities identified.

Reporting that can have a potential negative impact on the effectiveness and efficiency of the Municipality's operations, the reliability of its reporting (financial and non-financial) and compliance with the applicable laws and regulations, can be identified from various sources, including the following:

- Public complaints;
- Whistle Blowers;
- Declaration of interest councillors;
- Declaration of interest employees;
- Risk Registers
- Combined Assurance Plan
- Reports from the Municipality's combined assurance providers and;
- Reports from the Office of the Auditor – General

Phase 2: Control Activities

This phase focus on the identification and implementation of remedial actions to be taken to curtail and prevent the issue, risk or opportunity from re-occurring. Remedial actions need to ensure control improvements to the Municipality's systems and processes as well as personnel conduct.

Remedial actions in the context of this consequence management efforts can be identified from documented processes of various existing management tools such as:

- Management actions included in Municipal Risk Registers;
- Management actions included on the Combined Assurance Plan;
- Recommendations and agreed management actions included in reports from second level assurance providers (i.e legal services, OH&S etc);
- Recommendations and agreed management actions included in assurance reports from 3rd and 4th level assurance providers (i.e. Internal Audit, Forensic Services – Investigations, Ethics – Investigations, Auditor-General of South Africa and other external assurance providers);
- Directives issued by the Office of the Municipal Manager or CFO;
- Municipal Manager correspondence directed to Executive Management team members;
- Recommendations included in reports from independent investigators appointed by the Municipal Manager (sourced service providers);
- Recommendations from advisory and oversight bodies – MPAC, Financial Misconduct Disciplinary Board, APAC etc;
- Resolutions by Council and Council Committees; and
- Directives and Instructions issued by Provincial and National Treasury.

The establishment and enforcement of control activities is the responsibility of line management, who have an intrinsic duty to fulfill their job function, powers, and delegations in a responsible manner.

Phase 3: Information and Communication

After issues (various incidents and red flags), risks and opportunities have been identified and reported to the first line of defence to action (refer to phase 1), key r significant cases may need to be reported or escalated to the relevant advisory or oversight bodies as per their specific terms of reference or delegations.

Important is to keep these bodies informed of:

- significant issues;
- emerging trends;

- escalating requirements;
- unresolved risk exposures.

Stakeholders have an expectation of the governance structures in the municipality to exercise good governance. Sometimes however, such governance structures could form part of the decision-making chain and thus are required to make the final decision or final recommendation to Council. Oversight bodies could include the Risk and Fraud Committee, APAC, MPAC, Financial Misconduct Disciplinary Board, Executive Mayor, Speaker and Council.

Phase 4: Monitoring and Reporting

Comprehensive systems must be implemented to track and follow-up the implementation of all remedial actions stemming from the various role players in the consequence management process.

This is to:

- Ensure that risk exposures have been adequately and timely addressed to curtail the impact and prevent the issue, risk and/or opportunity from re-occurring; and
- Assist the advisory and oversight bodies in their assessment of the effectiveness of consequence management in the municipality, enable them to provide assurance to the stakeholders in this regard.

It is therefore the responsibility of:

- Those recommending the remedial actions; and
- The Directors, in the case of the municipal manager issuing directives to ensure that;
- The implementation of corrective action is tracked and monitored; overdue actions are reported on; and

- Follow ups are performed to confirm/verify successful implementation of corrective action.

The following practices should be applied to ensure a comprehensive tracking and follow up processes are implemented:

- Registers should be maintained by each role-player responsible for making recommendations, documenting the issues (various incidents and red flags), risks and opportunities and related remedial actions, including the estimated implementation date and responsible action owners;
- Nominated representatives should be in each directorate to provide information with regards to the status of implementation of remedial actions relevant for their directorate;
- Role players should provide feedback to representatives in terms of the implementation status of remedial actions, and escalate those that are overdue to the next reporting level or delegated authority, if necessary;
- Perform follow-ups/checks to confirm whether remedial actions have indeed been implemented/actioned successfully to the responsible officials;
- Successful implementation of remedial actions can be measured in terms of a key operating indicator on Directors' and Directorate performance scorecards; and
- Progressive reporting to the appropriate delegated authority and advisory oversight bodies who can be tasked to act against management for tardiness (failure to implement the remedial action (s) successfully and timeously).

Phase 5: Conclusion/closure

This phase deals with the correct application and appropriate disclosure of remedial actions. Remedial actions impacting the control objectives i.e the efficiency and effectiveness of the municipality's operations, the reliability of the municipality's reporting (financial and non-financial), the

municipality's compliance to legislation, regulations, policies, and procedures; will be disclosed in the following formats:

- Second level combined assurance providers reports;
- Internal Audit Assurance reports (including quarterly reports to A&PC);
- AGSA report;
- Corporate Performance Scorecards;
- Municipal Manager and Directors' Personal Performance Scorecards;
- Municipality's Integrated Annual Report;
- Municipality's Annual Financial Statements;
- Municipality's Annual Oversight Report;
- Management Responsibility Letter;
- Combined Assurance Reporting;
- Internal Control Environment report; and
- Governance Committee Annual reports.

To ensure that Council and its officials take ownership and accountability for the good financial management of the municipality, the following corporate documents need be periodically updated to incorporate aspects of consequence management:

- Council – accountability and/or responsibility in respect of oversight role and/or decision making role regarding consequence management to ensure good corporate governance;
- IDP – refer to consequence management as a key initiative under the strategic pillar;
- Directorate and department business plans – commitment in respect, responsibility and/or accountability regarding consequence management to ensure good corporate governance; and
- Service Delivery Budget and Implementation Plan – inclusion of a consequence management key performance indicator.

Managing compliance encompasses making appropriate rules that are known, understood and followed and for which consequences of non-compliance are clear and commensurate with risk and context.

10 RECOVERY OF LOSSES

- 10.1 The Municipal Manager must investigate the potential and cost implications for recovering losses suffered by the Municipality due to fraud and/or corruption and, depending on the outcome of the investigation, institute legal action against the offending parties to recover losses.

11 SANCTIONS

- 11.1 The sanction imposed may include any or a combination of the following, with or without conditions:
- 11.1.1 Suspension without pay for no longer than 3 months;
 - 11.1.2 Demotion;
 - 11.1.3 Transfer to another post;
 - 11.1.4 Reduction in salary, allowances or other benefits
 - 11.1.5 An appropriate fine;
 - 11.1.6 Dismissal;
 - 11.1.7 Repayment of losses to the municipality, as quantified.

12 PROTECTION OF WHISTLE BLOWERS

- 12.1 A person who reports suspected corruption and/or fraud may remain anonymous should he/she so desire. It must however be kept in mind though that the investigation could reveal the source of the information.
- 12.2 The Municipality is committed to the highest standards of openness, ethical behaviour, integrity, and accountability. The Municipality aims to promote a culture in which employees feel able to raise genuine and valid concerns without fear of victimisation, discrimination, or disadvantage. Members of the public and service providers are also encouraged to raise concerns about our activities so that we can investigate and take appropriate action.
- 12.3 It is the responsibility of all employees including management of the municipality to report all incidents of fraud, corruption, theft, maladministration, or any other dishonest activities of a similar nature to immediate supervisors or designated ethics and fraud officers. If the

employee/s is not comfortable reporting such matters to his/her manager, he/she should report the matter to his/her manager's superior, with final recourse to the Municipal Manager. Employees may also report incidents by using the municipal hot-line reporting facility, if they wish to remain anonymous or for any other reason.

- 12.4 All Managers are responsible for the detection, prevention and investigation of fraud, corruption, theft, maladministration, or any dishonest activities of a similar nature, within their areas of responsibility.

13 CONFIDENTIALITY

- 13.1 To ensure that the identity of the whistleblower, whether it be a member of staff, or the community is protected, all information provided in connection with fraud and corruption allegations and suspicions will be treated as highly confidential.

14 REVIEW

- 14.1 This Anti-Corruption and Fraud Prevention Plan must be reviewed as and when required and be approved by Council.

15 CONCLUSION

- 15.1 The Municipality encourages its personnel, members of the public as well as all other stakeholders as set out in this Plan to freely report any suspicion of fraud, corruption and any other irregularities that has been attempted or committed without fear or favour.

8.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

9.	URGENT MATTERS
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10.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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